

Sunshine Coast Regional Council

Amendment Subordinate Local Law No. 3 (Miscellaneous) 2019

Contents

Part 1	Preliminary	
1	Short title	3
2	Commencement	3
Part 2	Amendment of Subordinate Local Law No.1 (Administration)	
3	Subordinate local law amended	3
4	Amendment of s 4 (Definitions)	3
5	Replacement of s 8 (State-controlled roads to which stated local laws apply)	3
6	Amendment of sch 1 (Categories of prescribed activities for the purposes of maximum penalties)	4
7	Insertion of new sch 5A and 5B	5
8	Amendment of sch 9 (Keeping of animals)	13
9	Insertion of new sch 10A	13
10	Insertion of new sch 11A	18
11	Amendment of sch 16 (Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee)	21
12	Amendment of sch 17	21
Part 3	Amendment of Subordinate Local Law No. 2 (Animal Management) 2011	
13	Subordinate local law amended	22
14	Replacement of s 8 (Identification for cats and dogs in certain circumstances)	22
15	Amendment of sch 5 (Exclusion of animals from specific places)	23
16	Amendment of sch 6 (Dog off-leash areas)	24
17	Amendment of sch 8 (Requirements for keeping declared dangerous animals)	25
Part 4	Amendment of Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011	
18	Subordinate local law amended	25
19	Amendment of s 4 (Definitions)	25
20	Amendment of sch 1 (Prohibited activities for local government controlled areas, facilities, infrastructure and roads)	26
21	Amendment of sch 2 (Restricted activities for local government controlled areas, facilities, infrastructure or roads)	26
Part 5	Amendment of Subordinate Local Law No.5 (Parking) 2011	
22	Subordinate local law amended	27
23	Amendment of s 8 (Commercial vehicle identification labels)	27

24	Amendment of sch 2 (Declaration of off-street regulated parking areas)	27
25	Amendment of sch 3 (Persons who may be issued with a parking permit)	28

DRAFT

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Amendment Subordinate Local Law No. 3 (Miscellaneous) 2019*.

2 Commencement

This subordinate local law commences on the day it is published in the gazette.

Part 2 Amendment of Subordinate Local Law No.1 (Administration) 2016

3 Subordinate local law amended

This part amends *Subordinate Local Law No.1 (Administration) 2016*.

4 Amendment of s 4 (Definitions)

Section 4—

insert—

prescribed times means—

- (a) on a business day or Saturday, before 6.30a.m. or after 6.30p.m; or
- (b) on any other day, at any time.

5 Replacement of s 8 (State-controlled roads to which stated local laws apply)

Section 8—

omit, insert—

8 State-controlled roads to which stated local laws apply¹ —Authorising local law, schedule 1

- (1) For the purposes of the definition of *road* in schedule 1 of the authorising local law, all State-controlled roads in the local government area that are in operation at the commencement of this provision are roads to which the following local laws apply, unless otherwise provided in the local law—

¹ Selected local law provisions have been applied to State-controlled roads in this section pursuant to a *Memorandum of Understanding between State of Queensland (represented by Department of Transport and Main Roads) and Sunshine Coast Regional Council for The Regulation of Roadside Activities on State-controlled Roads*.

- (a) the authorising local law, in relation to the following prescribed activities only—
 - (i) commercial use of local government controlled areas and roads; and
 - (ii) placement of movable advertising devices, but only in relation to prescribed advertising devices; and
 - (b) *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011*, schedule 1, in relation only to the prohibited activity, ‘park or stand a vehicle that is advertised for sale’.
 - (c) *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011*, schedule 2, in relation only to the restricted activity, ‘camp’.
- (2) In this section—
- prescribed advertising device*** means an advertising device mentioned in any of the following sections of the *Roadside Advertising Manual Edition 2: Technical Volume* published by the State Government—
- (a) section 6 (Miscellaneous advertising devices (< 4 m²));
 - (b) section 7 (On-premise advertising devices), except devices described in section 3 (Billboards (> 4 m²));
 - (c) section 8 (Public transport advertising).

6 Amendment of sch 1 (Categories of prescribed activities for the purposes of maximum penalties)

- (1) Schedule 1, part 2—

insert—

- 11 causing building site delivery noise
- 12 causing building work noise
- 13 temporary placement of a shipping container

- (2) Schedule 1, part 3—

insert—

- 1 operation of an amplified music venue within a special entertainment precinct

7 Insertion of new sch 5A and 5B

After schedule 5—

insert—

Schedule 5A Causing building site delivery noise

section 9

1 Prescribed activity

Causing building site delivery noise

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

This section has been intentionally left blank.

