



## Local Law No. 12

# (Council Property and Other Public Places) 2003

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S. Trinca\_  
Acting Chief Executive Officer



# Local Law No. 12 (Council Property and Other Public Places) 2003

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# **Logan City Council**

## **Local Law No. 12**

### **(Council Property and Other Public Places) 2003**

#### **Part 1 Preliminary**

##### **1 Short title**

This local law may be cited as *Local Law No. 12 (Council Property and Other Public Places) 2003*.

##### **2 Application and object**

- (1) This local law and any subordinate local law made under this local law apply to the whole of the Logan City Council local government area.
- (2) The objects of this local law are to—
  - (a) provide for the establishment of council property; and
  - (b) provide for the protection of council property; and
  - (c) confer the necessary powers for the management and control of council property; and
  - (d) protect the safety of persons using council property; and
  - (e) regulate activities in and on council property and ensure appropriate standards of conduct; and
  - (f) provide for appropriate public access to council property.

##### **3 Definitions—the dictionary**

The dictionary in the Schedule (Dictionary) defines particular words used in this local law.

##### **4 Relationship to other laws**

- (1) The powers given by this local law must be exercised in a way that is not inconsistent with all Acts (including subordinate legislation) including—
  - (a) the *Environmental Protection Act 1994*; and
  - (b) the *Planning Act 2016*; and
  - (c) the *Criminal Code Act 1899*; and
  - (d) the *Fire and Emergency Services Act 1990*; and

- (e) the *Forestry Act 1959*; and
  - (f) the *Mineral Resources Act 1989*; and
  - (g) the *Nature Conservation Act 1992*; and
  - (h) the *Recreation Areas Management Act 2006*; and
  - (i) the *Stock Route Management Act 2002*; and
  - (j) the *Health Act 1937*; and
  - (k) the *Land Act 1994*; and
  - (l) the *Building Act 1975*.
- (2) The local government may only exercise its powers under this local law over—
- (a) trust land, if the proposed exercise of power is consistent with—
    - (i) the terms and conditions of the trust; and
    - (ii) the *Land Act 1994*; or
  - (b) a reserve, if the proposed exercise of power is consistent with the legislation under which the reserve has been placed under the control of the local government; or
  - (c) a road, if the proposed exercise of power is—
    - (i) in the case of a State-controlled road – approved in writing by the chief executive of the department which administers Chapter 6 (Road Transport Infrastructure) of the *Transport Infrastructure Act 1994*; and
    - (ii) in the case of a local government road – consistent with the *Land Act 1994* and the *Local Government Act 2009*.

## **Part 2 Administration of Council property**

### **5 Management authority**

- (1) The local government may by a subordinate local law—
- (a) establish a management authority to manage council property; and
  - (b) specify the membership and structure of a management authority; and
  - (c) specify procedures governing the operation and use of the council property; and

- (d) specify policies and guidelines governing the management of the council property by the management authority; and
  - (e) specify the powers given to the local government pursuant to this local law that may be exercised by a management authority on behalf of the local government.
- (2) A management authority may exercise the powers of the local government pursuant to this local law that are specified in a subordinate local law.
  - (3) A management authority must comply with this local law and all subordinate local laws made under this local law.

Maximum penalty for subsection (3) – 200 penalty units.

## **Part 3                      Regulation of council property and other public places**

### **6            Local government advertisements and signs**

The local government may exhibit an advertisement and a sign on council property and any other public place notwithstanding the provisions of any local law.

### **7            Contractual powers**

The local government may enter a contract in respect of—

- (a) the use of council property; and
- (b) a matter the subject of an approval under this local law; and
- (c) a matter that is regulated by a subordinate local law pursuant to section 9 (Regulation of council property) of this local law.

### **8            Use of council logo**

- (1) The local government must keep a register of all council logos that must be kept available for public inspection at the City Administration Centre.
- (2) A person (other than the local government) must not use a council logo unless authorised by the prior written permission of the local government.

Maximum penalty for subsection (2) – 200 penalty units.

- (3) Notwithstanding section 8(2) (Use of council logo) of this local law, a person (other than the local government) must comply with a direction of the local government in relation to the use of a council logo when using a council logo.

Maximum penalty for subsection (3) – 200 penalty units.

- (4) A person (other than the local government) must not use a symbol which—
- (a) is substantially similar to a council logo; or
  - (b) so nearly resembles a council logo that it is likely to deceive or cause confusion as to whether the symbol is a council logo.

Maximum penalty for subsection (4) – 200 penalty units.

- (5) For the purposes of section 8(4)(a) (Use of council logo) of this local law, a symbol may be substantially similar to a council logo notwithstanding that the symbol is not comprised, in whole or in part, of the same colour or colours as the council logo.

## **9 Regulation of council property**

- (1) The local government may, by a subordinate local law, a resolution of the local government, or a sign exhibited on a council property—
- (a) regulate the name of the council property; and
  - (b) regulate the exclusion or admission of persons or goods from the council property; and
  - (c) regulate the hours or days during which the council property or any part thereof is open; and
  - (d) prescribe a fee for the use or hire of council property; and
  - (e) regulate the ingress and egress to the council property to a designated access; and
  - (f) regulate the driving, parking or use of a regulated vehicle on the council property; and
  - (g) regulate the bringing of an animal or a plant onto the council property; and
  - (h) regulate the bringing of a regulated object onto the council property; and
  - (i) regulate the carrying out of regulated conduct on the council property; and
  - (j) regulate interference with the council property; and
  - (k) regulate the lighting and maintenance of fires and pyrotechnics on the council property; and

- (1) regulate the use by the public of the council property to ensure the protection of—
  - (i) the council property (including the amenity of the council property); or
  - (ii) any person using the council property.
- (2) A person (other than the local government) must not contravene a restriction imposed pursuant to section 9(1) (Regulation of council property) of this local law unless—
  - (a) authorised by a permit; or
  - (b) authorised by the prior written approval of the local government or;
  - (c) authorised by a direction of an authorised person; or
  - (d) that person is acting in the performance of an express duty or power under legislation.

Maximum penalty for subsection (2) – 50 penalty units.

- (3) An authorised person may make a direction in relation to a matter specified in section 9(1) (Regulation of council property) of this local law.
- (4) Notwithstanding section 9(1) (Regulation of council property) of this local law, a person must not interfere with a public place or any council asset.

