



Pursuant to the provisions of the *Local Government Act 2009* the Cassowary Coast Regional Council (the “Council”) has, by resolution dated the 28th of July 2022, made—

- (a) each of the local laws identified below;
- (b) each of the subordinate local laws identified below; and

by the same resolution dated 28<sup>th</sup> of July 2022, repealed -

- (c) each of the Repealed local laws identified below.

Name of Local Law	Name of subordinate local law	Name of authorising local law	Purpose/General effect
Local Law No. 1 (Administration) 2022	Not applicable	Not applicable	<p>The purposes of this local law are to provide a legal and procedural framework for the administration, implementation and enforcement of the local government’s local laws, subordinate local laws and specified regulatory powers under legislation, and to provide for miscellaneous administrative matters.</p> <p>The purposes are to be achieved by providing for:</p> <ul style="list-style-type: none"> <li>• consistent and comprehensive processes for the Council to grant and regulate permits to undertake prescribed activities and other non-prescribed activities;</li> <li>• authorised persons for enforcing local laws;</li> <li>• review of certain decisions made under local laws;</li> <li>• enforcement of local laws;</li> <li>• matters relating to legal proceedings; and</li> <li>• miscellaneous administrative matters relating to meetings, fees, abandoned goods and seized and impounded items.</li> </ul>
Local Law No. 2 (Animal Management) 2022 (LL2)	Not applicable	Not applicable	<p>The purpose of this local law is to prohibit, regulate and manage the keeping and control of animals in the local government’s area in a way that:</p> <ul style="list-style-type: none"> <li>• ensures a proper place for the inclusion of pets in the community;</li> <li>• balances community expectations with the rights of individuals;</li> <li>• protects the community against risks to health and safety;</li> <li>• prevents pollution and other environmental damage; and</li> <li>• protects the amenity of the local community and environment.</li> </ul> <p>The purpose is to be achieved by providing for:</p> <ul style="list-style-type: none"> <li>• The prohibition of keeping of animals in prescribed circumstances</li> <li>• the regulation of the keeping of animals in terms of how many, what type, how, and where animals can be kept;</li> <li>• the prescription of standards for keeping animals;</li> </ul>

Name of Local Law	Name of subordinate local law	Name of authorising local law	Purpose/General effect
			<ul style="list-style-type: none"> <li>• the proper control of animals in public places and in an conservation planning area Identified in Schedule 10 of Subordinate Local Law No. 2 (Animal Management) 2022..</li> <li>• the management of dangerous or aggressive animals other than dogs;</li> <li>• the seizure and destruction of animals in certain circumstances;</li> <li>• the recognition of associations relating to particular animals; and</li> <li>• the establishment and administration of animal pounds.</li> </ul>
	Subordinate Local Law No. 2 (Animal Management) 2022	LL2	<p>The purpose of this subordinate local law is to supplement Local Law No. 2 (Animal Management) 2022, which provides for prohibitions, regulation and management of animals within the Council area.</p> <p>The purpose is to be achieved by providing for schedules referred to in the local law of:</p> <ul style="list-style-type: none"> <li>• the circumstances in which the keeping of animals is prohibited;</li> <li>• the circumstances in which keeping of animals requires a permit;</li> <li>• the circumstances in which desexing of an animal is required;</li> <li>• specific standards for keeping of animals of a particular species or breed;</li> <li>• breeding of animals that does not require a permit;</li> <li>• the exclusion of animals, or animals of a specified species, from public places;</li> <li>• designated dog off-leash areas;</li> <li>• other local governments or organisations able to accept impounded animals;</li> <li>• the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale; and</li> <li>• the designation of conservation planning areas.</li> </ul>
Local Law No. 3 (Community and Environment) 2022 (LL3)	Not applicable	Not applicable	<p>The purpose of this local law is to protect the environment and public health, safety and amenity within the local government’s area.</p> <p>The purpose is to be achieved by providing for the elimination or reduction of risks and threats to the environment and public health, safety and amenity resulting from:</p> <ul style="list-style-type: none"> <li>• inadequate protection against animal and plant pests;</li> <li>• vegetation overgrowth;</li> <li>• visual pollution including from accumulation of objects and materials;</li> <li>• fires and fire hazards not regulated by State law;</li> <li>• community safety hazards;</li> <li>• noise that exceeds noise standards; and</li> <li>• waste management.</li> </ul>
	Subordinate Local Law No. 3 (Community	LL3	The purpose of this subordinate local law is to support Local Law No. 3 (Community and Environment) 2022 by providing schedules that must be read in conjunction with the local law:

