

Sunshine Coast Regional Council

Amendment Subordinate Local Law No. 1 (Miscellaneous) 2022

Contents

Part 1	Preliminary	
1	Short title	2
2	Commencement	2
Part 2	Amendment of Subordinate Local Law No. 1 (Administration) 2011	
3	Subordinate local law amended	2
4	Amendment of s 4 (Definitions)	2
5	Insertion of s 10 (Matters regarding extraordinary building work noise permits)	2
10	Matters regarding extraordinary building work noise permits—Authorising local law, s8(2)(a), 9(1)(d), 10(3), 13(a), 14(2)(a)	2
11	Amendment of sch 1 (Categories of prescribed activities for the purposes of maximum penalties)	3
12	Amendment of sch 4 (Alteration or improvement to local government controlled areas or roads)	3
13	Amendment of sch 5A (Causing building site delivery noise)	4
14	Omission of sch 5B (Causing building work noise)	4
15	Insertion of sch 19 (Extraordinary building work noise permits)	4
Part 3	Amendment of Subordinate Local Law No. 2 (Animal Management) 2011	
16	Subordinate local law amended	8
17	Amendment of sch 3 (Minimum standards for keeping particular animals) ..	8
18	Amendment of sch 3A (Minimum standards for keeping animals generally) ..	8
19	Amendment of sch 5 (Exclusion of animals from specific places)	9
20	Amendment of sch 6 (Dog off-leash areas)	15
Part 4	Amendment of Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011	
21	Subordinate local law amended	25
22	Amendment of sch 1 (Prohibited activities for local government controlled areas, facilities, infrastructure or roads)	25
Part 5	Amendment of Subordinate Local Law No. 5 (Parking) 2011	
23	Subordinate local law amended	25
24	Amendment of sch 3 (Persons who may be issued with a parking permit) ..	25
25	Amendment of sch 4 (Infringement notice penalties for certain minor traffic offences)	26

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Amendment Subordinate Local Law No. 1 (Miscellaneous) 2022*.

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(2), definition, *prescribed times*—
omit.

5 Insertion of s 10 (Matters regarding extraordinary building work noise permits)

After section 9—
insert—

10 Matters regarding extraordinary building work noise permits—Authorising local law, s8(2)(a), 9(1)(d), 10(3), 13(a), 14(2)(a)

- (1) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for an extraordinary building work noise permit are stated in section 1 of schedule 19.
- (2) For section 9(1)(d) of the authorising local law, the local government may only grant an extraordinary building work noise permit if it is satisfied the proposed operation and management of the activity proposed to be covered by the permit would be consistent with the additional criteria prescribed in section 2 of schedule 19.
- (3) For section 10(3) of the authorising local law, the conditions that must be imposed on an extraordinary building work noise permit are stated in section 3 of schedule 19.
- (4) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an extraordinary building work noise permit are stated in section 4 of schedule 19.

- (5) For section 13(a) of the authorising local law, the term of an extraordinary building work noise permit is provided for in section 5 of schedule 19.
- (6) For section 14(2)(a) of the authorising local law, the further term for renewal or extension of an extraordinary building work noise permit is provided for in section 6 of schedule 19.

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

- (1) Schedule 1, part 1—

insert—

- 1 placement of movable advertising devices
- 2 temporary placement of a shipping container
- 3 bring a motor vehicle onto or drive a motor vehicle on any part of a local government controlled area that is not a motor vehicle access area

- (2) Schedule 1, part 2—

omit—

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

- (3) Schedule 1, part 2, items 9 to 10—

renumber as items 8 to 9.

- (4) Schedule 1, part 3—

insert—

- 2 causing building site delivery noise

- (5) Schedule 1, footnote 1—

omit, insert—

Category 1 activities attract a maximum penalty of 10 penalty units for a first offence, 20 penalty units for a second offence, and 50 penalty units for a third or later offence (section 6(2)(b), authorising local law).

12 **Amendment of sch 4 (Alteration or improvement to local government controlled areas or roads)**

Schedule 4, table 2, column 2, ‘*Memorials and Plaques Policy*’—

omit, insert—

Commemorative Memorials Organisational Policy

13 Amendment of sch 5A (Causing building site delivery noise)

- (1) Schedule 5A, ‘prescribed times’, wherever occurring—
omit, insert—
standard building work hours
- (2) Schedule 5A, section 3(e)(iii), ‘(including acoustic levels at the source)’ —
omit.

14 Omission of sch 5B (Causing building work noise)

Schedule 5B—
omit.

15 Insertion of sch 19 (Extraordinary building work noise permits)

After schedule 18—
insert—

Schedule 19 Extraordinary building work noise permits

section 10

1 Documents and materials that must accompany applications for a permit

An application for an extraordinary building work noise permit must be accompanied by—

- (a) the name, address, telephone number and email address, of the person applying for the permit; and
- (b) the trading name, street address, telephone number, email address, registered business name and Australian Business Number of the business undertaking the activity that is the subject of the permit; 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 activity that is the subject of the permit 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 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 standard building work hours; and
- (iv) the reasons why it is proposed that the building work is carried out outside the standard building work hours; and
- (v) the proposed term of the permit; 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 standard building work hours; and
 - (iii) the location and details of all noise sources from the building work.

2 Additional criteria for the granting of permit

For an application for an extraordinary building work noise permit, 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 standard building work hours; or
 - (ii) there are environmental or public safety reasons why the building work should occur outside the standard building work hours.

Examples for subparagraph (i)—

- Carrying out the building work outside of the standard building work hours is necessary to minimise disruption caused by impacts on critical transport or utility infrastructure.
- Carrying out the building work within the standard building work hours would cause unacceptable traffic impact.

Example for subparagraph (ii)—

The building work will involve asbestos removal that would increase safety risks to the public if carried out during the standard building work hours.

3 Conditions that must be imposed on permits

This section has been intentionally left blank.

4 Conditions that will ordinarily be imposed on permits

Conditions that will ordinarily be imposed on an extraordinary building work noise permit are that the permit holder must—

- (a) only carry out the building work at the times specified in the permit; 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;
- (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 standard building work hours; 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 standard building work hours; 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 building work carried out outside the standard building work hours, 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 standard building work hours 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 work is being carried out; and
 - (B) in a prominent position viewable from the road, or such other position specified in the permit; and
 - (ii) clearly identifying—
 - (A) the permit number issued by the local government; and
 - (B) the dates and times at which the permit authorises the building work to be

carried out outside the standard building work hours; and

- (C) the 24 hour telephone number for persons to call to make a complaint about the noise caused by the building work.

5 Term of permit

- (1) The term of a permit commences on the date the permit is granted and expires on the date specified in the permit.
- (2) A permit expires at the end of the day for expiry specified in subsection (1).

6 Term of renewal of permit

This section has been intentionally left blank.

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

16 Subordinate local law amended

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

17 Amendment of sch 3 (Minimum standards for keeping particular animals)

Schedule 3, fifth row (relating to a cat or dog), column 2, item 1—

insert—

- (e) in the case of a dog enclosure that is solely within a dwelling—
must not include a door that opens directly to an area outside the dwelling that would give the dog unrestricted access to a public place.

Example for paragraph (e)— The perimeter of an enclosure for a dog within a dwelling must not include the front door or another external door of the dwelling.

18 Amendment of sch 3A (Minimum standards for keeping animals generally)

- (1) Schedule 3A, items 1 and 2—
renumber as items 2 and 3.