3 Documents and materials that must accompany applications for approval

An application for an approval for causing building site delivery noise must be accompanied by—

- (a) the name, address, telephone number and email address, of the person applying for the approval; and
- (b) the trading name, street address, telephone number, email address, registered business name and Australian Business Number of the business under which the prescribed activity is to be carried out; and
- (c) the name, address, mobile telephone number and email address, of the person who will have control of the building site at the times the prescribed activity is to be carried out; and
- (d) details of the prescribed activity proposed to be carried out, including—
 - (i) the nature of the building work; and
 - (ii) the times and places at which the building site delivery will be carried out; and
 - (iii) the nature of the building site delivery proposed to be carried out outside the prescribed times; and
 - (iv) the reasons why it is proposed that the building site delivery is carried out outside the prescribed times; and
 - (v) the proposed term of the approval; and
- (e) a plan or scale map showing—

- (i) the location of the premises at which the building site delivery will be carried out; and
- (ii) the location (and identifying particulars) of any noise sensitive place that will be exposed to audible noise caused by the building site delivery outside the prescribed times; and
- (iii) the location and details (including acoustic levels at the source) of all noise sources from the building site delivery.

4 Additional criteria for the granting of approval

For an approval for causing building site delivery noise, the additional criteria are that—

- (a) the building site delivery will be undertaken on a temporary basis for a specified period of time; and
- (b) the building site delivery will not cause unreasonable noise in a building at which the noise can be heard; and
- (c) the applicant has demonstrated that—
 - (i) there are extraordinary circumstances justifying why the building site delivery should occur outside the prescribed times; or
 - (ii) there are environmental or public safety reasons why the building site delivery should occur outside the prescribed times.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

Conditions that will ordinarily be imposed on an approval for causing building site delivery noise are that the approval holder must—

- (a) only carry out the building site delivery at the times specified in the approval; and
- (b) limit the activity to work of a particular type, or use of particular equipment, and at particular times, as specified; and
- (c) ensure that reversing beepers or squawkers are deactivated and spotters are used during night-time works to the extent permitted under the *Work Health and Safety Act 2011*; and
- (d) ensure engines in vehicles or equipment are well muffled; and

- (e) not use whistles or amplified communication devices, other than two-way radios; and
- (f) keep volume on any communication devices to a minimum; and
- (g) ensure that no radios or other amplified music or entertainment devices are used; and
- (h) ensure any work involving the emission of high intensity ultraviolet light or the use of a floodlight is shielded to protect members of the public; and
- (i) ensure delivery vehicles do not load or unload goods for use on the site outside the prescribed times; and
- (j) prior to the commencement of the building site delivery, notify the Queensland Police Service, Queensland Fire and Emergency Services and the Department of Transport and Main Roads; and
- (k) ensure that the activity does not affect the movement of traffic; and
- (l) take other specified action to minimise the impact of the noise generated by the building site delivery, including, but not limited to, any or all of the following—
 - (i) the construction and maintenance of noise barriers and enclosures around noisy equipment or along the noise transmission path;
 - (ii) the implementation of noise reduction measures at noise sensitive places;
 - (iii) the use of low noise equipment;
 - (iv) the carrying out of routine maintenance on fans to minimise bearing noise;
 - (v) the repair and replacement of defective mufflers and equipment; and
- (m) establish and maintain a procedure for taking and managing complaints about noise from the prescribed activity carried out outside the prescribed times, which must—
 - (i) provide a 24 hour telephone number for persons to call to make a complaint about the noise caused by the building site delivery; and
 - (ii) set out the procedure that must be followed by the approval holder after the receipt of a complaint to ensure the complaint is adequately addressed; and

- (iii) require that the local government is notified of any complaint within 24 hours after the complaint is received; and
- (n) provide written notification (in the prescribed form) of the commencement of any building site delivery carried out outside the prescribed times to the following persons, not less than 48 hours prior to the commencement of the delivery—
 - (i) the residents or operators of any noise sensitive place exposed to audible noise caused by the building site delivery; and
 - (ii) the local government; and
- (o) erect signage—
 - (i) located—
 - (A) at the premises where the building site delivery is being carried out; and
 - (B) in a prominent position viewable from the road, or such other position specified in the approval; and
 - (ii) clearly identifying—
 - (A) the approval number issued by the local government; and
 - (B) the dates and times at which the approval authorises the building site delivery to be carried out outside the prescribed times; and
 - (C) the 24 hour telephone number for persons to call to make a complaint about the noise caused by the building site delivery.

7 Term of approval

- (1) The term of an approval commences on the date the approval is granted and expires on the date specified in the approval.
- (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.

Schedule 5B Causing building work noise

section 9

1 Prescribed activity

Causing building work noise

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

This section has been intentionally left blank.