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	and Environment) 2022		<ul style="list-style-type: none"> <li>• declaring animals or plants of specified species to be local pests;</li> <li>• exempting certain persons in relation to declared pests;</li> <li>• prohibiting lighting and maintaining of fires;</li> <li>• prescribing requirements relating to community safety hazards; and</li> <li>• prescribing noise standards.</li> </ul>
Local Law No. 4 (Local Government Controlled Areas and Roads) 2022 (LL4)	Not applicable	Not applicable	<p>The purpose of this local law is to:</p> <ul style="list-style-type: none"> <li>• allow the use of local government controlled areas or roads where there is a positive community benefit in allowing that use;</li> <li>• decline the use of local government controlled areas or roads where there is a negative community outcome in allowing that use;</li> <li>• balance the public interest against the competing private interest in granting a permit;</li> <li>• protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads;</li> <li>• protect the health and safety of persons using state controlled roads to the extent that the local government has assumed responsibility for the management of the state controlled road;</li> <li>• preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads; and</li> <li>• protect the environment and public health, safety and amenity within the local government's area.</li> </ul> <p>The purpose is to be achieved by providing for:</p> <ul style="list-style-type: none"> <li>• the regulation of access to local government controlled areas and roads;</li> <li>• the prohibition or restriction of particular activities on local government controlled areas or roads;</li> <li>• prescribed activity applications and permits for local government controlled areas and roads;</li> <li>• offences to enforce compliance with the purpose; and</li> <li>• miscellaneous matters affecting local government controlled areas and roads.</li> </ul>
Local Law No. 4 (Local Government Controlled Areas and Roads) 2022 (LL4)			<p>Anti-Competitive</p> <p>Local Law No. 4 (Local Government Controlled Areas and Roads) 2022 –</p> <ul style="list-style-type: none"> <li>(i) section 8 which requires permits for a general activity like mobile roadside vending which considers at section 10 (m) economic impacts on commercial operators immediately adjacent;</li> <li>(ii) section 11 by listing the conditions which must be imposed on a permit for an activity such as mobile roadside vending, including restricting the days and hours of operation of the mobile roadside vending business;</li> <li>(iii) section 12(2) which contains conditions to be imposed on permits for footpath dining;</li> <li>(iv) section 12(3) by listing the types of conditions which will ordinarily be imposed by Council on permits for stationary roadside vending.</li> </ul> <p>section 12(4) which lists the types of conditions which will ordinarily be imposed by Council on permits for goods for sale on a footpath or road.</p> <p>The impact of the restrictions on mobile roadside vending, footpath dining, and stationary road side vending under Local Law No. 4 (Local Government Controlled Areas and Roads) 2022 will be minimal considering the restrictions really only extend to days and hours of operation, as well as a couple of other minor restrictions;</p>
	Subordinate Local Law No. 4	LL4	The purpose of this subordinate local law is to implement Local Law No.4 (Local Government Controlled Areas and Roads) 2022 in order allow appropriate use of and to protect the health and safety of persons using Council controlled land, facilities, infrastructure and roads and preserve features of the natural and built environment and other aspects of the amenity of

