



Aurukun Shire Council

Subordinate Local Law No. 1 (Administration) 2021

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1 (Administration) 2021*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2021*, which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2021* (the **authorising local law**).

4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

Part 2 Approvals for prescribed activities

5 Prescribed activities that do not require an approval—Authorising local law, s 6(3)

For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the prescribed activities listed in schedule 1.

6 Categories of prescribed activities for the purposes of maximum penalties—Authorising local law, s 6(4)

For section 6(4) of the authorising local law, it is declared that—

- (a) the prescribed activities listed in part 1 of schedule 2 are category 1 activities; and
- (b) the prescribed activities listed in part 2 of schedule 2 are category 2 activities; and

- (c) the prescribed activities listed in part 3 of schedule 2 are category 3 activities.

7 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 3 are non-transferable.

8 Prescribed complementary accommodation—Authorising local law, schedule 1

For the purposes of the definition of *complementary accommodation* in schedule 1 of the authorising local law, the accommodation listed in schedule 4 is prescribed as appropriate for caravan parks.

9 State-controlled roads to which the local law applies—Authorising local law, schedule 1

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 5 are roads to which the authorising local law applies unless otherwise provided in the local law.

10 Public place activities that are prescribed activities—Authorising local law, schedule 2, part 2

For the purposes of paragraph (c) of the definition of *regulated activities on local government controlled areas and roads* in part 2 of schedule 2 of the authorising local law, the undertaking of a public place activity listed in schedule 6 is a prescribed activity.

11 Matters regarding prescribed activities—Authorising local law, ss 6(3), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) For each prescribed activity, a schedule prescribes the matters specified in this section for the prescribed activity named in section 1 of the schedule.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to an activity stated in section 2 of the schedule relating to the prescribed activity.
- (3) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of the schedule relating to the prescribed activity.
- (4) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for a prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of the schedule relating to the prescribed activity.
- (5) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for a prescribed activity are stated in section 5 of the schedule relating to the prescribed activity.
- (6) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for a prescribed activity are stated in section 6 of the schedule relating to the prescribed activity.

- (7) For section 13(a) of the authorising local law, the term of an approval for a prescribed activity is provided for in section 7 of the schedule relating to the prescribed activity.
- (8) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for a prescribed activity is provided for in section 8 of the schedule relating to the prescribed activity.
- (9) For section 12 of the authorising local law, in Table 1 of the schedule relating to a prescribed activity—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

Part 3 **Repeal provisions**

12 **Repeal of Subordinate Local Laws**

This subordinate local laws repeals—

- (a) *Aurukun Shire Council Subordinate Local Law No.1 (Administration) 2014;* and
- (b) *Aurukun Shire Council Subordinate Local Law No.2 (Animal Management) 2014;* and
- (c) *Aurukun Shire Council Subordinate Local Law No.3 (Community and Environmental Management) 2014;* and
- (d) *Aurukun Shire Council Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2014;* and
- (e) *Aurukun Shire Council Subordinate Local Law No.5 (Parking) 2014;* and
- (f) *Aurukun Shire Council Subordinate Local Law No.6 (Bathing Reserves) 2014.*

**Schedule 1 Prescribed activities that do not require an approval
under the authorising local law**

section 5

This schedule has been intentionally left blank.

Schedule 2 Categories of prescribed activities for the purposes of maximum penalties

section 6

Part 1 Category 1 activities¹

1. alteration or improvement to local government controlled areas and roads
2. commercial use of local government controlled areas and roads
3. establishment or occupation of a temporary home
4. installation of advertising devices
5. keeping of animals
6. undertaking regulated activities on local government controlled areas and roads
7. operation of temporary entertainment events
8. operation of camping grounds
9. operation of caravan parks
10. operation of public swimming pools;
11. operation of shared facility accommodation;
12. camping within a camping site in a local government's area.

Part 2 Category 2 activities²

1. Operation of cemeteries

Part 3 Category 3 activities³

This part has been intentionally left blank.

¹ Prescribed activities for which the penalty for not having an approval will be 50 penalty units under section 6(2)(b) of the authorising local law.

² Prescribed activities for which the penalty for not having an approval will be 200 penalty units under section 6(2)(c) of the authorising local law.

³ Prescribed activities for which the penalty for not having an approval will be 500 penalty units under section 6(2)(d) of the authorising local law.

Schedule 3**Categories of approval that are non-transferable**

section 7

- 1 establishment or occupation of a temporary home.
- 2 keeping of animals.
- 3 operation of temporary entertainment events.
- 4 commercial use of local government controlled areas and roads.
- 5 operation of shared facility accommodation.

Schedule 4

Prescribed complementary accommodation

section 8

- 1 converted railway carriages.
- 2 demountable accommodation units; and
- 3 relocatable home.

Schedule 5 State-controlled roads to which the local law applies

section 9

This schedule has been intentionally left blank.

Schedule 6 Public place activities that are prescribed activities

section 10

The following public place activities are prescribed activities that require approval—

- (a) film and television production activities for which a development application is not required under the local government's planning scheme;
- (b) an invitation only ceremony, party or celebration attended by more than 50 people;
- (c) a cake stall, sausage sizzle, car wash or similar fundraiser held on no more than 1 day; and
- (d) a display, demonstration or information booth.

Schedule 7 Alteration or improvement to local government controlled areas and roads

section 11

1 Prescribed activity

Alteration or improvement to local government controlled areas and roads.

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

Nil

3 Documents and materials that must accompany applications for approval

- (1) For any approval to make an alteration or improvement to a local government controlled area or road, the application must include or be accompanied by—
- (a) the name and address of the applicant and, if the applicant is a body corporate or a partnership, the name and address of an individual who is authorised by the applicant to act on its behalf; and
 - (b) full details of the proposed alteration or improvement; and
 - (c) if the applicant proposes to erect or install a structure on, over or under the road—plans and specifications of the structure; and
 - (d) details of building or other work to be carried out under the approval; and
 - (e) a specified date for completion of the works; and
 - (f) details of the location where the works or activity will be carried out, by way of plan or otherwise, which also shows the location of any warning notices for the safety of road users; and
 - (g) the intended hours and days of operation of the works or activity; and
 - (h) details of procedures which will be used to prevent any risk to the health and safety of employees or agents of the applicant and the general public; and
 - (i) a safety plan.

4 Additional criteria for the granting of approval

- (1) For all approvals, the additional criteria are—
- (a) the physical suitability of the site for the proposed activity; and
 - (b) the suitability of any proposed structure including satisfactory compliance with relevant standards of the local government; and
 - (c) the likelihood of the activity interfering with public access to public areas and roads; and
 - (d) the likelihood of the activity adversely affecting the interests of any aboriginal person or group or impact upon any area of Aboriginal Cultural Heritage

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

For all approvals, the conditions that will ordinarily be imposed on an approval are that the approval holder must—

- (a) be constructed of suitable weather resistant material.
- (b) at the expiration or earlier cancellation of the approval, remove any structure erected or installed within 14 days or such other period as the local government may agree to in writing;
- (c) for the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy—
 - (i) listing the local government as an interested party;
 - (ii) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
 - (iii) for an amount determined by the local government when considering the application.
- (d) indemnify the local government, against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the works or activity;
- (e) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy nominating the local government as an interested party;
- (f) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the works or activity;
- (g) ensure that all works or activities are undertaken to protect public utility services;
- (h) prior to commencing any activities which may affect or disrupt public access to the area set out the site in accordance with the requirements of the Manual of Uniform Traffic Control Devices;
- (i) not damage any local government infrastructure in the course of any approved works, except as permitted in the approval; and
- (j) comply with any reasonable direction of an authorised person, local government or emergency services in relation to controlling traffic or ensuring the safety of persons.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 8 Commercial use of local government controlled areas and roads

section 11

1 Prescribed activity

Commercial use of local government controlled areas and roads.

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 approval must be accompanied by—

- (a) details of the nature, time and place of the proposed activities; and
- (b) a plan showing the relevant part of the local government controlled area or road that is to be used for the prescribed activity; and
- (c) details of the type of signage which is intended to be displayed and the method intended to be used to ensure stability of the signage; and
- (d) evidence of any necessary statutory permit, authorisation or approval; and
- (e) details of all insurances relevant to the authority held by the person who will be undertaking the activity; and
- (f) application fee (as determined within Council's Schedule of Fees and Charges).

