



Whitsunday Regional Council Subordinate Local Law (Amending) Whitsunday Regional Council Subordinate Local Law No. 1 (Administration) 2019

Contents

Part 1 Preliminary

1	Short title.....	3
2	Commencement.....	3
3	Subordinate local laws amended.....	3

Part 2 Amendment of Whitsunday Regional Council Subordinate Local Law No. 1 (Administration) 2014

4	Amendment of s 3 (Authorising local law)	3
5	Amendment of s 4 (Definitions)	3
6	Amendment of sch 6 (Public place activities that are prescribed activities)	4
7	Amendment of sch 7 (Alteration or improvement to local government controlled areas and roads)	5
8	Amendment of sch 8 (Commercial use of local government controlled areas and roads)	6
9	Amendment of sch 9 (Establishment or occupation of a temporary home)	8
10	Amendment of sch 10 (Installation of advertising devices)	10
11	Amendment of sch 11 (Keeping of animals)	11
12	Amendment of sch 12 (Operation of camping grounds)	13
13	Amendment of sch 14 (Operation of caravan parks)	13
14	Amendment of sch 15 (Operation of cemeteries)	15

15	Amendment of sch 16 (Operation of public swimming pools)	15
16	Amendment of sch 17 (Operation of shared facility accommodation)	18
17	Amendment of sch 18 (Operation of temporary entertainment events)	21
18	Amendment of sch 19 (Undertaking regulated activities regarding human remains – (a) disturbance of human remains buried outside a cemetery)	23
19	Amendment of sch 20 (Undertaking regulated activities regarding human remains – (b) burial or disposal of human remains outside a cemetery)	23
20	Amendment of sch 21 (Undertaking regulated activities regarding human remains – (c) disturbance of human remains in a local government cemetery)	24
21	Amendment of sch 22 (Undertaking regulated activities on local government controlled areas and roads – (a) driving or leading of animals to cross a road)	25
22	Amendment of sch 23 (Undertaking regulated activities on local government controlled areas and roads – (b) depositing of goods or materials)	25
23	Amendment of sch 24 (Undertaking regulated activities on local government controlled areas and roads – (c) holding of a public place activity prescribed by subordinate local law)	27
24	Amendment of sch 25 (Bringing or driving motor vehicles onto local government controlled areas)	31
25	Amendment of sch 26 (Bringing or driving prohibited vehicles onto motor vehicle access areas)	31
26	Amendment of sch 27 (Use of reserves for training, competitions etc)	31
27	Amendment of sch 28 (Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee)	33
28	Amendment of sch 30 (Carrying out works on a road or interfering with a road or its operation)	36
29	Amendment of sch 31 (Dictionary)	38

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law (Amending) Whitsunday Regional Council Subordinate Local Law No. 1 (Administration) 2019*.

2 Commencement

This subordinate local law commences on the date notice of the making of the local law is published in the gazette.

3 Subordinate local laws amended

This subordinate local law amends *Whitsunday Regional Council Subordinate Local Law No. 1 (Administration) 2014*.

Part 2 Amendment of Whitsunday Regional Council Subordinate Local Law No. 1 (Administration) 2014

4 Amendment of s 3 (Authorising local law)

Section 3, 'Whitsunday Regional Council Local Law No. 1 (Administration) 2014' –

omit, insert –

Whitsunday Regional Council Local Law No. 1 (Administration) 2014

5 Amendment of s 4 (Definitions)

Section 4 –

omit, insert –

Particular words used in this subordinate local law either –

- (a) have the same meaning as in the authorising local law; or
- (b) are defined in schedule 31.

6 Amendment of sch 6 (Public place activities that are prescribed activities)

- (1) Schedule 6, item 1 (The whole of the local government area), column 2, paragraph (4), after subparagraph (i) –

omit, insert –

- (j) film and television production activities for which a development
- (k) application is not required under the local government's Planning scheme;
- (l) a training event held on no more than 1 day;
- (m) a training event held on more than 1 day without payment of a fee;
- (n) a display, demonstration or information booth;
- (o) competition that involves vessels.

- (2) Schedule 6, item 2 (Cemeteries in the Local Government Area.), column 2, paragraph (3), after 'undertaker' –

insert –

.

- (3) Schedule 6, item 2 (Cemeteries in the Local Government Area.), column 2, paragraph (4), after 'ceremony' –

insert –

- .
- (4) Schedule 6, item 2 (Cemeteries in the Local Government Area.), column 2, paragraph (5),
after 'undertaker' –

insert –

.

- (5) Schedule 6, item 2 (Cemeteries in the Local Government Area.), column 2, paragraph (6),
after 'memorial' –

insert –

.

