

## Local Law Amendments 2023 - Definitions

Local Law No. 1 (Administration) 2022 extract of Dictionary to be read with the Local Law Amendments 2023 for public comment from 23 November 2023.

Below is an extract of the dictionary relevant to the Local Law Amendments 2023. The table containing the full dictionary can be found in local Law No. 1 (Administration) 2022 on Council's website.

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| <b>animal</b> means an organism (other than a human being) that is not a plant and includes eggs and semen.  |
| <b>animal refuge shelter</b> means a premises maintained for the purpose of providing shelter to or finding a home for, stray, abandoned or unwanted animals.  |
| <b>authorised person</b> means a person who is an authorised person for a local law under an Act.  |
| <b>birds</b> means all birds other than large birds, poultry, roosters and racing pigeons.   |
| <b>camping</b> means:<br>(a) to pitch, place or erect a tent, caravan or structure that may be used for camping for the purpose of staying overnight by using the tent, caravan or structure;<br>(b) to park or place a vehicle or other equipment that may be used for camping, for the purpose of staying overnight by using the vehicle or equipment;<br>(c) to keep a tent, caravan, structure vehicle or other equipment that may be used for camping in position overnight, whether or not the tent, caravan, structure or equipment is unattended; or<br>(d) to stay overnight. |
| <b>caravan</b> see <i>Residential Tenancies and Rooming Accommodation Act 2008</i> , section 7.  |
| <b>cat</b> means an animal of the species <i>Felis Catus</i> or domestic cat.  |
| <b>Council</b> means the Cassowary Coast Regional Council  |
| <b>dog</b> means an animal of the species <i>Canis Lupus Familiaris</i> , or domestic dog.   |
| <b>dog off-leash area</b> see <i>Local Law No.2 (Animal Management) 2022</i> .   |
| <b>foreshore</b> means the land lying between high water mark and low water mark during ordinary spring tides.   |
| <b>keeping of animals</b> means:<br>(a) a person keeps an animal if the person;<br>(i) has control or custody of the animal;<br>(ii) feeds and cares for the animal;<br>(iii) keeps the animal at a particular place on more than one occasion during a month; or  |

- (iv) boards and trains an animal; however
- (b) keeping of animals does not include any animal keeping related use that is regulated under the planning scheme of the local government.

*Example – an approval for animal keeping, home based business or animal husbandry under the local government's planning scheme.*

**large bird** means ostrich, emu, cassowary, peacocks and guinea fowl type birds

**local government controlled area**

- (a) A local government controlled area means land, facilities and other infrastructure owned, held in trust or otherwise controlled by **Council**, other than a road.

*examples of local government controlled areas:*

- *parks, reserves and gazetted foreshores*
- *camping grounds or caravan parks on land owned or controlled by Council*
- *Council swimming pools*
- *cemeteries*
- *Council Chambers and Council offices.*

- (b) A local government controlled area includes part of a local government controlled area.

- (c) A local government controlled area does not include a residential lot on DOGIT land.

**official sign** means a sign installed by Council for the purpose of these local laws displayed at a prominent place so that it is clearly visible to members of the public using the area or at each public entrance to the area within each local government controlled area or **road** stating:

- (e) the area to which it applies;
- (f) if a prohibition relates to the whole or part of the area – the prohibited activities;
- (g) if the restriction relates to the whole or part of the area—the restricted activities;
- (h) in general terms, the prohibition or restriction;
- (i) any information required to enable the local laws to be applied to that area;

*Example the hours of operation of the library.*

*Example areas for depositing waste at a waste facility.*

**planning scheme** means the planning scheme for the Council.

**plant** means vegetation of any type, including its flowers, roots, seeds and other parts.

**poultry** includes any species of chickens (including bantam chickens), geese, ducks, guinea fowls, turkeys, pheasants or quails but excludes roosters.

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

**public place** is a place, or that part of a place that-

- (a) *is open to the public;*
- (b) *is used by the public; or*

(c) *the public is entitled to use*

whether or not on payment of money.

*Example – a person uses a room at the front of their home as a business office. While the business office is open to the public it is a public place. However the home is private property and not part of the public place.*

**stationary vending** means an operator soliciting or carrying on the supply of goods or services (including food or drink) on a local government controlled road, or within a local government controlled area, for profit in circumstances where:

- (j) the operator carries on the activity from
  - (i) a specified place; or
  - (ii) a number of specified places; but
- (k) the activity is not:
  - (i) footpath dining; or
  - (ii) a roadside stall as defined under the planning scheme.\*

*\*a roadside stall on private land*

**stock means—**

- (a) buffalo, camels, cattle, deer, goats, horse, llamas, poultry, sheep or swine; or
- (b) animals prescribed by resolution of **Council**.

**urban area** means land contained within the following zones identified in the planning scheme:

- (l) Emerging community zone;
- (m) Major tourism zone;
- (n) Rural residential zone;
- (o) Special purpose zone;
- (p) Township zone;

**vehicle** includes any type of transport that moves on wheels and a hovercraft but does not include a train.

#### Further Information

For further information contact Council at 1300 763 903 or email [enquiries@cassowarycoast.qld.gov.au](mailto:enquiries@cassowarycoast.qld.gov.au)