- (2) Schedule 3A—

insert—

- 1 The person keeping the animal must ensure that—
 - (a) the animal enclosure and containment measures meet the welfare needs of the animal; and
 - (b) the animal enclosure is maintained in good repair so as to not cause nuisance to neighbouring premises; and

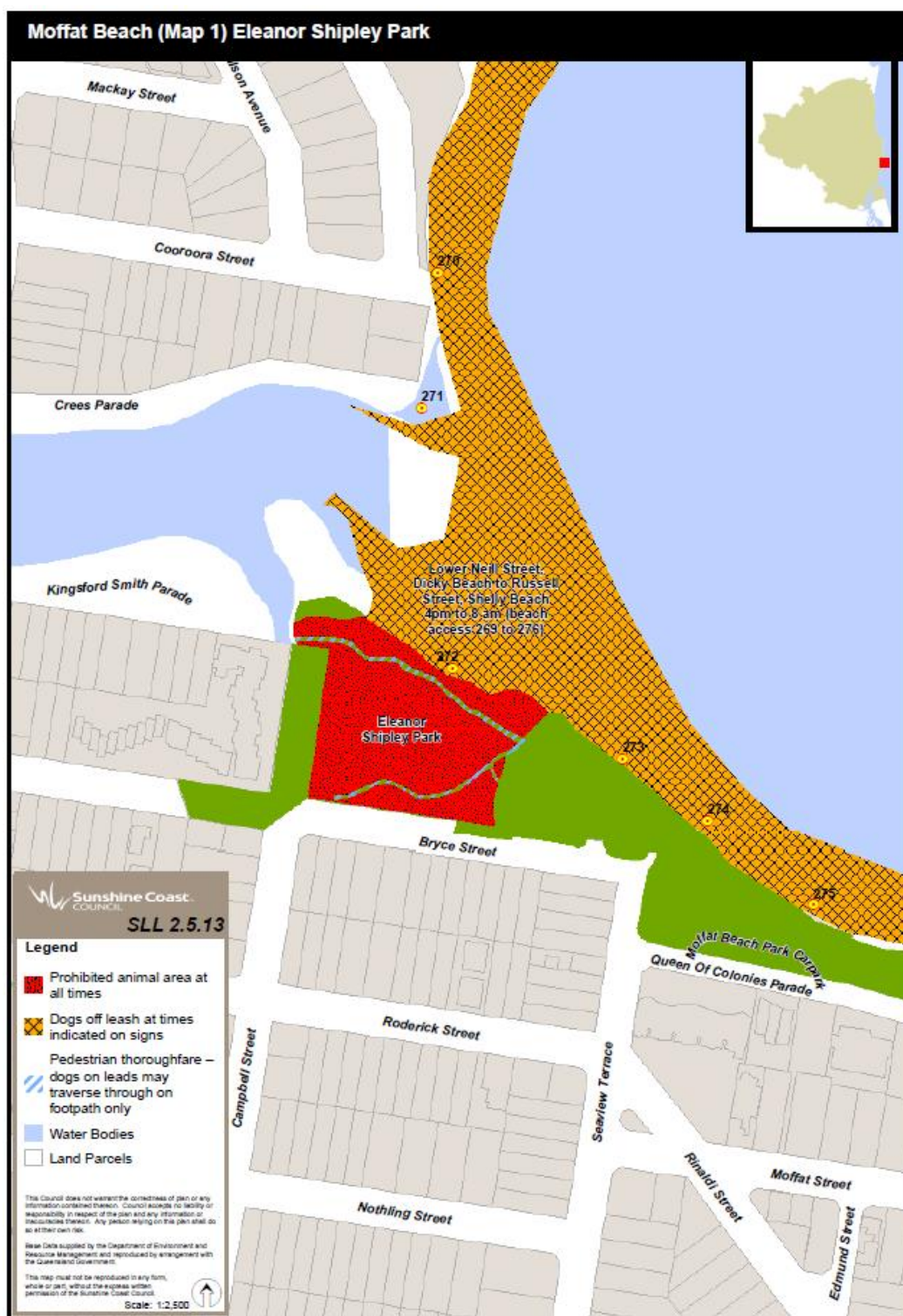
- (c) the animal enclosure is constructed to prevent wastewater from entering into the stormwater system or discharging to adjoining premises; and
 - (d) the land surrounding the animal enclosure is kept clear of organic materials that may harbour vermin or cause a nuisance to neighbouring premises.
- (3) Schedule 3A, item 3, paragraph (c), ‘a residential premises’—
omit, insert—
 adjoining land or nearby residential premises

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

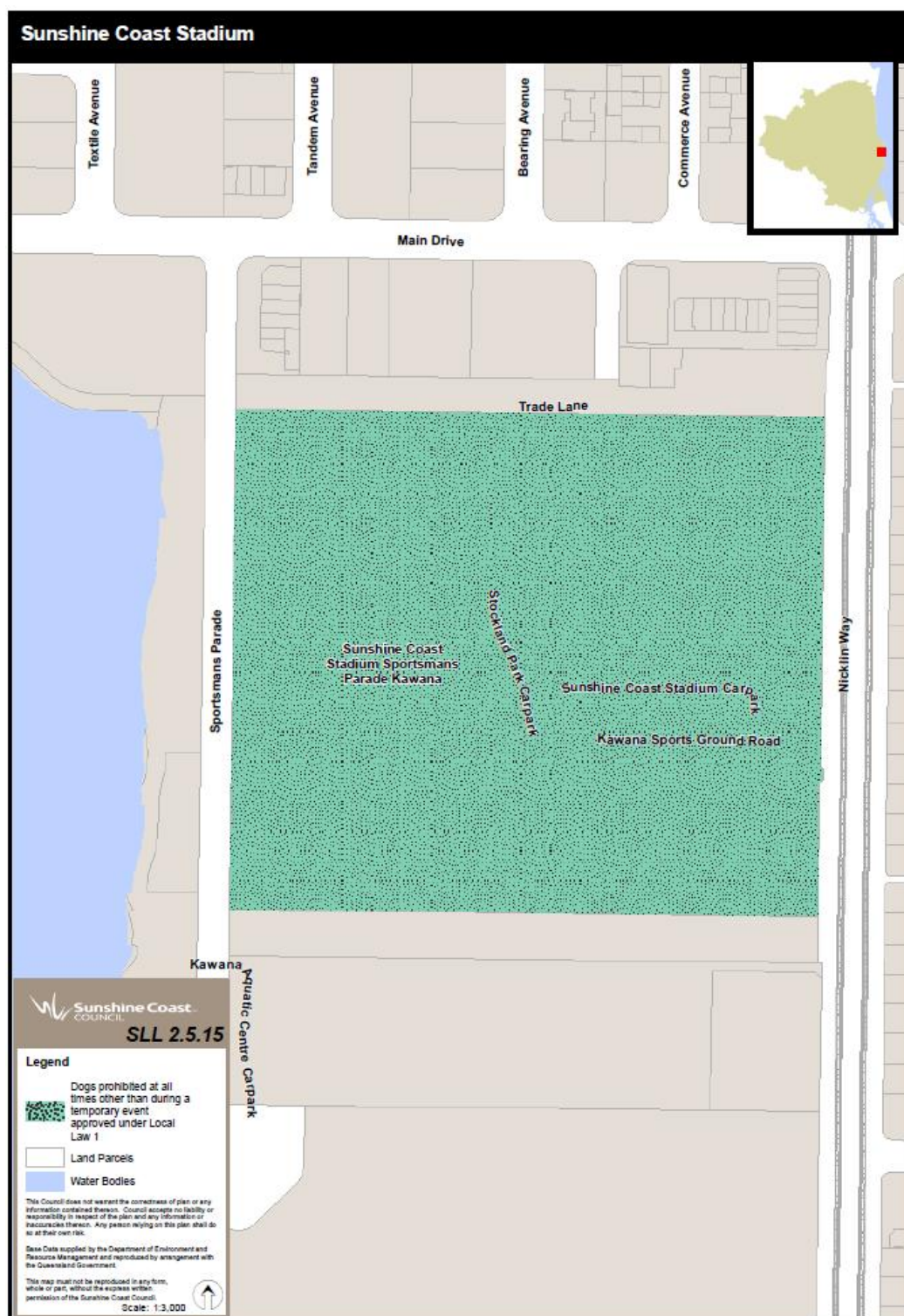
- (1) Schedule 5, table, after last row—
insert—