7 Amendment of sch 7 (Alteration or improvement to local government controlled areas and roads)

- (1) Schedule 7, section 4, 'criteria area' –

omit, insert –

criteria

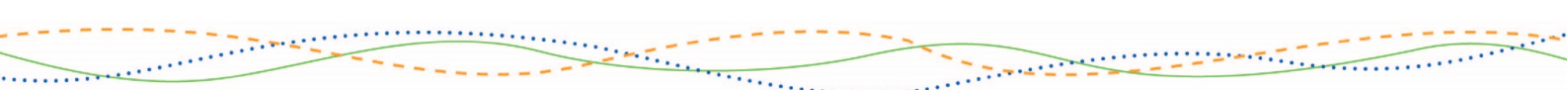
- (2) Schedule 7, section 5, subsection (a)(i), 'require compliance' –

omit, insert –

comply

- (3) Schedule 7, section 5, subsection (a)(ii), 'require the approval holder to' –

omit,

- (4) Schedule 7, section 5, subsection (a)(iii), 'require the approval holder to' –
- 

omit.

- (5) Schedule 7, section 5, subsection (a)(vii), 'and to name' –

omit, insert –

and name the

- (6) Schedule 7, section 5, subsection (a)(xi), 'in the carrying' –

omit, insert –

in carrying

- (7) Schedule 7, section 5, subsection (a)(xii), 'governments' –

omit, insert –

government's

8 Amendment of sch 8 (Commercial use of local government controlled areas and roads)

- (1) Schedule 8, section 4, subsection (10), '.' –

omit, insert –

; and

- (2) Schedule 8, section 4, after subsection (10) –

insert –

- (11) If the activity is to operate from a vehicle – no more than 10 vehicles,
with each vehicle selling a different type or category of goods, operating
in a particular area of the local government area.

- (3) Schedule 8, section 5, subsection (a), from 'include' to 'comply' –

omit, insert –

require the approval holder to comply

- (4) Schedule 8, section 5, subsection (i), after 'business' –

insert –

, require the approval holder to

- (5) Schedule 8, section 5, subsection (i)(ii), before 'clean' –

insert –

a

- (6) Schedule 8, section 6, subsection (1), 'may' –

omit, insert –

must

- (7) Schedule 8, section 6, subsection (2), 'may' –

omit, insert –

must

- (8) Schedule 8, section 6, subsection (2)(a) –

omit, insert –

- (a) not sell, or offer for sale, any goods within 200 metres of a shopping centre or any retail business selling similar goods (not including another roadside vendor);

- (9) Schedule 8, section 6, subsection (2)(e), after 'vehicle' –

omit, insert –

vehicle;

- (10) Schedule 8, after section 6(2)(e) –

insert –

- (f) not trade in an area if three roadside vendors, each selling a different type or category of goods, are currently approved by the local government.

- (11) Schedule 8, section 6, subsection (3), 'may' –

omit, insert –

must

9 Amendment of sch 9 (Establishment or occupation of a temporary home)

- (1) Schedule 9, section 2, subsection (1)(b)(i), ' ; and' –

omit, insert –

; or

- (2) Schedule 9, after section 2 –

insert –

2A Activities that are prohibited under the authorising local law

The establishment or occupation of a temporary home in a Class 10A structure located in the following zones under the local government's planning scheme:

- (a) Low Density Residential Zone;
 - (b) Low-medium Density Residential Zone;
 - (c) Mixed-use Zone; and
 - (d) Tourism Zone.
- (3) Schedule 9, section 4, subsection (b), 'purposed' –
omit, insert –

proposed
- (4) Schedule 9, section 7, subsection (a) –
omit, insert –

(a) the expiry date, not exceeding 12 months from the date of issue, stated in the approval; or
- (5) Schedule 9, section 8 –
omit, insert –

The term of a renewal of the approval will not exceed 12 months unless exceptional personal circumstances exist.

Example –

Natural disaster.

10 Amendment of sch 10 (Installation of advertising devices)

- (1) Schedule 10, section 2(2), subsection (b)(xii), 'complies' –

omit, insert –

comply

- (2) Schedule 10, section 3, subsection (1), 'Advertising Sign' –

omit, insert –

advertising device

- (3) Schedule 10, section 3, subsection (1)(c), '*Sustainable Planning Act 2009* –

omit, insert –

Planning Act 2016

- (4) Schedule 10, section 3, subsection (2), 'Advertising Sign' –

omit, insert –

advertising device

- (5) Schedule 10, section 4, 'Advertising Sign' –

omit, insert –

advertising device

- (6) Schedule 10, section 4, subsection (6)(c), 'and' –

omit, insert –

an

- (7) Schedule 10, section 4, subsection (8)(b)(ii), 'spaces and landscaping;' –

omit, insert –

spaces, landscaping

- (8) Schedule 10, section 5, 'Advertising Signs' –

omit, insert –

advertising devices

- (9) Schedule 10, section 5, subsection (1)(a), 'slightly' –

omit, insert –

sightly

- (10) Schedule 10, section 5, subsection (1)(c), 'footway;' –

omit, insert –

footway –

- (11) Schedule 10, section 5, subsection (1)(d), after 'be' –

insert –

–

11 Amendment of sch 11 (Keeping of animals)

- (1) Schedule 11, section 2, 'Subordinate Local Law' –

omit, insert –

Subordinate Local Law

- (2) Schedule 11, section 4, subsection (1)(e), ‘ –

omit, insert –

; and

- (3) Schedule 11, section 4, subsection (3)(c), after ‘properties’ –

insert –

.