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are—

- (a) the physical suitability of the area or road for the proposed use;
- (b) the appropriateness, quality and condition of equipment to be used in the activity; and
- (c) the likely impact on the ability of the general public to use the site concurrently with the proposed activity; and
- (d) whether the applicant's proposed waste management strategy makes provision for the satisfactory collection, storage and removal of all waste generated by the proposed activity; and
- (e) whether the application provides documented evidence that the applicant holds a public liability insurance policy that complies with the local government's published standard requirements for public liability insurance for approval holders; and
- (f) whether the activity would adversely affect the interests of any aboriginal person or group.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

For all approvals, the conditions that will ordinarily be imposed on an approval are below—

- (a) The approval holder must—
 - (i) conduct the commercial recreation activity on the days and hours specified on the approval;
 - (ii) For the duration of the term of the approval, maintain in full force and effect a public liability insurance policy—
 - (A) listing the local government as an interested party;
 - (B) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
 - (C) for an amount determined by the local government when considering the application;
 - (iii) prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the public liability insurance policy.
 - (iv) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the activity;
 - (v) maintain a 2 metre thoroughfare for pedestrian traffic at all times;
 - (vi) ensure there is no obstruction to any service access points (water meter, trade waste meter) located in the footpath or at the front of any neighbouring premises;
 - (vii) promptly repair any damage caused to the land or improvements and to any premises, to the satisfaction of an authorised person;
 - (viii) if the approval authorises the holder to use a specified part of a local government controlled area for carrying on a business--require the approval holder to pay specified rental to the local government at specified intervals
- (b) Where the approval involves the installation of a structure on a local government controlled area or road, the approval holder—
 - (i) must ensure that the structure is constructed in accordance with the conditions of a current building permit;
 - (ii) may only undertake installation works outside of ordinary business hours and must provide an alternate route for pedestrians during installation;

- (iii) must maintain the structure to a standard reasonably satisfactory to the local government;
 - (iv) must ensure that works are undertaken in accordance with an approved safety plan during construction and installation of the structure. All safety signage must also be displayed at all times;
- (c) Where approval is for busking, the following conditions are applicable—
- (i) The approval holder must not engage in abusive, profane, offensive or harassing behaviour;
 - (ii) The approval may be limited to specific times depending on the intrusiveness of the performance;
 - (iii) Buskers may only perform in the location detailed in the approval.
 - (iv) The applicant must obtain consent from any business operators adjacent to the approved site;
- (d) Where approval is for outdoor dining, the following conditions are applicable—
- (i) access from the footpath to kerbside must not be obstructed;
 - (ii) tables, chairs and their surrounds must be kept in a clean and tidy condition at all times;
 - (iii) tables and chairs must only be placed in the area approved under the approval;
 - (iv) tables and chairs are to be removed from the footpath at the close of business every day;

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 9 Establishment or occupation of a temporary home

section 11

1 Prescribed activity

Establishment or occupation of a temporary home.

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

- (1) An approval under the authorising local law is not required for establishment or occupation of a temporary home—
 - (a) for less than 2 weeks in any 52 week period if the temporary home is established on a vacant allotment and occupied by the owners of the allotment; or
 - (b) for less than 4 weeks in any 52 week period if—
 - (i) the temporary home is sited on an allotment occupied by an existing dwelling house; and
 - (ii) the temporary home is located to the rear of the existing dwelling house.
- (2) However, subsection (1) applies only if no waste materials, including grey water, are deposited on site during occupation, or left on site after departure.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

- (a) a site plan illustrating—
 - (i) the location of the temporary home; and
 - (ii) the location of the other buildings on the site; and
 - (iii) the location of the proposed permanent residence; and
 - (iv) the location of neighbouring buildings; and
- (b) if the applicant is not the owner—written consent of the owner; and
- (c) details of the type of temporary home proposed; and
Examples for paragraph (c)—A shed; a caravan with an awning.
- (d) the proposed floor plan of the temporary home; and
- (e) details of the proposed fit out of the temporary home's kitchen, bathroom, toilet and laundry; and
- (f) intended method of water supply; and
- (g) details of a current building approval for the construction or renovation of a permanent residence and evidence of financial capacity and ability to construct or renovate the permanent residence.

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are that—

- (a) where necessary, adequate screening of the temporary home is planned to ensure reduced impact on visual amenity; and
- (b) a building permit has been issued for the construction of a permanent residence on the property prior to the issue of the approval; and
- (c) a plumbing compliance permit has been obtained prior to the issue of the approval, to enable the fixtures to be installed and the liquid wastes to be removed; and
- (d) an adequate source of water will be available to the proposed temporary home; and
- (e) adequate means of waste disposal and sanitation will exist to ensure that reasonable standards of health and hygiene can be maintained; and
- (f) the proposed temporary home has, as a minimum, a toilet, shower, laundry tub, kitchen sink and hand basin; and
- (g) the proposed dwelling will be suitable for temporary occupation; and
- (h) separation distances are compliant with the Planning Act; and
- (i) the applicant is able to demonstrate an ability and capacity to construct a permanent dwelling within the term of the approval.

Example—

The applicant has a contract with a registered builder and sufficient funds are available. However this criteria may not be satisfied if a genuine application has not been made for building approval of a permanent residence or there is insufficient time remaining under the building approval to finish the relevant building work.

5 Conditions that must be imposed on approvals

For all approvals, a condition that must be imposed on the approval is that, where the temporary home is in an area serviced by the local government's waste contractor, a waste service must be obtained.

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on approvals are that the approval holder must—

- (a) keep the temporary home in good order and repair;
- (b) ensure that the temporary home is not unsightly or unhygienic;
- (c) ensure the temporary home does not detrimentally affect the amenity of neighbouring properties or cause an odour nuisance;
- (d) ensure that lighting used to illuminate any areas is angled or shaded in such a manner that the light does not cause a nuisance;

- (e) ensure that water intended for use for domestic purposes is from an approved water source;
- (f) maintain an adequate and continuous supply of water to all toilet, bathroom, kitchen, laundry and drinking water facilities that form part of the temporary home;
- (g) maintain all water supply connections in accordance with applicable legislative requirements;
- (h) ensure that the temporary home is only occupied by those persons whose names have been given to the local government in the application for approval;
- (i) ensure that there is an adequate means of waste disposal, including waste water, and sanitation and basic amenities are provided for living such as kitchen facilities, bathing facilities, laundry, toilet, sleeping accommodation, waste water disposal, refuse disposal, storage and adequate water supply to ensure reasonable standards of health and hygiene can be maintained;
- (j) ensure waste containers provided at the temporary home are sufficient to accommodate the collection and storage of all waste generated by and in conjunction with the use of the temporary home, and must ensure those waste containers are kept so as not to attract pests;
- (k) not incinerate waste;
- (l) dispose of human wastes from the temporary home at a dedicated sanitary facility, the sewerage system or an approved on-site sewerage facility;
- (m) connect all plumbing or drainage facilities to the temporary home as soon as practicable, but in any case no later than 90 days from the day a person first occupies the temporary home, so as to comply with plumbing and drainage requirements;
- (n) where the temporary home is for the temporary on-site accommodation of an owner-builder or builder—
 - (i) must construct the approved permanent residential dwelling in a timely and efficient manner, and complete the permanent dwelling within the duration of the approval term;
 - (ii) ensure that they do not cease construction of the permanent residence for a period greater than 90 days or such other period as the local government may approve; and
 - (iii) dismantle and remove the temporary home within 30 days of occupation of the permanent residence or the expiry of the term of the approval, whichever first occurs.

7 Term of approval

The term of the approval commences on the date the approval is granted and expires on the earlier of the following events—

- (a) the end of the term specified in the approval, which can be no more than 18 months from the commencement date; or

- (b) on the issue pursuant to the *Building Act 1975* of the Form 21 Final Inspection Certificate for the new permanent residence constructed on the allotment where the temporary home is located.

8 Term of renewal of approval

- (1) The renewal may only be renewed for the term that a permanent residence on the allotment is reasonably likely to become habitable, not exceeding 12 months, that must be stated in the approval.
- (2) The renewal will lapse on the issue pursuant to the *Building Act 1975* of the Form 21 Final Inspection Certificate for the new permanent residence constructed on the allotment where the temporary home is located.

Schedule 10 Installation of advertising devices

section 11

1 Prescribed activity

Installation of advertising devices.

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

(1) The installation of an advertising device does not require approval under the authorising local law in the following circumstances—

- (a) the installation of the advertising device is regulated under the local government's planning scheme; or
- (b) the installation is of a permitted advertising device listed in subsection (2) that complies with the prescribed requirements for advertising devices in subsection (3).

(2) In this section, a *permitted advertising device* means any of the following—

- (a) home based business advertisements;
- (b) home activity advertisements;
- (c) construction advertisements with an advertisement area not exceeding 2m²;
- (d) public information advertisements;
- (e) real estate advertisements with an advertisement area not exceeding 1.5m²;
- (f) ancillary advertisements with an advertisement area not exceeding 3m²;
- (g) window advertisements;
- (h) bunting.

3 Documents and materials that must accompany applications for approval

The application for approval must be accompanied by—

- (a) details of the advertising device including the dimensions, colour, content, materials and construction; and
- (b) details of where the device is to be located and how it is to be affixed; and
- (c) where necessary, an engineer's certificate for the structural adequacy of the device with reference to wind velocity loadings.

