

North Burnett Regional Council (Amended) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

Contents

| | | |
|-------------------|--|-----------|
| Part 1 | Preliminary | 2 |
| | 1 Short title | 2 |
| | 2 Purpose and how it is to be achieved | 2 |
| | 3 Authorising local law | 2 |
| | 4 Definitions | 2 |
| Part 2 | Use of local government controlled areas, facilities and roads | 3 |
| | 5 Prohibited and restricted activities—Authorising local law, s 5 | 3 |
| | 6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b) | 4 |
| | 7 Prohibited vehicles—Authorising local law, s 6(3) | 4 |
| Part 3 | Matters affecting roads | 4 |
| Schedule 1 | Prohibited activities for local government controlled areas or roads | 5 |
| Schedule 2 | Restricted activities for local government controlled areas or roads | 12 |
| Schedule 3 | Motor vehicle access areas in local government controlled areas | 19 |
| Schedule 4 | Dictionary | 20 |
| | Certification by Chief Executive Officer | 23 |

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011* in order to protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads and preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for—
 - (a) the regulation of access to local government controlled areas; and
 - (b) the prohibition or restriction of particular activities in local government controlled areas or roads; and
 - (c) the applicable minimum standards where owners are required to fence land adjoining a road.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) In this subordinate local law—

aquatic equipment means—

- (a) a boat or vessel; or
- (b) a surf ski; or
- (c) a jet ski; or
- (d) a surf board; or
- (e) a sail board; or
- (f) a body board; or
- (g) a remote controlled hobby craft; or
- (h) another device (whether motorised or not) for use on or in water to

carry a person or thing across or through water or for recreational use in water.

authorised by an authorised person—

- (a) means that the action is authorised by a written authorisation signed by an authorised person; and
- (b) does not mean an approval mentioned in section 5(b) of *Local Law No.1 (Administration) 2011*.

boat landing area includes a jetty, pontoon, queuing beach and set-down area.

emergency vehicle see the authorising local law, section 6(7).

queuing beach means a designated standing area adjacent to a boat ramp for the purpose of landing boats and other vessels prior to the use of a boat ramp.

set down area means a designated area for the setting down or picking up of passengers or goods in connection with boats and other vessels using the boat landing area.

service vehicle means a vehicle that is currently being operated by officers authorised by the local government or a State Government agency to conduct maintenance or servicing activities in a local government controlled area.

trailable vessel means a vessel that is mounted on a trailer for road transport.

trailer has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

vessel has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

Part 2 Use of local government controlled areas, facilities and roads

5 Prohibited and restricted activities—Authorising local law, s 5

- (1) For section 5(1)(a) of the authorising local law, the activities prescribed in column 2 of schedule 1 are declared to be prohibited in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 1.
- (2) For section 5(1)(b) of the authorising local law, the activities prescribed in column 2 of schedule 2 are declared to be restricted in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.
- (3) For section 5(4) of the authorising local law, the applicable penalty

category for each prohibited activity in column 2 of schedule 1 is prescribed in column 3 of schedule 1.

- (4) For section 5(4) of the authorising local law, the applicable penalty category for each restricted activity in column 2 of schedule 2 is prescribed in column 4 of schedule 2.

6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b)

For section 6(1)(b) of the authorising local law, the areas prescribed in column 1 of schedule 3 are declared to be motor vehicle access areas.

7 Prohibited vehicles—Authorising local law, s 6(3)

For section 6(3) of the authorising local law, the specific types of motor vehicle prescribed in column 2 of schedule 3 are declared to be prohibited vehicles in the corresponding specified motor vehicle access area in column 1 of schedule 3.