- (4) Schedule 11, section 4, subsection (5)(b), ‘owners’ –

omit, insert –

owner

- (5) Schedule 11, section 4, subsection (6)(c) –

omit.

- (6) Schedule 11, section 4, subsection (6)(d) –

renumber as section 4(6)(c)

- (7) Schedule 11, section 6, subsection (e)(i) –

omit, insert –

(i) not keep more than two (2) adult dogs at the approved location; and

- (8) Schedule 11, section 6, subsection (e)(ii), ‘be’ –

omit, insert –

ensure all dogs are

- (9) Schedule 11, section 6, subsection (e)(iii), before 'current' –

insert –

hold a

12 Amendment of sch 12 (Operation of camping grounds)

- (1) Schedule 12, section 4, subsection (3), before 'local government's' –

insert –

the

- (2) Schedule 12, section 5, subsection (1)(b), 'conditions' –

omit, insert –

condition

- (3) Schedule 12, section 5, subsection (2)(a)(iii), 'to pests' –

omit, insert –

by

13 Amendment of sch 14 (Operation of caravan parks)

- (1) Schedule 14, section 3, subsection (b)(iv), 'structure situated on' –

omit, insert –

structures located within

- (2) Schedule 14, section 3, subsection (d), 'parks' –

omit, insert –

park

- (3) Schedule 14, section 6, subsection (1)(c), from 'Residential Tenancies and Rooming Accommodation Act 2008' to 'Police Powers and Responsibilities Act 2000' –

omit, insert –

Residential Tenancies and Rooming Accommodation Act 2008, the Manufactured Homes (Residential Parks) Act 2003 and sections 592-595 of the Police Powers and Responsibilities Act 2000

- (4) Schedule 14, section 6, subsection (1)(h), before 'park' –

insert –

the

- (5) Schedule 14, section 6, subsection (1)(n), 'provide that' –

omit, insert –

provided that

- (6) Schedule 14, section 6, subsection (1)(s), before 'the approval' –

insert –

in

- (7) Schedule 14, section 6, subsection (1)(hh)(iii), 'provide' –

omit, insert –

provided

- (8) Schedule 14, section 6, subsection (1)(hh)(v), 'insanity' –

omit, insert –

insanitary

14 Amendment of sch 15 (Operation of cemeteries)

- (1) Schedule 15, section 4, subsection (a), 'local government' –

omit, insert –

local government's

- (2) Schedule 15, section 6, subsection (b) –

omit.

- (3) Schedule 15, section 6, subsections (c) to (n) –

renumber as subsections (b) to (m), respectively

15 Amendment of sch 16 (Operation of public swimming pools)

- (1) Schedule 16, heading, after 'pools' –

insert –

and water parks

- (2) Schedule 16, section 1 –

omit, insert –

1 Prescribed activity

Operation of public swimming pools including water parks.

- (3) Schedule 16, section 3, subsection (d), after 'swimming pool' –

insert –

or water park

- (4) Schedule 16, section 3, subsection (e), after 'pool' –

insert –

(s)

- (5) Schedule 16, section 3, subsection (k), 'is abuts' –

omit, insert –

it abuts

- (6) Schedule 16, section 4, subsection (b), after 'swimming pool' –

insert –

or water park

- (7) Schedule 16, section 5, subsection (e) after 'require the operator to' –

omit, insert –

–

- (i) maintain dressing rooms and facilities for showering and sanitation; and
- (ii) keep appropriate records as required by an authorised person of all testing and have it readily available for an authorised person to view upon inspection; and
- (iii) install special equipment for filtering, purifying and recirculating the water to the satisfaction of an authorised person; and

- (iv) advise the local government in writing of any intention to empty a swimming pool(s), unless instruction has been received from the local government to do so; and
 - (v) allow an authorised person access to the premises stated in the approval at any reasonable time to inspect a swimming pool(s) and associated equipment; and
 - (vi) allow an authorised person to take samples of water from a swimming pool(s) and have them analysed.
- (8) Schedule 16, section 6, subsection (a), after 'pool' –
insert–

or water park
- (9) Schedule 16, section 6, subsection (a)(i), after 'pool' –
insert–

or water park
- (10) Schedule 16, section 6, subsection (b), after 'pool' –
insert–

or water park
- (11) Schedule 16, section 6, subsection (c), after 'pool' –
insert–

or water park
- (12) Schedule 16, section 6, subsection (e), after 'pool' –

insert –

(s)

