

Subordinate Local Law No. 1 (Administration) 2025

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1 (Administration) 2024*.

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) 2011*, 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) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) In this subordinate law –

advertiser means a person—

 - (a) by whom an advertising device is installed, erected or displayed; or
 - (b) whose business or place of business is advertised by an advertising device; or
 - (c) who manages and controls, or has power to manage and control, the place at which an advertising device is installed, erected or displayed; or
 - ~~(a)~~(d) who is—
 - (i) the owner of premises or a place on which an advertising device is installed, erected or displayed; or
 - (ii) the occupier of premises or a place on which an advertising device is installed, erected or displayed; or

- (iii) the owner of a vehicle on which an advertising device is installed, erected or displayed.

advertising device means a structure or device, whether temporary or permanent, not regulated by the Planning Scheme which is visible from a road or other public place and which conveys information or directions of any kind (other than a structure or device displayed pursuant to the authority or requirements of an Act) and the term includes any structure forming part of the advertising device or to which the advertising device is attached or on which it is displayed.

airside area has the meaning given in *Local Law No. 7 (Aerodromes) 2011*.

building has the meaning given in the *Building Act 1975*.

building work has the meaning given in the *Building Act 1975*.

commodity vendor declaration, for fodder—

- (a) means a statement from the supplier of the fodder that specifies what chemicals have been used in the production of the fodder; and
- (b) includes a commodity vendor declaration form no. 980902 of the Queensland Government Department of Employment, Economic Development and Innovation.

community organisation has the meaning given in the Act.

development approval see the *Sustainable definition of Planning Act-2009 in the Act*, schedule 4 3.

electrical installation has the meaning given in the *Electricity Act 1994*.

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

facilities includes—

- (a) toilets; and
- (b) bathing and showering facilities; and
- (c) facilities for washing and drying clothes; and
- (d) facilities for cooking and food preparation; and
- (e) sporting and other recreational facilities; and
- (f) other facilities for the use or convenience of people using a camping ground.

fire safety installation has the meaning given in the *Building Act 1975*.

garage sale sign see schedule 10.1, section 1.

gate means a hinged or sliding barrier used to close an opening in a wall, fence or hedge.

grid has the meaning given in Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011.

health risk has the meaning given in the *Public Health Act 2005*.

height means the distance measured between the top of an advertising device and ground level directly adjacent to the advertising device.

illuminated, for an advertising device, means that the advertising device has specifically designed internal, or external or both internal and external, means of illumination of the whole or a portion of the advertising device.

land has the meaning given in the *Sustainable Planning Act 2009*.

limited access road has the meaning given in section 54 of the *Transport Infrastructure Act 1994*.

mobile sign see schedule 10.1, section 2.

motorway has the meaning given in the *Transport Infrastructure Act 1994*.

occupier, of premises—

(a) means the person who has the control or management of the premises; and

(b) includes the owner of the premises where there is no person in apparent occupation of the premises.

on-site sewerage facility has the meaning given in the *Plumbing and Drainage Act 2002* 2018.

owner, of premises, means the person for the time being entitled to receive the rent for the premises or who would be entitled to receive the rent for it if it were let to a tenant at a rent.

permitted advertisement see schedule 1, section 2(2).

Planning Act has the meaning given in the Act, Schedule 4.

potable water means water which complies with the Australian Drinking Water Guidelines.

premises means any land, building or structure and includes any part thereof.

prescribed criteria for fodder means the maximum residue limits set for agricultural chemicals in food and animal feedstuffs by the Australian Pesticides and Veterinary Medicines Authority and particularised in the MRL Standard published from time to time in the *Agricultural and Veterinary Chemicals Gazette*.

public place has the meaning given in the Act.

rateable land has the meaning given in the Act.

real estate sign see schedule 10.1, section 3.

responsible person has the meaning given in Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011.

road has the meaning given in the Act.

roadside directional sign see schedule 10.1, section 4.

road related area has the meaning given in the *Transport Operations (Road Use Management – Road Rules) Regulation 2009*.