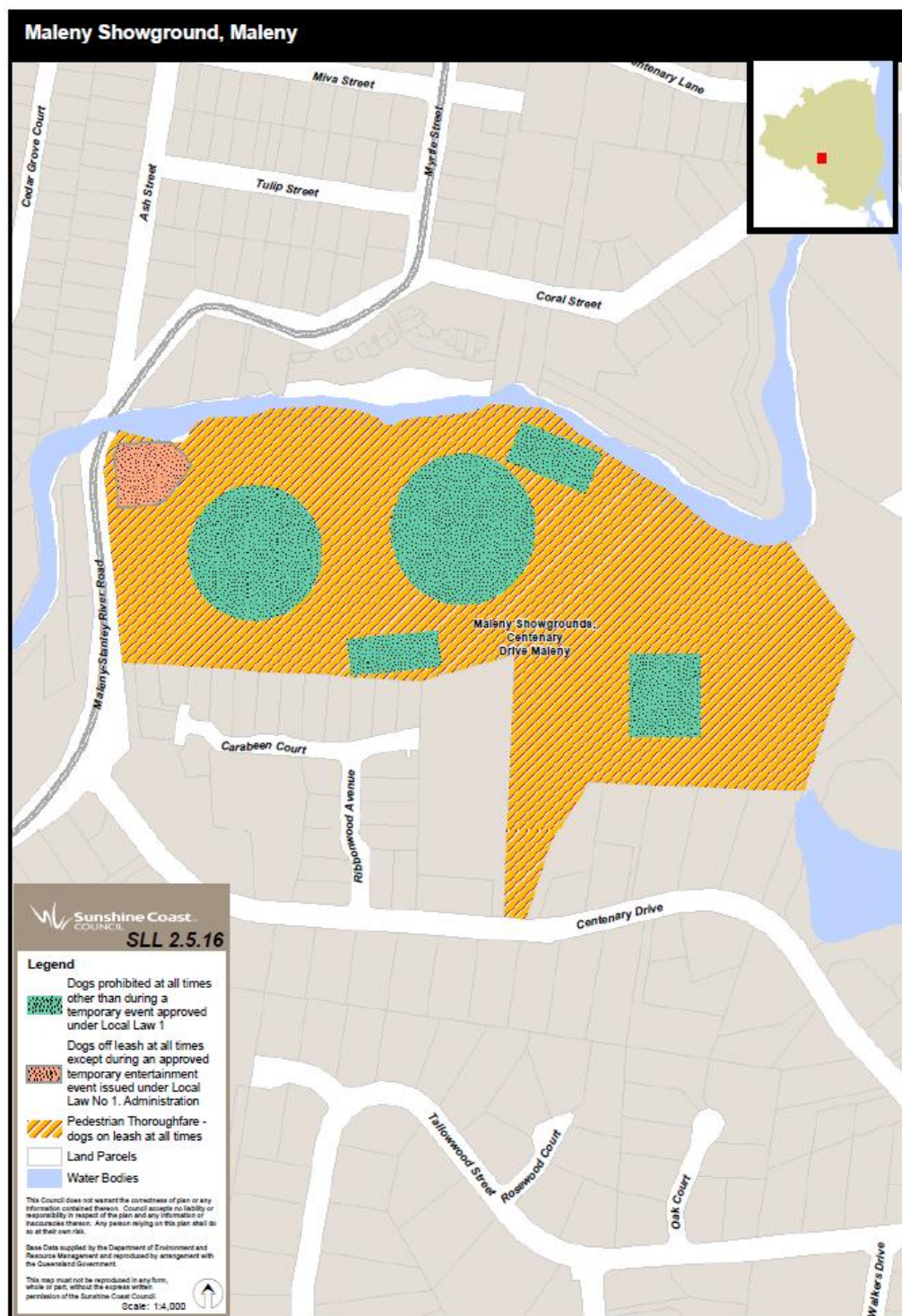
park/reserve	Sunshine Coast Stadium, Bokarina	dogs	SLL 2.5.15
park/reserve	Maleny Showground, Maleny	dogs	SLL 2.5.16
park/reserve	Muller Park Reserve, Bli Bli	all animals	SLL 2.5.17
park/reserve	Bankfoot House, Glass House Mountains	all animals	SLL 2.5.18

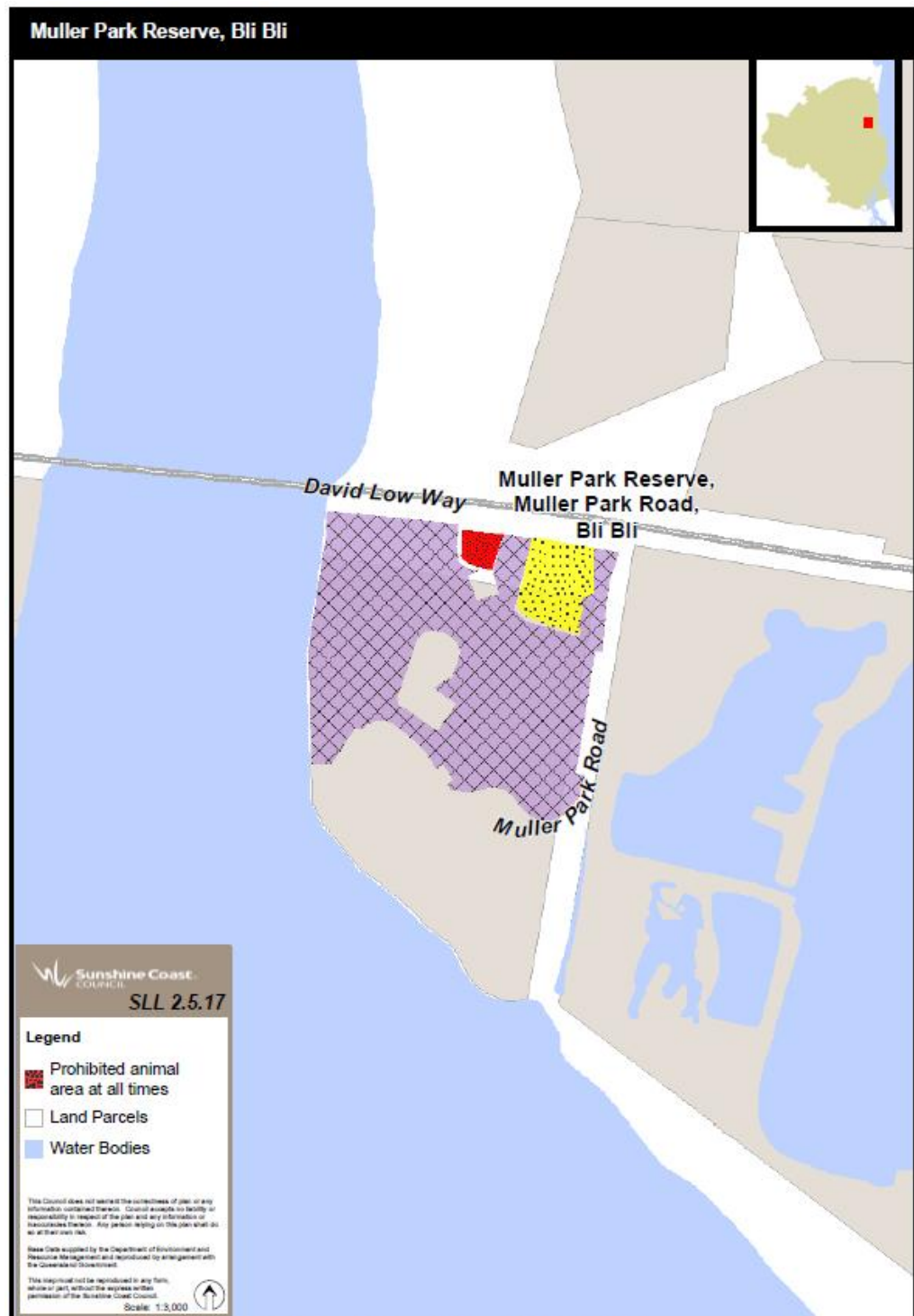
- (2) Schedule 5, Map 2.5.13 (Quota/Eleanor Shipley Park, Moffat Beach)—
omit, insert—