Maximum penalty for subsection (4) – 50 penalty units.

## **9A Regulation of camping on council property**

A person must not camp on council property unless—

- (a) authorised by a permit; or
- (b) authorised by the prior written approval of the local government; or
- (c) authorised by a direction of an authorised person.

Maximum penalty – 50 penalty units.

## **10 Regulation of use of community facilities**

- (1) A person (other than the local government) must not use a community facility unless—
  - (a) authorised by the prior written approval of the local government; or



- (b) an exemption specified in a subordinate local law allows the community facility to be used by that person.

Maximum penalty for subsection (1) – 50 penalty units.

- (2) The local government must exhibit a sign on or near a community facility specifying that this local law applies to the community facility.

## **11 Regulation of business on public places**

- (1) A person (other than the local government) must not carry on business on a public place which is—
  - (a) a council facility unless authorised by the prior written approval of the local government; or
  - (b) not a council facility or a community facility unless the business is—
    - (i) of a type specified in a subordinate local law; and
    - (ii) authorised by a permit.

Maximum penalty for subsection (1) – 50 penalty units.

- (2) Notwithstanding section 11(1) (Regulation of business on public places) of this local law, a business that is the exhibition of an election sign may be carried out on a public place if it is being lawfully carried out under *Local Law No. 9 (Licensing) 1999*.

## **Part 4 Permits**

### **12 Requirement for a permit**

- (1) Where a permit is required for a prescribed activity pursuant to this local law, a person (other than the local government) must not undertake the prescribed activity unless authorised by a permit granted pursuant to section 14 (Grant of a permit) of this local law.

Maximum penalty for subsection (1) – 50 penalty units.

- (2) A person must not—
  - (a) exhibit a sign which indicates that a prescribed activity which does not comply with this local law does comply with this local law; or
  - (b) in any manner or by any means indicate that a prescribed activity which does not comply with this local law does comply with this local law.

Maximum penalty for subsection (2) – 50 penalty units.

- (3) Notwithstanding section 12(1) (Requirement for a permit) of this local law, a permit is not required under this local law if a subordinate local law specifies that a permit is not required in respect of the prescribed activity.
- (4) Notwithstanding section 12(1) (Requirement for a permit) of this local law, the holder of a permit must not undertake the prescribed activity until all approvals required under legislation in respect of the prescribed activity have been obtained.

### **13 Application for a permit**

- (1) An application for a permit must be—
  - (a) made by the person who will be undertaking the prescribed activity; and
  - (b) made in the prescribed form; and
  - (c) accompanied by—
    - (i) the prescribed fee; and
    - (ii) evidence that all approvals under the Local Government Acts required for undertaking of the prescribed activity have been obtained; and
    - (iii) full details of the prescribed activity; and
    - (iv) such other information and materials as are requested by the local government or specified in a subordinate local law.
- (2) The local government may waive the requirements of section 13 (Application for a permit) of this local law—
  - (a) in an emergency; or
  - (b) if there are special reasons for dispensing with the requirement; or
  - (c) in the circumstances specified in a subordinate local law.

### **14 Grant of a permit**

- (1) The local government may grant a permit if satisfied that the undertaking of the prescribed activity—
  - (a) will not result in harm to human health or safety or personal injury; and
  - (b) will not result in property damage or a loss of amenity; and
  - (c) will not result in environmental harm or environmental nuisance; and
  - (d) will not result in a nuisance; and

- (e) will not result in a traffic nuisance; and
  - (f) complies with the provisions of the Local Government Acts that regulate the undertaking of the prescribed activity; and
  - (g) complies with the prescribed criteria.
- (2) Before the local government decides an application for a permit, an authorised person may—
- (a) inspect any vehicle, equipment, animal, plant or thing to be involved in the undertaking of the prescribed activity; and
  - (b) measure, weigh, sample, test, photograph, videotape or otherwise examine anything that may be inspected.

**15 Term of a permit**

- (1) A permit granted by the local government is for a term—
- (a) specified in the permit; or
  - (b) otherwise specified in a subordinate local law.
- (2) A permit expires at the end of the day specified in section 15(1) (Term of a permit) of this local law.

**16 Conditions of a permit**

- (1) A permit may be granted by the local government on conditions the local government considers appropriate.
- (2) The conditions of a permit may—
- (a) require the holder of the permit to take specified measures to—
    - (i) prevent harm to human health or safety or personal injury; and
    - (ii) prevent property damage or a loss of amenity; and
    - (iii) prevent environmental harm or environmental nuisance; and
    - (iv) prevent a nuisance; and
    - (v) prevent a traffic nuisance; and
    - (vi) ensure that there is compliance with the provisions of the Local Government Acts that regulate the undertaking of the prescribed activity; and

- (vii) ensure that the prescribed activity complies with the prescribed criteria; and
  - (b) require compliance with specified safety requirements; and
  - (c) require the holder of the permit to carry out specified work; and
  - (d) regulate the time within which the prescribed activity must be carried out; and
  - (e) specify standards with which the prescribed activity must comply; and
  - (f) require the holder of the permit to give the local government specified indemnities and to take out specified insurance; and
  - (g) require the holder of the permit to take out specified insurance indemnifying persons who may suffer personal injury, or loss or damage, as a result of the prescribed activity; and
  - (h) require the holder of the permit to exhibit specified warning notices and to take other specified precautions; and
  - (i) require the holder of the permit to notify the local government within a period specified in the permit that the holder of the permit is no longer undertaking the prescribed activity or is undertaking the prescribed activity other than in accordance with the permit; and
  - (j) require the certification by a person specified by the local government of a vehicle, equipment or thing involved in the prescribed activity; and
  - (k) require the giving of a security to secure compliance with the permit and the provisions of this local law; and
  - (l) require records to be kept at a place and for a time specified in the permit or a subordinate local law; and
  - (m) require the holder of the permit to prepare, provide, undertake or comply with a periodic inspection, monitoring or management program in respect of the prescribed activity.
- (3) The local government may specify in a subordinate local law, the conditions that must be imposed in a permit or that will ordinarily be imposed in a permit for a prescribed activity.