3 Documents and materials that must accompany applications for approval

An application for an approval for causing building work noise must be accompanied by—

- (a) the name, address, telephone number and email address, of the person applying for the approval; and
- (b) the trading name, street address, telephone number, email address, registered business name and Australian Business Number of the business under which the prescribed activity is to be carried out; and
- (c) the name, address, mobile telephone number and email address, of the person who will have control of the building site at the times the prescribed activity is to be carried out; and
- (d) a copy of any licence or approval required by a relevant authority (for example, the Queensland Building and Construction Commission) to carry out the building work the subject of the application; and
- (e) details of the prescribed activity proposed to be carried out, including—
 - (i) the nature of the building work; and
 - (ii) the times and places at which the building work will be carried out; and
 - (iii) the nature of the building work proposed to be carried out outside the prescribed times; and
 - (iv) the reasons why it is proposed that the building work is carried out outside the prescribed times; and
 - (v) the proposed term of the approval; and
- (f) a plan or scale map showing—
 - (i) the location of the premises at which the building work will be carried out; and

- (ii) the location (and identifying particulars) of any noise sensitive place that will be exposed to audible noise caused by the building work outside the prescribed times; and
- (iii) the location and details (including acoustic levels at the source) of all noise sources from the building work.

4 Additional criteria for the granting of approval

For an application for an approval for causing building work noise, the additional criteria are that—

- (a) the building work will be undertaken on a temporary basis for a specified period of time; and
- (b) the building work will not cause unreasonable noise in a building at which the noise can be heard; and
- (c) the applicant has demonstrated that—
 - (i) there are extraordinary circumstances justifying why the building work should occur outside the prescribed times; or
 - (ii) there are environmental or public safety reasons why the building work should occur outside the prescribed times.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

Conditions that will ordinarily be imposed on an approval for causing building work noise are that the approval holder must—

- (a) only carry out the building work at the times specified in the approval; and
- (b) limit the activity to work of a particular type, or use of particular equipment, and at particular times, as specified; and
- (c) ensure that reversing beepers or squawkers are deactivated and spotters are used during night-time works to the extent permitted under the *Work Health and Safety Act 2011*; and
- (d) ensure engines and vehicles or equipment are well muffled;
- (e) not use whistles or amplified communication devices, other than two-way radios; and

- (f) keep volume on any communication devices to a minimum; and
- (g) ensure that no radios or other amplified music or entertainment devices are used; and
- (h) ensure any work involving the emission of high intensity ultraviolet light or the use of a floodlight is shielded to protect members of the public; and
- (i) ensure no materials are placed in skip bins (or similar) outside the prescribed times; and
- (j) ensure all external doors of the building remain closed during the carrying out of the building work; and
- (k) ensure all workers are off-site by no later than a specified time; and
- (l) ensure delivery vehicles do not load or unload goods for use on the site outside the prescribed times; and
- (m) prior to the commencement of the building work, notify the Queensland Police Service, Queensland Fire and Emergency Services and the Department of Transport and Main Roads; and
- (n) ensure that the activity does not affect the movement of traffic; and
- (o) take other specified action to minimise the impact of the noise generated by the building work, including, but not limited to, any or all of the following—
 - (i) the construction and maintenance of noise barriers and enclosures around noisy equipment or along the noise transmission path;
 - (ii) the implementation of noise reduction measures at noise sensitive places;
 - (iii) the use of low noise equipment;
 - (iv) the carrying out of routine maintenance on fans to minimise bearing noise;
 - (v) the repair and replacement of defective mufflers and equipment; and
- (p) establish and maintain a procedure for taking and managing complaints about noise from the prescribed activity carried out outside the prescribed times, which must—
 - (i) provide a 24 hour telephone number for persons to call to make a complaint about the noise caused by the building work; and

- (ii) set out the procedure that must be followed by the applicant after the receipt of a complaint to ensure the complaint is adequately addressed; and
- (iii) require that the local government is notified of any complaint within 24 hours after the complaint is received; and
- (q) provide written notification (in the prescribed form) of the commencement of any building work carried out outside the prescribed times to the following persons, not less than 48 hours prior to the commencement of the building work—
 - (i) the residents or operators of any noise sensitive place exposed to audible noise caused by the building work; and
 - (ii) the local government; and
- (r) erect signage—
 - (i) located—
 - (A) at the premises where the building site delivery is being carried out; and
 - (B) in a prominent position viewable from the road, or such other position specified in the approval; and
 - (ii) clearly identifying—
 - (A) the approval number issued by the local government; and
 - (B) the dates and times at which the approval authorises the building site delivery to be carried out outside the prescribed times; and
 - (C) the 24 hour telephone number for persons to call to make a complaint about the noise caused by the building site delivery.

7 Term of approval

- (1) The term of an approval commences on the date the approval is granted and expires on the date specified in the approval.
- (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.