sanitary convenience has the meaning given in the *Environmental Protection Act 1994*.

saleyard has the meaning given in *Local Law No. 6 (Operation of Saleyards) 2011*.

selling pen means each pen allocated for the sale of stock or a specified type of stock at the saleyard by the local government from time to time.

sewerage system has the meaning given in the *Plumbing and Drainage Act 2002* ~~2018~~.

sign see advertising device.

stock has the meaning given in *Local Law No. 6 (Operation of Saleyards) 2011*.

street front boundary —

- (a) of premises, means the length, measured in metres, along the alignment of the premises abutting a road or abutting an access restriction strip directly between the premises and a road; and
- (b) if premises continuously abut more than 1 road or access restriction strip directly between the premises and a road, the street front boundary dimensions shall be the total length of those boundaries added together; and
- (c) if premises have more than 1 street front boundary that is not continuous, each street front boundary is to be considered separately.

structure has the meaning given in the *Local Government Act 2009*.

trade waste has the meaning given in the *Water Supply (Safety and Reliability) Act 2008*.

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

vermin means—

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable disease; but
- (c) does not include—
 - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
 - (ii) a local government public health risk.

waste has the meaning given in the *Waste Reduction and Recycling Act*

~~2011~~Environmental Protection Act 1994.

water supply system has the meaning given in the ~~Standard~~ Plumbing and Drainage ~~Regulation Act 2003~~ 2018.

zoonosis means infectious diseases which are naturally transmitted from vertebrate animals to human.

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 holding 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.

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

Section 5

1. operation of cane railways
2. operation of cemeteries
3. operation of public swimming pools
4. operation of shared facility accommodation

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

Section 6

Part 1 Category 1 activities

1. commercial use of local government controlled areas and roads
2. establishment or occupation of a temporary home
3. keeping of animals

4. use of a vehicle on an airside area

Part 2 Category 2 activities

1. alteration or improvement to local government controlled areas and roads
2. installation of advertising devices
3. operation of camping grounds
4. operation of caravan parks
5. operation of temporary entertainment events
6. undertaking regulated activities regarding human remains
7. undertaking regulated activities on local government controlled areas and roads
8. carrying out works on a road or interfering with a road or its operation
9. sale or consignment of stock at a saleyard and supply of fodder at a saleyard
10. Installing, removing or replacing a gate or a grid, or a gate and grid, across a road
11. Being a responsible person for a gate or grid, or a gate and grid, across a road.

Part 3 Category 3 activities

Nil

Schedule 3 Categories of approval that are non-transferable

Section 7

1. alteration or improvement to local government controlled areas and roads
2. installation of advertising devices
3. keeping of animals
4. undertaking regulated activities regarding human remains
5. undertaking regulated activities on local government controlled areas and roads
6. carrying out works on a road or interfering with a road or its operation
7. use of a vehicle on an airside area
8. sale or consignment of stock at a saleyard and supply of fodder at a saleyard

Schedule 4 Prescribed complementary accommodation

Section 8

1. manufactured home

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

Section 9

Subject to the chief executive's written agreement under the *Transport Operations (Road Use Management) Act 1995*, section 66(5)(b), every State-controlled road in the local government area of the local government.

**Schedule 6 Public place activities that are prescribed
activities**

Section 10

Not applicable

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

Activities that do not require approval under the authorising local law

Not Applicable

Documents and materials that must accompany applications for approval

- (1) Full details of the proposed alteration or improvement including plans and specifications.
- (2) Details of all building work and other work to be carried out under the approval.
- (3) Details of the time and place at which the prescribed activity will be undertaken.
- (4) The proposed term of the approval.
- (5) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic.
- (6) The materials, equipment and vehicles to be used in the undertaking of the prescribed activity.
- (7) Plans and specifications detailing—
 - (a) the relevant part of the local government controlled area or road that is to be used for the undertaking of the prescribed activity; and
 - (b) the proposed location of each structure and item of equipment to be used in the undertaking of the prescribed activity; and
 - (c) the type and location of any utility, service or infrastructure to be used in the undertaking of the prescribed activity.