- (13) Schedule 16, section 6, subsection (f), 'the swimming pool' –

omit, insert –

a swimming pool

- (14) Schedule 16, section 6, subsection (h), after 'pool' –

insert –

or water park

16 Amendment of sch 17 (Operation of shared facility accommodation)

- (1) Schedule 17, section 2, subsection (b), 'Examples for paragraph (b)' –

omit, insert –

Examples for paragraph (b)

- (2) Schedule 17, section 2, subsection (b), after 'their adult' –

insert –

children

- (3) Schedule 17, section 4, subsection (a), '.' –

omit, insert –

; and

- (4) Schedule 17, section 4, subsection (c), 'authorises' –

omit, insert –

authorised

- (5) Schedule 17, section 5, subsection (1)(a), after `;' –

insert –

and

- (6) Schedule 17, section 5, subsection (1)(c), `period ;' –

omit, insert –

period;

- (7) Schedule 17, section 5, subsection(2)(e)(iii), `occupants' –

omit, insert –

occupant

- (8) Schedule 17, section 5, subsection (2)(j), after `while the office is open' –

insert –

, or

- (9) Schedule 17, section 6, subsection (1)(d)(i), after `connected' –

insert –

to

- (10) Schedule 17, section 6, subsection (1)(f), `closets' –

omit, insert –

closet

- (11) Schedule 17, section 6, subsection (2) –

omit, insert –

- (2) In addition to subsection (1), the conditions that will ordinarily be imposed on an approval are that the approval holder may be required to

–

- (12) Schedule 17, section 6, subsection (2)(a) –

omit.

- (13) Schedule 17, section 6, subsection (2)(b), 'rooms,' –

omit.

- (14) Schedule 17, section 6, subsection (2)(i)(iii), 'stage' –

omit, insert –

storage

- (15) Schedule 17, section 6, subsections (2)(c) to (i) –

renumber as subsections (2)(b) to (h)

- (16) Schedule 17, section 6, subsection (2)(j) to (l) –

omit, insert –

- (3) The approval may state –

- (a) the approved use of the rooms of the accommodations premises;
and

- (b) the number of beds that may be placed and the number of persons who may sleep –
 - (i) in a specified room in the premises; or
 - (ii) in the premises as a whole; and
- (c) such other conditions are considered appropriate by an authorised person.

(17) Schedule 17, section 6, subsection (3) –

renumber as subsection (4)

17 Amendment of sch 18 (Operation of temporary entertainment events)

(1) Schedule 18, section 4, subsection (b), 'entertainments of the proposed kind' –

omit, insert –

entertainment of the kind proposed

(2) Schedule 18, section 4, subsection (c), 'entertainments' –

omit, insert –

entertainment

(3) Schedule 18, section 4, subsection (l), 'sued' –

omit, insert –

used

(4) Schedule 18, section 6, subsection (h)(ii), after '; and' –

omit.

- (5) Schedule 18, section 6, after subsection (h)(ii) –

insert –

- (iii) if the activity involves playing live or taped performances – obtain a casual licence from the APRA AMCOS; and

- (6) Schedule 18, section 6, subsection (h)(iii), 'grater' –

omit, insert –

greater

- (7) Schedule 18, section 6, subsections (h)(iii) and (iv) –

renumber as subsections (h)(iv) and (v), respectively

- (8) Schedule 18, section 8, subsection (l), 'officer' –

omit, insert –

officers

- (9) Schedule 18, section 6, subsection (n), 'to be' –

omit.

- (10) Schedule 18, section 6, subsection (o), '.' –

omit, insert –

; and

- (11) Schedule 18, section 6, subsection (q), '.' –

omit, insert –

; and

- (12) Schedule 18, section 6, after subsection (q) –

insert –

- (r) ensure that signs are exhibited prohibiting dogs from being present at the event unless the dog is an Assistance Dog or Guide Dog.

**18 Amendment of sch 19 (Undertaking regulated activities regarding human remains –
(a) disturbance of human remains buried outside a cemetery)**

- (1) Schedule 19, section 5, subsection (2), ‘recognised’ –

omit, insert –

suitably qualified

- (2) Schedule 19, section 7 –

omit, insert –

7 Term of Approval

The term of the approval will be specified on the approval.

**19 Amendment of sch 20 (Undertaking regulated activities regarding human remains –
(b) burial or disposal of human remains outside a cemetery)**

- (1) Schedule 20, section 4, subsection (a)(i), ‘; and’ –

omit, insert –

; or

- (2) Schedule 20, section 4, subsection (b)(i), ‘; and’ –

omit, insert –

; or

- (3) Schedule 20, section 6, 'may' –

omit, insert –

must

- (4) Schedule 20, section 7 –

omit, insert –

7 Term of Approval

The term of the approval will be specified on the approval.