## **17 Power to change the conditions of a permit**

- (1) The local government may change a condition of a permit where<sup>1</sup>—

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<sup>1</sup> A change to the conditions of a permit includes a change by omission, substitution, exception or addition (see section

- (a) the holder of the permit agrees to the proposed change; or
  - (b) the change is urgently necessary to prevent—
    - (i) harm to human health or safety or personal injury; or
    - (ii) property damage or a loss of amenity; or
    - (iii) environmental harm or environmental nuisance; or
    - (iv) a nuisance; or
    - (v) a traffic nuisance; or
  - (c) the change is necessary to ensure that the undertaking of the prescribed activity complies with the prescribed criteria.
- (2) If the local government is satisfied it is necessary to change a condition of a permit, the local government must—
- (a) give the holder of the permit a written notice stating—
    - (i) the proposed change and the reasons for the change; and
    - (ii) that the holder of the permit may make written representations to the local government about the proposed change; and
    - (iii) the time (at least 15 business days after the notice is given to the holder of the permit) within which the written representations may be made; and
  - (b) consider any written representation made by the holder of the permit within the time stated in the notice.
- (3) After considering any written representation made by the holder of the permit, the local government must give to the holder of the permit—
- (a) if the local government is not satisfied the change is necessary – a written notice stating that it has decided not to change the condition; or
  - (b) if the local government is satisfied that the change is necessary – a written notice stating that it has decided to change the condition including details of the changed condition.
- (4) The changed condition takes effect from the day the notice was given to the holder of the permit.

**18 Amendment, renewal or transfer of a permit**

- (1) The holder of a permit may make application to the local government to—
  - (a) amend the permit; or
  - (b) renew the permit; or
  - (c) transfer the permit to another person.
- (2) An application to amend, renew or transfer a permit must be—
  - (a) made by the holder of the permit; and
  - (b) made in the prescribed form; and
  - (c) accompanied by the prescribed fee and such other information as is requested by the local government; and
  - (d) accompanied by, in the case of a transfer of the permit, the consent of the person to whom the permit will be transferred.
- (3) The local government may renew or transfer a permit—
  - (a) where the undertaking of the prescribed activity complies with the conditions of the permit and the provisions of this local law; and
  - (b) subject to such conditions the local government considers appropriate.
- (4) The local government may amend a permit—
  - (a) where the undertaking of the prescribed activity complies with the criteria specified in section 14(1) (Grant of a permit) of this local law; and
  - (b) subject to such conditions the local government considers appropriate.
- (5) Subject to section 18(6) (Amendment, renewal or transfer of a permit) of this local law, if an application to renew a permit is made pursuant to section 18(1)(b) (Amendment, renewal or transfer of a permit) of this local law, the permit is taken to continue in force from the day that it would, apart from this section, have expired until the day the application is decided pursuant to section 18(3) (Amendment, renewal or transfer of a permit) of this local law.
- (6) Section 18(5) (Amendment, renewal or transfer of a permit) of this local law does not apply where a permit has been cancelled pursuant to section 19 (Cancellation of a permit) of this local law.

- (7) Subject to section 18(8) (Amendment, renewal or transfer of a permit), a person who is not the holder of a permit may make an application to the local government to transfer the permit to another person where—
- (a) the person has lawfully purchased the rights to undertake the prescribed activity;
  - (b) the person provides with the application—
    - (i) information that sufficiently proves that the rights to undertake the prescribed activity have been lawfully purchased by and transferred to the person;
    - (ii) a declaration under the *Oaths Act 1867* with details of the reasons why the holder of the permit is not making the transfer application; and
  - (c) the person complies with all of the requirements of section 18(2) (Amendment, renewal or transfer of a permit), except for section 18(2)(a).
- (8) A transfer application by a person other than the permit holder may be refused to be accepted or considered by the local government until one or more of the following occurs—
- (a) the local government is satisfied the rights to undertake the prescribed activity have been lawfully purchased by and transferred to the person;
  - (b) the person provides the local government with all the information the local government requests to prove the rights to undertake the prescribed activity have been lawfully purchased by and transferred to the person;
  - (c) the local government is satisfied the holder of the permit should not be required to make the transfer application; and
  - (d) the person agrees to indemnify the local government for any and all damage or claims that result from transferring the permit to another person.

## **19 Cancellation of a permit**

- (1) The local government may cancel a permit where—
- (a) the holder of the permit agrees to the cancellation; or
  - (b) the cancellation is urgently necessary to prevent—
    - (i) harm to human health or safety or personal injury; or
    - (ii) property damage or a loss of amenity; or

- (iii) environmental harm or environmental nuisance; or
    - (iv) a nuisance; or
    - (v) a traffic nuisance; or
  - (c) the holder of the permit contravenes—
    - (i) this local law; or
    - (ii) a condition of a permit; or
    - (iii) a requirement of a compliance notice or a stop order; or
  - (d) the undertaking of the prescribed activity does not comply with—
    - (i) the provisions of the Local Government Acts that regulate the undertaking of the prescribed activity; or
    - (ii) the prescribed criteria; or
  - (e) the permit was granted on the basis of false, misleading or incomplete information; or
  - (f) changes in circumstances as specified in a subordinate local law since the permit was granted make the continued operation of the permit inappropriate; or
  - (g) the holder of the licence has ceased operating the prescribed activity.
- (2) If the local government is satisfied it is necessary to cancel a permit, the local government must—
  - (a) give the holder of the permit a written notice stating—
    - (i) the reasons for the proposed cancellation; and
    - (ii) that the holder of the permit may make written representations to the local government about the proposed cancellation; and
    - (iii) the time (at least 15 business days after the notice is given to the holder of the permit) within which written representations may be made; and
  - (b) consider any written representation made by the holder of the permit within the time stated in the notice.
- (3) After considering any written representation made by the holder of the permit the local government must give to the holder of the permit—



- (a) if the local government is not satisfied that the cancellation is necessary – a written notice stating it has decided not to cancel the permit; or
  - (b) if the local government is satisfied that the cancellation is necessary – a written notice stating it has decided to cancel the permit.
- (4) The cancellation of the permit takes effect from the day the written notice was given to the holder of the permit.
- (5) Where the local government has cancelled a permit, the holder of the permit must cease to undertake the prescribed activity.

Maximum penalty for subsection (5) – 50 penalty units.

## **20 General compliance provision**

- (1) The holder of an approval must ensure that the conditions of the approval are complied with.

Maximum penalty for subsection (1) – 50 penalty units.

