

Sunshine Coast Regional Council

Amendment Subordinate Local Law No. 3 (Administration) 2013

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Amendment Subordinate Local Law No. 3 (Administration) 2013*.

2 Commencement

This subordinate local law commences on **XX XXXX** 2013.

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

3 Subordinate local law amended

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

4 Insertion of new schedule 8A (Display of election signs)

After schedule 8—

insert—

‘Schedule 8A Display of election signs

section 9

1 Prescribed activity

Display of election signs.

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

- (1) An approval is not required under the authorising local law for—
- (a) an election sign that is regulated by the local government’s planning scheme; or
 - (b) an election sign that is located on a vehicle and is being—
 - (i) driven on a road; or
 - (ii) towed on a road; or
 - (iii) parked on a road for a period not exceeding 3 hours; or
 - (iv) parked on premises of which the owner or lessee of the vehicle is the owner or occupier; or

- (c) an exempt election sign.
- (2) An *exempt election sign* is an election sign that satisfies all of the following requirements—
- (a) the display of the election sign is within the parameters prescribed in column 2 of table 1 for the relevant type of sign described in column 1 of table 1; and
 - (b) the display of the election sign meets the following requirements—
 - (i) election signs must not detrimentally affect the amenity of neighbouring premises and must—
 - (A) not be installed on a public place; and
 - (B) not be installed in such a way as to significantly obstruct a view or vista from any premises; and
 - (C) not be installed prior to the election period; and
 - (D) be removed within 7 days after the day of the election; and
 - (ii) election signs must be designed, sited, constructed and maintained to ensure the health and safety of the community, with signs being—
 - (A) structurally sound and compliant with structural standards and codes under applicable laws; and
 - (B) kept in good order and repair; and
 - (iii) election signs must not cause significant visual or physical obstruction of, or distraction to, vehicular or pedestrian traffic, and must not—
 - (A) resemble or distract from a hazard or warning light through colour or method of operation if visible from a road; and
 - (B) obstruct a pedestrian's view of traffic or a motorist's or cyclist's view of pedestrians, other traffic or the road ahead; and
 - (C) be distracting to drivers or cyclists in close proximity to intersections, traffic signals, railway crossings and vehicle merging and weaving situations; and
 - (iv) election signs must not be likely to cause—
 - (A) property damage; or

- (B) environmental harm; or
- (C) environmental nuisance.

Table 1 – Exempt election sign (election sign not requiring an approval provided it is within the prescribed parameters)

Column 1 Type of device	Column 2 Prescribed parameters
Election sign for a local government election for the Sunshine Coast Regional Council	<p>The prescribed parameters for display of election signs for a local government election for the Sunshine Coast Regional Council are—</p> <ul style="list-style-type: none"> (a) for a mayoral candidate—a maximum of 20 signs per electoral division; and (b) for a candidate other than a mayoral candidate—a maximum of 20 signs in the division where the candidate is standing for election; and (c) no more than 2 election signs may be installed on any one site; and (d) each sign must not exceed a face area of 2 square metres; and (e) if the candidate is not the owner of the premises on which the proposed election sign is to be placed and displayed, the candidate must obtain the consent of the owner of the premises.
Election sign for a local government election for the Noosa Shire Council	<p>The prescribed parameters for display of election signs for a local government election for the Noosa Shire Council are—</p> <ul style="list-style-type: none"> (a) for a mayoral candidate—a maximum of 8 signs; and (b) for a candidate other than a mayoral candidate—a maximum of 8 signs; and (c) no more than 2 election signs may be installed on any one site; and (d) each sign must not exceed a face area of 2 square metres; and (e) if the candidate is not the owner of the premises on which the proposed election sign is to be placed and displayed, the candidate must obtain the consent of the owner of the premises.