20 Amendment of sch 21 (Undertaking regulated activities regarding human remains – (c) disturbance of human remains in a local government cemetery)

- (1) Schedule 21, section 3, subsection (c), 'recognised' –

omit, insert –

qualified

- (2) Schedule 21, section 4, subsection (a)(ii), 'remains and' –

omit, insert –

remains; and

- (3) Schedule 21, section 5, from 'For' to 'coffin' –

omit, insert –

The following conditions are conditions that must be imposed on an approval –

- (a) For an approval for exhumation for the purposes of reinterment –
the approval holder must place the remains of the deceased in a
sealed plastic bag, encased in a hermetically sealed coffin and
enclosed in a wooden outer shell or coffin.

- (4) Schedule 21, section 5, subsection (a) –

renumber as subsection (b)

21 Amendment of sch 22 (Undertaking regulated activities on local government controlled areas and roads – (a) driving or leading of animals to cross a road)

- (1) Schedule 22, section 4, subsection (a), 'use' –

omit, insert –

activity

- (2) Schedule 22, section 4, subsection (b), 'use' –

omit, insert –

activity

22 Amendment of sch 23 (Undertaking regulated activities on local government controlled areas and roads – (b) depositing of goods or materials)

- (1) Schedule 23, section 4, subsection (a), 'use' –

omit, insert –

activity

- (2) Schedule 23, section 4, subsection (b), 'use' –

omit, insert –

activity

- (3) Schedule 23, section 4, subsection (e), 'an' –

omit.

- (4) Schedule 23, section 4, subsection (f), 'significantly detracts' –

omit, insert –

whether the activity will significantly detract

- (5) Schedule 23, section 4, subsection (g), 'obstructs' –

omit, insert –

whether the activity will obstruct

- (6) Schedule 23, section 4, subsection (a), 'regulate the time' –

omit, insert –

comply with the time specified in the approval

- (7) Schedule 23, section 5, subsection (b), 'regulate the manner' –

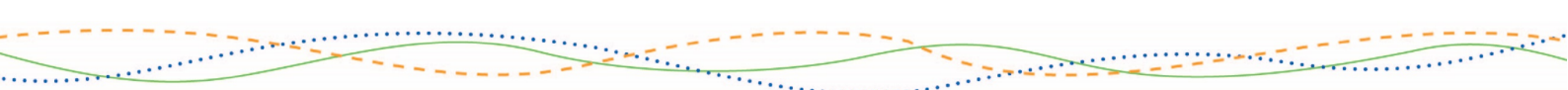
omit, insert –

comply with the manner specified in the approval

- (8) Schedule 23, section 5, subsection (f), 'must' –

omit.

- (9) Schedule 23, section 5, subsection (h) –



omit, insert –

- (h) deposit the goods or material only in the location specified in the approval; and

- (10) Schedule 23, section 5, subsection (l), 'specify' –

omit, insert –

comply with any

- (11) Schedule 23, section 6, before subsection (a) –

insert –

The following conditions will ordinarily be imposed on an approval –

23 Amendment of sch 24 (Undertaking regulated activities on local government controlled areas and roads – (c) holding of a public place activity prescribed by subordinate local law)

- (1) Schedule 24, section 4, subsection (g), 'numbers' –

omit, insert –

number

- (2) Schedule 24, section 4, subsection (h), 'within' –

omit, insert –

with

- (3) Schedule 24, section 5, 'include' –

omit.

- (4) Schedule 24, section 6, subsection (k) –

omit, insert –

- (k) obtain any required permits or approvals from Government Departments
and comply with any conditions of the permit of approval; and

- (5) Schedule 24, section 6, subsection (l), from 'the local' to 'kept indemnified' –

omit, insert –

indemnify the local government

- (6) Schedule 24, section 6, subsection (l), 'filming operation' –

omit, insert –

activity

- (7) Schedule 24, section 6, subsection (m), from 'evidence' to 'out' –

omit, insert –

obtain insurance

- (8) Schedule 24, section 6, subsection (m), 'filming operation will be necessary' –

omit, insert –

activity

- (9) Schedule 24, section 6, subsection (m), 'continuance of the filming operation' –

omit, insert –

activity

- (10) Schedule 24, section 6, subsection (n), 'the amenity of residents is not to be'–

omit, insert –

ensure the amenity of residents is not

- (11) Schedule 24, section 6, subsection (o), from 'residents' to 'informed' –

omit, insert –

, inform residents living adjacent to the area

- (12) Schedule 24, section 6, subsection (o), 'filming' –

omit.