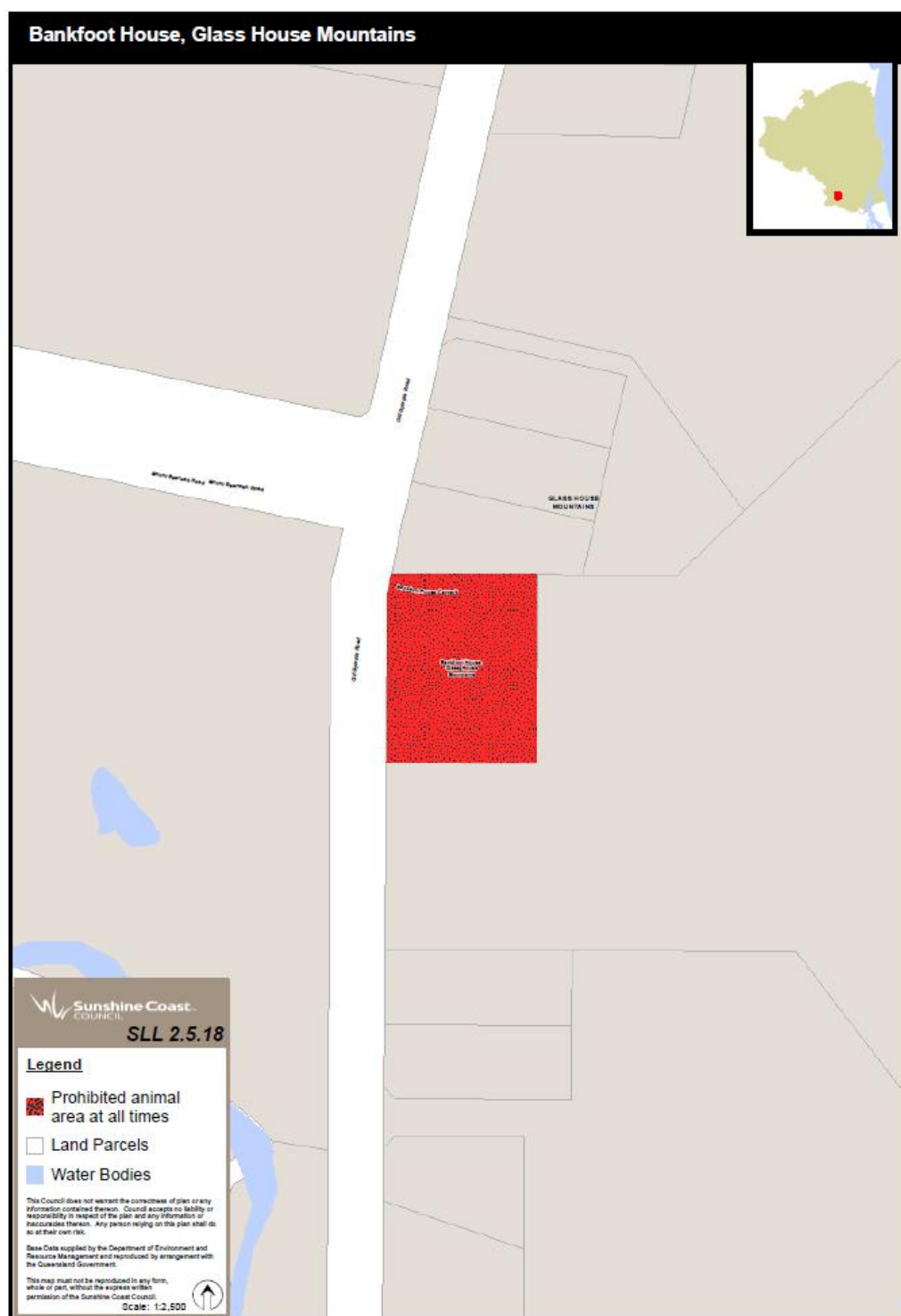


- (3) Schedule 5, after Map 2.5.14 (Graham Stewart Park, Currimundi)—
insert—









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

- (1) Schedule 6, table, third row (relating to Town of Seaside), column 4, ‘5am to 8am and 4pm to 8 pm’—

omit, insert—

5am to 9am and 4pm to 8pm

- (2) Schedule 6, table, fifth row (relating to Muller Park Reserve), column 4, after ‘all times’—

insert—

(fenced dog off-leash area) or 4pm to 8am (entire park excluding the prohibited animal area declared by schedule 5)

- (3) Schedule 6, table, twenty-first row (relating to Maleny Showgrounds), column 4, after ‘all times’—

insert—

other than during a temporary entertainment event approved under *Local Law No.1 (Administration) 2011*

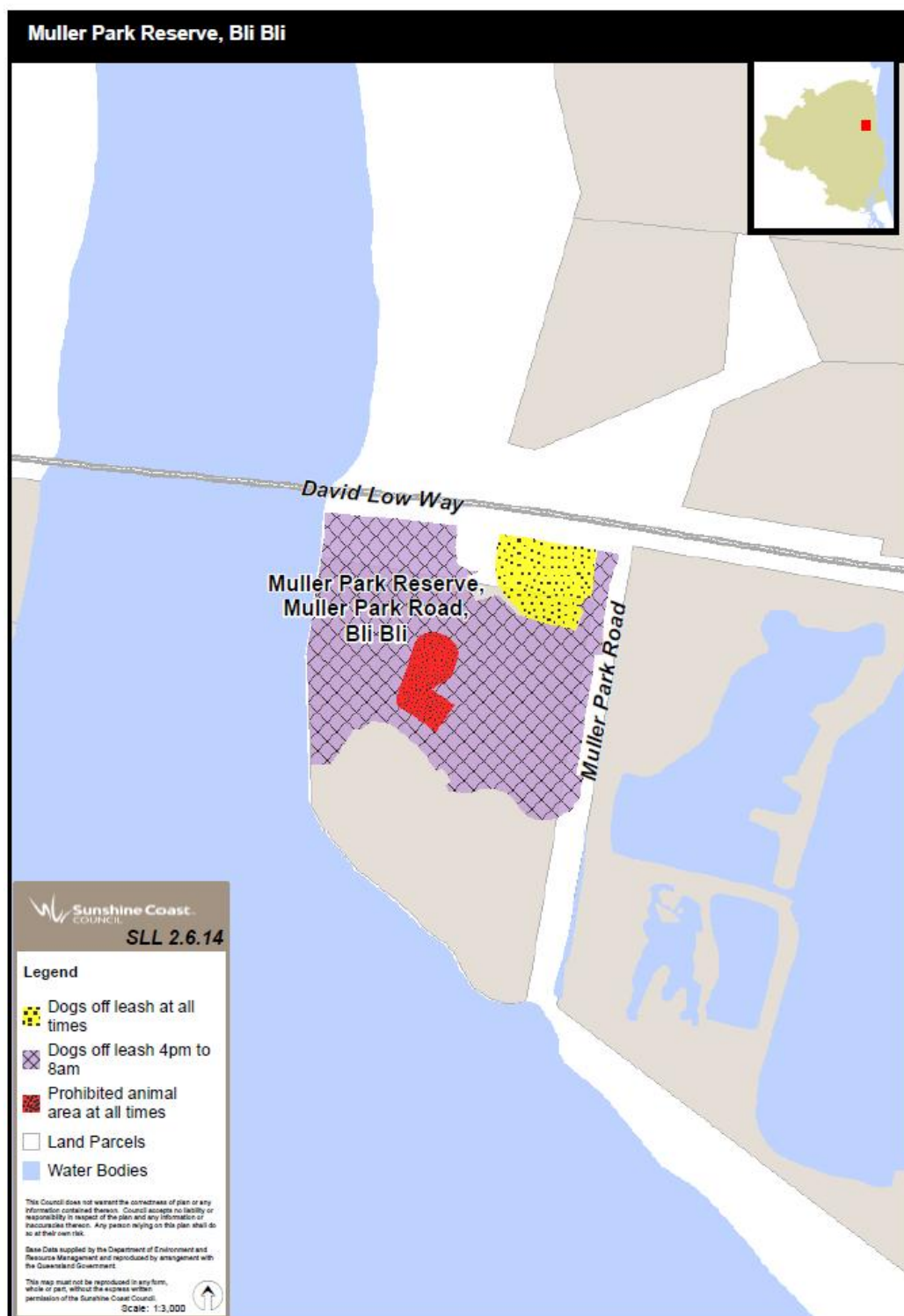
- (4) Schedule 6, table, after last row—