8 Amendment of sch 9 (Keeping of animals)

(1) Schedule 9, section 3—

insert—

- (c) if the application is to keep 3 or more dogs at a property that is within a multiple dwelling—a community management plan, which must include—
- (i) a consultation plan; and
 - (ii) a waste management plan; and
 - (iii) a noise management plan.

(2) Schedule 9, section 3—

insert—

- (2) A consultation plan mentioned in subsection (1)(b)(i)(A) must include written agreement to the application signed by an adult resident of every adjoining property.

- (3) A consultation plan mentioned in subsection (1)(c)(i) must include—

- (a) written agreement to the application signed by an adult resident of every property within 50 metres of the applicant's property; and
- (b) written agreement to the application signed by the body corporate for the multiple dwelling.

- (4) A waste management plan mentioned in subsection (1)(c)(ii) must include—

- (a) written agreement to the application signed by an adult resident of every property within 50 metres of the applicant's property; and
- (b) written agreement to the application signed by the body corporate responsible for the common property that will be affected by the application.

- (5) In this section—

multiple dwelling means premises that contain three or more dwellings for separate households.

Example—Apartments, flats, units, townhouses, retirement facilities and triplex.

9 Insertion of new sch 10A

After schedule 10—

insert—

Schedule 10A Operation of an amplified music venue within a special entertainment precinct

section 9

1 Prescribed activity

Operation of an amplified music venue within a special entertainment precinct

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

An approval under the authorising local law is not required for operation of premises that does not emit amplified music at a level in excess of LC_{eq} 65dB, measured at any point 1 metre external to the premises.

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by all of the following—

- (a) a detailed statement of the nature of the entertainment to be provided at the premises and the dates and hours when the premises is to be open to the public; and
- (b) where the premises are a licensed premises—a copy of the licence together with the licence conditions; and
- (c) evidence of the suitability of the applicant to hold the approval; and
- (d) evidence of the suitability to ensure compliance with the approval conditions (that is, the conditions that must be imposed and the conditions that will ordinarily be imposed) of any person who will keep the premises open to the public or manage the premises; and
- (e) where requested by the local government—
 - (i) details and drawings of buildings and other structural elements of the premises; and
 - (ii) details and drawings of the layout, design, and internal appearance of the amplified music venue and the positioning of any sound amplification equipment or device; and
 - (iii) an acoustic report prepared by a suitably qualified person calculating the maximum internal levels of amplified music which can be played at the premises in order to

satisfy the criteria for external noise set out in table 1 to this schedule.

4 Additional criteria for the granting of approval

- (1) For an application for an approval for operation of an amplified music venue within a special entertainment precinct, the additional criteria are—
 - (a) whether the premises may be lawfully used for the purpose specified in the application; and
 - (b) whether it is reasonably practicable to set approval conditions for internal levels of noise from amplified music played at the premises so that the default maximum levels in table 1 to this schedule are not exceeded; and
 - (c) whether the applicant is a suitable person to hold the approval; and
 - (d) whether any person who will keep the premises open to the public or manage the premises is a suitable person to ensure compliance with the approval conditions at the licensed premises.
- (2) In deciding under subsection (1)(c) or (1)(d) whether a person is suitable, the local government may have regard to the following matters—
 - (a) whether the person, or if the person is a corporation, an executive officer of the corporation, has a conviction for a relevant offence, other than a spent conviction; and
 - (b) whether the person, or if the person is a corporation, an executive officer of the corporation—
 - (i) held an approval under this local law, or a licence or registration or permit under a related law, that was suspended or cancelled; or
 - (ii) has been refused an approval under this local law or a licence or registration or permit under a related law.
- (3) In deciding under subsection (1)(b), the local government may have regard to how the internal levels of noise will be attenuated by—
 - (a) the design and construction of the buildings and structural elements of the premises; and
 - (b) the layout, and internal design, of the premises; and
 - (c) the positioning of any sound amplification equipment or device at the premises.

- (4) In considering an application, the local government must also have regard to any or all of the following—
- (a) where the premises is a licensed premises—the conditions of the licence;
 - (b) whether special restrictions are occasioned by public holidays (for example, Easter, Anzac Day, Christmas Day);
 - (c) any valid complaints previously made about noise emissions from the premises;
 - (d) the characteristics of the amplified music being emitted from the premises (for example, repetitive low frequency bass beat);
 - (e) any relevant local government plans, standards, agreements or requirements.

5 Conditions that must be imposed on approvals

A condition that must be imposed on an approval is that the approval holder must ensure that a copy of the approval is available to be viewed by an authorised person at the premises on request.