- (2) The holder of an approval and any person undertaking a prescribed activity must ensure that the undertaking of the prescribed activity—
- (a) does not result in harm to human health or safety or personal injury; and
  - (b) does not result in property damage or a loss of amenity; and
  - (c) does not result in environmental harm or environmental nuisance; and
  - (d) does not result in a nuisance; and
  - (e) does not result in a traffic nuisance; and
  - (f) complies with the prescribed criteria.

Maximum penalty for subsection (2) – 50 penalty units.

## **Part 5 Enforcement**

### **21 Compliance notice**

- (1) The local government may give a compliance notice to—
- (a) a person who contravenes this local law; and
  - (b) any person involved in the contravention of this local law pursuant to section 28 (Liability of third parties) of this local law.
- (2) A compliance notice may require the person to whom it is given to—

- (a) stop the contravention, if the contravention is of a continuing or recurrent nature; and
  - (b) perform work or otherwise take specified action to remedy the contravention (including the making of an application for an approval) for or within a time specified in the compliance notice, whether or not the contravention is of a continuing or recurrent nature; or
  - (c) perform work or otherwise take specified action for or within a time specified in the compliance notice to ensure compliance with the criteria specified in section 20 (General compliance provision) of this local law.
- (3) A person to whom the compliance notice is given must comply with the compliance notice.

Maximum penalty for subsection (3) – 50 penalty units.

## **22 Stop order**

- (1) The local government may by notice to a person undertaking a prescribed activity require the person to cease to undertake the prescribed activity within the time allowed in the notice where—
- (a) a compliance notice is not complied with within the time allowed for compliance in the compliance notice; or
  - (b) the person does not hold an approval from the local government; or
  - (c) the undertaking of the prescribed activity is in the local government’s opinion likely to give rise to—
    - (i) harm to human health or safety or personal injury; or
    - (ii) property damage or a loss of amenity; or
    - (iii) environmental harm or environmental nuisance; or
    - (iv) a nuisance; or
  - (d) the undertaking of the prescribed activity does not comply with—
    - (i) the provisions of the Local Government Acts that regulate the undertaking of the prescribed activity; or
    - (ii) the prescribed criteria.
- (2) Subject to section 22(3) (Stop order) of this local law, a person to whom a stop order is given must—
- (a) cease to undertake the prescribed activity; and

(b) comply with the stop order.

Maximum penalty for subsection (2) – 200 penalty units.

(3) The stop order ceases where the person to whom a stop order is given has complied with to the satisfaction of an authorised person—

(a) the requirements of this local law; and

(b) the prescribed criteria relevant to the prescribed activity; and

(c) the conditions of any relevant approval; and

(d) the requirements of any relevant compliance notice; and

(e) the requirements of the stop order.

### **23 Inspection of a prescribed activity**

(1) An authorised person may inspect the undertaking of the prescribed activity and any vehicle, equipment, animal, plant or thing involved in the undertaking of the prescribed activity to establish whether there is compliance with<sup>2</sup>—

(a) the requirements of this local law; and

(b) the prescribed criteria; and

(c) the conditions of the approval; and

(d) the requirements of a compliance notice; and

(e) the requirements of a stop order.

(2) An authorised person may direct the person undertaking the prescribed activity to produce for inspection<sup>3</sup>—

(a) all approvals granted by the local government; and

(b) any records that are required to be kept as specified in a subordinate local law and may take copies or extracts from those records; and

(c) any vehicle, equipment, animal, plant or thing used on the premises; and

(d) any inspection, monitoring or management program required to be kept as a condition of an approval or as a requirement of the prescribed criteria or as specified in a subordinate local law.

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<sup>2</sup> See the powers contained in Chapter 5, Part 2, Division 1 of the *Local Government Act 2009*.

<sup>3</sup> See the powers contained in Chapter 5, Part 2, Division 1 of the *Local Government Act 2009*.

- (3) An authorised person may measure, weigh, sample, test, photograph, videotape or otherwise examine anything that may be inspected pursuant to section 23 (Inspection of a prescribed activity) of this local law<sup>4</sup>.
- (4) The person who is undertaking the prescribed activity must comply with—
  - (a) a direction of an authorised person pursuant to section 23(2) (Inspection of a prescribed activity) of this local law; and
  - (b) the terms of a periodic inspection, monitoring or management program in respect of the undertaking of the prescribed activity specified in a subordinate local law.

Maximum penalty for subsection (4) – 50 penalty units.

## **24 Performance of work**

- (1) A person who commits an offence under this local law must make good any damage caused directly or indirectly by the commission of the offence.
- (2) The local government may perform work where a person has failed to perform work required to be performed by<sup>5</sup>—
  - (a) section 24(1) (Performance of work) of this local law; or
  - (b) a compliance notice or a stop order issued under this local law; or
  - (c) a condition of an approval; or
  - (d) any other provision of this local law.
- (3) The local government may in the course of performing work remove any structure, equipment, animal, plant or thing involved in the undertaking of the prescribed activity where<sup>6</sup>—
  - (a) the local government is satisfied that there is a risk of—
    - (i) harm to human health or safety or personal injury; or
    - (ii) property damage or a loss of amenity; or
    - (iii) environmental harm or environmental nuisance; or
    - (iv) a nuisance; or

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<sup>4</sup> See the powers contained in Chapter 5, Part 2, Division 1 of the *Local Government Act 2009*.

<sup>5</sup> The exercise of this power is subject to Chapter 5, Part 2, Division 2 of the *Local Government Act 2009*.

<sup>6</sup> The exercise of this power is subject to Chapter 5, Part 2, Division 2 of the *Local Government Act 2009*.

- (b) the undertaking of the prescribed activity does not comply with—
  - (i) the provisions of the Local Government Acts that regulate the undertaking of the prescribed activity; or
  - (ii) the prescribed criteria.
- (4) The local government must dispose of any material of any nature removed by it pursuant to section 24(3) (Performance of work) of this local law in accordance with the provisions for the disposal of confiscated goods under *Local Law No. 2 (Administration) 2010*.
- (5) An authorised person may perform the work that the local government is empowered to undertake pursuant to section 24 (Performance of work) of this local law.
- (6) The Court may order a person found guilty of an offence under this local law to—
  - (a) perform work required to be performed by—
    - (i) section 24(1) (Performance of work) of this local law; or
    - (ii) a compliance notice or a stop order issued under this local law; or
    - (iii) a condition of an approval; or
    - (iv) a provision of this local law; and
  - (b) pay to the local government all costs incurred by the local government in performing the work pursuant to section 24 (Performance of work) of this local law.