insert—

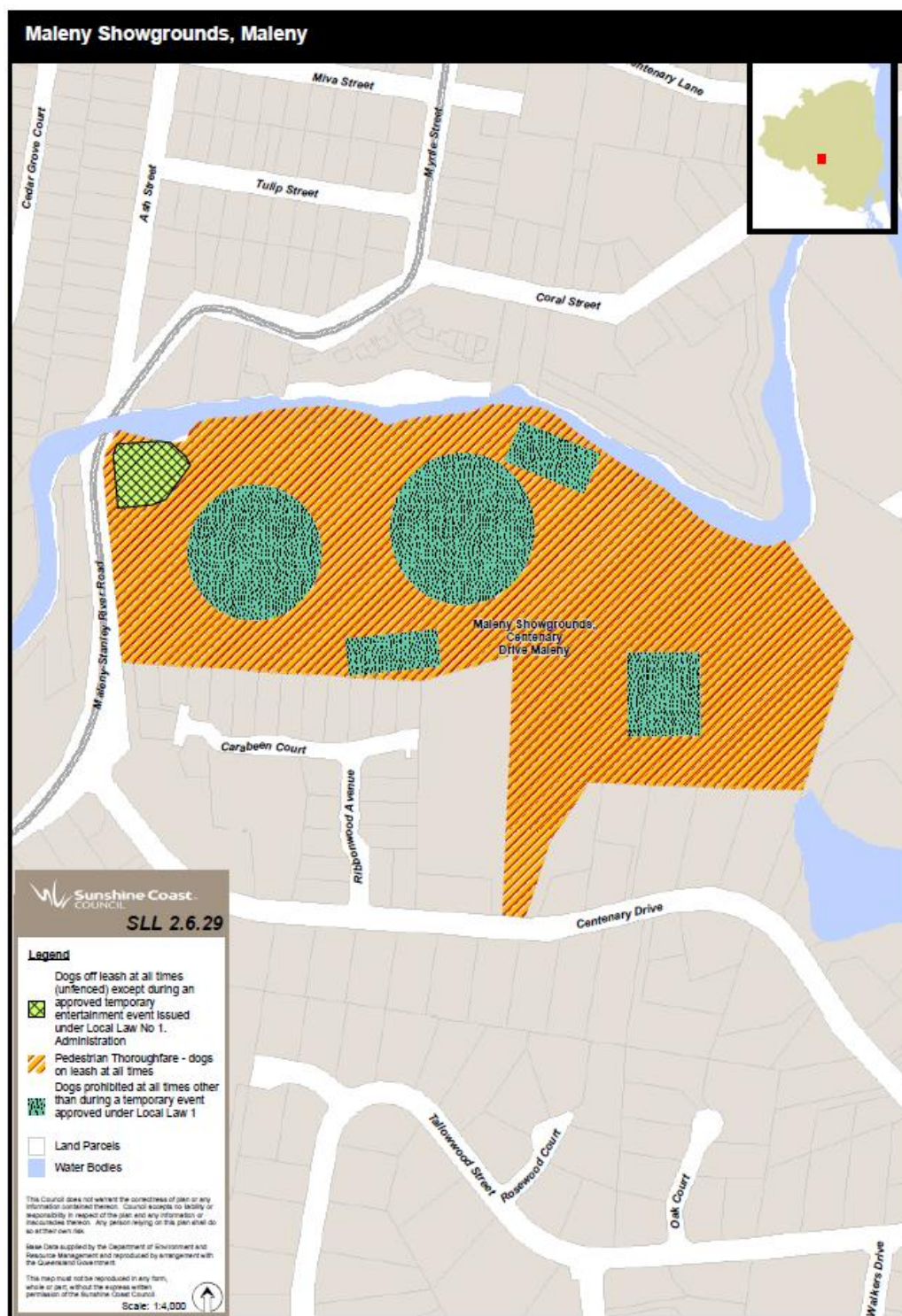
park	Flintwood Crescent, Palmview	SLL 2.6.46	all times
park	Mapleton Lilyponds, Mapleton	SLL 2.6.47	all times
park	Quota Memorial Park, Nambour	SLL 2.6.48	all times
park	Baringa Forest Park, Eden Drive	SLL 2.6.49	all times
park	Annalise Circuit Park, Nirimba	SLL 2.6.50	all times
park	Viridian Park, Birtinya	SLL 2.6.51	all times
park	Grand Parade Park, Parrearra	SLL 2.6.52	all times