6 Conditions that will ordinarily be imposed on approvals

- (1) Conditions that will ordinarily be imposed are that the approval holder must—
- (a) ensure that internal levels of noise from amplified music played at the premises are either—
 - (i) within specified limits that will ensure that the external emission of noise from amplified music at the premises does not exceed the default maximum levels in table 1 to this schedule; or
 - (ii) in accordance with a noise management plan that forms part of the approval; and
 - (b) ensure that specified features of the internal layout and design of the premises are not altered without the local government's consent when amplified music is being played; and
 - (c) install and operate noise limiting devices; and
 - (d) carry out and record noise monitoring; and
 - (e) provide noise monitoring records upon request by an authorised person; and
 - (f) where a noise management plan forms part of the approval—comply with the requirements of the noise management plan; and

- (g) ensure that any person acting under the approval complies with the conditions of the approval.
- (2) A noise management plan referred to in subsection (1)—
 - (a) must—
 - (i) list actions which the approval holder will take to minimise the emission of noise from amplified music at the premises during the period of the plan; and
 - (ii) state a timetable for carrying out the actions; and
 - (iii) make provision for monitoring and recording compliance with the plan; and
 - (b) may address matters including—
 - (i) the location and height of a stage; and
 - (ii) the location and height of speakers; and
 - (iii) the direction of speakers; and
 - (iv) the closure of doors and windows; and
 - (v) details of the sound system; and
 - (vi) noise measurement procedures; and
 - (vii) hours of operation.
- (3) Compliance with a noise level specified in an approval condition will be determined by noise measurements carried out by an authorised person inside the amplified music venue at the measurement point specified in the approval.

7 Term of approval

- (1) The term of an approval commences on the date the approval is granted and expires on the date specified in the approval.
- (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.

Table 1 – Default maximum levels of external emission of noise from amplified music

Day and time	Amplified music noise maximum level 1 ^{a, c}	Amplified music noise maximum level 2 ^{b, c}
10am to midnight on a Friday and Saturday	LC _{eqT} 88dB	LL _{eqT} 45dB in any one-third octave band

10am to 11.30pm on a Sunday, Monday, Tuesday, Wednesday and Thursday		between and including 31.5Hz and 125Hz.
All other times	LC _{eqT} 65dB and LL _{eqT} 55dB in any one-third octave band between and including 31.5Hz and 125Hz.	LL _{eqT} 43dB in any one-third octave band between and including 31.5Hz and 125Hz.

- a At any point 1 metre external to the amplified music venue premises.
- b In a bedroom or living room of a residential or short term accommodation premises that is located in the same building as the amplified music venue premises, or which is separated from the venue building by a distance of 3 metres or less. This does not apply where a short-term accommodation premises and amplified music venue are within the same building and are owned and operated by the same entity.
- c In this table—
- i. LC_{eqT} is the C-weighted equivalent continuous sound pressure level during measurement time T, where T equals 3 minutes; and
 - ii. LL_{eqT} is the un-weighted equivalent continuous sound pressure level during measurement time T, where T equals 3 minutes.

10 **Insertion of new sch 11A**

After schedule 11—

insert—

Schedule 11A Temporary placement of a shipping container

section 9

1 Prescribed activity

Temporary placement of a shipping container

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

- (1) An approval is not required under the authorising local law for the placement of a shipping container in each of the following circumstances—
- (a) the shipping container is—
 - (i) in place for less than—

- (A) for a property in the urban zone—30 days; or
- (B) for a property not in the urban zone—90 days; and
- (ii) not likely to cause—
 - (A) a detrimental impact on the amenity of the area; or
 - (B) harm to human health or safety; or
 - (C) environmental harm; or
 - (D) obstruction to pedestrian or vehicular traffic; or
 - (E) obstruction of a view or vista from any premises; or
- (b) the shipping container is—
 - (i) placed on a construction site; and
 - (ii) used for the purposes of construction works; and
 - (iii) in place only for the period necessary to complete the construction works; and
 - (iv) not likely to cause—
 - (A) a detrimental impact on the amenity of the area; or
 - (B) harm to human health or safety; or
 - (C) environmental harm; or
 - (D) obstruction to pedestrian or vehicular traffic; or
 - (E) obstruction of a view or vista from any premises; or
- (c) the placement of the container is permitted under the terms or conditions of an approval issued by the local government for another prescribed activity.

Example for paragraph (c)—

The temporary placement of a shipping container could be permitted under the terms or conditions of an approval for operation of a temporary entertainment event (see schedule 11).

- (2) In this schedule—

construction site means a site where there are active construction works or where works have temporarily ceased for no more than 30 days.

urban zone has the meaning given in the Sunshine Coast Planning Scheme, schedule 1.

3 Documents and materials that must accompany applications for approval

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

- (a) the name, address and telephone number of the person responsible for siting and maintaining the shipping container; and
- (b) the purpose for the placement of the container; and
- (c) a dimensioned site plan providing proposed siting location, boundary setbacks, existing building locations, vegetation and other features (for example, fencing); and
- (d) details demonstrating that the proposed siting has taken account of how to minimise impact on neighbouring residents and surrounding streetscape; and
- (e) details demonstrating that the siting will not cause an obstruction of pedestrian or vehicular traffic; and
- (f) photographic images of all sides of the shipping container and details of any proposed changes to its appearance; and
- (g) details demonstrating no impacts on view lines, either public or private.