4 Additional criteria for the granting of approval

For any approval for installation of an advertising device, the additional criteria are that—

| Type of Advertising | Criteria |
|---------------------|--|
| All Advertising | <ul style="list-style-type: none"> (a) be structurally sound; and (b) cause no significant obstruction of, or distraction of, vehicular or pedestrian traffic; and (c) the dimensions of the advertisement bear a reasonable relationship to the dimensions of surrounding buildings and allotments so that— <ul style="list-style-type: none"> (i) its presence is not unduly dominating or oppressive; and (ii) it does not unreasonably obstruct existing views; (d) the advertisement is in other respects consistent with the character and values of the environment in which it is to be situated. (e) when overhanging a footpath, provide a minimum clearance of 2.5m between the lowest part of the advertisement and the footpath; and (f) be coordinated and compatible in its contents, where there are multiple advertisements on site, with the other advertisements on site and reflect the architecture and style of any buildings or structures on the site; and (g) be designed so as not to detrimentally affect the amenity of the site or the locality, by reason of their location, construction or design; and (h) be constructed of durable materials and maintained in good condition at all times; and (i) be constructed in a workmanlike manner, so as not to endanger public safety; and (j) be constructed so that there is no exposure of supports, fixing, suspension or other systems |

| | |
|--|--|
| | <p>required for proper installation, unless constructed as an integral feature of the advertisement; and</p> <p>(k) not obscure a motorist's view in any way, particularly when an advertisement is proposed to be located on or near a street corner or junction; and</p> <p>(l) be consistent with the character of the surrounding area and pose no hazard to pedestrians or distraction to motorists; and</p> <p>(m) comply with relevant Australian standards in regard to all electrical services and systems associated with the advertisement; and</p> <p>(n) not be able to be misconstrued as a traffic control device or obscure motorist's view of a traffic control device; and</p> <p>(o) display street numbers when they are not already displayed on the premises; and</p> <p>(p) A-frame sandwich board advertisements must display information relating directly to the primary business it is advertising; and</p> <p>(q) must be on-site.</p> |
| Construction advertisements | <p>(a) must not be animated or internally illuminated;</p> <p>(b) the advertisement must be removed when construction work is completed.</p> |
| Estate entrance advertisement/ estate sales office | <p>(a) details of the advertisement must be provided with applications for reconfiguration of a lot.</p> |
| Real estate advertisements | <p>(a) a real estate advertisement must be displayed on the property or premises for sale, lease, tender or auction only, and must be removed within a reasonable period after sale or lease of the property or premises not exceeding 14 days;</p> <p>(b) the maximum height of the advertisement must not exceed 3.6</p> |

| | |
|--|--|
| | metres; (c) advertisements are limited to one advertisement per street frontage. |
| Transom advertisements | (a) must not extend below the head of a doorway; (b) must not project more than 100mm from a wall. |
| Advertisements in all areas | (a) the number of advertisements already existing on the site and surrounding area; |
| Advertisements in industrial or commercial planning area | (a) freestanding advertisement:- (i) the length of the site frontage; (ii) the height of surrounding buildings and structures; (iii) the number and location of other advertisements on the site and in the vicinity; (iv) the number of advertisers the advertisement is intended to promote; (v) the provision of landscaping around the advertisement. (b) roof advertisement:- (i) whether the advertisement is flush with the building. (c) the size of the building or site on which the advertisement is to be exhibited, or adjoining structures; (d) the need for the advertisement to achieve the intended visibility |
| advertisements in rural 1, rural 2, low density residential, residential 1, residential 2, residential 3 or tourist and residential planning area- | (a) the size of the building or site on which the advertisement is to be exhibited and adjoining structures; (b) the extent to which the advertisement is proposed to be incorporated into the architecture of the building design or design of the site in such a way as to minimise the impact of the advertisement on surrounding properties. |

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval are as follows—

- (a) the advertisement content must not be offensive.

6 Conditions that will ordinarily be imposed on approvals

(1) The conditions that will ordinarily be imposed on all approvals are as follows—

| Location | Condition |
|---------------|--|
| All Locations | <p>(a) Freestanding advertisement-</p> <p>(i) the advertisement must not overhang a road reserve or footpath.</p> <p>(b) portable advertisements-</p> <p>(i) for advertisements exhibited on a footpath the advertisement area must not exceed 0.54m²;</p> <p>(ii) for advertisements exhibited in locations other than on a footpath the advertisement area must not exceed 1m²;</p> <p>(iii) the number of advertisements are limited to one advertisement per business;</p> <p>(c) projecting advertisement-</p> <p>(i) where the advertisement is erected over a footpath there must be a minimum clearance of at least 2.5 metres between the lowest part of the advertisement and the roadway below;</p> <p>(d) temporary advertisements-</p> <p>(i) the advertisement must be affixed to structures that will accommodate wind loadings;</p> <p>(ii) the advertisement must not obstruct approved or permitted advertisements on adjoining properties or the vision of pedestrians or motorists;</p> <p>(iii) the advertisement must not be affixed to trees, lighting standards or power poles;</p> <p>(iv) bunting must not be placed above 6m height from the ground level of the site;</p> <p>(v) all inflatable parts of the advertisement are to be inflated by a non-flammable and non-toxic gas;</p> <p>(vi) a public risk policy to the value as determined by local government from time to time, shall be taken out by the</p> |

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| | <p>applicant for a temporary balloon advertisement, against any claims for damages or injury to any person or thing caused by the flying of the balloon;</p> <p>(vii) flags displaying company logos or products shall be limited to the height specified for freestanding advertisements;</p> <p>(e) wall or fascia advertisements –</p> <p>(i) the advertisement must display the street number of the premises.</p> <p>(f) banner advertisements –</p> <p>(i) the advertisement may only be displayed for a temporary period.</p> |
| All Areas | (a) over awning advertisements – the advertisement area must not exceed 1.5m ² . |
| Industrial or commercial planning area | <p>(a) bunting:-</p> <p>(i) the advertisement may only be displayed for a temporary period;</p> <p>(ii) the advertisement must not be hung under awnings which overhang a footpath or roadway.</p> <p>(b) Freestanding advertisements –</p> <p>(i) the number of advertisements are limited to one advertisement per site;</p> <p>(ii) the advertisement must not exceed 8m in height if promoting a single business;</p> <p>(iii) the advertisement must not exceed 10m in height if promoting multiple businesses;</p> <p>(iv) the width of advertisement must not exceed 2.5m</p> <p>(v) the advertisement must not overhang a roadway or footpath.</p> <p>(c) Over awning advertisements:-</p> <p>(i) the number of advertisements are limited to one advertisement per business;</p> <p>(ii) the advertisement may only be displayed by businesses with street frontage;</p> <p>(iii) the advertisement may be illuminated but must not be an animated or moving advertisement;</p> <p>(iv) the advertisement area must not exceed 3m².</p> |

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| | <p>(d) Projecting advertisements:-</p> <ul style="list-style-type: none"> (i) the number of advertisements are limited to one advertisement per business; (ii) the advertisement may only be displayed by businesses with street frontage; (iii) the advertisement must not be an animated or moving advertisement; (iv) the advertisement must not project beyond the edge of the awning, veranda or canopy; (v) the advertisement area must not exceed 1.5m² if erected under an awning, veranda or canopy; (vi) the advertisement must not project above the parapet of the building. <p>(e) Under awning advertisements:-</p> <ul style="list-style-type: none"> (i) the advertisement area must not exceed 2.5m²; (ii) the advertisement must not project beyond the outer edge of an awning; (iii) the number of advertisements are limited to one advertisement per business; (iv) the advertisement may only be displayed by businesses with street frontage; (v) the advertisement must not be an animated or moving advertisement. <p>(f) Wall advertisements:-</p> <ul style="list-style-type: none"> (i) the advertisement must only be erected or installed at the ground floor level of a building; (ii) the advertisement is not to be orientated towards residential houses or entrances to residential streets. |
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7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 11 Keeping of animals

section 11

1 Prescribed activity

Keeping of animals.

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

Any native, non-domestic animal for which an approval is required under other Queensland or Commonwealth legislation.

3 Documents and materials that must accompany applications for approval

The following documents and materials must accompany an application for an approval—

- (a) the species, breed, age and gender of the animal or each of the animals for which the approval is sought; and
- (b) the number of animals to be kept; and
- (c) The application fee (as determined within Council's Schedule of Fees and Charges); and
- (d) the area, or part of the area, in which the animal or animals are to be kept; and
- (e) documents, information and materials identified within the relevant approved application form.
- (f) the nature of the premises in which the animal or animals are to be kept; and
- (g) details of the proposed keeper's experience and qualifications to conduct the activity.

4 Additional criteria for the granting of approval

- (1) For all approvals, the additional criteria are that—
 - (a) the land is physically suitable for the keeping of the animal;
 - (b) the enclosure in which the animal is to be kept is of a suitable standard;
 - (c) the enclosure in which the animal is to be kept is structurally suitable; and
 - (d) the animal is not likely to cause undue nuisance, inconvenience or annoyance to the occupiers of adjoining land.
- (2) For an approval to keep more than 2 dogs or cats in an urban area, the additional criteria are that—
 - (a) the animals are kept as part of the activity of showing or breeding dogs or cats and the keeper of the animals is a member of a recognised breeders' association; or

- (b) exceptional circumstances exist to justify the keeping of the additional animal or animals.

Example for paragraph (b) of 'exceptional circumstances'— A family member has passed away and left the pet in the keeper's care.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on an approval are that the approval holder—

- (a) may not use this approval to breed or conduct any commercial activity involving the animals the subject of the approval;
- (b) for the breeding of dogs –
 - (i) a maximum of two (2) adult dogs to be kept at the approved location; and
 - (ii) be appropriately vaccinated and receive worm treatment; and
 - (iii) approvals to be renewed on the 1st day of July each year.
- (c) must ensure compliance with any of the requirements for keeping an animal under State legislation and *Local Law No. 2 (Animal Management) 2021*;
- (d) must ensure the animals do not cause a nuisance, inconvenience or annoyance to others.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 12 Operation of camping grounds

section 11

1 Prescribed activity

Operation of camping grounds.