Part 3 Matters affecting roads

This part has been intentionally left blank

Schedule 1 Prohibited activities for local government controlled areas or roads

section 5(1)

These penalties are addition to restitution costs.

| | Column 1 Local government controlled area or road | Column 2 Prohibited activity | Column 3 Penalty category |
|---|---|--|---------------------------------|
| 1 | All local government controlled areas and roads | Positioning a vehicle, vessel or trailer for the primary purpose of advertising the vehicle, vessel or trailer for sale. | category 1 |
| | | Damage a road. | category 3 |
| | | Damage vegetation. | category 2 |
| | | Obstruct the effective illumination of a road or a footway with a tree or vegetation. | category 2 |
| | | Obstruct clear vision by vehicular and pedestrian traffic with a tree or vegetation. | category 2 |
| | | Create a potential danger in the opinion of an authorised person to public safety for road users. | category 2 |
| | | Carry out domestic tasks, including ablutions, cooking and washing. | category 2 |
| | | Doors or gates leading to buildings must not project upon a road or footway when opened. | category 1 |
| | | Breaking, destroying, damaging, defacing, disfiguring or writing upon any structure or any notice, whether intentionally or unintentionally. | category 3 |
| | | Causing an offensive liquid, sediment or substance to be discharged onto a road. | category 3 |
| | | Parking or leaving standing, an unregistered vehicle on a road. | category 2 |
| 2 | All footpaths in the local government area | The occupier of the property adjacent or adjoining footway must not allow a footway to become overgrown or allow vegetation on a footway to | category 1 |

3

| Column 1 Local government controlled area or road | Column 2 Prohibited activity | Column 3 Penalty category |
|--|---|---------------------------------|
| | cause a nuisance or become unsightly, in the opinion of an authorised person. | |
| <p>Footpaths in the defined CBD areas —</p> <ul style="list-style-type: none"> a) Biggenden— Edward Street between Victoria Street and Mary Street and Victoria Street, between Edward Street and George Street. b) Eidsvold— Moreton Street, between Hodgkinson Street and Mount Rose. c) Gayndah— Capper Street, between Warton Street and Simon Street and Maltby Place. d) Monto— Newton Street, between Rutherford Street and Lister Street. e) Mundubbera— Lyons Street, between Bauer and Bouverie Street. | Riding or using a bicycle, wheeled recreational device or wheeled toy, as defined in the <i>Transport Operations (Road Use Management) Act 1995</i> | category 1 |
| 4 All cemeteries | Depasture any animal. | category 3 |
| | Sell or buy an article or a thing. | category 3 |
| | Distribute or put up any handbill, card, circular or advertisement. | category 3 |
| | Damage or interfere with local government infrastructure. | category 3 |
| | Damage any tree, shrub or plant. | category 3 |
| | Take part in any meeting other than of a religious or commemorative nature. | category 3 |
| | Discharge a firearm except at a military funeral or other recognised type of funeral service ordinarily involving such discharge. | category 3 |
| | Damage or interfere with any grave, vault or memorial or with any flowers or tokens placed thereon. | category 3 |
| | Drive any vehicle otherwise | category 3 |

5

| Column 1 Local government controlled area or road | Column 2 Prohibited activity | Column 3 Penalty category |
|--|--|---------------------------------|
| All Parks And Reserves, Natural Areas and Cultural Reserves and Drainage Channels | than upon a designated roadway. | |
| | Disturb or interfere with a funeral service. | category 3 |
| | Failing to comply with an authorised person's direction to remove an object that, in the opinion of the authorised person, may <ul style="list-style-type: none"> (a) endanger the safety of others or cause damage to the park or reserve; or (b) injure, endanger or unduly obstruct another person. | category 1 |
| | Acting in a manner that may cause offence or negatively affect the enjoyment of the park or reserve by other persons. | category 1 |
| | Damage or interfere with native wildlife or vegetation. | category 1 |
| | Damage or interfere with local government facilities, notices or equipment. | category 1 |
| | Exercise rights of occupation or use. | category 1 |
| | Use a vehicle except where indicated. | category 1 |
| | Carrying out domestic tasks, including ablutions, cooking and washing. | category 1 |
| | Bring animals except where indicated. | category 1 |
| | Bring prohibited animals. | category 1 |
| | Planting, cultivating or introducing any aquatic plant species. | category 1 |
| | Unauthorised camping. | category 1 |
| | Failure to comply with an authorised person's verbal direction. | category 1 |
| All council buildings | Disobey a lawful direction to leave. | category 1 |
| | Wilfully damage, interfere with or misuse a resource. | category 1 |