4 Additional criteria for the granting of approval

For an application for an approval for the temporary placement of a shipping container, the additional criteria are that the placement will not be likely to cause—

- (a) a detrimental impact on the amenity of the area; or
Example of detrimental impacts on amenity for paragraph (a)—
 - rusted and/or broken metal on the structure;
 - graffiti;
 - overgrown vegetation surrounding the structure.
- (b) harm to human health or safety; or
- (c) environmental harm; or
- (d) obstruction to pedestrian or vehicular traffic; or
- (e) 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

Conditions that will ordinarily be imposed are that the approval holder must—

- (a) keep the shipping container wholly within the boundaries of the property for which approval has been granted; and
- (b) if a specific location for the container is indicated in the approval—keep the shipping container sited at that location; and
- (c) ensure the external surfaces are rust free and kept in a consistent and maintained painted finish; and
- (d) ensure grass or other vegetation is maintained (for example, grass is mown and weeds are not present) in proximity to the shipping container; and
- (e) ensure the siting does not cause an obstruction to pedestrians or vehicular traffic.

7 Term of approval

- (1) The term of an approval commences on the date the approval is granted and expires on the date specified in the approval.
- (2) An approval expires at the end of the day for expiry specified in subsection (1).
- (3) The term of an approval specified under subsection (1) must not exceed—
 - (a) for an urban area—90 days; or
 - (b) for another area—180 days.

8 Term of renewal of approval

No further term is permitted by way of renewal or extension of an approval for the temporary placement of a shipping container.

11 Amendment of sch 16 (Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee)

Schedule 16, section 3(d)—

omit, insert—

- (d) for a health and community services permit—
 - (i) the registration number, make, model and colour of the vehicle nominated in the application; and
 - (ii) evidence of the vehicle user's registration as a health practitioner or registration as a charity with the Australian Charities and Not-for-profits Commission.

12 Amendment of sch 17

Schedule 17, section 3, 'commercial vehicle application label'—

omit, insert—

commercial vehicle identification label

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

13 Subordinate local law amended

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

14 Replacement of s 8 (Identification for cats and dogs in certain circumstances)

Section 8—

omit, insert—

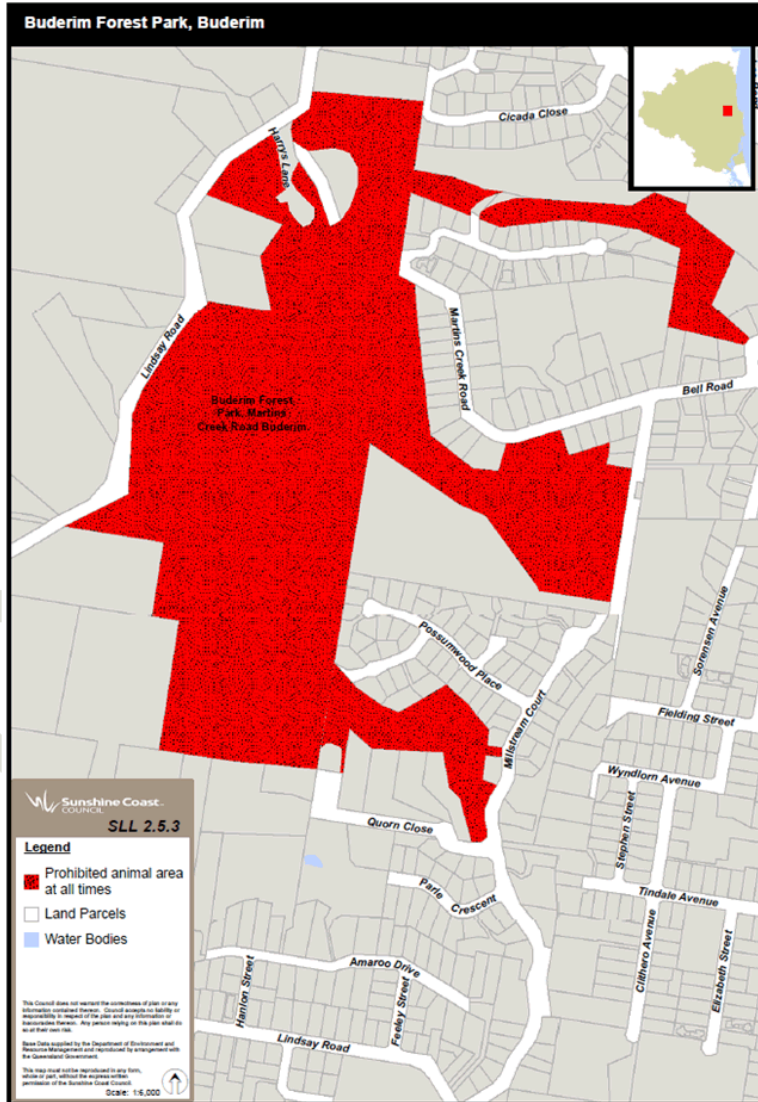
8 Identification for cats and dogs in certain circumstances—Authorising local law, s 10