(5) Schedule 6, Map SLL2.6.14—

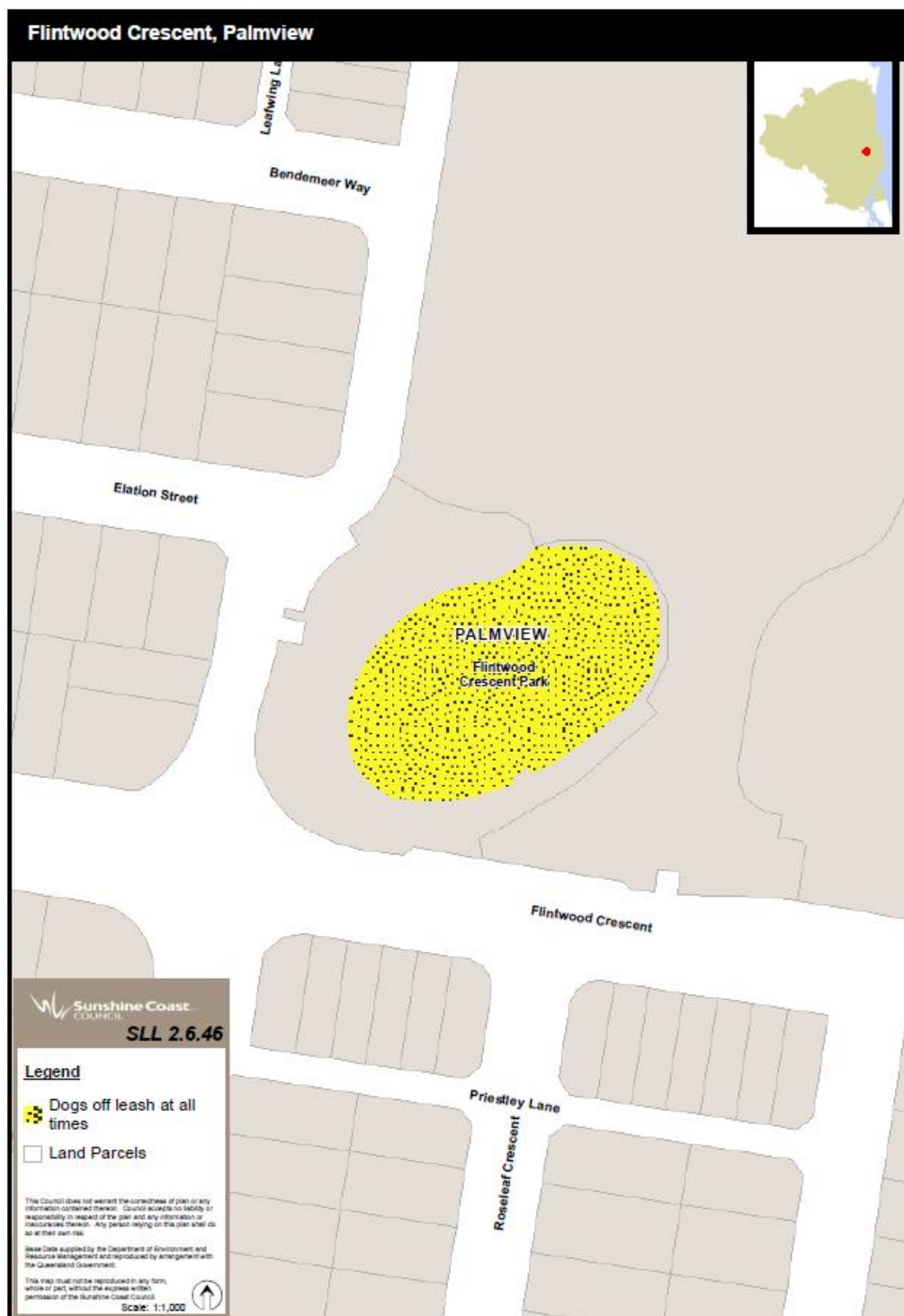
omit, insert—

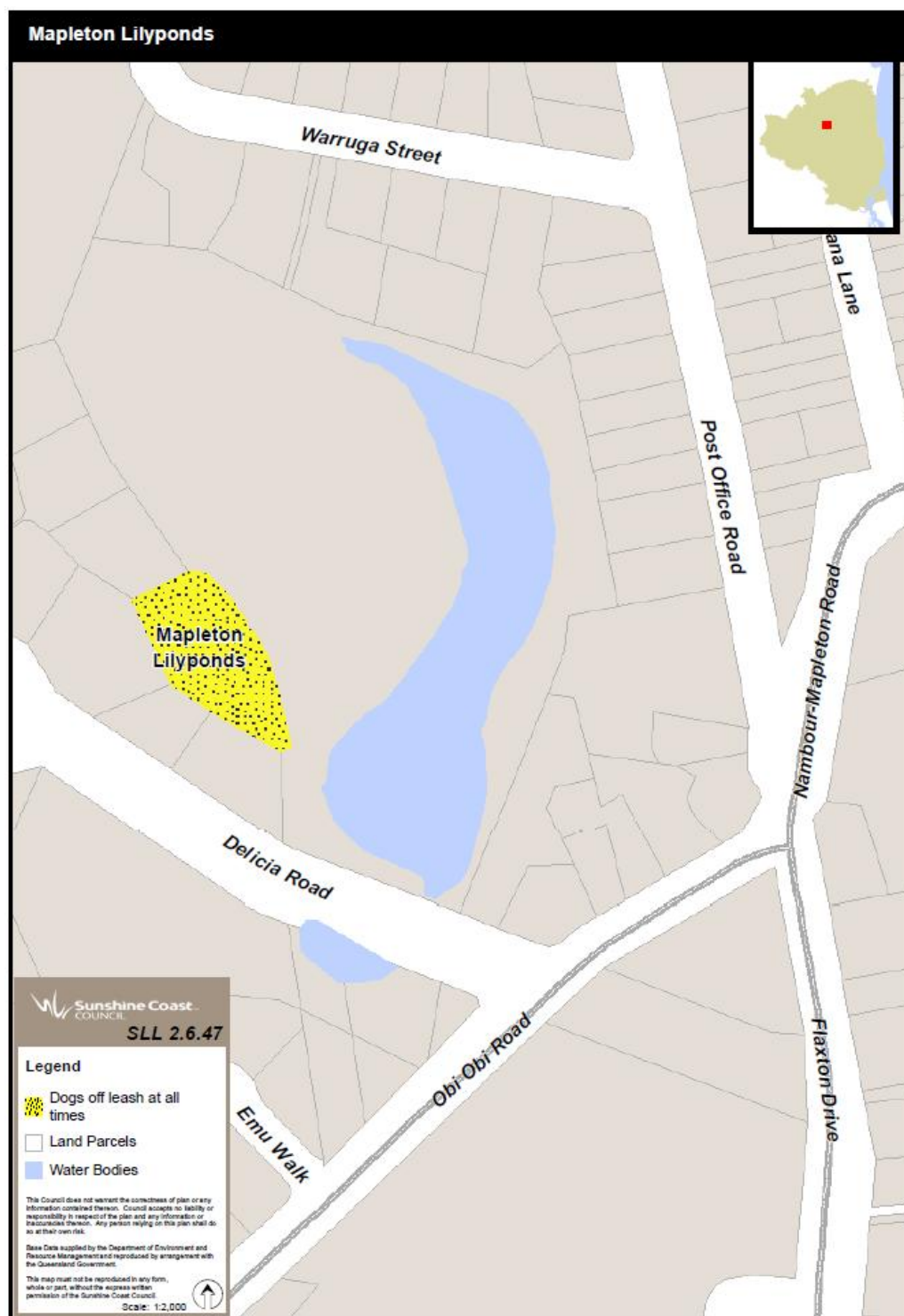


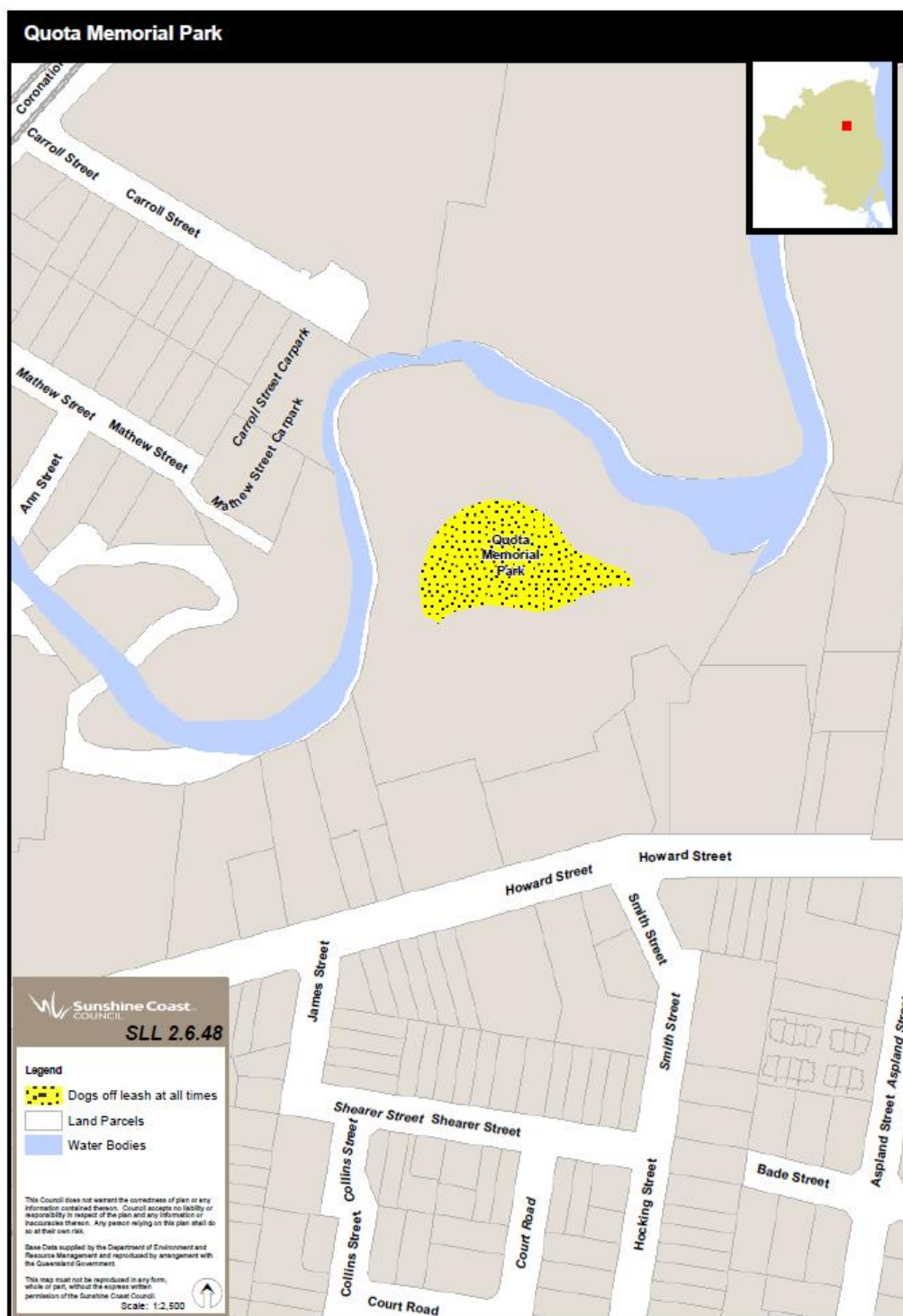