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| Column 1 Local government controlled area or road | Column 2 Prohibited activity | Column 3 Penalty category |
|--|---|--|
| All aerodromes and helipads | Entering any part of the aerodrome or helipad that has been closed to access by an authorised person. | category 2 |
| | Engaging in conduct that— (a) could cause annoyance, disturbance or offence to others; or (b) could obstruct or unreasonably interfere with the rights of use of other; or (c) creates a risk to the safety of others. | category 1 |
| | Using any of the facilities other than for the purpose and in the manner for which they were constructed or provided. | category 1 |

8

| | | |
|-------------------|--|------------|
| All caravan parks | Reside or carry out domestic tasks in a caravan that in the opinion of an authorised person is dilapidated, unsightly or overcrowded or unfit for use. | category 1 |
| | Light or maintain a fire in the open air except in a properly constructed fireplace approved by the local government. | category 1 |
| | Display or exhibit advertising matter. | category 1 |
| | Park a caravan or erect a tent in a place that is not allotted by caravan park manager. | category 1 |
| | Let or hire a caravan, cabin or tent to another person without written local government approval. | category 1 |
| | Take or bring an animal. | category 1 |
| | Use hand washing facilities for purposes other than their intended use. | category 1 |
| | Lay down floor covering on the ground surface. | category 1 |
| | Injure, destroy or remove a tree, shrub or plant. | category 1 |
| | Dig a hole or trench. | category 1 |
| | Engage in unlawful business, trade or occupation. | category 1 |

| | Column 1 Local government controlled area or road | Column 2 Prohibited activity | Column 3 Penalty category |
|-----------|--|--|--|
| 9 | All boat ramps | Standing any vehicle at the shore end of any boat ramp so as to obstruct or interfere with or be likely to obstruct or interfere with access or egress from the boat ramp by persons using or desiring to use the boat ramp. | category 2 |
| | | Not comply with the requirements of any official sign erected by Council at any boat ramp. | category 2 |
| | | Use of boat ramps for a purpose other than launching or retrieving a vessel. | category 2 |
| | | Obstructing or impeding the use of the boat ramp by others. | category 2 |
| | | Gutting, cleaning or washing fish, except at locations specifically set aside for this activity. | category 2 |
| | | Fishing and netting. | category 2 |
| 10 | All boat landing areas (including shorelines) | Standing a vehicle at the shore end of the boat landing area so as to obstruct or interfere with, or be likely to obstruct or interfere with, access to or egress from the area by other persons. | category 2 |
| 11 | All bridges and culverts | Drive a vehicle if the combined weight of the vehicle exceeds the load limit. | category 1 |
| | | Loiter | category 1 |
| | | Dive or jump | category 1 |
| | | Throw or drop an object | category 1 |
| | | Obstruct or interfere with in the opinion of an authorised person the bridge or culvert. | category 1 |
| | | Fishing | Category 1 |
| 12 | All public swimming pool facilities and bathing areas. | Bringing glass objects into the facility. | category 1 |
| | | In the case of a child under the age of 10 years for whom the person is a parent or guardian—leaving the child at the swimming facility | category 1 |