- (1) For section 10 of the authorising local law, the identification required for a cat that is at a place other than the address stated in the registration notice for the cat is the registration device mentioned in section 4A of the authorising local law.
- (2) For section 10 of the authorising local law, the identification required for a dog that is at a place other than the address stated in the registration notice for the dog is, unless the dog has an exemption under subsection (3), the registration device mentioned in section 12(2) of the *Animal Management (Cats and Dogs) Act 2008*.
- (3) The local government may issue a certificate of exemption for a dog if satisfied—
 - (a) the dog is being kept for show purposes; and
 - (b) the dog is registered with the Canine Control Council; and
 - (c) the keeper genuinely believes that the wearing of a collar would adversely affect the dog's coat for show purposes.
- (4) The local government may refuse to issue a certificate of exemption under subsection (3) unless the keeper of the dog produces to the local government—
 - (a) a certificate of registration for the dog from the Canine Control Council; and
 - (b) evidence (for example, by way of statutory declaration) that the keeper of the dog genuinely believes that the wearing of a collar would adversely affect the dog's coat for show purposes.

- (5) An authorised person may, by notice in writing to the keeper of a dog for which a certificate of exemption has been issued under subsection (3), revoke the exemption.

15 Amendment of sch 5 (Exclusion of animals from specific places)

Schedule 5, Map 2.5.3 (Buderim Forest Park, Buderim)—
omit, insert—



16 Amendment of sch 6 (Dog off-leash areas)

- (1) Schedule 6, table, second column, 'Maloga Street, Kawana to Wurley Drive, Wurtulla (beach access 226 to 247)'—

omit, insert—

Maloga Street, Kawana to Blue Haven Court, Bokarina (beach access 226 to 245)

- (2) Schedule 6, map SLL 2.6.24—

omit, insert—



17 Amendment of sch 8 (Requirements for keeping declared dangerous animals)

Schedule 8—

insert—

3 Within 28 days of receiving notice of the dangerous animal declaration, the responsible person for the animal must ensure the animal is—

(a) in the case of a cat—

(i) desexed, unless the person has a signed veterinary surgeon's certificate for the animal stating that desexing is likely to be a serious risk to its health; and

(ii) implanted with a prescribed permanent identification device (PPID), unless the person has a signed veterinary surgeon's certificate for the cat stating that implanting it with a PPID is likely to be a serious risk to its health.

(b) in the case of another animal—

(i) implanted with a prescribed permanent identification device (PPID); or

(ii) wearing an identification device appropriate for the animal.

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

18 Subordinate local law amended

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

19 Amendment of s 4 (Definitions)

Section 4—

insert—

(2) Additionally, in this subordinate local law—

freestyle see the *Transport Infrastructure (Waterways Management) Regulation 2012*.

Parrearra Lake means the area of the Mooloolah River between—

(a) the lock and weir structure adjacent to Chelsea Crescent, Minyama; and

(b) the weir adjacent to Premier Circuit, Warana.

Pelican Waters North means the body of water between—

(a) the lock and weir structure adjacent to Columba Place, Pelican Waters; and

(b) the weir and footbridge adjacent to Tweddell Drive, Pelican Waters.

Twin Waters Residential Lake means the area of the Maroochy River between—

(a) the weir adjacent to Anchorage Circuit, Twin Waters; and

(b) the bridge at Mudjimba Beach Rd.

waterski see the *Transport Infrastructure (Waterways Management) Regulation 2012*.

wave jump see the *Transport Infrastructure (Waterways Management) Regulation 2012*.

20 Amendment of sch 1 (Prohibited activities for local government controlled areas, facilities, infrastructure and roads)

(1) Schedule 1, column 2, first row, after item 5—

insert—

6 paint, alter or maintain a vehicle

7 exhibit a sign which indicates interference with a road

(2) Schedule 1, third row—

omit.

21 Amendment of sch 2 (Restricted activities for local government controlled areas, facilities, infrastructure or roads)

(1) Schedule 2, second row, third column, after '2011'—

insert—

; or

(c) where the camping is in a place where signage erected by the local government permits camping for a period of time, and the camping has not exceeded the period.