## **25 Power of entry and cost recovery**

- (1) If the work to be carried out by the local government is on land of which the local government is not the owner or occupier, the local government may enter the land to perform the work<sup>7</sup>—
  - (a) if the person who has failed to perform the work is the owner or occupier of the land; or
  - (b) if the entry is necessary for the exercise of the local government's jurisdiction.
- (2) If the person who failed to perform the work is the owner of the land, the amount properly and reasonably incurred by the local government to perform the work is

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<sup>7</sup> See the powers contained in Chapter 5, Part 2, Division 2 of the *Local Government Act 2009*.

recoverable (together with any interest) under Chapter 5, Part 2, Division 2 of the *Local Government Act 2009*.

- (3) If the person who failed to perform the work is not the owner of the land, the amount properly and reasonably incurred by the local government is recoverable as a debt from the person in default together with interest on the same basis as applies to an owner of the land under Chapter 5, Part 2, Division 2 of the *Local Government Act 2009*.

## **26 Defence**

It is a defence to any breach or non-compliance of a provision contained in this local law if a person has a lawful excuse or defence.

*Example—*

*It is a defence to any breach or non-compliance of any provision contained in a local law if a person was not criminally responsible in accordance with Chapter 5 (Criminal Responsibility) of the Criminal Code.*

## **Part 6 Administrative provisions**

### **27 Executive officers must ensure the corporation complies with the local law**

- (1) The executive officers of a corporation must ensure the corporation complies with this local law.
- (2) If a corporation commits an offence against a provision of this local law, each of the corporation's executive officers also commit an offence, namely, the offence of failing to ensure that the corporation complies with the provision.

Maximum penalty for subsection (2) – the penalty for the contravention of the provision by an individual.

- (3) Evidence that the corporation has been convicted of an offence against a provision of this local law is evidence that each of the executive officers committed the offence of failing to ensure that the corporation complied with the provision.
- (4) However, it is a defence for an executive officer to prove—
- (a) if the officer was in a position to influence the conduct of the corporation in relation to the offence – the officer exercised reasonable diligence to ensure the corporation complied with the provision; or
  - (b) the officer was not in a position to influence the conduct of the corporation in relation to the offence.
- (5) This section applies so as not to limit or affect in any way the liability of a corporation to be proceeded against and punished for an offence committed by the corporation in contravention of this local law.

## **28 Liability of third parties**

- (1) Any person involved in a contravention of this local law commits an offence.

Maximum penalty for subsection (1) – the penalty for which any person who committed the contravention would be liable.

- (2) For the purposes of section 28(1) (Liability of third parties) of this local law, a person involved in a contravention of this local law is any person who—
- (a) has aided, abetted, counselled or procured the contravention; or
  - (b) has induced, whether by threats or promises or otherwise, the contravention; or
  - (c) has been in any way, directly or indirectly, knowingly concerned in, or party to, the contravention; or
  - (d) has conspired with others to effect the contravention; or
  - (e) has knowingly benefited from or knowingly was capable of benefiting from the contravention.

## **29 Attempts to commit offences**

- (1) A person who attempts to commit an offence under this local law commits an offence.

Maximum penalty for subsection (1) – half the maximum penalty for committing the offence.

- (2) The provisions of the *Criminal Code* (relevant to attempts to commit offences) apply to the attempt.

## **Part 7 Subordinate local laws**

### **30 Subordinate local laws**

The local government may in a subordinate local law specify—

- (a) a symbol as a council logo pursuant to the Schedule (Dictionary) of this local law; and
- (b) as a local government road a public place pursuant to the Schedule (Dictionary) of this local law; and
- (c) the prescribed criteria with which a prescribed activity must comply pursuant to the Schedule (Dictionary) of this local law; and

- (d) a premises as a public place pursuant to the Schedule (Dictionary) of this local law; and
- (e) a thing as a regulated object pursuant to the Schedule (Dictionary) of this local law; and
- (f) a thing as a structure pursuant to the Schedule (Dictionary) of this local law; and
- (g) a thing as a vehicle pursuant to the Schedule (Dictionary) of this local law; and
- (h) a thing as a wheeled recreational device pursuant to the Schedule (Dictionary) of the local law; and
- (i) the establishment of a management authority and the membership, structure, procedures, policies, guidelines and powers of the management authority pursuant to section 5 (Management authority) of this local law; and
- (j) the regulations that will apply to the use of council property pursuant to section 9 (Regulation of council property) of this local law; and
- (k) an exemption for the use of a community facility pursuant to section 10(1)(b) (Regulation of use of community facilities) of this local law; and
- (l) a business for the purposes of section 11(b)(i) (Regulation of business on public places) of the local law; and
- (m) the undertaking of a prescribed activity for which a person is not required to hold a permit pursuant to section 12(3) (Requirement for a permit) of this local law; and
- (n) the information that must accompany an application for a prescribed activity pursuant to section 13(1)(c)(iv) (Application for a permit) of this local law; and
- (o) the circumstances in which the local government may waive the requirements of section 13 (Application for a permit) of this local law pursuant to section 13(2)(c) (Application for a permit) of this local law; and
- (p) the term of a permit for a prescribed activity pursuant to section 15(1)(b) (Term of a permit) of this local law; and
- (q) the records that must be kept, the place at which those records must be kept and the period for which those records must be kept pursuant to section 16(2)(1) (Conditions of a permit) of this local law; and



- (r) the conditions that must be imposed on a permit or that will ordinarily be imposed on a permit pursuant to section 16(3) (Conditions of a permit) of this local law; and
- (s) the changes in circumstances since a permit was granted that make the continued operation of the permit inappropriate pursuant to section 19(1)(f) (Cancellation of a permit) of this local law; and
- (t) the records that are required to be kept pursuant to section 23(2)(b) (Inspection of a prescribed activity) of this local law; and
- (u) any inspection, monitoring or management program required to be kept pursuant to section 23(2)(d) (Inspection of a prescribed activity) of this local law; and
- (v) the terms of a periodic inspection, monitoring or management program in respect of the undertaking of the prescribed activity pursuant to section 23(4)(b) (Inspection of a prescribed activity) of this local law; and
- (w) such other matters as are provided for in this local law.