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 approval must include or be accompanied by—

- (a) a plan showing the boundaries of the camping ground and the division of the camping ground into camping sites; and
- (b) if the applicant is not the owner of the land on which the camping ground is situated—the written consent of the owner regarding the application; and
- (c) application fee (as determined within Council’s Schedule of Fees and Charges); and
- (d) details of the facilities for sanitation, washing and laundry to be provided for campers; and
- (e) documents, information, and materials identified within the relevant approved application form.
- (f) details of water quality, reticulation, and drainage.

4 Additional criteria for the granting of approval

The following criteria is criteria that must be considered for the granting of approval—

- (a) the applicant is a suitable person to operate a camping ground.

5 Conditions that must be imposed on approvals

The following conditions are conditions that must be imposed on approvals—

- (a) maintain all facilities in the camping ground to a good standard of hygiene and safety to the satisfaction of an authorised person; and
- (b) provide and maintain a current site plan; and
- (c) provide and maintain an adequate supply of water to the camping ground; and
- (d) supply potable water for drinking and cooking; and
- (e) ensure every outlet within the camping ground that receives non-potable water displays a permanent, prominent and legible sign “UNSUITABLE FOR DRINKING”; and

- (f) provide appropriate facilities for collection, storage and disposal of waste to the satisfaction of an authorised person; and
- (g) not locate or permit an accommodation to be located at any place within the camping ground other than on a site approved by the local government; and
- (h) at all times keep the camping ground, its buildings, sanitary conveniences and other facilities in a clean, sanitary and safe condition to the satisfaction of an authorised person; and
- (i) unless an accommodation is fitted with a sanitary convenience, as a minimum standard provide for the exclusive use of the occupants separate sanitary conveniences for each sex in accordance with the table below; and

Table A

| No. of Sites | No. of water closets and pans for females | No. of water closets and pans for males | Length of urinals for males |
|--------------|---|---|---|
| Up to 40 | 1 for every 7 sites or part thereof | 1 for every 10 sites or part thereof | 0.6m for every 20 sites or part thereof |
| Over 40 | 6 plus an additional 1 for every 15 sites or part thereof in excess of 40 sites | 4 plus an additional 1 for every 15 sites or part thereof in excess of 40 sites | 0.6m for every 20 sites or part thereof |

- (j) in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet and its compartment or cubicle is constructed, equipped and provided with access in accordance with AS1428, Code of Practice for Design Rules for Access by the Disabled; and
- (k) ensure all sanitary conveniences are constructed so as to ensure privacy to the satisfaction of an authorised person; and
- (l) unless an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants separate ablutionary facilities as per Table A above; and
- (m) ensure a show or bath is installed:
 - (i) with separate drainage points for the discharge of water into the drainage system; and
 - (ii) in a separate compartment or cubicle which is constructed so as to ensure privacy to the satisfaction of an authorised person; and
- (n) provide for the exclusive use of the occupants, laundry facilities in the ratio of 1 laundry tub and 1 clothes washing machine and 1 clothes hoist, or suitable length of clothes lines, for every 20 sites or part thereof; and
- (o) provide sewerage or a drainage system in conformity with the requirements of the local government for the carrying off and disposal of all wastes from

every water closet fixture, urinal, ablutionary facility, laundry facility and camp; and

- (p) a notice advising of the conditions must be displayed at each public entrance to the camping ground to which the conditions apply; and
- (q) provide an on-site manager, available at all times the camping ground is operating, and have provision for emergency contact; and
- (r) keep an up-to-date register of all persons accommodated at the camping ground. Such register must have the occupants forwarding contact details as well as name, address and site number; and
- (s) comply with all requirements contained within the current fire safety report from Queensland Fire and Rescue Services; and
- (t) not adversely affect the interests of any aboriginal person, group or impact upon any area of Aboriginal Cultural Heritage.

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on approvals are that the approval holder must—

- (a) maintain to the satisfaction of an authorised person buffer zones between accommodation sites and roads, external boundaries, or facilities on the camping ground; and
- (b) provide overhead and internal lighting in the camping ground to the satisfaction of an authorised person for specified hours; and
- (c) maintain the site in such a manner and to the satisfaction of an authorised person so as not to inhibit the access, egress and transit through the camping ground of the emergency services and their vehicles, having regard to the minimum turning circles and height clearances of overhead structures.

7 Term of approval

The term of the approval commences on the date the approval and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in an approval.

Schedule 13 Operation of caravan parks

section 11

1 Prescribed activity

Operation of caravan parks.

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

The following documents and materials must accompany an application for an approval—

- (a) application form;
- (b) application fee (as determined within Council's Schedule of Fees and Charges); and
- (c) documents, information and materials identified within the relevant approved application form.
- (d) if the applicant is not the owner of the land on which the caravan park is situated—the written consent of the owner to the application; and
- (e) the name and address of the proposed resident manager of the caravan park and the proposed resident manager's written agreement accepting the responsibilities of resident manager of the caravan park; and
- (f) the plan of the proposed caravan park drawn to scale showing the following additional particulars—
 - (i) the location and real property description of such land; and
 - (ii) the location, number, designation and type of sanitary conveniences to be provided; and
 - (iii) the location, number, and designation of ablutionary facilities to be provided; and
 - (iv) details of each site clearly defined and bearing a distinguishing mark or number.

4 Additional criteria for the granting of approval

The additional criteria, for granting an approval are that—

- (a) the proposed resident manager is a suitable person to be manager of a caravan park; and
- (b) all facilities in the caravan park are at an acceptable standard or can be brought to acceptable standard for use by residents.

5 Conditions that must be imposed on approvals

The following conditions must be imposed on approvals—

- (a) The approval holder and operator must:-
- (i) reside, or delegate an approved representative to reside, on the land at all times; and
 - (ii) ensure that the maximum number of people accommodated at the caravan park does not exceed the limit specified on the approval; and
 - (iii) maintain all facilities in the caravan park to a good standard of hygiene and safety to the satisfaction of an authorised person; and
 - (iv) provide and maintain a current site plan; and
 - (v) provide and maintain an adequate supply of water to the caravan park; and
 - (vi) supply potable water that is used for drinking, cooking, cleaning and personal hygiene; and
 - (vii) ensure every outlet within the caravan park that receives non-potable water displays a permanent, prominent and legible sign “UNSUITABLE FOR DRINKING”; and
 - (viii) provide appropriate facilities for collection, storage and disposal of waste to the satisfaction of an authorised person; and
 - (ix) not locate or permit accommodation at any place within the caravan park other than on a site approved by the local government; and
 - (x) at all times keep the caravan park, its buildings, sanitary conveniences and other facilities in a clean, sanitary and safe condition to the satisfaction of an authorised person; and
 - (xi) at all times ensure any supplied bedding is kept in a clean and sanitary condition and changed whenever the occupier changes;
 - (xii) not to change the sites or structures or facilities in the caravan park without agreement of the local government;
 - (xiii) not to permit a person to bring onto a site a caravan or other type of accommodation that is not fit for human habitation;
 - (xiv) unless an accommodation is fitted with a sanitary convenience, as a minimum standard provides for the exclusive use of the occupants separate sanitary conveniences for each sex in accordance with the table below; and

Table A

| No. of Sites | No. of water closets and pans for females | No. of water closets and pans for males | Length of urinals for males |
|--------------|---|---|---|
| Up to 40 | 1 for every 7 sites or part thereof | 1 for every 10 sites or part thereof | 0.6m for every 20 sites or part thereof |
| Over 40 | 6 plus an additional 1 for | 4 plus an additional 1 for | 0.6m for every 20 sites or part |

| | | | |
|--|--|--|---------|
| | every 15 sites or part thereof in excess of 40 sites | every 15 sites or part thereof in excess of 40 sites | thereof |
|--|--|--|---------|

- (xv) in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet and its compartment or cubicle is constructed, equipped and provided with access in accordance with AS1428, Code of Practice for Design Rules for Access by the Disabled; and
- (xvi) ensure all sanitary conveniences are constructed so as to ensure privacy to the satisfaction of an authorised person; and
- (xvii) unless an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants separate ablutionary facilities as per Table A above; and
- (xviii) ensure a shower or bath is installed:
 - A. with separate drainage points for the discharge of water into the drainage system; and
 - B. in a separate compartment or cubicle which is constructed so as to ensure privacy to the satisfaction of an authorised person; and
- (xix) provide for the exclusive use of the occupants, laundry facilities in the ratio of 1 laundry tub and 1 clothes washing machine and 1 clothes hoist, or suitable length of clothes lines, for every 20 sites or part thereof; and
- (xx) provide sewerage or a drainage system in conformity with the requirements of the local government for the carrying off and disposal of all wastes from every water closet fixture, urinal, ablutionary facility, laundry facility and camp; and
- (xxi) provide at a distance not more than 10m from any site, a waste water disposal point which is –
 - A. provided with a water stand pipe; and
 - B. provided with an impervious paved area measuring not less than 1m x 1m and graded to a central drainage inlet which is connected to sewerage or drainage system; and
- (xxii) a notice advising of the conditions that must be displayed at each public entrance to the caravan park to which the conditions apply; and
- (xxiii) provide an on-site manager, available at all times the caravan park is operating, and have provision for emergency contact; and
- (xxiv) keep an up-to-date register of all persons accommodated at the caravan park. Such register must have the occupants forwarding contact details as well as name, address and site number; and
- (xxv) ensure all sites are clearly numbered; and

- (xxvi) provide ground anchor points designed to withstand wind loads in accordance with Structural design actions, Part 2 Wind Actions (AS/NZS 1170:2:2002) to enable tie-down of caravans, mobile homes, temporary buildings or any other accommodation; and
- (xxvii) comply with all requirements contained within the current fire safety report from Queensland Fire and Rescue Services;
- (xxviii) not interfere with or damage or remove any thing from an area of recognised Aboriginal Cultural or historical significance.

