

# Sunshine Coast Regional Council

## Amendment Local Law No. 1 (Miscellaneous) 2013

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## Part 1 Preliminary

### 1 Short title

This local law may be cited as *Amendment Local Law No. 1 (Miscellaneous) 2013*.

### 2 Commencement

This local law commences on the date of notification in the gazette.

## Part 2 Amendment of Local Law No.1 (Administration) 2011

### 3 Local law amended

This part amends *Local Law No.1 (Administration) 2011*.

### 4 Amendment of sch 1 (Dictionary)

#### (1) Schedule 1—

*insert—*

*'election* means—

- (a) a government election; or
- (b) a referendum; or
- (c) an election of a person to a position in accordance with the provisions of an Act.

*election period* means—

- (a) for a local government election—the period of 28 days preceding the day of the election; or
- (b) for a State government election—the meaning given in the *Electoral Act 1992*, section 2; or
- (c) for a Commonwealth government election—the period beginning on the day after the writ for the election is issued and ending on the day of the election; or
- (d) for another election—
  - (i) the election period stipulated by the Act providing for the election; or
  - (ii) if no period is stipulated by the Act—the period of 28 days preceding the day of the election; or

- (e) for a referendum—the period beginning on the day after the writ for the referendum is issued and ending on the day of the referendum.

**election sign** means a device that is able, or is intended, to—

- (a) influence a person about voting at an election; or  
 (b) affect the result of an election.

**electorate** means—

- (a) for a Commonwealth government election—an electoral division as provided for under the *Commonwealth Electoral Act 1918* (Cwlth); and  
 (b) for a State government election—an electoral district as provided for under the *Electoral Act 1992*.

**local government election** means an election of a member of the local government.

**movable advertising device** means an advertising device that is easily relocated or moved by a person, but does not include an election sign.

**government election** is an election for a local, State or Commonwealth government.’.

- (2) Schedule 1, definition *information notice*, paragraphs (c) and (d)—

*omit, insert—*

‘(c) if the decision is a reviewable decision—

- (i) that the person to whom the notice is given may apply for a review of the decision within 14 days after the notice is given; and  
 (ii) how to apply for a review.’.

## 5 Amendment of sch 2 (Prescribed Activities)

- (1) Schedule 2, Part 1, ‘installation of advertising devices’—

*omit.*

- (2) Schedule 2, Part 1—

*insert—*

‘display of election signs’

‘placement of movable advertising devices’.

- (3) Schedule 2, Part 2, definition *installation of advertising devices*—

*omit.*

- (4) Schedule 2, Part 1—

*insert—*

‘**display of election signs** means the display of one or more election signs visible from a road or other public place.

*placement of movable advertising devices* means the placement of a movable advertising device in a place that is visible from a road or other public place.’.

## Part 3      **Amendment of Local Law No.2 (Animal Management) 2011**

### 6      **Local law amended**

This part amends *Local Law No.2 (Animal Management) 2011*.

### 7      **Amendment of s 6 (Meaning of effective management of an animal in a public place)**

Section 6, ‘no greater than 3 metres in length’—  
*omit.*

### 8      **Amendment of s 15 (Requirements for enclosures, structured and buildings for keeping animals)**

(1) Section 15(2)—

*renumber* as section 15(3).

(2) Section 15(3), ‘subsection (1)’—

*omit, insert—*

‘subsections (1) and (2)’.

(3) Section 15—

*insert—*

‘(2)      The keeper of an animal must ensure that the animal is contained within its proper enclosure at all times that it is on the property, except where it is outside its enclosure while under effective management.

Maximum penalty for subsection (2)—20 penalty units.’.

(4) Section 15—

*insert—*

‘(4)      In this section, *effective management* means the animal is being managed on the property in the way described in section 6 for the type of animal.’.

## **Part 4      Amendment of Local Law No.3 (Community Health and Environmental Management) 2011**

### **9      Local law amended**

This part amends *Local Law No.3 (Community Health and Environmental Management) 2011*.

### **10      Amendment of s 17 (What is a community safety hazard)**

(1) Section 17(1), after paragraph (h)—

*insert—*

‘(ha) a drainage channel that, as a result of a failure to maintain the area by the owner of the property on which the relevant part of the channel is located, is likely to give rise to a risk of—

- (i) damage to the environment, property or infrastructure; or
- (ii) harm or injury to a person or animal; or’.

(2) Section 17(2), insert—

‘*drainage channel* means any place where water may collect or flow.’

## **Part 5      Amendment of Local Law No.4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011**

### **11      Local law amended**

This part amends *Local Law No.4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011*.

### **12      Amendment of s 7 (Management of local government controlled areas, facilities, infrastructure and roads)**

Section 7, ‘by resolution’—

*omit.*

**CERTIFICATION**

This and the preceding 5 pages bearing my initials is a certified copy of *Amendment Subordinate Local Law No.2 (Miscellaneous) 2013*, made in accordance with the provisions of the *Local Government Act 2009*, by the Sunshine Coast Regional Council by resolution dated 25 July 2013.

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John Knaggs  
Chief Executive Officer  
Sunshine Coast Regional Council

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