## Schedule Dictionary

section 3

**advertisement** means the operation of an activity on council property or a public place—

- (a) defined as an off-premises sign in the planning scheme<sup>8</sup> or in any local law or subordinate local law; or
- (b) defined as an on-premises sign in the planning scheme<sup>9</sup> or in any local law or subordinate local law; or
- (c) being an advertising device that is temporary in nature and may include an advertising device which is defined as a temporary sign in any local law or subordinate local law.

**advertising** includes the use of any fixed or moveable device, design, writing, structure, erection, publication, placard, signboard or sign of any kind whatsoever for the sale of a good, service or a vehicle.

**animal** has the meaning given in the local government’s animal management local laws.

**approval** has the meaning given in *Local Law No. 2 (Administration) 2010*.

**authorised person** means a person authorised by the local government pursuant to *Local Law No. 2 (Administration) 2010* to exercise the powers of an authorised person under this local law.

**building** has the meaning given in the *Building Act 1975*.

**business** includes—

- (a) the supply of goods or services; and
- (b) the sale of a good or service; and

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<sup>8</sup> **off-premises sign** is defined in Schedule 1 (Dictionary) of the planning scheme as ‘an advertising device used for the exhibition or the display of advertising of a matter not exclusively related to the predominant use of the premises.’. For the purpose of the planning scheme, **advertising device** is defined in Schedule 1 (Dictionary) of the planning scheme as ‘any permanent structure, device, sign or the like intended for advertising purposes. It includes any framework, supporting structure or building feature that is provided exclusively or mainly as part of the advertisement.’.

<sup>9</sup> **on-premises sign** is defined in Schedule 1 (Dictionary) of the planning scheme as ‘an advertising device used for the exhibition or the display of advertising of a matter exclusively related to the predominant use of the premises.’. For the purpose of the planning scheme, **advertising device** is defined in Schedule 1 (Dictionary) of the planning scheme as ‘any permanent structure, device, sign or the like intended for advertising purposes. It includes any framework, supporting structure or building feature that is provided exclusively or mainly as part of the advertisement.’.

- (c) engaging in any trade or business; and
- (d) distributing a business advertising publication; and
- (e) touting; and
- (f) advertising a good or service; and
- (g) a fete, market or stall; and
- (h) the exhibition of an advertisement; and
- (i) the exhibition of a sign,

but does not include those matters regulated by sections 126 and 126B of the *Traffic Regulation 1962*.

**business advertising publication** means a publication that publicises any business, commercial or trade activity.

**camp** has the meaning given to **camping** in *Local Law No. 5 (Parks, Jetties and Boat Ramps) 2011*.

**community facility** means a public place which the local government has resolved to be a community facility.

**compliance notice** means the written notice given pursuant to section 21 (Compliance notice) of this local law.

**corporation** means a corporation as defined in the *Corporations Act 2001 (Cth)* and includes an association as defined in the *Associations Incorporation Act 1981*.

**council asset** means—

- (a) a fixture, chattel, material, plant, animal, thing or other tangible property (other than a council facility) of which the local government is the owner or occupier; and
- (b) a council logo, any intellectual property right or other intangible property of which the local government is the owner.

**council facility** means a public place other than—

- (a) a community facility; or
- (b) a road; or
- (c) a park as defined in *Local Law No. 5 (Parks, Jetties and Boat Ramps) 2011*; or

- (d) a public place to which *Local Law No. 5 (Parks, Jetties and Boat Ramps) 2011* applies; or
- (e) a library as defined in *Local Law No. 3 (Libraries) 2003*; or
- (f) part of the water supply system as defined in the *Standard Plumbing and Drainage Regulation 2003*; or
- (g) part of the sewerage system as defined in the *Plumbing and Drainage Act 2002*.

***council logo*** means any symbol used or intended to be used to represent or identify the local government, including—

- (a) a registered trademark owned by the local government; or
- (b) a trademark lodged for registration by the local government; or
- (c) a symbol as identified from time to time by a resolution of the local government; or
- (d) a symbol produced or used by the local government in the exercise of its jurisdiction of local government; or
- (e) any symbol declared to be a council logo in a subordinate local law.

***council property*** means—

- (f) a community facility; or
- (g) a council facility; or
- (h) a council asset.

***Court*** means the court of law which has jurisdiction to deal with offences under this local law.

***designated access*** means the gateway, opening, entrance or other means of ingress to or egress from the council property designated by the local government by a sign exhibited in or on the council property.

***device*** means a design, writing, drawing, depiction, structure, erection, placard, banner, notice, signboard, notice of sign, publication or sign of any kind.

***direction*** means a written or oral direction given by an authorised person pursuant to *Local Law No. 2 (Administration) 2010*.

***environmental harm*** has the meaning given in the *Environmental Protection Act 1994*.

***environmental nuisance*** has the meaning given in the *Environmental Protection Act 1994*.

**executive officer** of a corporation means a person who is concerned with, or takes part in, the corporation's management whether or not the person is a director or the person's position is given the name of executive officer.

**exhibit** includes in relation to an advertisement or sign, the painting, writing, drawing, depiction, making, erection, affixing, putting up, operation or transport of an advertisement or sign.

**goods** includes an animal, a plant, a vehicle, an advertisement and an article.

**interference** includes any damage, destruction, tampering, removal, alteration, defacement or change.

**land** has the meaning given in the *Planning Act 2016*.

**local government** means Logan City Council and includes officers of the Logan City Council.

**Local Government Act** has the meaning given in the *Local Government Act 2009* and includes approvals granted pursuant to Local Government Acts.

**local government road** means—

- (a) a road under the *Local Government Act 2009*; and
- (b) a mall, a square, court or other like public place under the local government's control that is specified in a subordinate local law to be subject to this local law.

**local law** includes any subordinate local laws and all approvals granted pursuant to this local law.

**management authority** means the management authority established by the local government pursuant to section 5 (Management authority) of this local law.

**newspaper** has the meaning given in the *Printing and Newspapers Act 1981*.

**nuisance** has the meaning given in *Local Law No. 10 (Public Health) 1999*.

**occupier** of premises means the person who has the control or management of the premises.

**owner** means in the case of—

- (a) premises – the person for the time being entitled to receive the rent for the premises or would be entitled to receive the rent for it if it were let to a tenant at a rent; and
- (b) property other than premises – the person who has a legal or beneficial interest in the property.

***perform work*** includes take action to comply with a Local Government Act and includes work required to be performed pursuant to a legal instrument or an approval.