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	(Local Government Controlled Areas and Roads) 2022		<p>Council controlled land, facilities, infrastructure and roads.</p> <p>The purpose is to be achieved by providing for the following schedules which support the local law:</p> <ul style="list-style-type: none"> <li>• Schedule 1- Local government controlled areas and roads;</li> <li>• Schedule 2- Prohibited activities in local government controlled areas and roads;</li> <li>• Schedule 3- Restricted activities in local government controlled areas and roads;</li> <li>• Schedule 4- Local Government Controlled Areas allowed for Roadside Vending;</li> <li>• Schedule 5- Prohibited vehicles in certain local government controlled areas;</li> <li>• Schedule 6- Vehicles allowed without a permit in certain local government controlled areas;</li> <li>• Schedule 7– Permanent closure of local government controlled areas;</li> <li>• Schedule 8- Detailed Area Management</li> </ul>
Local Law No. 5 (Temporary Homes) 2022	Not applicable	Not applicable	<p>The purpose of this local law is to regulate the use of a temporary home that is not regulated under the planning scheme.</p> <p>The purpose is to be achieved by making it an offence to use a temporary home without- a permit and to provide for an application and permit process</p>
Local Law No. 6 (Bathing Reserves and Foreshores) 2022 (LL6)	Not applicable	Not applicable	<p>The purpose of this local law is to enhance the public safety and convenience of bathing reserves and foreshores placed under the Council’s control through orderly management and regulation of activities within these reserves.</p> <p>The purpose is achieved by providing for:</p> <ul style="list-style-type: none"> <li>• the designation and management of safe, supervised bathing areas within bathing reserves and foreshores;</li> <li>• the regulation of conduct and the use of aquatic equipment within bathing reserves and foreshores;</li> <li>• the assignment of responsibility to life-saving clubs for managing, patrolling and supervising bathing reserves and foreshores;</li> <li>• offences to enforce compliance with the purpose; and</li> <li>• the appointment and powers of authorised persons to manage and enforce the regulation of conduct within bathing reserves and foreshores.</li> </ul>
	Subordinate Local Law No. 6 (Bathing Reserves and Foreshores) 2022	LL6	<p>The purpose of this subordinate local law is to support Local Law No. 6 (Bathing Reserves and Foreshores) 2022 by providing schedules that must be read in conjunction with the local law, which provides for the management and regulation of activities within bathing reserves and foreshores placed under the local government’s control.</p>
Local Law No. 7 (Human Remains and Cemeteries) 2022 (LL7)	Not applicable	Not applicable	<p>The purpose of this local law is to regulate the appropriate treatment of human remains in a befitting and respectful way.</p> <p>The purpose will be achieved by:</p> <ul style="list-style-type: none"> <li>• regulating the handling of human remains through permits which can be conditioned to require befitting and respectful treatment of remains: and</li> <li>• providing for enforcement action to achieve compliance with the purpose.</li> </ul>
Local Law No. 8 (Camping Grounds, Caravan	Not applicable	Not applicable	<p>The purpose of this local law is to enable Council to regulate activities, that are not development, relating to public health and safety that occur in the operation of camping grounds, caravan parks, and shared facilities accommodation.</p>

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Parks and Shared Facilities Accommodation) 2022 (LL8)			<p>The local law seeks to protect people using the camping grounds, caravan parks, and shared facilities accommodation by providing for basic necessities, healthy and safe environs.</p> <p>The purpose is to be achieved by making it an offence to conduct those activities inconsistently with the requirements of the local law or the conditions of any permit under it and to provide for an application and permit process.</p>
Local Law No. 9 (Parking) 2022 (LL9)	Not applicable	Not applicable	<p>The purpose of this local law is to regulate parking to enable appropriate and fair access to parking throughout the local government area and provide greater controls in areas where parking is in greater demand and through off-street regulated parking areas.</p> <p>The purpose is achieved by:</p> <ul style="list-style-type: none"> <li>• complementing the regulated parking provisions in chapter 5, part 6 of the TORUM Act by the exercise of local government powers authorised under that Act;</li> <li>• establishment of traffic areas and off-street regulated parking areas; and</li> <li>• the prescribing of infringement notice penalties for minor traffic offences.</li> </ul>
Local Law No. 9 (Parking) 2022 (LL9)			<p>Anti-Competitive</p> <ul style="list-style-type: none"> <li>• Local Law No. 9 (Parking) 2022 –</li> <li>• section 6 by imposing a number of restrictions on parking by making it an offence to do a number of things under Schedule 2 of the corresponding Subordinate Local Law No. 9 (Parking) 2022, such as parking in a designated parking space for a period longer than the maximum time indicated on the official traffic sign installed for the space;</li> <li>• section 9(2)(b) which requires that persons engaged in business obtain a parking permit in order to park contrary to an official traffic sign;</li> <li>• sections 11(2)(a) and (c) which lists the criteria the Council will use in deciding parking permits issued for commercial and business uses;</li> <li>• sections 13(1)(d) and (f) which list conditions that Council will ordinarily impose on a parking permit for business and commercial purposes including designating areas for parking.</li> </ul> <p>With regard to the provisions identified under Local Law No. 9 (Parking) 2022:</p> <ul style="list-style-type: none"> <li>• the impacts do not affect or target certain businesses or certain categories of businesses disproportionately, indeed the restrictions apply as a whole to the Cassowary Coast Regional Council local government area;</li> <li>• The businesses affected will still be able to carry on their business largely unaffected, other than the possible need to obtain a permit for business parking, which in itself is not a large impact to an affected business.</li> </ul>