| Column 1 Local government controlled area or road | Column 2 Prohibited activity | Column 3 Penalty category |
|---|---|---------------------------------|
| | unaccompanied by a person over the age of 16 years. | |
| | Disobeying lawful direction to leave the area. | category 1 |
| | Causing wilful damage to the swimming place or any facilities in the swimming place. | category 1 |
| | Engaging in conduct which is dangerous or which creates a risk or causes nuisances to other users of the swimming place. | category 1 |
| | Bringing any animal onto the land on which a pool is situated. | category 1 |
| | Lighting or maintaining a fire that is not in a designated fire place provided by the local government. | category 1 |
| | Knowingly introducing a communicable sickness or diseased animal onto the site. | category 1 |
| | Swimming when there is no life guard on duty. | category 1 |
| | Using aquatic equipment that in the opinion of an authorised person causes a risk to the safety of others. | category 1 |
| | Bringing in the opinion of an authorised person dangerous aquatic equipment or things. | category 1 |
| | Fouling or polluting or littering. | category 1 |
| | Entering or remaining when in a state of intoxication or under the influence of alcohol or any drug whatsoever. | category 1 |
| | Interfering with any life-saving equipment or behaving in a manner which disrupts the provision of life saving services. | category 1 |
| | If a person is more than five years of age entering any part of the swimming place which is set apart for the exclusive use of the opposite sex, other than | category 1 |

13

| Column 1 Local government controlled area or road | Column 2 Prohibited activity | Column 3 Penalty category |
|--|--|---------------------------------|
| | for the purpose of rendering emergency assistance. | |
| All rivers, creeks and public dams. | Disobeying lawful direction to leave the area. | category 1 |
| | Causing wilful damage to the swimming place or any facilities in the swimming place. | category 1 |
| | Engaging in conduct which is dangerous or which creates a risk or causes nuisances to other users of the swimming place. | category 1 |
| | Lighting or maintaining a fire that is not in a designated fire place provided by the local government. | category 1 |
| | Knowingly introducing a communicable sickness or diseased animal onto the site. | category 1 |
| | Fouling or polluting and littering. | category 1 |
| | Using aquatic equipment that in the opinion of an authorised person causes a risk to the safety of others. | category 1 |
| | Bringing in the opinion of an authorised person dangerous aquatic equipment or things. | category 1 |
| 14 All showgrounds and, rodeo and equestrian facilities | Knowingly introducing a communicable sickness or diseased animal onto the site. | category 1 |
| | Lighting or maintaining a fire that is not in a designated fire place provided by the local government. | category 1 |

Schedule 2 Restricted activities for local government controlled areas or roads

section 5(2)

1

| Column 1 Local government controlled area or road | Column 2 Restricted activity | Column 3 Extent of restriction | Column 4 Penalty category |
|--|---|---|------------------------------|
| All local government controlled areas and roads | Driving, riding, or wheeling any goods, vehicle, vessel or other thing in, on or across a water channel, gutter or kerb | Permitted only at a formed crossing constructed for the purpose of obtaining access to any land abutting the road. | category 1 |
| | Installing a gate or a grid, or a gate and a grid, across a road. | Permitted only if authorised under the conditions of an approval for a prescribed activity. | category 3 |
| | Being a responsible person for a gate or a grid, or a gate and a grid, installed across a road. | Permitted only if authorised under the conditions of an approval for a prescribed activity. | category 3 |
| | Busking | Permitted only if authorised under the conditions of an approval for a prescribed activity. | category 1 |
| | Camping or sleeping overnight | Permitted only where— (a) a sign indicates that camping or sleeping overnight is allowed; or (b) authorised by an authorised person | category 1 |
| | Lighting or maintaining a fire | Permitted only where the fire is— (a) associated with a public safety or environmental objective; or (b) in a designated fire place provided by the | category 2 |

