

Boulia Shire Council
Administration (Amendment) Subordinate Local Law 2015

1 Short title

This subordinate local law may be cited as the *Administration (Amendment) Subordinate Local Law 2015*.

2 Subordinate Local Law amended

This subordinate local law amends Subordinate Local Law No. 1 (Administration) 2014.

4 Insertion of new Schedule 24

Schedule 24—

Omit, insert—

**Schedule 24 Bringing or driving motor vehicles onto
local government controlled areas**

Section 11

1 Prescribed activity

Bringing a motor vehicle onto or driving a motor vehicle on a place that is—

- (a) within a local government controlled area; and
- (b) not within a motor vehicle access area.

(Local Law No.4 (Local Government Controlled Areas, Facilities and Roads)2014, section 6(2)).

2 Activities that do not require approval under the authorising local law

An approval is not required for the prescribed activity in the following circumstances—

- (a) the vehicle is being driven for the purposes of monitoring, watering, feeding or droving of stock on the common or defined stock route; or
- (b) the vehicle is being driven for the purposes of a recreational activity on the common or defined vehicle area approved for that class or type of motorised vehicle and the recreational activity is not conducted—
 - (i) within 250 metres of a residence or occupied building; and
 - (ii) within the designated town area; and
 - (iii) outside the hours of 8.00am to 8.00pm.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

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- (a) details of the type of motorised vehicle and area where it is proposed to be driven; and
- (b) the purpose for which it is intended to be driven; and
- (c) the written consent of the owner of, and any person with a registered interest in, the land upon which the vehicle is intended to be driven and any land within 250 metres of the area upon which the vehicle is intended to be driven.

4 Additional criteria for the granting of approval

The additional criteria for approval are that—

- (a) the grant of the approval is justified by—
 - (i) a special event or community activity; or
 - (ii) some other special reason; and
- (b) the implementation of the proposal will not —
 - (iii) create a risk to health or other nuisance; and
 - (iv) cause reasonable offence to others; and
- (b) consent has been given by the owner of, and any person with a registered interest in, the land upon which the vehicle is intended to be driven and any land within 250 metres of the area upon which the vehicle is intended to be driven.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on an approval are that the approval holder must—

- (a) prepare the area in accordance with any requirements specified in the approval; and
- (b) allow an authorised person to inspect the area before the driving takes place; and
- (c) ensure appropriate traffic control, dust suppression and other measures are undertaken to minimise any impacts on spectators or other persons in the area at the time of the driving; and
- (d) maintain paths and tracks so as to avoid erosion or other impacts on flora and fauna from driving vehicles in the area.

7 Term of approval

The term of the approval shall be the term stated in the approval or if not stated for a period of 12 months.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal or if not stated for a period of 12 months.

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CERTIFICATION (LOCAL LAWS)

This and the preceding two pages bearing my initials is a certified copy of Administration (Amendment) Subordinate Local Law 2015 made in accordance with the Local Government Act 2009, by Boulia Shire Council by resolution dated 21st May , 2015.



Lynn Moore

Chief Executive Officer