Additional criteria for the granting of approval

The alteration or improvement must not—

- (a) result in—
 - (i) harm to human health or safety; or
 - (ii) property damage or loss of amenity; or
 - (iii) nuisance; or
 - (iv) obstruction of vehicular or pedestrian traffic; or
 - (v) environmental harm; or

- (vi) environmental nuisance; or
- (b) adversely affect the amenity of the area in which the prescribed activity is to be undertaken.

Conditions that must be imposed on approvals

No conditions prescribed.

Conditions that will ordinarily be imposed on approvals

- (1) The conditions of an approval may—
 - (a) require compliance with specified safety requirements; and
 - (b) regulate the time within which the alteration or approval must be carried out; and
 - (c) specify standards with which the alteration or improvement must comply; and
 - (d) require the approval holder to—
 - (i) carry out specified additional work such as earthwork and drainage work; and
 - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the alteration or improvement; and
 - (iii) give the local government specified indemnities; and
 - (iv) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
 - (v) remove a structure erected or installed, under the approval, at the end of a stated period; and
 - (vi) exhibit specified signage warning about the conduct of the prescribed activity.
- (2) The conditions of an approval may require the approval holder to take specified measures to—
 - (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
 - (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
 - (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of vehicular or pedestrian traffic.

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.

Term of renewal of approval

- (1) The term for which an approval may be 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 the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

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 an approval under the authorising local law

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) Details of the nature, time and place of the prescribed activity for which the approval is sought.
- (2) If the applicant wants to use a particular part of a local government controlled area or road for serving food and drink or for other business purposes—a plan showing the relevant part of the local government controlled area or road.
- (3) If the prescribed activity is to be operated from a site, stall or vehicle—specifications for the site, stall or vehicle which is proposed to be used in the operation of the prescribed activity.
- (4) Details of the name, street address, telephone number, facsimile number and email address of the person responsible for the operation of the prescribed activity.
- (5) A copy of the current registration certificate for each vehicle proposed to be used in the operation of the prescribed activity.
- (6) Details of the operation of the prescribed activity including—
 - (a) if goods or services are to be supplied—the nature of the goods and services to be supplied; and
 - (b) if the goods or services are to be supplied at particular times—the times during which the goods or services will be supplied; and
 - (c) if goods or services are to be supplied—the method of sale of the goods or services; and
 - (d) a copy of each policy of insurance of the applicant which relates to the operation of the prescribed activity; and
 - (e) how the applicant proposes to dispose of waste generated by the

- operation of the prescribed activity; and
 - (f) if signage is intended to be displayed – details of the signage and how the signage will be secured whilst displayed.
- (7) Subsection (8) applies if—
- (a) the prescribed activity is to be operated at a place on a local government controlled area or road; and
 - (b) the place abuts, or is adjacent to, land other than a local government controlled area or road; and
 - (c) the operation of the prescribed activity may cause a nuisance, inconvenience or annoyance to the occupier of the land.
- (8) The application must be accompanied by—
- (a) the written consent of the occupier of the land to the operation of the prescribed activity at the place; or
 - (b) a written statement from the occupier of the land in support of the operation of the prescribed activity at the place.

4. Additional criteria for the granting of an approval

- (1) The prescribed activity for which the approval is sought must not unduly interfere with the proper use of the local government controlled area or road.
- (2) There must be a public demand for the prescribed activity in respect of which the approval is sought.
- (3) The physical characteristics of the local government controlled area or road must be suitable for the prescribed activity.
- (4) The prescribed activity must not cause nuisance, inconvenience or annoyance to—
 - (a) the occupier of any land which adjoins the location of the prescribed activity; or
 - (b) vehicular traffic; or
 - (c) pedestrian traffic.
- (5) The prescribed activity must not have a detrimental effect on the amenity of the surrounding area.
- (6) If the prescribed activity is mobile roadside vending or stationary roadside