| | Column 1 Local government controlled area or road | Column 2 Restricted activity | Column 3 Extent of restriction | Column 4 Penalty category |
|----------|--|---|--|--|
| | | | local government; or (c) authorised under the <i>Fire and Rescue Service Act 1990</i> ; or (d) authorised by an authorised person; or (e) authorised under a condition of an approval granted under <i>Local Law No. 1 (Administration) 2011</i> . | |
| | | Depasturing or agistment of animals. The operation of a pedicab or similar vehicle for hire or reward. The operation of a horse-drawn carriage for hire or reward. Any activity that may in the opinion of an authorised person obstruct the safe movement of users of the road or which has the potential to damage or interfere with road infrastructure. | Permitted only with the written authorisation of the chief executive officer. | category 1 |
| | | Drive a vehicle | Permitted only in accordance with the posted Council signage. | category 1 |
| 2 | All footpaths in the local government area | Any activity that may in the opinion of an authorised person obstruct the safe movement of users of the footpath which has the potential to damage or | Permitted only with the written authorisation of the chief executive officer. | category 1 |

3

| Column 1 Local government controlled area or road | Column 2 Restricted activity | Column 3 Extent of restriction | Column 4 Penalty category |
|--|--|---|---------------------------------|
| | interfere with the footpath. | | |
| | Driving, riding, leading wheeling or standing any goods, vehicle, vessel, animal or other thing in, or across a footpath. | Does not apply to ingress or egress from adjoining properties; or walking a pet. | category 1 |
| All cemeteries | <p>Damaging, disturbing or interfering with—</p> <ul style="list-style-type: none"> a memorial, inscription plaque, epitaph or inscription; or any flowers or tokens placed on or adjacent to a grave or niche. Digging or preparing a grave | <p>Permitted only where —</p> <p>(a) authorised by an authorised person; or</p> <p>(b) where the interference:</p> <ul style="list-style-type: none"> is carried out by a member of the family of the deceased person or a person who has a proper interest in the maintenance of a memorial to the deceased person; and consists only of weeding around the memorial or carrying out maintenance and repair in accordance with the local government's current standards and conditions for the installation of memorials. Permitted only with the authorisation of an authorised person. | category 3 |
| | Digging or preparing a grave | Permitted only where authorised by an authorised person. | category 3 |

| Column 1 Local government controlled area or road | Column 2 Restricted activity | Column 3 Extent of restriction | Column 4 Penalty category |
|--|---|---|---------------------------------|
| | Bringing an animal into the cemetery area | Permitted only— (a) for the purposes of a funeral; or (b) where authorised by an authorised person. | category 1 |
| | Discharging a firearm | Permitted only at a military, police or other recognised type of funeral service ordinarily involving such. | category 3 |
| | Placing vases, bottles or containers for the holding of flowers, other than those which are installed as part of the monument and fixed permanently | Permitted only— (a) in the beam and lawn section of the cemetery; and (b) where the memorial vases are provided or are installed in accordance with the instructions of an authorised | category 3 |
| | The planting of trees, shrubs, roses or any other plants | Permitted only— (a) in the beam and lawn section of the cemetery; and (b) where the plants are provided and placed where nominated by an authorised person | category 3 |
| 4 All aerodromes or helipad | Bringing an animal onto the aerodrome or helipad | Permitted only— (a) where the animal is being transported on a flight; or (b) where authorised by an authorised person | category 3 |
| | Bringing an object onto the aerodrome or helipad if that object is dangerous or | Permitted only where authorised by an authorised person. | category 1 |

5

| Column 1 Local government controlled area or road | Column 2 Restricted activity | Column 3 Extent of restriction | Column 4 Penalty category |
|--|---|--|---------------------------------|
| | may be used in a dangerous way | | |
| All boat ramps and landing areas | Driving, parking or standing a vehicle on any part of the boat ramp | Permitted only— (a) for the purpose of launching or retrieving a trailable vessel, provided that— <ul style="list-style-type: none"> vehicle weight complies with any weight restrictions advertised at the ramp; and the wheels of the vehicle designed to make contact with the boat ramp are fitted with rubber tyres; and the vehicle is on the ramp only for the time necessary to complete launching or retrieving the vessel; or (b) where the vehicle is an emergency vehicle or service vehicle. | category 1 |
| | Berthing or mooring a vessel | Permitted only where— (a) the vessel is moored to a fixing on the boat ramp specifically designed for mooring; and (b) the vessel is moored only for the time necessary to retrieve the vehicle required to remove the vessel. | category 2 |