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on approvals are that the approval holder must—

- (a) maintain to the satisfaction of an authorised person buffer zones between accommodation sites and roads, external boundaries, or facilities on the caravan park; and
- (b) provide overhead and internal lighting in the caravan park to the satisfaction of an authorised person for specified hours; and
- (c) require the operator to maintain the site in such a manner and to the satisfaction of an authorised person so as not to inhibit the access, egress and transit through the caravan park of the emergency services and their vehicles, having regard to the minimum turning circles and height clearances of overhead structures; and
- (d) such other conditions as are considered appropriate by an authorised person.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 14 Operation of cemeteries

section 11

1 Prescribed activity

Operation of cemeteries.

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 approval must be accompanied by—

- (a) a drawing showing the design and dimensions of the proposed cemetery;
- (b) details of the materials out of which the cemetery is (or is to be) constructed and other structural details of the cemetery;
- (c) details of the location of the cemetery;
- (d) if the applicant is not the owner of the land on which the cemetery / crematorium is located—the written consent of the owner;
- (e) a site plan drawn at an appropriate scale and showing the immediate area of the proposed cemetery and proposed burial plots, columbarium niches, walls or any associated structures, plots and layout; and
- (f) details of the proposed administration and management of the cemetery.

4 Additional criteria for the granting of approval

This section has been intentionally left blank.

5 Conditions that must be imposed on approvals

The following conditions must be imposed on approvals—

- (a) the hours when the cemetery may be open to the public; and
- (b) the hours when burials and cremations may be conducted in the cemetery; and
- (c) the size and position of grave sites; and
- (d) the minimum periods of leases of grave sites

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on approvals are that the approval holder must—

- (a) comply with specified hours when the cemetery may be open to the public (where not previously regulated by a development approval);
- (b) comply with specified hours when a burial, cremation or disposal may take place in the cemetery (where not previously regulated by development approval);
- (c) give notice to the local government prior to a burial, cremation or disposal;
- (d) permit an authorised person to inspect a burial site at any time either before or after a burial;
- (e) comply with requirements in the approval regarding the position of grave sites;
- (f) comply with specified standards for required minimum depth, size and other dimensions of graves and grave sites;
- (g) comply with any relevant standard applicable to coffins (for example, an Australian Standard);
- (h) not exceed the specified maximum number of bodies which may be buried in a single grave;
- (i) comply with prescribed minimum periods of leases of grave sites;
- (j) comply with specified standards applicable to the keeping of records of burials and graves;
- (k) ensure that records of burials and graves are not destroyed or otherwise disposed of without the written approval of the local government;
- (l) keep records of burials and graves open to inspection at all times when the person responsible for the making and retaining thereof is ordinarily in attendance at the place where the records are kept;
- (m) keep a register of all reserved sites or niches within the cemetery;
- (n) properly maintain memorials and other buildings and structures in the cemetery;
- (o) keep the cemetery in a clean and tidy state.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 15 Operation of public swimming pools

section 11

1 Prescribed activity

Operation of public swimming pools.

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

Additional documents and materials that must accompany an application for an approval are—

- (a) the address of the swimming pool, including real property description;
- (b) the dimensions and capacity of the pool;
- (c) pool filtration unit details;
- (d) pool pump details;
- (e) pool chlorination equipment details;
- (f) resuscitation notice details;
- (g) fencing and access to the swimming pool;
- (h) hours of operation;
- (i) details of backwash water discharge;
- (j) plans of the site showing the immediately adjoining properties, and the position, width and name of the street or road from which the property has access and upon which it abuts; and
- (k) details of how the swimming pool will be adequately supervised when open to the public including the names and a copy of a lifesaving qualification and blue card for each proposed supervisor.

4 Additional criteria for the granting of approval

The following criteria must be considered for the granting of approval—

- (a) Whether the equipment for chlorination, filtration and recirculation of swimming pool water is adequate to protect public health and safety; and
- (b) The maintenance, management and supervision of the swimming pool will be adequate to protect public health and safety and prevent nuisance.

5 Conditions that must be imposed on approvals

The following conditions must be imposed on an approval —

- (a) The approval holder, its contractors or agents must-
 - (i) provide appropriate equipment for emergency medical treatment and first aid; and
 - (ii) erect and display of notices providing information about basic lifesaving, resuscitation and first aid techniques; and warning about possible danger; and
 - (iii) ensure that biological contaminants are kept within acceptable levels by means of regular testing; and
 - (iv) keep appropriate records as required by an authorised person of all testing and have it readily available for Council officers to view upon inspection; and
 - (v) install special equipment for filtering, purifying and recirculating the water to the satisfaction of an authorised person; and
 - (vi) advise the local government in writing of any intention to empty a swimming pool, unless instruction has been received from the local government to do so; and
 - (vii) allow an authorised person access to the premises stated in the approval at any reasonable time to inspect a swimming pool and associated equipment; and
 - (viii) allow an authorised person to take samples of water from a swimming pool and have them analysed.

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on an approval are that the approval holder must—

- (a) provide separate dressing rooms for male and female users of the pool that are—
 - (i) of a size sufficient to accommodate the likely maximum number of users (at any one time) of the pool; and
 - (ii) situated and constructed so that they totally conceal persons within the dressing rooms from persons who may be outside the dressing rooms;
- (b) provide for proper and sufficient male and female sanitary conveniences at the pool;
- (c) not allow persons suffering, or appearing to suffer from an infectious, contagious or offensive disease or skin complaint to be at, or use, the public pool;
- (d) maintain water quality in the manner recommended by the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines (October 2004);
- (e) keep the pool at all times free from extraneous matter;

- (f) display a notice explaining mouth to mouth resuscitation in a position that is visible from within any point of the swimming pool or spa;
- (g) prominently display a sign at any spa pool containing the following warning: “IMMERSION FOR PERIODS LONGER THAN 20 MINUTES IN WATER HEATED UP TO 35°C IS CONSIDERED DANGEROUS”;
- (h) ensure that the swimming pool is adequately supervised at all times that it is open to the public;
- (i) ensure that any persons engaged to supervise the use of the pool—
 - (i) hold and maintain, throughout the term of the approval, lifesaving qualifications from a body recognised by the local government,
 - (ii) hold a blue card; and
 - (iii) are otherwise suitable and of sufficiently good character in the reasonable opinion of the local government.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 16 Operation of shared facility accommodation

section 11

1 Prescribed activity

Operation of shared facility accommodation.

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

Approval is not required—

- (a) for the operation of shared facility accommodation in a private home in which accommodation is provided for not more than 3 holiday makers or travellers; or
- (b) if an approval is obtained for the prescribed activity under a Planning Act.

3 Documents and materials that must accompany applications for approval

An application must be accompanied by—

- (a) the name, location and real property description of the premises; and
- (b) a plan of the premises drawn to scale and showing—
 - (i) the location of the building on the site including location of vehicle accesses and parking, areas for clothes drying and open recreation areas; and
 - (ii) the internal layout of the building showing the proposed function of each room and in the case of bedrooms and dormitories—the maximum number of beds proposed; and
- (c) details of shared facilities including—
 - (i) number of toilets; and
 - (ii) number of bathrooms and showers; and
 - (iii) laundry facilities; and
 - (iv) dining facilities; and
 - (v) cooking facilities; and
 - (vi) vehicle parking; and
- (d) a report from an appropriately qualified professional that the fire safety provisions of the *Building Act 1975* have been complied with; and
- (e) if the applicant is not the owner of the premises for which the approval is sought—the written consent of the owner to the application; and
- (f) a pest management plan containing the following information—
 - (i) procedures to monitor the detection of the presence of pests; and
 - (ii) intervention strategies when pests are detected; and

- (iii) record keeping pertaining to the plan.

