



Queensland

*Mt. Gravatt Showgrounds Act 1988*

# **Mt. Gravatt Showgrounds By-law 2001**

**Reprinted as in force on 11 January 2002**

**Reprint No. 1\***

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# Information about this reprint

This by-law is reprinted as at 11 January 2002.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit the enacting words (s 42A).

This page is specific to this reprint. A table of reprints is included in the endnotes.

**Also see endnotes for information about when provisions commenced.**

## **Dates shown on reprints**

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

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## Queensland

# Mt. Gravatt Showgrounds By-law 2001

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# Mt. Gravatt Showgrounds By-law 2001

[as amended by all amendments that commenced on or before 11 January 2002]

## Part 1 Preliminary

### 1 Short title

This by-law may be cited as the *Mt. Gravatt Showgrounds By-law 2001*.

### 2 Definitions

The dictionary in the schedule defines particular words used in this by-law.

### 3 Purpose of by-law

- (1) The purpose of this by-law is to make provisions about matters mentioned in section 25(1A)<sup>1</sup> of the Act.

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1 *Mt. Gravatt Showgrounds Act 1988*, section 25—

#### 25 By-laws

- (1) The trust may make by-laws under this Act.
- (1A) A by-law may be made about—
- (a) the maintenance of; and
  - (b) entry upon; and
  - (c) use of; and
  - (d) behaviour within; and
  - (e) control of; and
  - (f) protection of;
- the showgrounds.
- (2) A by-law may impose a penalty not exceeding 4 penalty units in respect of a breach of any by-law.
- (3) A by-law must be approved by the Governor in Council.

- (2) The by-law also creates offences relating to matters mentioned in that section.

#### **4 Excuses for offences**

- (1) A person does not commit an offence under this by-law by committing an act if—

- (a) the person has an authority that states the person may commit the act; or

*Example of paragraph (a)—*

An authority states a person may erect a sign to advertise an event to be held on the showgrounds within 2 weeks of the start of the event.

- (b) the person is a member of the trust or a person who is employed by, or otherwise working for, the trust; or

*Example of paragraph (b)—*

An employee of the trust removes a structure placed to prevent entry to an area, and drives a motor vehicle into the area, to carry out the employee's duties.

- (c) the person commits the act under the oral or written direction of a member of the trust or a person who is or, on reasonable grounds, appears to be, employed by or working for the trust; or

*Example of paragraph (c)—*

The driver of a delivery vehicle, on the oral direction of a person working for the trust as a parking attendant, parks for a limited time in an area signed 'No parking'.

- (d) the person has the right to commit the act under a written contract with the trust, including, for example, a lease of, or licence or permit to use, the showgrounds; or

*Example of paragraph (d)—*

A builder who has a contract with the trust to renovate a building makes changes to the building.

- (e) the person has a reasonable excuse for committing the act including, for example, the person has authority to commit the act under another Act.



## **Part 3**

# **Use and control of showgrounds**

### **7 Buildings or structures on showgrounds**

- (1) A person must not—
- (a) erect a building or structure on the showgrounds; or
  - (b) change a building or structure on the showgrounds.

Maximum penalty—4 penalty units.

- (2) In this section—

*change*, a building or structure, means—

- (a) remove or alter a part of the building or structure; or
- (b) make a permanent change, regardless of the extent of the change.

*Example of a permanent change—*

Placing a nail in a wall to attach a decoration.

### **8 Signs**

A person must not place a sign on the showgrounds unless the sign is of a temporary nature and intended to be read only by persons who are attending an event taking place on the showgrounds.

Maximum penalty—2 penalty units.

### **9 Selling things**

A person must not sell anything, or offer anything for sale, on the showgrounds.

Maximum penalty—2 penalty units.

### **10 Animals on the showground**

A person must not bring an animal onto the showgrounds.

Maximum penalty—2 penalty units.

**11 Driving motor vehicles on, onto and from showgrounds**

- (1) A person must not drive a registered vehicle onto or from the showgrounds, unless the person drives the registered vehicle through a gateway or opening designated by a sign as a place for driving a registered vehicle onto or from the showgrounds.

Maximum penalty—2 penalty units.

- (2) A person must not drive a registered vehicle on the showgrounds unless the person is the holder of a driver licence to drive the registered vehicle.

Maximum penalty—2 penalty units.

- (3) A person must not disobey a reasonable direction given by the trust, or a person acting under an authority, about driving, moving, parking or using a motor vehicle on the showgrounds.

Maximum penalty—2 penalty units.

- (4) A person must not drive a motor vehicle on a showground area if a structure has been lawfully erected or placed to prevent entry to the area.

Maximum penalty—2 penalty units.

**12 Parking vehicles**

- (1) A person must not park a motor vehicle in a way, or at a place, on the showgrounds if parking the motor vehicle in the way or at the place—

- (a) is prohibited by a sign erected by the trust or under an authority; or
- (b) is not in conformity with signs or ground or surface markings clearly intended for ordering the parking of relevant vehicles.

Maximum penalty—2 penalty units.

- (2) The trust may charge a reasonable fee for allowing the parking of a registered vehicle on the showgrounds.