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| Column 1 Local government controlled area or road | Column 2 Restricted activity | Column 3 Extent of restriction | Column 4 Penalty category |
|---|---|--|---------------------------------|
| | Carrying out maintenance or repairs to a vessel or vehicle on the boat ramp, the approach to the ramp, or areas set aside for rigging and de-rigging | Permitted only if moving the vessel or vehicle from its position would involve danger to the vessel, vehicle or any person | category 2 |
| | Placing an item in such a manner as to obstruct or impede or threaten the safety of vehicular or pedestrian traffic accessing or on the boat ramp. | Permitted only where authorised by an authorised person | category 1 |
| All bridges and culverts | Fishing or netting from a bridge or culvert | Permitted only where a sign indicates that this activity is allowed. | category 1 |
| | Any activity that may in the opinion of an authorised person obstruct the safe movement of users of the bridge or which has the potential to damage or interfere with the bridge's infrastructure | Permitted only with the written authorisation of the chief executive officer | category 1 |
| | Drive a vehicle | Permitted only in accordance with the posted Load Limit sign. | category 1 |
| All Parks And Reserves, Natural Areas and Cultural Reserves and Drainage Channels | Lighting or maintaining a fire | Permitted only if the fire is- <ul style="list-style-type: none"> a) lit and maintained in a fireplace established by the local government for the purpose; or b) lit and maintained in accordance | category 1 |

| Column 1 Local government controlled area or road | Column 2 Restricted activity | Column 3 Extent of restriction | Column 4 Penalty category |
|--|---|--|---------------------------------|
| | | with the written authorisation of the chief executive officer of the local government. | |
| | Sleeping, occupying or remaining overnight in a park or reserve | Permitted only with the written authorisation of the chief executive officer of the local government. | category 1 |
| | Erecting or installing a building, structure of facility in, on, across or over a park or reserve. | Permitted only if authorised under the conditions of an approval for prescribed activity. | category 1 |
| | Conducting or taking part in an organised sporting activity of regional, State or national significance. | Permitted only if authorised under the conditions of an approval for prescribed activity. | category 1 |
| | Operating – (a) A model aircraft or a boat propelled by a motor; or (b) A model vehicle propelled by a motor. | Permitted only with the written authorisation of the chief executive officer of the local government. | category 1 |
| | Using, storing or possessing fireworks. | Permitted only with the written authorisation of the chief executive officer of the local government. | category 1 |
| | Displaying a sign or advertisement. | Permitted only with the written authorisation of the chief executive officer of the local government. | category 1 |

**Schedule 3 Motor vehicle access areas in local
government controlled areas**

sections 6 and 7

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Schedule 4 Dictionary

Act means an Act of the Queensland Parliament;

advertisement area means the total area of an advertisement;

advertising hoarding means an off-site advertisement with an advertisement area exceeding 10m². The term includes:

- i) a framework;
- ii) a signboard;
- iii) a noticeboard;
- iv) a wall;
- v) a fence; or
- vi) another structure or erection, used or intended to be used for the display of an advertisement whether or not such display is illuminated;

aerial advertising device means a fixed or captive balloon, kite, or inflated advertisement;

animated or moving advertisement means an advertisement that has moving parts or which rotates or revolves. The term includes advertisements containing chasing or running bulbs, reader boards (electronic variable message) and similar features;

arcade directory advertisement means a freestanding advisory advertisement located in front of an entrance to an arcade of shops which lists businesses located within the arcade;

bank advertisement means any advertisement projecting from the wall or face of a building or structure where the dimensions of the projection exceed the vertical dimension of the advertisement;

banner advertisement means any advertisement:

- i) suspended from any structure, tree or pole;
- ii) with or without supporting frame work; and
- iii) displaying an advertisement applied to paper, plastic or similar material or fabric of any kind.