(2) Schedule 2, after fourth row—

insert—

Parrearra Lake, Pelican Waters North and Twin Waters Residential Lake	use a powered vessel to— <ul style="list-style-type: none"> • waterski; or • wave jump; or • freestyle 	permitted only— <ul style="list-style-type: none"> (a) where signs erected by the local government authorise the activity at the place; or (b) where the activity is authorised under a condition of an approval granted under <i>Local Law No.1 (Administration) 2011</i>
---	--	--

Part 5 Amendment of Subordinate Local Law No.5 (Parking) 2011

22 Subordinate local law amended

This part amends *Subordinate Local Law No.5 (Parking) 2011*.

23 Amendment of s 8 (Commercial vehicle identification labels)

Section 8, from 'that is permanently'—

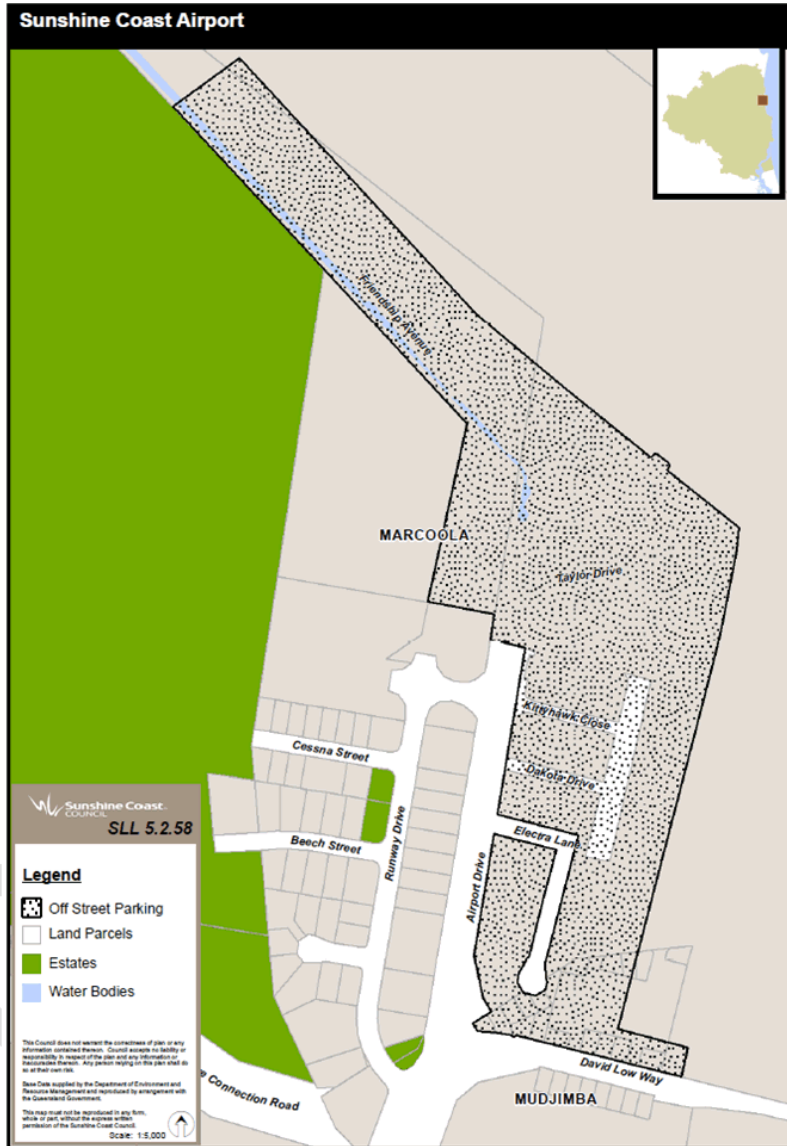
omit, insert—

that is—

- (a) owned by a person or company that is in the business of supplying goods and services; and
- (b) actually used in the course of the business of that person or company.

24 Amendment of sch 2 (Declaration of off-street regulated parking areas)

- (1) Schedule 2, Map SLL 5.2.5—
omit.
- (2) Schedule 2, Map SLL 5.2.58—
omit, insert—



25 Amendment of sch 3 (Persons who may be issued with a parking permit)

- (1) Schedule 3, row 2, column 2, ‘and adjacent footpath for commercial, construction or fundraising purposes’—

omit, insert—

for construction or maintenance purposes

- (2) Schedule 3, row 3, column 2, ‘any person’—

omit, insert—

- 1 a person requiring access to a metered bay within the Caloundra Central Business District
- 2 a war veteran requiring access to a metered bay within either the Caloundra Central Business Direct or the Birtinya Regulated Parking Area

(3) Schedule 3, row 4—

omit, insert—

health and community services permit	<ol style="list-style-type: none"> 1 a health practitioner registered with the Australian Health Practitioner Regulation Agency 2 an organisation registered as a charity with the Australian Charities and Not-for-profits Commission
--------------------------------------	--

DRAFT