- (13) Schedule 24, section 6, subsection (p), 'filming on roads is to be' –

omit, insert –

ensure the activity is

- (14) Schedule 24, section 6, subsection (q), from 'the' to 'be' –

omit, insert –

ensure the environment, its flora and fauna are not

- (15) Schedule 24, section 6, subsection (r) –

omit, insert –

(r) where vehicles, aircraft, vessels or non-filming equipment are to be used
on foreshores, parks and reserves – obtain special local government
approval prior to the activity being carried out; and

- (16) Schedule 24, section 6, subsection (s), from 'vegetation' to 'be' –

omit, insert –

ensure vegetation growing on or in the area is not

- (17) Schedule 24, section 6, subsection (t), from 'the local' to 'be' –

omit, insert –

ensure the local government is

- (18) Schedule 24, section 6, subsection (t), 'filming' –

omit, insert –

activity

- (19) Schedule 24, section 6, subsection (u), 'the filming crew and extras' –

omit, insert –

any staff, crew or extras

- (20) Schedule 24, section 6, subsection (v), from 'the payment' to 'fees' –

omit, insert –

pay all fees in advance of the activity being carried out,

- (21) Schedule 24, section 6, subsection (w), after 'applicant' –

insert –

or operator

- (22) Schedule 24, section 6, subsection (w), after 'government' –

omit, insert –

– cover the cost of the works undertaken; and

(23) Schedule 24, section 6, subsection (x), from 'the provisions' to 'be' –

omit, insert –

ensure the provisions of the local government local laws relating to parks,
reserves and foreshores are

24 Amendment of sch 25 (Bringing or driving motor vehicles onto local government controlled areas)

Schedule 25, section 5, subsection (i), ';' –

omit, insert –

.

25 Amendment of sch 26 (Bringing or driving prohibited vehicles onto motor vehicle access areas)

Schedule 26, section 4, 'with which applications for approval for' –

omit, insert –

for approval of

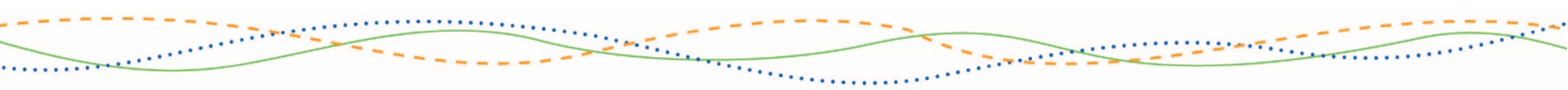
26 Amendment of sch 27 (Use of reserves for training, competitions etc)

(1) Schedule 27, section 2, subsection (b), 'are regattas' –

omit, insert –

or regattas

(2) Schedule 27, section 3, subsection (h), 'application' –



omit, insert –

applicant

- (3) Schedule 27, section 5, subsection (d), ', the approval holder must' –

omit.

- (4) Schedule 27, section 5, subsection (e), from 'where' to 'submitted' –

omit, insert –

where applicable, submit a Certificate of Company Registration

- (5) Schedule 27, section 5, subsection (f), from 'the activity' to 'be' –

omit, insert –

ensure the activity is only

- (6) Schedule 27, section 5, subsection (h), 'the activity must only be' –

omit, insert –

ensure the activity is only

- (7) Schedule 27, section 5, subsection (i), from 'only' to 'the' –

omit, insert –

ensure that only equipment approved by the local government is used for

- (8) Schedule 27, section 5, subsection (j), from 'all' to 'be' –

omit, insert –

ensure all reasonable and practicable steps are

- (9) Schedule 27, section 6, subsection (k), 'the approval holder must' –

omit.

- (10) Schedule 27, section 6, after 'conditions' –

insert–

that

- (11) Schedule 27, section 6, subsection (b), from 'toilet' to 'be' –

omit, insert–

ensure toilet facilities are

- (12) Schedule 27, section 6, subsection (c), 'on erected' –

omit, insert–

or erected

- (13) Schedule 27, section 6, subsection (g), 'of modify' –

omit, insert–

or modify

**27 Amendment of sch 28 (Parking contrary to an indication on an official traffic sign
regulating parking by time or payment of a fee)**

- (1) Schedule 28, section 1 (Additional criteria for the granting of approval) –

renumber as section 4

- (2) Schedule 28, section 2 (Conditions that must be imposed on approvals) –

renumber as section 5

- (3) Schedule 28, section 3 (Conditions that will ordinarily be imposed on approvals), from 'The' to 'may –' –

omit, insert –

The conditions that will ordinarily be imposed on an approval are as follows –

- (1) The approval holder must –

- (4) Schedule 28, section 3 (Conditions that will ordinarily be imposed on approvals), subsection (1)(b), from 'claims (' to 'by the local government' –

omit, insert –

all claims and liability, including claims

- (5) Schedule 28, section 3 (Conditions that will ordinarily be imposed on approvals), subsections (1)(f) to (j) –

omit, insert –

- (2) the local government may amend any condition of the approval subject to reasonable notification to the approval holder at any such time it is deemed necessary in the opinion of an authorised person; and

- (3) in relation to a commercial vehicle approval –

- (a) a vehicle displaying a commercial vehicle permit is able to park in a commercial loading zone for up to a maximum of 20 minutes unless otherwise stated. When not in a loading zone, a commercial vehicle must comply with all applicable parking requirements for the area;