***permit*** means a permit which has been granted pursuant to section 14 (Grant of a permit) of this local law or amended, renewed or transferred pursuant to section 18 (Amendment, renewal or transfer of a permit) of this local law which—

- (a) has not expired pursuant to section 15(2) (Term of a permit) of this local law; or
- (b) has not been cancelled pursuant to section 19 (Cancellation of a permit) of this local law.

***planning scheme*** means the *Logan Planning Scheme 2015*.

***plant*** has the meaning given in *Local Law No. 2 (Administration) 2010*.

***police officer*** has the meaning given in section 2.2 of the *Police Service Administration Act 1990*.

***power assisted bicycle*** means a bicycle to which a power source is attached.

***power assisted cycle*** means a power assisted bicycle or power assisted tricycle.

***power assisted tricycle*** means a tricycle to which a power source is attached.

***premises*** means any land, building or structure and includes any part thereof.

***prescribed activity*** means an activity which is prohibited by this local law unless authorised by an approval.

***prescribed criteria*** means the criteria specified in a subordinate local law with which the undertaking of the prescribed activity must comply.

***prescribed fee*** means the fee prescribed by the local government.

***prescribed form*** means the form prescribed by the local government.

***publication*** means any printed matter or written matter and includes a book, pamphlet, leaflet, circular, handbill, notice, ticket, voucher, pass, advertisement, poster, magazine or other periodical publication but does not include a newspaper.

***publicise*** means to draw to the attention of, make known, advertise or promote and ***publicises*** has the corresponding meaning.

***public place*** means—

- (a) a road; or
- (b) trust land; or

- (c) a reserve; or
- (d) premises of which the local government is the owner or occupier; or
- (e) premises specified as a public place in a subordinate local law.

**regulated conduct** means conduct which in the opinion of the authorised person is likely to give rise to—

- (a) harm to human health or safety or personal injury; or
- (b) property damage or a loss of amenity; or
- (c) environmental harm or environmental nuisance; or
- (d) a nuisance; or
- (e) harassment or disturbance of a person; or
- (f) interference with the reasonable use of the council property; or
- (g) interruption or obstruction of the exercise of the powers of the local government or a management authority; or
- (h) offence to a person; or
- (i) an interruption of the exercise of a power under an agreement with the local government or a management authority.

**regulated object** means a thing—

- (a) which in the opinion of the authorised person is dangerous; or
- (b) specified as a regulated object in a subordinate local law.

**regulated vehicle** means—

- (a) a vehicle; and
- (b) a wheeled recreational device; and
- (c) a bicycle, cycle and a tricycle; and
- (d) a power assisted cycle.

**reserve** has the meaning given in *Local Law No. 5 (Parks, Jetties and Boat Ramps) 2011*.

**road** means a local government road and a State-controlled road.

**sale** includes—

- (a) barter; or
- (b) exchange; or
- (c) offering, or exposing for sale; or
- (d) receiving or having in possession for sale; or
- (e) sending, forwarding or delivering for sale.

**sign** means a device that publicises a matter.

**State-controlled road** means a State-controlled road under the *Transport Infrastructure Act 1994*.

**stop order** means the written notice given pursuant to section 22(1) (Stop order) of this local law which has not ceased pursuant to section 22(3) (Stop order) of this local law.

**structure** has the meaning given in the *Local Government Act 2009* and includes a structure as defined under the *Building Act 1975* and any other thing specified in a subordinate local law.

**symbol** includes the following or any combination of the following, namely, any letter, word, numeral, emblem, crest, badge, design, mark, logo or image.

**touting** means to approach another person and publicise either verbally or in writing a business, commercial or trade activity.

**traffic** has the meaning given in *Local Law No. 11 (Roads) 1999*.

**traffic nuisance** means a prescribed activity which has or is likely to—

- (a) create a traffic problem; or
- (b) increase an existing traffic problem; or
- (c) detrimentally affect the efficiency of the existing road network.

**trust land** means land dedicated as a reserve or granted in trust under the *Land Act 1994* and for which the local government is the trustee under the *Land Act 1994*.

**vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995* and includes anything specified as a vehicle in a subordinate local law.

**wheeled recreational device** has the meaning given in the *Transport Operations (Road Use Management) Act 1995* and includes anything specified as a wheeled recreational device in a subordinate local law.



## Endnotes

- 1      **Index to Endnotes**
- 2      **Date to which amendments incorporated**
- 3      **Key**
- 4      **Table of reprints**
- 5      **List of legislation**
- 6      **List of annotations**

## 2      **Date to which amendments incorporated**

This reprint includes all amendments that commenced operation on or before the ~~24 May 2019~~[date] 2022.

## 3      **Key**

Key to abbreviations in list of legislation and annotations

<b>Key</b>	<b>Explanation</b>
<b>amd</b>	= amended
<b>ch</b>	= chapter
<b>def</b>	= definition
<b>div</b>	= division
<b>hdg</b>	= heading
<b>ins</b>	= inserted
<b>om</b>	= omitted
<b>p</b>	= page
<b>pt</b>	= part
<b>renum</b>	= renumbered
<b>rep</b>	= repealed
<b>s</b>	= section
<b>sch</b>	= schedule
<b>sdiv</b>	= subdivision

## 4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this local law

<b>Reprint No.</b>	<b>Amendments included</b>	<b>Reprint date</b>
1	<i>Amending Local Law No. 1 (Miscellaneous Local Laws) 2005</i>	24 June 2005
2	<i>Amending Local Law No. 2 (Miscellaneous Local Laws) 2005</i>	17 March 2006
3	<i>Amending Local Law No. 1 (Miscellaneous Local Laws) 2007</i>	9 November 2007
4	<i>Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011</i>	4 November 2011
5	<i>Amending Local Law No. 1 (Miscellaneous Local Laws) 2014</i>	18 May 2015
6	<i>Amending Local Law No. 1 (Council Property and Other Public Places Local Law) 2015</i>	7 August 2015
7	<i>Amending Local Law No. 2 (Miscellaneous Local Laws) 2017</i>	13 April 2017
8	<i>Amending Local Law No. 1 (Miscellaneous Local Laws) 2019</i>	24 May 2019
<u>9</u>	<u><i>Amending Local Law No. 1 (Miscellaneous Local Laws) 2022</i></u>	<u>[date] 2022</u>