Column 1 Type of device	Column 2 Prescribed parameters
Election sign for a State government election	<p>The prescribed parameters for display of election signs for a State government election are—</p> <ul style="list-style-type: none"> (a) for a candidate in a State government election—a maximum of 40 signs within the candidate’s electorate; and (b) no more than 2 signs may be installed on any one site; and (c) each sign must not exceed a face area of 2 square metres; and (d) if the candidate is not the owner of the premises on which the proposed election sign is to be placed and displayed, the candidate must obtain the consent of the owner of the premises.
Election sign for a Commonwealth government election	<p>The prescribed parameters for display of election signs for a Commonwealth government election are—</p> <ul style="list-style-type: none"> (a) for a candidate in a Commonwealth government election—a maximum of 80 signs within the candidate’s electorate; and (b) no more than 2 signs may be installed on any one site; and (c) each sign must not exceed a face area of 2 square metres; and (d) if the candidate is not the owner of the premises on which the proposed election sign is to be placed and displayed, the candidate must obtain the consent of the owner of the premises.
Election sign for an election other than a local, State or Commonwealth government election	<p>The prescribed parameters for display of election signs for an election other than a local, State or Commonwealth government election are—</p> <ul style="list-style-type: none"> (a) for a candidate in an election other than a government election—a maximum of 20 signs within the local government area; and (b) no more than 2 signs may be installed on any one site; and (c) each sign must not exceed a face area of 2 square metres; and (d) if the candidate is not the owner of the premises on which the proposed election sign is to be placed and displayed, the candidate must obtain the consent of the owner of the premises.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by full details of the proposal for display of the election sign, including—

- (a) full details of the proposed placement of the sign, including—
 - (i) the name, address and telephone number of the person responsible for exhibiting the election sign; and
 - (ii) the trading name and address of the business and premises at which the election sign is to be exhibited; and
 - (iii) the name and address of the candidate who will be advertised on the election sign; and
 - (iv) the registration number of any motor vehicle used in the exhibition of the election sign; and
- (b) details of the sign including its content, design, dimensions and construction; and
- (c) details of the time and location at which the prescribed activity will be undertaken.

4 Additional criteria for the granting of approval

The additional criteria are that the election sign—

- (a) will not be placed on a local government controlled area or road; and
- (b) will not be likely to cause—
 - (i) harm to human health and safety; or
 - (ii) property damage; or
 - (iii) a nuisance; or
 - (iv) obstruction of pedestrian or vehicular traffic; or
 - (v) environmental harm; or
 - (vi) environmental nuisance; or
 - (vii) a loss of amenity; or
 - (viii) an obstruction of a view or vista from any premises.

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) comply with safety requirements specified in the approval; and

Example for paragraph (a)—

an approval might specify that in order to provide for the safe passage of pedestrians or vehicles, an election sign may only be displayed where a clear unobstructed view of the road network

system is maintained, including intersections, traffic signals, railway crossings and vehicle merging situations.

- (b) comply with any structural standards or codes under law; and
- (c) where relevant, comply with the current Standards Association of Australia's Wiring Rules; and
- (d) provide to the local government any certificates specified in the approval, including, for example—
 - (i) a certificate of structural adequacy from a qualified engineer; or
 - (ii) a certificate demonstrating no conflict with underground services; or
 - (iii) proof that the approval holder has and maintains public liability insurance coverage covering any risk associated with the prescribed activity to the amount specified in the approval.

7 Term of approval

- (1) The term of an approval granted by the local government for the display of an election sign or election signs commences at the beginning of the election period and finishes 7 days after the day of the election to which the approval relates.
- (2) An approval expires at the end of the day for expiry specified in subsection (1).

8 Term of renewal of approval

This section has been intentionally left blank.

CERTIFICATION

This and the preceding **XXX** pages bearing my initials is a certified copy of *Amendment Subordinate Local Law No.3 (Administration) 2013*, made in accordance with the provisions of the *Local Government Act 2009*, by the Sunshine Coast Regional Council by resolution dated XXXXXXXX.

John Knaggs
Chief Executive Officer
Sunshine Coast Regional Council