4 Additional criteria for the granting of approval

In deciding requirements to be made of holders of approvals under this subordinate local law, the local government must have regard to—

- (a) the need for a reasonable degree of uniformity between local government areas; and
- (b) the need to encourage prospective operators to enter the market for accommodation to which this local law applies as a way of promoting tourism.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed in an approval are as follows—

(a) *Bedrooms and Dormitories*

- (i) sleeping accommodation and beds are not provided in any room or space except those rooms designated on the plan accompanying the application as bedrooms or dormitories;
- (ii) every person accommodated on the premises to be provided with a clean and comfortable bed which shall be designated by a room and bed number;
- (iii) each bedroom or dormitory shall have—
 - (A) cupboard space provided at a rate of 0.03 square metres per person; and
 - (B) 1 towel rail per person.
- (iv) the maximum number of people to be accommodated in any bedroom or dormitory shall be 8;
- (v) no beds to be more than two tiers in height and the clearance between the upper and lower beds to be at least 870mm with a clearance of 1 metre between the upper bed and the ceiling, light fittings or any other projection from the ceiling.

(b) *Kitchen Facilities*

- (i) a kitchen separate from all other rooms shall be provided;
- (ii) kitchens shall be kept in a clean and hygienic manner at all times;
- (iii) all kitchen walls and ceilings shall be smooth and free of ledges, protrusions, cracks and crevices and treated with washable gloss paint or other washable surface;

- (iv) all kitchen floors shall be covered with a smooth impervious floor covering;
- (v) all kitchen benches, tables and shelving shall be covered in smooth impervious material;
- (vi) cooking appliances shall be provided at a rate of at least 4 burners or hotplates and 1 oven for each 15 people;
- (vii) refrigeration space to be provided at a rate of 15 litres per person;
- (viii) dishwashing facilities shall be provided at a rate of one stainless steel sink per 15 people;
- (ix) adequate crockery, cutlery and cooking utensils shall be provided and maintained in a sound and clean condition;
- (x) kitchen cupboard space shall be provided at a rate of 0.015 square metres per person.

(c) Dining Room

- (i) a dining room under the same roof as the kitchen shall be provided;
- (ii) dining room seating shall be available at the rate of 50 percent of the maximum occupancy authorised under the approval.

(d) Common Living Rooms

- (i) one or more common living rooms shall be required;
- (ii) floor area of common living rooms shall be at least two square metres per person, which may include the area of the dining room, but which shall not include a—
 - (A) passage way; or
 - (B) fire access way; or
 - (C) non-habitable room.

(e) Toilets and Ablution Facilities

The provision of toilet and ablution facilities shall be in accordance with the Building Code.

(f) Laundry Facilities

Laundry facilities to be provided at a rate of 1 wash tub and 1 washing machine per 15 people.

(g) Office

- (i) every premises shall have a clearly designated office;
- (ii) an emergency telephone service shall be available when the office is closed.

(h) Refuse Disposal

- (i) refuse shall be disposed of at least once in every week in an approved manner;
- (ii) refuse storage to be provided at the rate of 1 240 litre bin per 6 people.

(i) **Maintenance**

- (i) the premises to be treated for the control of vermin at least twice per year;
- (ii) the premises, including the grounds around any building, to be maintained in a state of good repair and in a clean and sanitary condition free from accumulated refuse and waste materials at all times.

(j) **Storage**

- (i) a secure, fire proof safe shall be provided for the keeping of the occupants valuables and papers;
- (ii) a security lock up for bulky packs and luggage shall be provided which is not accessible other than by permission of the operator.

(k) **Fire Safety**

Fire prevention, fire detection and fire suppression and control devices to be installed to ensure compliance with the *Building Act 1975*.

(l) **Accommodation Register**

- (i) a register to be kept which details—
 - (A) the full name of the occupant; and
 - (B) permanent residential address of the occupant; and
 - (C) the occupant's signature; and
 - (D) dates the occupant checked in and out; and
 - (E) room and bed number allocated to the occupant.
- (ii) the operator may not allow a bed to be occupied by any person who has failed to register his/her name and address in the accommodation register.

(m) **Duties of the Operator**

The operator or a representative of the operator shall reside on the premises and be available for emergency contact at night.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 17 Operation of temporary entertainment events

section 11

1 Prescribed activity

Operation of temporary entertainment events.

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

Nil

3 Documents and materials that must accompany applications for approval

- (1) The additional documents and materials that must accompany an application for an approval are—
 - (a) the details of the proposed event including the type and location of the event;
 - (b) the number of persons invited to or likely to attend the event;
 - (c) details of the temporary entertainment event venue;
 - (d) details about how the applicant proposes to manage the event, which must include (where relevant):
 - (i) community consultation plan;
 - (ii) an event operational plan;
 - (iii) a catering plan;
 - (iv) a security service plan;
 - (v) an emergency management plan;
 - (vi) an alcohol management plan;
 - (vii) a noise management plan;
 - (viii) a traffic management plan;
 - (ix) a waste management plan;
 - (x) a risk management strategy;
 - (xi) a public safety plan;
 - (e) details of the quality and condition of equipment to be used in the activity;
 - (f) if the business or activity is to operate from a vehicle—a full description of that vehicle and its registration number;
 - (g) details of compliance with the requirements of the State and Commonwealth legislation and government agencies.
- (2) The application for an approval must be made at least 10 business days prior to the event.

4 Additional criteria for the granting of approval

- (1) For all approvals, the additional criteria are—
 - (a) the physical suitability of the area or road for the proposed event, including access roads servicing the event; and
 - (b) the appropriateness, quality and condition of equipment to be used in the activity; and
 - (c) the likely impact on the ability of the general public to use the site concurrently with the proposed activity; and
 - (d) whether the applicant's proposed waste management strategy makes provision for the satisfactory collection, storage and removal of all waste generated by the proposed activity.
- (2) For an approval relating to the operation of a circus, an additional criterion is that the applicant demonstrates compliance with the National Consultative Committee for Animal Welfare (NCCAW) *Position Statement Number 26, Recommended National Circus Standards*.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

For all approvals, the conditions that will ordinarily be imposed on an approval are as follows—

- (a) the permissible noise level measured at the nearest occupied building must not exceed the following limits—
 - (i) before 7am, if the use causes audible noise; or
 - (ii) from 7am to 10pm, if the use causes noise of more than 70dB(A); or
 - (iii) from 10pm to midnight, if the use causes noise of more than the lesser of the following
 - (A) 50dB(A);
 - (B) 10dB(A) above the background level;
- (b) if the sound level at the event exceeds the levels outlined above, or, if in the opinion of an authorised person the noise emitted is unreasonable, the approval holder must direct the persons controlling the volume of the sound to reduce the volume so as not to exceed these levels. The approval holder is responsible for ensuring that the person in control of sound production complies with directions on noise reduction;
- (c) amplification equipment used for the prescribed activity shall be set up so as to minimise the noise impact on residential premises;
- (d) a letter drop must be conducted to residents within 500 metres of the boundaries of the site where the prescribed activity is being held. The letter

- must detail the nature of the event, dates and operating times of the prescribed activity and contact details of the event organiser;
- (e) during the event, an authorised person must be able to contact the approval holder or a person acting on behalf of the approval holder by mobile phone.
 - (f) The approval holder, or any person acting on behalf of the approval holder, must be able to exercise control over the volume of the sound at the mixing console;
 - (g) the approval holder must maintain a defined access point for emergency vehicles at all times;
 - (h) the approval holder must provide a first aid station and qualified first aid officer/s;
 - (i) food may be sold only from the temporary food stalls or mobile food vans approved by the local government. All food must be processed, prepared and packed in accordance with the provisions of the *Food Act 2006*;
 - (j) an adequate number of toilets are to be provided to meet the needs of all attendants. All toilets are to be kept in a sanitary state at all times during the prescribed activity;
 - (k) if camp fires are permitted during the prescribed activity, they must be in a designated area and all precautions must be in place to ensure the safety of patrons and staff. The fires must be monitored at all times and extinguished when not supervised;
 - (l) for the duration of the approval, the approval holder must maintain in full force and effect a public liability insurance policy—
 - (i) listing the local government as an interested party;
 - (ii) covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
 - (iii) for an amount of no less than the amount stated in the approval;
 - (m) prior to the commencement of the prescribed activity, the approval holder must provide the local government with a certificate of currency for the standard public liability insurance policy;
 - (n) the approval holder must indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
 - (o) if the activity involves playing live or taped performances—the approval holder must obtain a casual licence from the Australasian Performing Rights Association;
 - (p) if the activity involves use of a footpath— the approval holder must maintain a clear unobstructed pedestrian corridor of not less than 2 metres or, in the case of high usage footpaths, the distance greater than 2 metres stipulated in the approval;
 - (q) the approval holder must comply with relevant workplace health and safety requirements.

7 Term of approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8 Term of renewal of approval

- (1) The term for which an approval is renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants a renewal or extension, the local government must specify by written notice, the term of the renewal or extension.

Schedule 18 Undertaking regulated activities on local government controlled areas and roads— (a) driving or leading of animals to cross a road

section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads—

- (a) driving or leading of animals to cross a road.

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

An approval under the authorising local law is not required for—

- (a) a person who has been granted approval for installation of a gate or grid on a road adjacent to the person's land; or
- (b) where no more than 2 animals are being led by a single person; or
- (c) where the animals are being led or driven pursuant to an approval granted under another local law.

3 Documents and materials that must accompany applications for approval

The additional documents and materials that must accompany an application for an approval are—

- (a) details of how the applicant plans to carry out the activity and the regularity and duration of the activity;
- (b) details of the location where the activity will be carried out by way of plan or drawing and showing the location of any warning notices for the safety of road users; and
- (c) details of the type and number or approximate number of animals that will be involved.