**13 Riding motorbikes on the showground**

- (1) A person must not ride a motorbike on the showgrounds—
- (a) if the rider or a passenger on the motorbike is not wearing a safety helmet that—
    - (i) is an approved motorbike helmet; and
    - (ii) is securely fastened under the chin of the wearer using a chin strap attached to the safety helmet; or
  - (b) if the front and rear wheels of the motorbike do not stay in contact with the ground the whole time the motorbike is moving.

Maximum penalty—2 penalty units.

- (2) However, subsection (1)(b) does not apply to a person riding a motorbike on the showgrounds as part of an event taking place on the showgrounds.
- (3) In this section—

*approved motorbike helmet* has the meaning given by the *Transport Operations (Road Use Management—Road Rules) Regulation 1999*.<sup>2</sup>

*motorbike* means—

- (a) a 2-wheeled motor vehicle, whether or not a sidecar is attached to it; or
- (b) a 3-wheeled motor vehicle that is ridden in the same way as a 2-wheeled motor vehicle.

**14 Camping on showgrounds**

- (1) A person must not camp on the showgrounds unless the person is an authorised person.

Maximum penalty—4 penalty units.

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<sup>2</sup> *Transport Operations (Road Use Management—Road Rules) Regulation 1999*, schedule 6—

*approved motorbike helmet* means a helmet that complies with—

- (a) AS 1698–1988; or
- (b) another standard the chief executive considers is at least equal to that standard.

(2) In this section—

**authorised person** means any of the following—

- (a) a member of the society who is involved in the operation of an event held on the showgrounds;
- (b) a person engaged by the trust to provide security at the showgrounds;
- (c) a person travelling with, or providing services to, an event held on the showgrounds;
- (d) a person responsible for livestock involved in an event held on the showgrounds;
- (e) a person who is accompanying a member or person mentioned in paragraphs (a) to (d).

**camp** includes use a tent, caravan or other temporary shelter as the place where a persons sleeps, eats or does the things normally done at a place that is a person's place of residence.

## 15 Behaviour

A person must not, on the showgrounds—

- (a) act in a way or do anything that unreasonably disturbs, or is likely to disturb—
  - (i) another person's peaceful use of the showgrounds; or
  - (ii) the peaceful use of land adjacent to the showgrounds; or
- (b) display, distribute, drop, scatter or throw down a handbill, ticket, notice or any other kind of literature; or
- (c) be drunk and disorderly.

Maximum penalty—4 penalty units.

## Part 4 Maintenance and protection of showgrounds

### 16 Damaging showgrounds

- (1) A person must not damage the showgrounds or a showground structure.

Maximum penalty—4 penalty units.

- (2) In this section—

**damage** includes deface, destroy, mark and otherwise interfere with.

*Example of damage—*

Putting graffiti on a fence on the showgrounds.

**showground structure** means a building, structure, notice or sign on the showgrounds.

### 17 Protection of vegetation and trees

A person must not damage or interfere with—

- (a) gardens, soil or turf on the showgrounds; or
- (b) a tree or other plant growing on the showgrounds.

Maximum penalty—2 penalty units.

### 18 Protection of animals

- (1) A person must not, in, on, under or above the showgrounds—

- (a) destroy, disturb, injure, interfere with, shoot or snare an animal; or
- (b) destroy, disturb or interfere with a bower, nest or any other shelter of an animal.

Maximum penalty—2 penalty units.

- (2) In this section—

**animal** includes a bird, fish, crustacean, mollusc or reptile.

**19 Litter**

- (1) A person must not put litter, or allow litter to be put, on the showgrounds.

Maximum penalty—2 penalty units.

- (2) A person does not commit an offence under subsection (1) merely because the person—

(a) puts litter in a receptacle placed on the showgrounds for receiving litter; or

(b) as part of the person's enjoyment of the showgrounds, and for no longer than is reasonably necessary for the enjoyment, puts litter on the showgrounds other than by putting it in a receptacle mentioned in paragraph (a).

- (3) In this section—

***litter*** means garbage, refuse or rubbish, whether in a fluid or solid state, and includes anything that causes or contributes to the defacement of the place where it is.

***put*** includes deposit, drop, leave, place and throw.

## Schedule                      Dictionary

### section 2

***authority*** means a document issued by the trust that authorises a person to commit an act.

***building*** means a fixed structure that is wholly or partly enclosed by walls and is roofed.

***drive***, a registered vehicle or motor vehicle, includes operate the vehicle.

***driver licence*** has the meaning given by the *Transport Operations (Road Use Management) Act 1995*.

***motor vehicle*** means a registered vehicle or other vehicle.

***park***, a registered vehicle or motor vehicle, includes stand the vehicle.

***registered vehicle*** means a vehicle that is registered under a law of the State about the use of motor vehicles on public roads, or an equivalent law of another State, and is propelled by a motor that forms part of the vehicle, and includes a trailer attached to the registered vehicle.

***showground area*** means a part of the showgrounds.

***structure*** includes—

- (a) a fence, gate, wall and structure other than a building; and
- (b) anything fixed to, or projecting from, a building, fence, gate, wall or other structure.

## Endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Mt. Gravatt Showgrounds By-law 2001 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Reprint date
1	none	14 December 2001	11 January 2002

## 5 List of legislation

### **Mt. Gravatt Showgrounds By-law 2001 SL No. 256**

made by the Mt. Gravatt Showgrounds Trust on 15 October 2001  
notfd gaz 14 December 2001 pp 1351–4  
commenced on date of notification  
[exp 1 September 2012](#) (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.