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	Subordinate Local Law No. 9 (Parking) 2022	LL9	<p>The purpose of this subordinate local law is to support Local Law No. 9 (Parking) 2022 to regulate parking on local government controlled areas and roads.</p> <p>The purpose is to be achieved by providing for:</p> <ul style="list-style-type: none"> <li>• identifying the specified off-street regulated parking areas; and</li> <li>• providing for the infringement notice penalty amounts for minor traffic offences.</li> </ul>
Local Law No. 10 (Advertising Devices) 2022 (LL10)	Not applicable	Not applicable	<p>The purpose of this local law is to enable the local government to prevent or regulate advertising devices not regulated by the planning scheme.</p> <p>The purpose is to be achieved by:</p> <ul style="list-style-type: none"> <li>• identifying advertising devices that do not require a permit;</li> <li>• identifying advertising devices that are prohibited;</li> <li>• providing for an application and approval process for all other advertising devices; and</li> <li>• making it an offence to display particular advertising devices without a permit.</li> </ul>
Local Law No. 11 (Cane Railways) 2022 (LL11)	Not applicable	Not applicable	<p>The purpose of this local law is to allow Council to regulate the activities of cane railways to protect the safety of vehicles, pedestrians and infrastructure such as roads and bridges and avoid nuisance to other users of the infrastructure.</p> <p>The local law will achieve its purpose by requiring permits for the operation of cane railways which can be conditioned to achieve the purpose and providing for enforcement action.</p>
Local Law No. 12 (Town Water) 2022 (LL12)	Not applicable	Not applicable	<p>The purpose of this local law is to:</p> <ul style="list-style-type: none"> <li>• provide for the installation of water meters;</li> <li>• authorise reading of water meters;</li> <li>• provide maintenance to and around water meters;</li> <li>• calculate water usage charges;</li> <li>• estimate water usage charges;</li> <li>• charge for water use charges and use of water infrastructure;</li> <li>• monitor water loss and wastage; and</li> <li>• provide for appropriate enforcement action.</li> </ul>

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Local Law No. 13 (Swimming Pools) 2022 (LL13)	Not applicable	Not applicable	<p>The purposes of this local law are:</p> <ul style="list-style-type: none"> <li>• to enable Council to regulate swimming pools for public health and safety;</li> <li>• to ensure that swimming pools comply with essential standards of health and safety; and</li> <li>• public pools are properly managed and supervised.</li> </ul> <p>The purposes are to be achieved by:</p> <ul style="list-style-type: none"> <li>• providing for the elimination or reduction of risk and threats to bathers or those using a swimming pool;</li> <li>• requiring appropriate supervision; and</li> <li>• making it an offence to operate a swimming pool in contravention of this local law.</li> </ul>

### The Repealed Local Laws

- Local Law No. 1 (Administration) 2011
- Local Law No. 2 (Animal Management) 2011
- Local Law No. 3 (Community and Environmental Management) 2011
- Local Law No. 4 (Local Government Controlled Areas Facilities and Roads) 2011
- Local Law No. 5 (Parking) 2011
- Local Law No. 6 (Bathing Reserves) 2011
- Subordinate Local Law No. 1 (Administration) 2011
- Subordinate Local Law No. 2 (Animal Management) 2011
- Subordinate Local Law No. 3 (Community and Environmental Management) 2011
- Subordinate Local Law No. 5 (Parking) 2011
- Subordinate Local Law No. 6 (Bathing Reserves) 2011
- Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

A copy of the local laws are open to inspection at the local government's public office and may be viewed at the Department's State Office.