4 Additional criteria for the granting of approval

The additional criteria for granting of the approval are—

- (a) the physical suitability of the road or footway for the proposed use;
- (b) the likelihood of the use causing undue nuisance, risk, inconvenience or annoyance to the occupiers of the adjoining land, vehicular traffic or pedestrians;
- (c) the likely effect on the amenity of the surrounding area;
- (d) the likely effect on the local environment and any possible pollution or other environmental damage.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) conduct the activity on the days and times specified in the approval;
- (b) limit the number of stock participating in the activity to the number specified in the approval;
- (c) comply with specified safety requirements;
- (d) exhibit specified warning notices and to take other specified precautions for the safety of users of the road or area;
- (e) provide an indemnity to the State and the local government;
- (f) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 19 Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or materials

section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads—
(b) depositing of goods or materials.

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

The additional documents and materials that must accompany an application for an approval are—

- (a) details of the location of where the activity will be carried out by way of plan or drawing and showing the location of any warning notices for the safety of road users;
- (b) details of the quantity or volume and type of goods or materials that will be deposited; and
- (c) details of the duration of the depositing of the goods or materials.

4 Additional criteria for the granting of approval

The additional criteria for granting of the approval are—

- (a) the physical suitability of the road or footway for the proposed use;
- (b) whether the activity will have an adverse effect on an existing service in, on or over a road.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure unobstructed movement of vehicles and pedestrians;
- (b) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which

also indemnifies the local government and any other person who has an interest in or takes a benefit from the work or activity in respect to any liability arising from the activity;

- (c) observe standards specified by the local government in the carrying out of the works or activity;
- (d) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (e) lodge a security deposit with the local government in the amount specified in the approval;
- (f) reinstate the road following completion of the works or ceasing of the activity;
- (g) lodge a security for performance for any condition imposed on an approval.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June unless otherwise specified in a renewal.

Schedule 20 Undertaking regulated activities on local government controlled areas and roads— (c) undertaking of a public place activity prescribed by subordinate local law

section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads—
(c) undertaking of a public place activity prescribed by subordinate local law.⁴

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

A cake stall, sausage sizzle, car wash or similar fundraising activity held on no more than 1 day.

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by—

- (a) a plan of the venue; and
- (b) a detailed statement of the nature of the activity; and
- (c) the dates and times the activity will be undertaken; and
- (d) if the applicant is not the owner of the land—the written consent of the owner; and
- (e) if approval of anything to be done under the approval is required under another law—a certified copy or other appropriate evidence of the approval.

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are that—

- (a) the venue is safe and appropriate for the nature of the activity and for the number of people expected to attend; and
- (b) the activity will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood; and
- (c) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the activity; and
- (d) adequate provision will exist for the disposal of refuse generated by the activity; and
- (e) adequate provision will exist for people and (if relevant) vehicles to enter and leave the venue.

⁴ See schedule 6 of this subordinate local law for the list of activities prescribed as public place activities that require approval.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (b) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity and provide a current certificate of currency to the local government;
- (c) lodge security bond with the local government in the amount specified in the approval;
- (d) reinstate the area following the ceasing of the activity;
- (e) at least 7 days before the activity commences residents living 500 m from the activity who may be affected in any way by the activity must be informed in writing by a letter drop of the approximate date and time and the nature and scale of proposed activities.

7 Term of approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8 Term of renewal of approval

- (1) The term for which a renewal must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants a renewal the local government must specify by written notice, the term of the renewal or extension.

Schedule 21 Undertaking regulated activities on local government controlled areas and roads— (c) Film and television activities.

section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads— (c) - film and television production activities for which a development application is not required under the local government’s planning scheme

Example—

commercial filming/photography

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

Filming or photography undertaken only for personal use.

3 Documents and materials that must accompany applications for approval

The following documents and materials must accompany applications for approval—

- (a) details of the location where the activity will be carried out, by way of plans or otherwise; and
- (b) if an applicant for an approval is not the owner of the premises on which the activity is to be operated, the application must be accompanied by the written consent of the owner; and
- (c) details of contact person; and
- (d) details of times; and
- (e) a certificate of currency of the applicant’s public liability insurance for the activity.

4 Documents and materials that must accompany applications for approval

The additional criteria are as follows—

- (a) Whether the premises or location is suitable taking into account the—
 - (i) type of activity proposed; and
 - (ii) number of people involved in the activity; and
 - (iii) means of entry and exit for attendees and or vehicles if applicable.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (b) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity;
- (c) lodge security bond with the local government in the amount specified in the approval;
- (d) reinstate the area following the ceasing of the activity;
- (e) advise residents living adjacent to the location of the time, nature and scale of the activity at least 7 days before the activity commences;
- (f) obtain additional approval under the local laws to use vehicles, aircraft, vessels and non-filming equipment on local government areas;
- (g) vegetation must not to be disturbed or damaged;
- (h) inform the local government of any alterations to the activity schedule;
- (i) ensure a sufficient number of sanitary conveniences are available during the activity;
- (j) fees are to be paid in accordance with the local government's current fees and charges schedule.

9 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in an approval.

10 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 22 Bringing or driving motor vehicles onto a park or reserve

section 11

1 Prescribed activity

Bringing a motor vehicle onto or driving a motor vehicle on a place that is—

- (a) within a local government controlled area; and
- (b) not within a motor vehicle access area.

(Local Law No.4 (Indigenous Community Land Management) 2021 section 16(2)).

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

Access to a local government controlled area by an authorised contractor for the purposes of repairing or maintaining a local government facility; or

3 Documents and materials that must accompany applications for approval

An application must accompanied by—

- (a) full details of the need and reasons for bringing the motor vehicle onto the local government controlled area; and
- (b) the date and time and duration of bringing the motor vehicle onto the area; and
- (c) the area where the motor vehicle will be driven; and
- (d) the type of motor vehicle to be driven; and
- (e) any other documentation and materials requested on the approved application form.

4 Additional criteria for the granting of approval

The additional criteria are that—

- (a) the vehicle access is required for—
 - (i) construction, repair and maintenance work within the local government controlled area; or
 - (ii) access to a temporary entertainment venue for which the applicant has received approval under another local law; or
 - (iii) holding a celebration, ceremony or competition for which the applicant has received approval under another local law.
- (b) access by the vehicle will not—
 - (i) unduly interfere with the usual use and enjoyment of the area;
 - (ii) impact on the natural resources and native wildlife of the area;

- (iii) cause damage to the area;
- (iv) generate significant noise or dust or other significantly adverse effects on the surrounding neighbourhood or other users of the area.

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval are that the approval—

- (a) will be valid only for the specific vehicle or type of vehicle specified in the approval; and
- (b) is not transferable; and
- (c) is displayed on the dashboard of the vehicle while it is within the local government controlled area; and
- (d) holder must ensure the safety of other users of the area arising from the carrying out of the activity; and
- (e) holder must pay to the local government the cost of rectifying any damage caused by using the vehicle in the area.

6 Conditions that will ordinarily be imposed on approvals

The following condition will ordinarily be imposed on approvals—

- (a) The approval holder must give at least 24 hours notice to neighbouring land holders that the area will be accessed under the approval.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 23 Bringing or driving prohibited vehicles onto motor vehicle access areas

section 11

1 Prescribed activity

Bringing a prohibited vehicle onto or driving a prohibited vehicle on a specified motor vehicle access area (*Local Law No.4 (Indigenous Community Land Management) 2021* section 16(4)).

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

Access to a park or reserve by an authorised contractor for the purposes of repairing or maintaining a local government facility

3 Documents and materials that must accompany applications for approval

An application must be accompanied by—

- (a) full details of the need and reasons for bringing the motor vehicle onto the local government controlled area; and
- (b) the date and time and duration of bringing the motor vehicle onto the area; and
- (c) the area where the motor vehicle will be driven; and
- (d) the type of motor vehicle to be driven; and
- (e) any other documentation and materials requested on the approved application form.

4 Additional criteria for the granting of approval

The additional criteria are that—

- (a) the vehicle access is required for—
 - (i) construction, repair and maintenance work within the local government controlled area; or
 - (ii) access to a temporary entertainment venue for which the applicant has received approval under another local law; or
 - (iii) holding a celebration, ceremony or competition for which the applicant has received approval under another local law.
- (b) access by the vehicle will not—
 - (i) unduly interfere with the usual use and enjoyment of the area;
 - (ii) impact on the natural resources and native wildlife of the area;
 - (iii) cause damage to the area;
 - (iv) generate significant noise or dust or other significantly adverse effects on the surrounding neighbourhood or other users of the area.

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval are that the approval—

- (a) will be valid only for the specific vehicle or type of vehicle specified in the approval; and
- (b) is not transferable; and
- (c) is displayed on the dashboard of the vehicle while it is within the local government controlled area; and
- (d) holder must ensure the safety of other users of the area arising from the carrying out of the activity; and
- (e) holder must pay to the local government the cost of rectifying any damage caused by using the vehicle in the area.

