



## CHERBOURG ABORIGINAL SHIRE COUNCIL PUBLIC CONSULTATION ON PROPOSED NEW LOCAL LAW

Cherbourg Aboriginal Shire Council (“**Council**”) proposes to make new Local Laws, being *Local Law and Subordinate Local Law No. 1 (Administration) 2021*; *Local Law and Subordinate Local Law No. 2 (Animal Management) 2021*; *Local Law and Subordinate Local Law No. 3 (Community and Environmental Management) 2021* and *Local Law and Subordinate Local Law No. 4 (Indigenous Community Land Management) 2021* (“**Proposed New Local Laws**”).

The purpose and general effect of the Proposed New Local Laws is as follows:

- *Local Law and Subordinate Local Law No. 1 (Administration) 2021:*

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 providing for—

- consistent and comprehensive processes for the local government to grant and regulate approvals to undertake prescribed activities; and
- authorised persons for enforcing local laws; and
- review of certain decisions made under local laws; and
- enforcement of local laws; and
- matters relating to legal proceedings; and
- miscellaneous administrative matters relating to meetings, fees, abandoned goods and seized and impounded items.

- *Local Law and Subordinate Local Law No. 2 (Animal Management) 2021:*

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.

- *Local Law and Subordinate Local Law No. 3 (Community and Environmental Management) 2021:*

To protect the environment and public health, safety and amenity within the local government's area by 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.

- *Local Law and Subordinate Local Law No. 4 (Indigenous Community Land Management) 2021:*

To enable the local government with jurisdiction over the trust area under the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984*, to regulate the use of that area.

Council has identified that the Proposed New Local Laws may contain anti-competitive provisions, and Council has prepared a review of these anti-competitive provisions in accordance with legislative requirements.

#### **Public Consultation**

Council invites the public to comment on the Proposed New Local Laws and the review of anti-competitive provisions.

Comments may be provided to Council in writing, and may be delivered to Council:

- (a) by email to [JBodenmann@prestonlaw.com.au](mailto:JBodenmann@prestonlaw.com.au); or
- (b) by post to PO Box 707N, North Cairns Qld 4870; or
- (c) by hand-delivery to Council Chambers, 22 Barambah Avenue, Cherbourg.

Consultation is open until **5.00pm, Friday 10 September 2021**. Comments received after this time and date may not be considered by Council.

#### **Contact**

Copies of the Proposed New Local Laws, and a review of anti-competitive provisions contained in the Local Laws, are available from Council's website, or by contacting Council at [ceo@cherbourg.qld.gov.au](mailto:ceo@cherbourg.qld.gov.au) or 07 4168 1866.

**CHATUR ZALA**

**CHIEF EXECUTIVE OFFICER**

**CHERBOURG ABORIGINAL SHIRE COUNCIL**