The term excludes symbolic flags of any institution or business.

beacon light means any light with one or more beams, capable of being directed in one or more directions or capable of being revolved automatically. The term includes:

- i) a strobe or occulting light;
- ii) any other high density discharge lamp;
- iii) any device capable of converting light of mixed frequencies into an intense beam of light; and
- iv) any other similar light emitting appliance.

bunting includes decorative flags, pennants and streamers;

directional estate advertisement means an off-site advertisement, not being an advertising hoarding, and used to indicate the location of an industrial or residential development display home village;

estate entrance advertisement means an advertisement placed or erected at the entrance to an industrial or residential development, identifying the particular development;

estate sales office means any premises including a caravan or relocatable home on which a sign is exhibited for the promotion and/or sale of land within an industrial or residential development, where the use of such facilities shall not be more than two (2) years from the date of commencement, unless approved by Council;

fascia advertisement means an advertisement which is affixed to, posted or painted on a fascia of a building, such that the advertisement protrudes no more than 100mm from the surface to which it is attached;

freestanding advertisement means an advertisement which:

- i) is erected on a pole or poles, or on a pylon structure ("a freestanding pole advertisement"); or
- ii) a solid, free standing structure, and does not form part of any building or other structure.

illuminated advertisement means an advertisement illuminated or designed for illumination by electricity or other means of artificial illumination either internally or externally;

off-site advertisement means an advertisement, either freestanding or affixed to a building or structure, that is intended to promote goods, services, a business, commercial enterprise or industry not available or conducted on-site;

over awning advertisement means an advertisement which is located on top of an awning, verandah or canopy with no part of the advertisement projecting above the roofline or beyond the awning, canopy or verandah edge;

planning area as defined by the applicable town planning schemes for the area.

political advertisement means a temporary advertisement exhibited for the purposes of an election;

portable advertisement means a freestanding moveable advertisement placed on the footpath, road reserve or other public place. The term includes sandwich and spinning boards;

real estate advertisement means a temporary advertisement on-site, advising of the owner's intention to sell, lease, tender or auction the land and/or building;

revolving flashing light means an advertisement containing flashing lights for example flashing lights similar to those used on emergency vehicles;

temporary advertisement means an advertisement which, by its nature, is intended to be in place for only a limited amount of time, not exceeding three months. The term includes:

- i) a political advertisement;
- ii) a real estate advertisement; or
- iii) an advertisement for the sale, lease, tender or auction of a product.

transom advertisement means an advertisement attached to the transom, horizontal beam, of a doorway in a building;

under awning advertisement means an advertisement which is attached to the underside of an awning, verandah, or canopy;

vehicle means any air cushion vehicle, articulated vehicle, bicycle, caravan trailer, commercial vehicle, motor car, motor cycle, motor omnibus, motor truck, motor utility, truck, motor vehicle, omnibus, side car, tractor, trailer, tricycle or vehicle as defined in section 9 of the *Traffic Act*;

wall advertisement means an advertisement which is affixed to, posted or painted on a wall surface of a building, such that the advertisement protrudes no more than 100mm from the wall to which it is attached. The term excludes fascia, or transom advertisements;

window advertisement means an advertisement which is attached to or displayed on the exterior or interior surface of a window. The term includes a device which is suspended from the window frame and may also be illuminated, and excludes product displays or showcases viewed by pedestrians.

Certification by Chief Executive Officer

This and the preceding twenty-two (22) pages bearing my initials is a certified copy of Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads.) 2011 made, in accordance with the provisions of the *Local Government Act 2009* by the North Burnett Regional Council by resolution on 6 December 2011.

MARGOT STROK
Chief Executive Officer

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