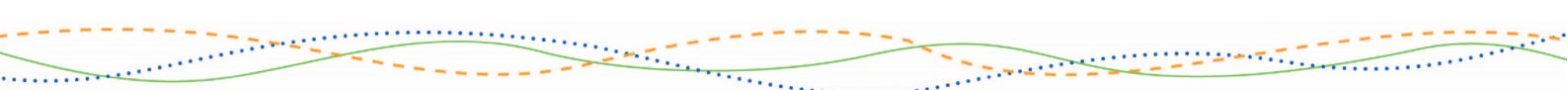
(4) in relation to a parking bay approval –

- (a) the approval holder is authorised to park only in the numbered bay to which they have been allocated;
- (b) the approval allows 24 hour, 7 days a week access to the parking bay;
- (c) Cancellation of a reserved bay must be made in writing at least one month prior to cancellation. The identification label must be destroyed by the approval holder within three (3) days after the cancellation;
- (d) the approval may specify a designated area for the permit holder to park within;

(5) in relation to a business parking approval –

- (a) a vehicle displaying a business permit may park in a metered, pay and display or regulated bay within the local government area only;
- (b) parking in a loading zone, no standing zone, emergency vehicle zones or disabled bays is not permitted;
- (c) a business permit does not guarantee the availability of parking bays when a vehicle is moved out of a parking bay;
- (d) a vehicle displaying a business permit must not park adjacent or in close proximity to a business of a similar nature for no longer than a 30 minute period in any given day;

(6) in relation to a residential parking approval –



- (a) a vehicle displaying a residential permit may park in a metered, pay and display or regulated bay within the local government area only;
- (b) parking in a loading zone, no standing zone, no stopping zone, no parking zone, bus zone, taxi zone, emergency vehicle zone or disabled bay is not permitted;
- (c) a residential permit will not guarantee the availability of parking bays when a vehicle is moved out of a parking bays.

28 Amendment of sch 30 (Carrying out works on a road or interfering with a road or its operation)

- (1) Schedule 30, section 4, subsection (b)(iii), 'anger' –

omit, insert –

danger

- (2) Schedule 30, section 4, subsection (b)(vi), 'location' –

omit, insert –

located

- (3) Schedule 30, section 6, subsection (1), 'for' –

omit, insert –

For

- (4) Schedule 30, section 6, subsection (1)(j), 'nay' –

omit, insert –

any

- (5) Schedule 30, section 6, subsection (1)(l), 'an forward' –

omit, insert –

and forward

- (6) Schedule 30, section 6, subsection (1)(m), 'involves' –

omit, insert –

involve

- (7) Schedule 30, section 6, subsection (1)(m)(iii), after 'writing; and' –

omit, insert –

- (iv) comply with any measures specified in the approval to prevent
environmental harm or a nuisance to the public; and

- (8) Schedule 30, section 6, subsection (3), 'for approvals' –

omit, insert –

For approvals

- (9) Schedule 30, section 6, subsection (4), 'for approvals' –

omit, insert –

For approvals

- (10) Schedule 30, section 6, subsection (5), 'for approvals' –

omit, insert –

For approvals

- (11) Schedule 30 ,section 6, subsection (5)(d), 'crossing' –

omit, insert –

crossover

- (12) Schedule 30, section 6, subsection (6), 'for approvals' –

omit, insert –

For approvals

29 Amendment of sch 31 (Dictionary)

- (1) Schedule 31, definition *Above awning sign*, after 'verandah' –

insert –

.

- (2) Schedule 31, definition *Act*, ';' –

omit, insert –

.

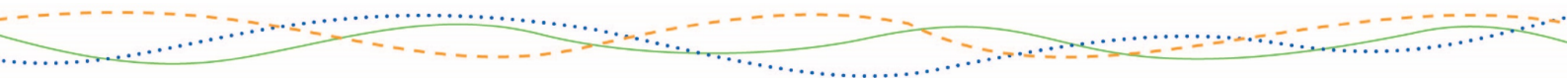
- (3) Schedule 31, definition *Advertisement area*, ';' –

omit, insert –

.

- (4) Schedule 31, definition *Animated or moving advertisement*, ';' –

omit, insert –



- (5) Schedule 31, definition *Appropriate records*, from 'Swimming' –

omit, insert –

Water Quality Guidelines for Public Aquatic Facilities.

- (6) Schedule 31, definition *Awning fascia or return fascia sign*, 'An' –

omit, insert –

means an

- (7) Schedule 31, definition *Awning fascia or return fascia sign*, after 'wall' –

insert –

- (8) Schedule 31, definition *Banner advertisement*, 'advertisement;' –

omit, insert –

advertisement:

- (9) Schedule 31, definition *Banner advertisement*, 'business;' –

omit, insert –

business.