## 5 List of legislation

### Original Local Law

Local Law No. 12 (Council Property and Other Public Places) 2003  
date of gazettal 27 June 2003

### Amending Local Law

Amending Local Law No. 1 (Miscellaneous Local Laws) 2005  
date of gazettal 24 June 2005

Amending Local Law No. 2 (Miscellaneous Local Laws) 2005  
date of gazettal 10 February 2006

Amending Local Law No. 1 (Miscellaneous Local Laws) 2007  
date of gazettal 9 November 2007

Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011  
date of gazettal 4 November 2011

Amending Local Law No. 1 (Miscellaneous Local Laws) 2014  
date of gazettal 18 May 2015

Amending Local Law No. 1 (Council Property and Other Public Places Local Law) 2015  
date of gazettal 7 August 2015

Amending Local Law No. 2 (Miscellaneous Local Laws) 2017  
date of gazettal 13 April 2017

Amending Local Law No. 1 (Miscellaneous Local Laws) 2019  
date of gazettal 24 May 2019

Amending Local Law No. 1 (Miscellaneous Local Laws) 2022  
date of gazettal [date] 2022

## 6 List of annotations

### PART 1—PRELIMINARY

#### Short title

**s 1** amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 233

#### Application and object

**s 2** amd hdg Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 234

amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249

amd/hdg Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 5

amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2017 s 23

#### Definitions—the dictionary

**s 3** amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2005 s 140

amd hdg Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 235

amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 235

**Relationship to other laws**

- s 4**     amd           Amending Local Law No. 1 (Miscellaneous Local Laws) 2005 s 141
- amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd           Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 6
- amd           Amending Local Law No. 1 (Council Property and Other Public Places Local Law) 2015 s 4
- amd           Amending Local Law No. 1 (Miscellaneous Local Laws) 2019 s 19

**PART 2—ADMINISTRATION OF COUNCIL PROPERTY**

**Management authority**

- s 5**     amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd           Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 7

**PART 3—REGULATION OF COUNCIL PROPERTY AND OTHER PUBLIC PLACES**

**Contractual powers**

- s 7**     amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd           Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 8

**Use of council logo**

- s 8**     amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 236
- amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd           Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 9

**Regulation of council property**

- s 9**     amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 78
- amd           Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 10
- amd           Amending Local Law No. 1 (Council Property and Other Public Places Local Law) 2015 s 5

**Regulation of camping on council property**

- S 9A**   ins           Amending Local Law No. 1 (Miscellaneous Local Laws) 2022 s 10

**Regulation of use of community facilities**

- s 10**   amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 237
- amd           Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd           Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 11

**Regulation of business on public places**

- s 11**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 12
- amd            Amending Local Law No. 1 (Council Property and Other Public Places Local Law) 2015 s 6

**PART 4—PERMITS**

**Requirement for a permit**

- s 12**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 13

**Application for a permit**

- s 13**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 14

**Grant of a permit**

- s 14**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 15

**Term of a permit**

- s 15**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 16

**Conditions of a permit**

- s 16**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 238
- amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 17

**Power to change the conditions of a permit**

- s 17**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 239
- amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249

**Amendment, renewal or transfer of a permit**

- s 18**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 240
- amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 1 (Miscellaneous Local Laws) 2019 s 20

**Cancellation of a permit**

- s 19**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 18
- amd            Amending Local Law No. 1 (Miscellaneous Local Laws) 2019 s 21

**General compliance provision**

- s 20**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249

**PART 5—ENFORCEMENT**

**Compliance notice**

- s 21**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 241
- amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 19

**Stop order**

- s 22**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 20

**Inspection of a prescribed activity**

- s 23**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 242
- amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 21

**Performance of work**

- s 24**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd/hdg        Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 79
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 22

**Power of entry and cost recovery**

- s 25**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 23

**Defence**

- s 26**    amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 243
- amd            Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249

**PART 6—ADMINISTRATIVE PROVISIONS**

**Executive officers must ensure the corporation complies with the local law**

- s 27**    amd            Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 244
- amd            Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 249

**Liability of third parties**

- s 28**    amd            Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 245
- amd            Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 249

**Attempts to commit offences**

- s 29**    amd            Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 246
- amd            Amending Local Law No. 4 (Council Property and Other Public Places  
Local Law) 2011 s 24

**PART 7—SUBORDINATE LOCAL LAWS**

**Subordinate local laws**

- s 30**    amd            Amending Local Law No. 1 (Miscellaneous  
Local Laws) 2005 s 142
- renum/amd        Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 247
- amd            Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 249
- amd            Amending Local Law No. 4 (Council Property and Other Public Places  
Local Law) 2011 s 25

**SCHEDULE—DICTIONARY**

- ins            Amending Local Law No. 1 (Miscellaneous  
Local Laws) 2005 s 143
- amd            def **advertisement** Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 248  
Amending Local Law No. 1  
(Miscellaneous Local Laws) 2014 s 12(1)  
Amending Local Law No. 1  
(Miscellaneous Local Laws) 2014 s 12(2)  
Amending Local Law No. 1  
(Miscellaneous Local Laws) 2014 s 12(3)
- ins            def **camping** Amending Local Law No. 1 (Miscellaneous Local Laws)  
2022 s 11
- amd            def **council facility** Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 248
- amd            def **local government road** Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 248
- ins            def **planning scheme** Amending Local Law No. 1  
(Miscellaneous Local Laws) 2014 s 12(4)
- amd            def **plant** Amending Local Law No. 2 (Miscellaneous  
Local Laws) 2005 s 248
- amd            def **traffic** Amending Local Law No. 2 (Miscellaneous

- Local Laws) 2005 s 248
- amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 249
- amd Amending Local Law No. 4 (Council Property and Other Public Places Local Law) 2011 s 26
- amd def **business** Amending Local Law No. 2 (Miscellaneous Local Laws) 2017 s 24
- om def **transferring area A** Amending Local Law No. 2 (Miscellaneous Local Laws) 2017 s 24
- om def **transferring area B** Amending Local Law No. 2 (Miscellaneous Local Laws) 2017 s 24
- amd def **council facility** Amending Local Law No. 1 (Miscellaneous Local Laws) 2019 s22(1)
- amd def **land** Amending Local Law No. 1 (Miscellaneous Local Laws) 2019 s22(2)
- amd def **reserved** Amending Local Law No. 1 (Miscellaneous Local Laws) 2019 s22(3)