6 Conditions that will ordinarily be imposed on approvals

The following condition will ordinarily be imposed on approvals—

- (a) The approval holder must give at least 24 hours notice to neighbouring land holders that the area will be accessed under the approval.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 24 Carrying out works on a road or interfering with a road or its operation

section 11

1 Prescribed activity

Carrying out works on a road or interfering with a road or its operation
(*Local Government Act 2009*, section 75(2))

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

- (1) The application must be accompanied by—
 - (a) full details of the proposed works on the road or interference with its operation; and
 - (b) if the applicant proposes to erect or install a structure on, over or under the road – plans and specifications of the structure; and
 - (c) details of building or other work to be carried out under the approval.
- (2) For approvals for installation of a gate or grid, an application must also be accompanied by—
 - (a) the name, address and telephone number of the person who will be installing the gate or grid; and
 - (b) details of the gate or grid to be installed including—
 - (i) its design, dimensions and construction, including details of the grid structure, the foundations, the abutment, the approach ramps and the horizontal and vertical alignment; and
 - (ii) when, where and how the gate or grid is to be installed; and
 - (iii) a site plan to scale and specifications of the gate or grid to be installed; and
 - (c) details of all insurances held by the person who will be installing the gate or grid.

4 Additional criteria for the granting of approval

- (1) The additional criteria for approvals for the installation of a vehicular access to premises are the following—
 - (a) the owner of the premises accepts the responsibility for the cost of installing and maintaining the vehicular access; and

- (b) unless special reasons exist, there is only one vehicular access per allotment or one every 20 metres of road frontage.
- (2) The additional criteria for approvals for the installation of a gate or grid on a road are the following—
 - (a) the gate or grid will not unduly obstruct pedestrian or vehicular traffic; and
 - (b) the gate or grid will not prejudice the safety of pedestrian or vehicular traffic; and
 - (c) the gate or grid will not prejudice the proper maintenance of the road; and
 - (d) the matters which are the subject of the conditions specified in section 6(2) of this schedule which are relevant to the installation of the gate or grid can be adequately addressed by the imposition of those conditions.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The following conditions will ordinarily be imposed on an approval —

- (a) location of such works or activity;
- (b) measures to ensure unobstructed movement of vehicles and pedestrians;
- (c) hours of operation;
- (d) the requirement to take out public liability insurance in an amount nominated by the local government and to name local government as an interested party on the policy;
- (e) indemnification of the local government by the holder of the approval and any other person who has an interest in or takes a benefit from the work or activity against claims for personal injury (including death) and damage to property (including economic loss) arising directly or indirectly by, through or in connection with the works or activity;
- (f) lodgement of security for performance in amount determined by an authorised person;
- (g) specification of a deadline for completion of the works or ceasing of the activity;
- (h) standards to be observed in the carrying out of the works or activity;
- (i) reinstatement of the road to the satisfaction of an authorised person following completion of the works or ceasing of an activity;
- (j) requirements to ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning

7 Term of approval

The term of an approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 25 Camping within a camping site in a local government's area

section 11

1 Prescribed activity

Camping within a camping site in a local government's area

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

Nil

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

- (a) details about whether the applicant is a resident of the local government area;
- (b) the period of time for which the approval is sought;
- (c) the parts of the local government's area for which the approval is sought; and
- (d) details about any vehicles associated with the approval, such as registration number, vehicle make and type.

4 Additional criteria for the granting of approval

The following criteria is the additional criteria for the granting of an approval—

- (a) the approval would not cause nuisance, inconvenience or annoyance to the residents of the local government's area; and
- (b) the approval would not adversely affect the amenity of the surrounding area;
- (c) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use by approval holders; and
- (d) adequate provision will exist for the disposal of refuse by approval holders.

5 Conditions that must be imposed on approvals

Nil

6 Conditions that will ordinarily be imposed on approvals

The following conditions will ordinarily be imposed on an approval—

- (a) Designate the particular local government's area that the persons are permitted to enter e.g. a particular site or beach; and
- (b) limit the validity of the approval to the places specified in the approval at the times specified in the approval; and

- (c) require the holder of the approval to display the approval in a specified position or to produce the approval for inspection on demand by an authorised person; and
- (d) require the holder of the approval to take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
- (e) require the holder of the approval to take out insurance against personal injury or property damage resulting from activities authorised by the approval; and
- (f) require the holder of the approval to take specified measures to ensure that the activities authorised by the approval do not cause a nuisance; and
- (g) require the holder of the approval to follow any direction given by an authorised person;
- (h) all rubbish must be removed by the camper or placed in receptacles provided; and
- (i) camping sites must be kept in a clean and tidy state; and
- (j) fires must not be lit other than in the fireplaces provided; and
- (k) total fire bans imposed by authorised persons must be observed; and
- (l) dogs, cats or other domestic animals must not be brought into a camping site; and
- (m) plants, animals and natural and cultural resources must not be disturbed or damaged; and
- (n) wildlife must not be fed, and food must not be left in a place where it can be scavenged; and
- (o) watercourses must not be polluted with shampoos, soaps, detergents, sunscreens or other harmful substances; and
- (p) any directions given by an authorised person must be complied with; and
- (q) appliances such as axes must not be used other than to split firewood or drive tent pegs; and
- (r) machetes must not be used; and
- (s) noise must not be made as to disturb other visitors, particularly between 10pm and 7am; and
- (t) electric generating equipment and compressors must not be used without approval; and
- (u) if camping in an area without toilet facilities, all human waste must be buried at least 45cm deep, at least 50 metres from any lakes, watercourses, walking tracks, campsites, or public facilities.

7 Term of approval

The term of an approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

An approval that is renewed expires on the next 30th day of June, unless otherwise specified in a renewal.

Schedule 26 Dictionary

advertisement area means the total area of an advertisement;

ancillary advertisement means an advertisement which provides information about a business or commercial enterprise or industry conducted on-site, excluding uses otherwise defined.

The information may include:

- (a) the use of the site (including the proposed future use of the land);
- (b) the use of a building on the land;
- (c) goods manufactured or offered for sale or hire on the land;
- (d) services offered on the land;
- (e) the name and address of the owner or occupier of the land;
- (f) where a number of persons are carrying on different businesses on the land, an advertisement identifying the place;
- (g) where an event or activity is to be conducted on the land, information about the event or activity.

animated or moving advertisement means an advertisement that has moving parts or which rotates or revolves. The term includes advertisements containing chasing or running bulbs, reader boards (electronic variable message) and similar features;

appropriate records means as described in Appendix 6 - Records, QLD Health Swimming and Spa Water Quality and Operational Guidelines;

banner advertisement means any advertisement:

- (a) suspended from any structure, tree or pole;
- (b) with or without supporting framework; and
- (c) displaying an advertisement applied to paper, plastic or similar material or fabric of any kind.

The term excludes symbolic flags of any institution or business;

bunting includes decorative flags, pennants and streamers;

construction advertisement means a temporary advertisement used to identify the name of a development or developer during the construction of a development;

distribute a business advertising publication—

- (a) includes make the business advertising publication available to other persons; but
- (b) does not include merely displaying business advertising publication;

Examples— A person "distributes" a business advertising publication if the person hands the business advertising publication to other persons or leaves it at a place for the other persons to takeaway, including placing the business advertising publication on a car windscreen;

A person does not "distribute" a business advertising publication if the person attaches the business advertising publication onto walls and other structures, merely for display.

estate entrance advertisement means an advertisement placed or erected at the entrance to an industrial or residential development, identifying the particular development;

estate sales office means any premises including a caravan or relocatable home on which a

sign is exhibited for the promotion and/or sale of land within an industrial or residential development, where the use of such facilities shall not be more than 2 years from the date of commencement, unless approved by Council;

fascia advertisement means an advertisement which is affixed to, posted or painted on a fascia of a building, such that the advertisement protrudes no more than 100 mm from the surface to which it is attached;

freestanding advertisement means an advertisement which:

- (a) is erected on a pole or poles, or on a pylon structure ("a freestanding pole advertisement"); or
- (b) a solid, free standing structure, and does not form part of any building or other structure;

home activity advertisements means an advertisement associated with a lawful home activity limited to one advertisement per premises, not exceeding 0.3m² in size, and not illuminated;

home based business advertisements means an advertisement associated with a lawful home based business limited to one advertisement per premises, not exceeding 0.3m² in size, and not illuminated;

off-site advertisement means an advertisement, either freestanding or affixed to a building or structure, that is intended to promote goods, services, a business, commercial enterprise or industry not available or conducted on-site;

on-site advertisement means an advertisement, either freestanding or affixed to a building or structure, that is intended to promote goods, services, a business, commercial enterprise or industry that is available or conducted on-site;

over awning advertisement means an advertisement which is located on top of an awning, veranda or canopy with no part of the advertisement projecting above the roofline or beyond the awning, canopy or veranda edge; planning area as defined by the Planning Scheme;

political advertisement means a temporary advertisement exhibited for the purposes of an election;

portable advertisement means a freestanding moveable advertisement placed on the footpath, road reserve or other public place. The term includes sandwich and spinning boards;

projecting advertisement means an advertisement attached to and protruding more than 100 mm either vertically, or horizontally from a building or structure, but not attached to the roof of a building or structure.