- (10) Schedule 31, definition *Blind sign*, 'An' –

omit, insert –

means an

- (11) Schedule 31, definition *Blind sign*, after 'wall' –

insert –

.

- (12) Schedule 31, definition *Business name plate*, 'An' –

omit, insert –

means an

- (13) Schedule 31, definition *Business name plate*, after 'of the business' –

insert –

.

- (14) Schedule 31, definition *Bunting*, after 'streamers' –

omit, insert –

.

- (15) Schedule 31, definition *Canopy sign*, 'An' –

omit, insert –

means an

- (16) Schedule 31, definition *Canopy sign*, after 'structure' –

insert –

.

- (17) Schedule 31, definition *Created awning sign*, 'An' –

omit, insert –

means an

- (18) Schedule 31, definition *Created awning sign*, 'align' –

omit, insert –

aligned

- (19) Schedule 31, definition *Created awning sign*, after 'the awning' –

insert –

.

- (20) Schedule 31, definition *Construction advertisement*, after 'construction of a development'
–

insert –

.

- (21) Schedule 31, definition *Distribute a business advertising publication*, from 'Includes' to
'publication;' –

omit, insert –

(a) includes, making the business advertising publication available to other
persons; but

(b) does not include merely displaying the business advertising publication in
a public place.

- (22) Schedule 31, definition *Estate entrance advertisement*, ';' –

omit, insert –

.

- (23) Schedule 31, definition *Estate sales office*, 'Council' –

omit, insert –

the local government.

- (24) Schedule 31, definition *Flush wall sign*, 'An' –

omit, insert –

means an

- (25) Schedule 31, definition *Flush wall sign*, after 'of a wall' –

insert –

.

- (26) Schedule 31, definition *Freestanding sign*, 'An' –

omit, insert –

means an

- (27) Schedule 31, definition *Ground sign*, 'An' –

omit, insert –

means an

- (28) Schedule 31, definition *Ground sign*, after 'entry' –

insert –

- (29) Schedule 31, definition *Hamper sign*, 'An' –

omit, insert –

means an

- (30) Schedule 31, definition *Hamper sign*, after 'building' –

insert –

- (31) Schedule 31, definition *Home activity advertisements*, after 'illuminated' –

insert –

- (32) Schedule 31, definition *Home based business advertisements*, after 'illuminated' –

insert –

- (33) Schedule 31, definition *Off-site advertisement*, after 'on-site' –

insert –

- (34) Schedule 31, definition *Planning area* –

omit.

- (35) Schedule 31, definition *Planning scheme* –

omit, insert –

Planning scheme means the planning scheme made or amended from time-to-time under the *Planning Act*.

- (36) Schedule 31, definition *Political advertisement*, `;' –

omit, insert –

.

- (37) Schedule 31, definition *Portable advertisement*, `place' –

omit, insert –

placed

- (38) Schedule 31, definition *Portable advertisement*, `;' –

omit, insert –

.

- (39) Schedule 31, definition *Projecting sign*, `An' –

omit, insert –

means an

- (40) Schedule 31, definition *Projecting sign*, after `building' –

insert –

.

- (41) Schedule 31, definition *Public information advertisement*, `;' –

omit, insert –

.

- (42) Schedule 31, definition *Public place activity*, after 'Act' –

insert –

.

- (43) Schedule 31, definition *Real estate advertisement*, ';' –

omit, insert –

.

- (44) Schedule 31, definition *Sky sign*, 'An' –

omit, insert –

means an

- (45) Schedule 31, definition *Sky sign*, after 'the building' –

insert –

.

- (46) Schedule 31, definition *Stallboard sign*, 'An' –

omit, insert –

means an

- (47) Schedule 31, definition *Stallboard sign*, after 'building' –

insert –

- (48) Schedule 31, definition *Structure sign*, 'An' –

omit, insert –

means an

- (49) Schedule 31, definition *Structure sign*, after 'building' –

insert –

- (50) Schedule 31, definition *Sign written roof sign* –

omit, insert –

Signwritten roof sign means an advertising device painted or otherwise affixed to the roof cladding of a building.

- (51) Schedule 31, definition *Temporary advertisement*, after 'product' –

insert –

- (52) Schedule 31, definition *Three dimensional replica object or shaped sign*, 'An' –

omit, insert –

means an

- (53) Schedule 31, definition *Three dimensional replica object or shaped sign*, after 'another advertising device' –

insert –

- (54) Schedule 31, definition *Touting*, after 'meanings' –

insert –

- (55) Schedule 31, definition *Under awning sign*, 'An' –

omit, insert –

means an

- (56) Schedule 31, definition *Under awning sign*, after 'verandah' –

insert –

- (57) Schedule 31, definition *Vehicle*, after '1995' –

insert –

- (58) Schedule 31, definition *Window sign*, 'An' –

omit, insert –

means an