(6) Schedule 6, Map SLL2.6.29—

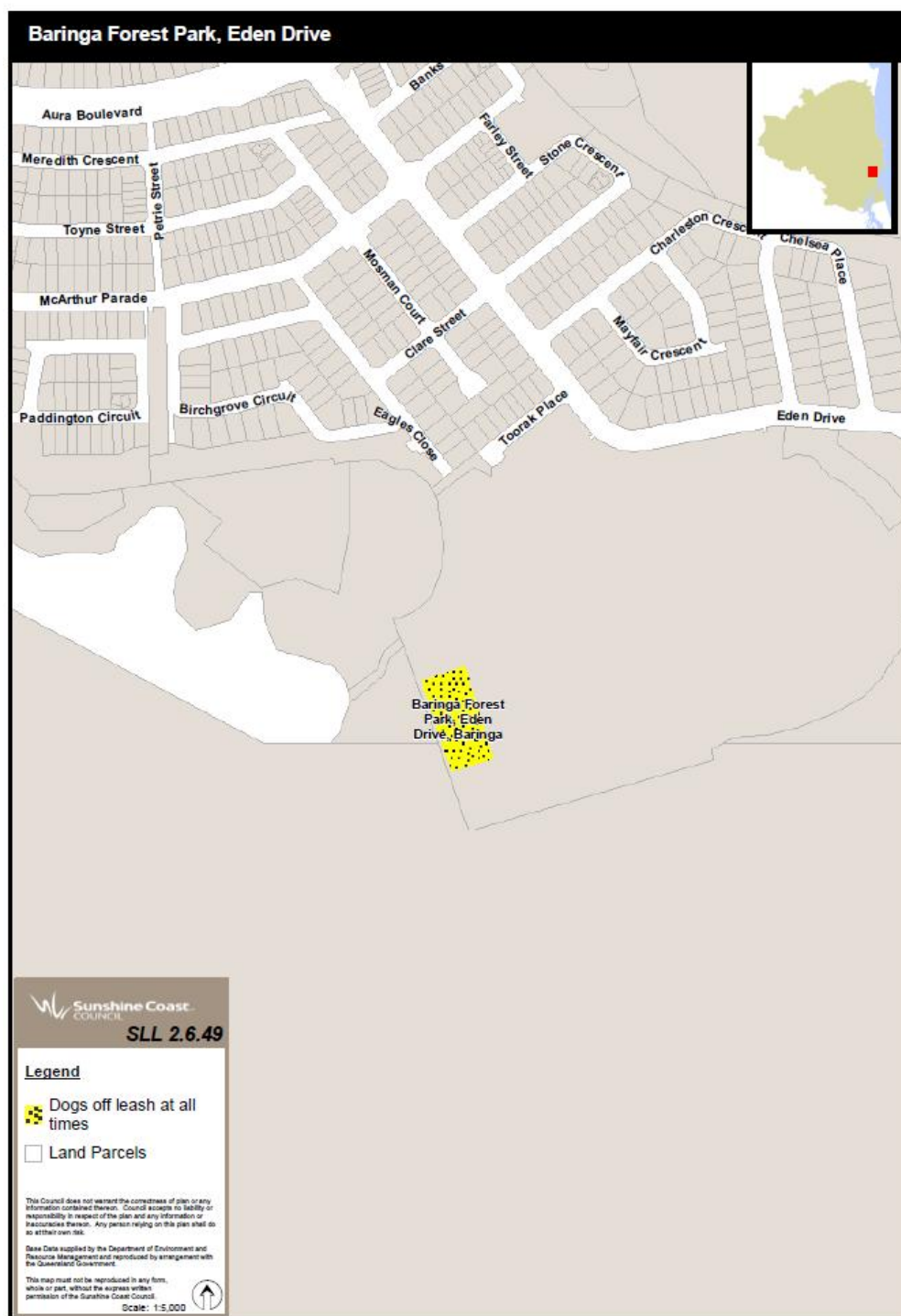
omit, insert—

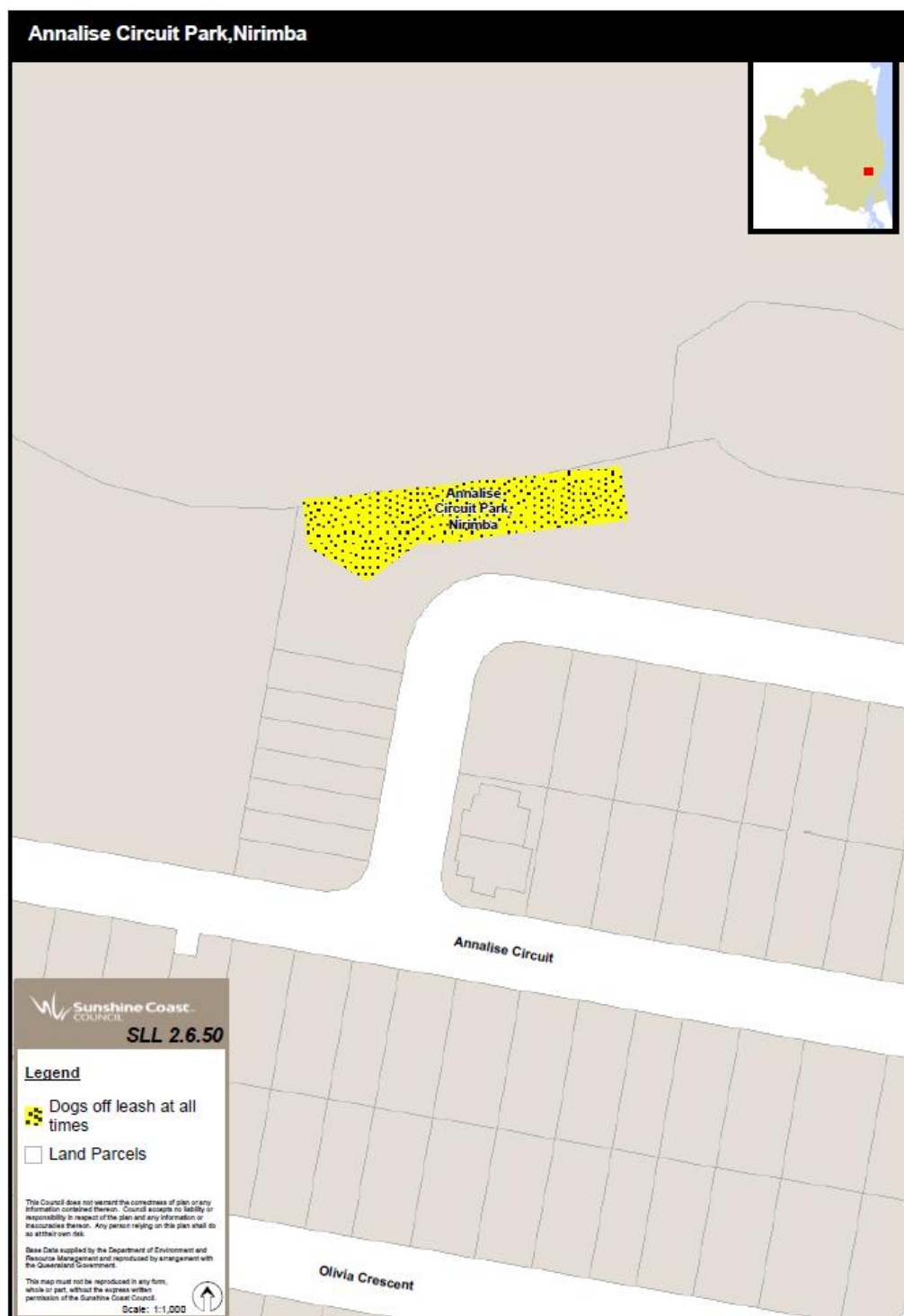
- (7) Schedule 6, after Map SLL2.6.45—
insert—

