

**BANANA SHIRE COUNCIL
(MAKING OF MODEL LOCAL LAW) and (MAKING OF SUBORDINATE
LOCAL LAW) NOTICE (NO. 2) 2011**

Title

1. This Notice may be cited as the *Banana Shire Council (Making of Model Local Law) and (Making of Subordinate Local Law) Notice (No. 2) 2011*.

Commencement

2. This Notice commences on the date it is published in the Gazette

Making of local law

3. Pursuant to the provisions of the *Local Government Act 2009* the Banana Shire Council adopted the following model local laws by resolution on 26 October 2011.

- (a) *Model Local Law No. 1 (Administration) 2010*. The local law so adopted will be referred to as *Local Law No. 1 (Administration) 2011* of the Council's local laws; This local law along with its subordinate local law contains anti-competitive provisions which have been the subject of a Public Interest Test.

The purpose of this local law and subordinate local law is 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 by setting out requirements for the granting of approvals for prescribed activities; and

- (b) *Model Local Law No. 2 (Animal Management) 2010*. The local law so adopted will be referred to as *Local Law No. 2 (Animal Management) 2011* of the Council's local laws;

The purpose of this local law and subordinate local law is to regulate and manage the keeping and control of animals in the local government's area in a way that balances community expectations with the rights of individuals; and protects the community against risks to health and safety; and prevents pollution and other environmental damage; and protects the amenity of the local community and environment; by providing for—the regulation of the keeping of animals in terms of how many, what type, how, and where animals can be kept; and the prescription of minimum standards for keeping animals; and the proper control of animals in public places and; and the management of dangerous or aggressive animals other than dogs; and the seizure and destruction of animals in certain circumstances; and the establishment and administration of animal pounds; and

- (c) *Model Local Law No. 3 (Community and Environmental Management) 2010*. The local law so adopted will be referred to as *Local Law No. 3 (Community and Environmental Management) 2011* of the Council's local laws;

The purpose of this local law and subordinate local law is to protect the environment and public health, safety and amenity within the local government's area by providing

for the elimination or reduction of risks and threats to the environment and public health, safety and amenity resulting from—inadequate protection against animal and plant pests; and vegetation overgrowth; and visual pollution resulting from accumulation of objects and materials; and fires and fire hazards not regulated by State law; and community safety hazards; and noise that exceeds noise standards; and

- (d) *Model Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2010*. The local law so adopted will be referred to as *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011* of the Council's local laws;

The purpose of this local law and subordinate local law is 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 by providing for—the regulation of access to local government controlled areas; and the prohibition or restriction of particular activities on local government controlled areas or roads; and miscellaneous matters affecting roads.

Making of subordinate local law

4. Pursuant to the provisions of the *Local Government Act 2009* the Banana Shire Council made the following Subordinate Local Laws by resolution on 26 October 2011.

(a) *Subordinate Local Law No. 1 (Administration) 2011*. This subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* of the Council's local laws.

(b) *Subordinate Local Law No. 2 (Animal Management) 2011*. This subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2011* of the Council's local laws;

(c) *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*. This subordinate local law is authorised by *Local Law No. 3 (Community and Environmental Management) 2011* of the Council's local laws;

(d) *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*. The subordinate local law is authorised by *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011* of the Council's local laws.

Inspection

5. A copy of the local law and subordinate local law may be inspected and purchased at the local government's public office and may be inspected at the department's State Office.

END NOTES

1. Published in the Gazette on .25 November, 2011
2. Not required to be laid before the Legislative Assembly
3. The administering agency is the Queensland Department of Local Government and Planning.