

**PUBLIC INTEREST TEST REPORT LOCAL LAW NO.6 (BATHING RESERVES)  
2011**

<b>AGENCY</b>	<b>COMMENT</b>
Department of Aboriginal and Torres Strait Islander and Multicultural Affairs	Tendered a nil response
Department of Agriculture, Fisheries and Forestry	Nil response
Department of Communities, Child Safety and Disability Services	Nil response
Department of Education, Training and Employment	Nil response
Department of Energy and Water Supply	Nil response
Department of Environment and Heritage Protection	Nil response
Department of Housing and Public Works	Nil response
Department of Justice and Attorney-General	Nil response
Department of Local Government	No issues or comments to make
Department of National Parks, Recreation, Sport and Racing	Nil response
Department of Natural Resources and Mines	<p>No inconsistency with State Legislation.</p> <p>It is presumed that there will not be any adverse impact on State interests.</p> <p>The State of Queensland seems not to have any issues with the amendment to the Sunshine Coast Regional Council Amendment Local Law no: 1 and 2 (Miscellaneous 2013) concerning the Public Interest Test Plan.</p> <p>The State government of Queensland does not seem to have any concerns with these amendments to the Sunshine Coast Regional Local laws in regards with the State Land Asset Management under the Land</p>

	Act 1994
Queensland Health	Nil response
Queensland Police	Nil response
Department of Science, Information Technology, Innovation and the Arts	Nil response
Department of State Development, Infrastructure and Planning	No interests affected by the proposed changes from an Economic Development perspective
Department of Tourism, Major Events, Small Business, and the Commonwealth Games	Nil response
Department of Transport and Main Roads	Nil response

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John Knaggs

Chief Executive Officer

Sunshine Coast Regional Council

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Department of Agriculture, Fisheries and Forestry	Nil response
Department of Communities, Child Safety and Disability Services	Nil response
Department of Community Safety	Nil response
Department of Education, Training and Employment	Nil response
Department of Energy and Water Supply	Nil response
Department of Environment and Heritage Protection	Nil response
Department of Housing and Public Works	Tendered nil response
Department of Justice and Attorney-General	Nil response
Department of Local Government	<p>Tendered nil response for Local Law Amendment.</p> <p>Proposed amendment to Schedule 2 of Subordinate Local Law – Under section 36 of the <i>Local Government Act 2009</i> which specifically deals with local laws covering election signs, Council must ensure it does not prohibit the display of election signs in its area.</p> <p>Any provision contained in a local law or a subordinate local law, to the extent that is contrary to section 36 of the Act is also invalid and of no effect.</p> <p>While the Act does allow a local governments discretion with regard to regulating the placement of an election sign, Council must ensure a regulation under a subordinate local law is not inconsistent with the implied constitutional guarantee of freedom of political communication. <b>Comment noted.</b></p>

Department of National Parks, Recreation, Sport and Racing	Tendered nil response
Department of Natural Resources and Mines	<p>Our comments are just guidance for your consideration while the amendments are made for the definition of "public place" as per the provisions under the <i>Land Act 1994</i>. This comment is a general comment for the council and is only for your information.</p> <p>Subject to the trustee permit provisions of the Land Act for trust land, Section 56 (3) of the <i>Land Act 1994</i> needs to be considered under the meaning of "<i>public place</i>" A model by-law may state that all or part of trust land is a "public place" within the meaning of an Act—</p> <p>Section 56 (4) (b) of the <i>Land Act 1994</i> - Adopt a model by-law.</p> <p>Section 56 "Model by-laws" part 3 &amp; 4 (b) of the <i>Land Act 1994</i> may be considered if a local government is the trustee of the trust land. Consider the review to ensure that "public place" means "all or part of trust land" within the meaning and provisions of the <i>Land Act 1994</i>. No change proposed. <b>Comment noted - current definition of "public place" is consistent with the definition under the <i>Local Government Act 2009</i>.</b></p>
Queensland Health	Nil response
Queensland Police	Nil response
Queensland Treasury and Trade	Nil response
Department of Science, Information Technology, Innovation and the Arts	Nil response
Department of State Development, Infrastructure and Planning	Nil response
Department of Tourism, Major Events, Small Business, and the Commonwealth Games	Nil response
Department of Transport and Main Roads	Tendered nil response

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John Knaggs  
Chief Executive Officer  
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