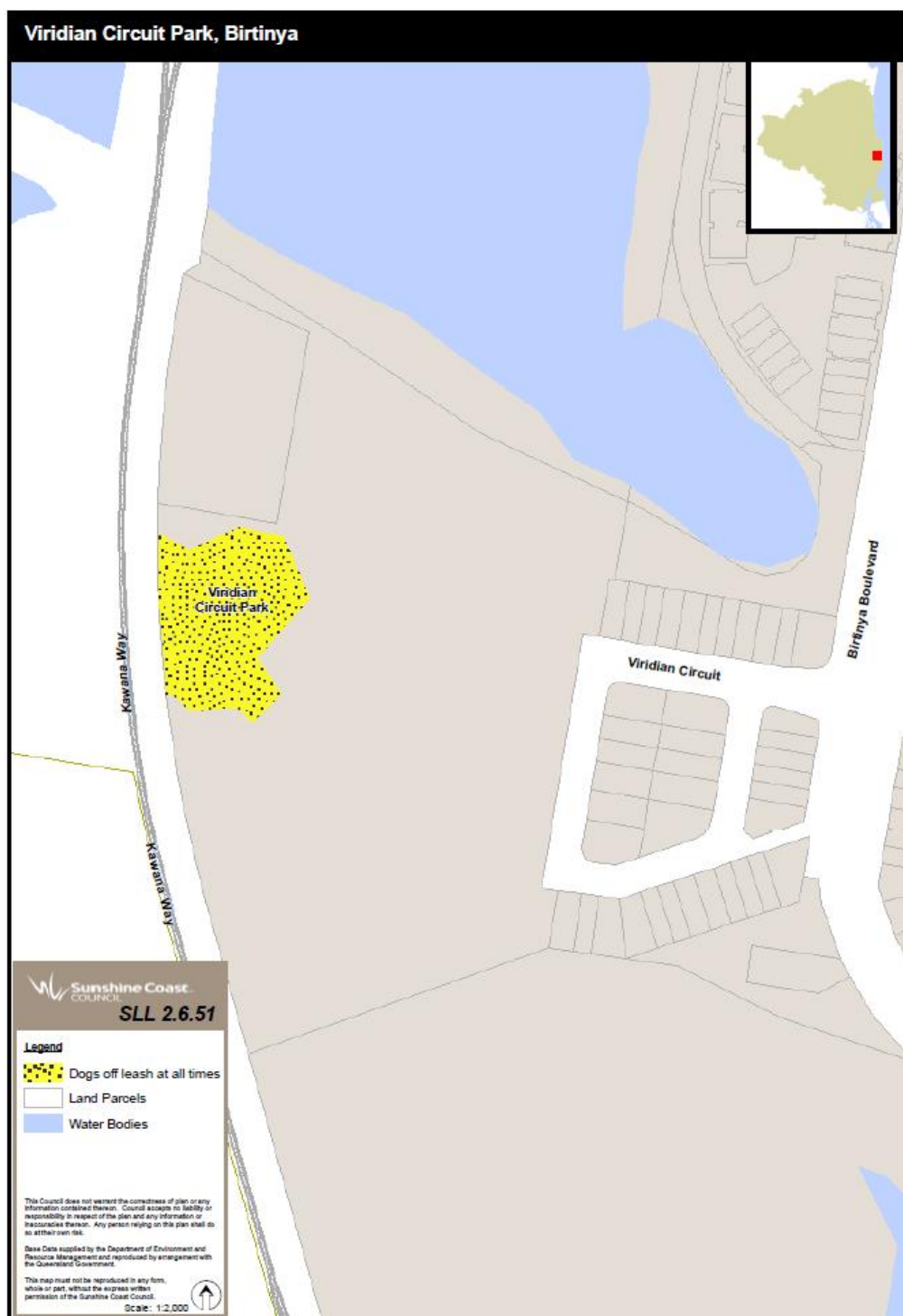


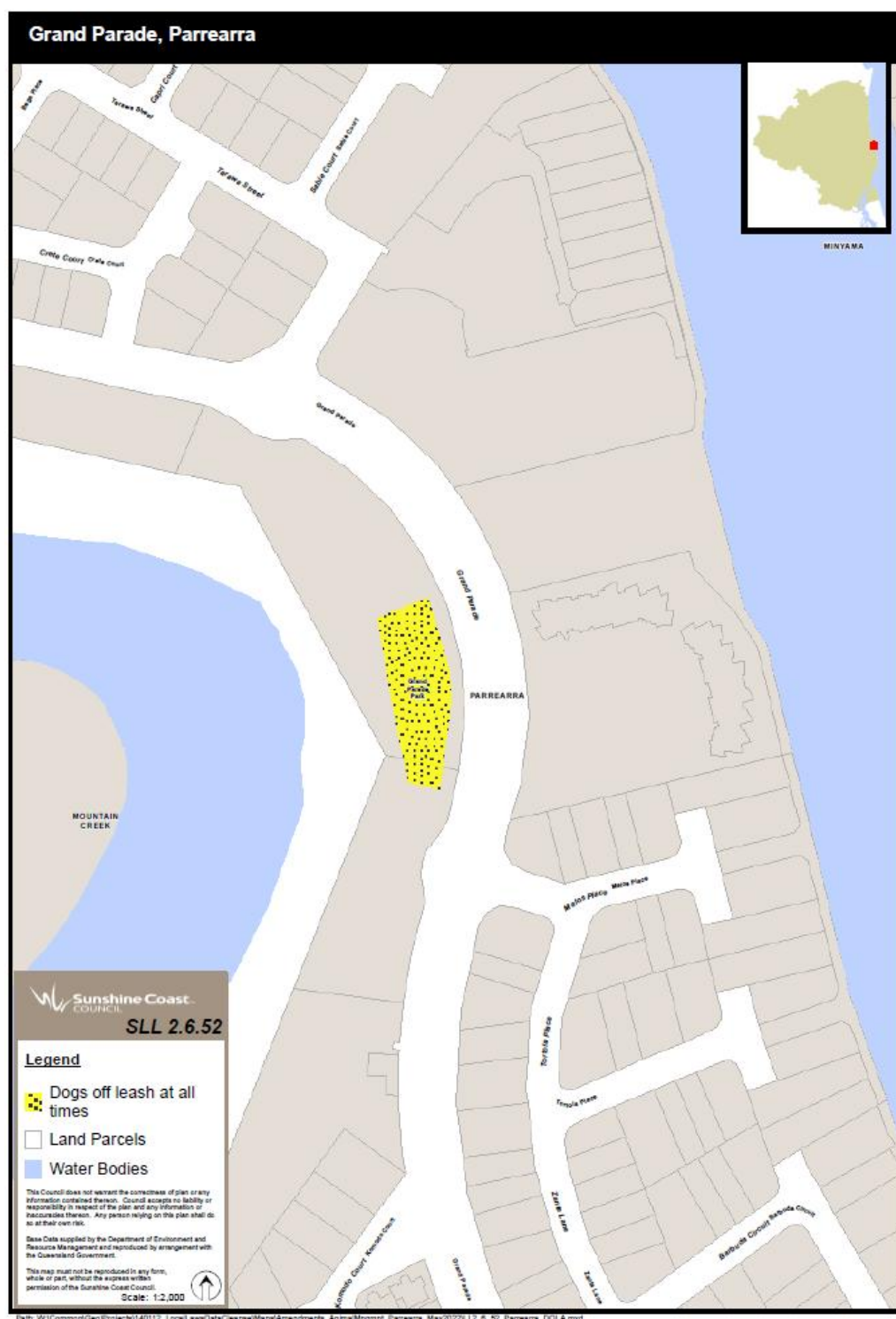












Part 4 Amendment of Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011

21 Subordinate local law amended

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

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

- (1) Schedule 1, first row, column 2, after item 7—

insert—

- 8 contravene a sign imposing a time limit on the use of a public pontoon

- (2) Schedule 1, second row, column 2, after item 2—

insert—

- 3 contravene a sign temporarily closing the playing surface of a sporting facility to the public

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

23 Subordinate local law amended

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

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

- (1) Schedule 3, table, first row (relating to residential parking permit), column 2, 'Map SLL5.3.1'—

omit, insert—

- a residential parking permit area as delineated in a map on the local government's website

- (2) Schedule 3, Map SLL5.3.1—

omit.

25 Amendment of sch 4 (Infringement notice penalties for certain minor traffic offences)

Schedule 4, table, third row (relating to the offence provided for in section 203), column 2, ‘2 penalty units’—

omit, insert—

4 penalty units