vending—

- (a) whether the prescribed activity for which the approval is sought is competitive with business activities operated from fixed premises in the local government area; and
- (b) whether the business activities operated from the fixed premises are sufficient to meet public demand for the goods or services proposed to be sold as part of the operation of the prescribed activity; and
- (c) whether the grant of the approval will result in substantial competition between the applicant for the approval and operators of business activities operated from fixed premises in the local government area; and
- (d) whether the goods or services proposed to be sold as part of the operation of the prescribed activity, or similar goods or services, are available for sale from fixed premises near the location of the prescribed activity.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may require that the approval holder—
 - (a) limit the activities authorised by the approval to 1 or more of—
 - (i) a single specified location;
 - (ii) a number of specified locations;
 - (iii) a specified area;
 - (iv) a number of specified areas; and
 - (b) limit the activities to specified days and times; and
 - (c) limit the activities to—
 - (i) a specified period of time; or
 - (ii) specified periods of time; and
 - (d) display the approval in a specified position, and produce the approval for inspection on demand by an authorised person; and
 - (e) take specified measures to protect the safety of persons who may be

-
- involved in, or affected by, the activities authorised by the approval; and
- (f) give specified indemnities and take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
 - (g) take specified measures to ensure that the activities authorised by the approval do not cause a nuisance; and
 - (h) if the approval authorises the approval holder to use a specified part of a road for the operation of the activity — pay a specified rental to the local government at specified intervals; and
 - (i) submit the operation of the activity, including any vehicle or premises used in the operation of the activity, for inspection by an authorised person; and
 - (j) prominently and permanently display at a specified location each of—
 - (i) the approval number granted by the local government in numbers not less than 50mm in height; and
 - (ii) the name and address of the approval holder in letters not less than 75mm in height; and
 - (k) if the approval relates to an activity on a road—give a written indemnity to the State; and
 - (l) limit the activities authorised by the approval such that the activities may not be operated within a specified radius of—
 - (i) fixed premises which sell or offer for sale, the same or similar goods or services; or
 - (ii) the site of operation of another prescribed activity—
 - (A) the operation of which is authorised by an approval granted by the local government; and
 - (B) at which the same or similar goods or services are sold or offered for sale; and
 - (m) limit the operation of the prescribed activity so that it does not—
 - (i) create a traffic nuisance; or
 - (ii) increase an existing traffic nuisance; or

-
- (iii) detrimentally affect the efficiency of the road network in which the activity is undertaken; and
 - (n) limit the operation of the prescribed activity so that it does not detrimentally affect the amenity of the neighbourhood in which the prescribed activity is undertaken; and
 - (o) ensure that the operation of the prescribed activity does not create a road safety risk; and
 - (p) ensure that all facilities and equipment used in the operation of the prescribed activity are, at all times, maintained—
 - (i) in good working order and condition; and
 - (ii) in a clean and sanitary condition; and
 - (q) if the approval authorises the operation of a roadside vending activity on a road on specified days—remove the vehicle from the road after the close of business each day unless otherwise specified by the local government.
- (2) If the prescribed activity is mobile roadside vending, the conditions of the approval may also require that the approval holder—
- (a) limit the operation of the activity to—
 - (i) a specified vehicle; or
 - (ii) a number of specified vehicles; and
 - (b) if the approval holder is selling or offering for sale, goods, for example, food, or services—not engage in mobile roadside vending on any local government controlled area or road within a specified radius of fixed premises which sell or offer for sale, the same or similar goods or services.
 - (c) not—
 - (i) unless authorised by an authorised person—park the vehicle used for the activity for a period longer than is necessary to serve a customer who has hailed down the vehicle; or
 - (ii) amplify, or cause to be made, any noise identifying or otherwise drawing attention to the vehicle, except in accordance with standards laid down under the *Environmental Protection Act 1994*; or
 - (iii) place a sign or device advertising the activity of the approval holder on any local government controlled area or road; and

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- (d) keep and maintain the vehicle in a clean, tidy and orderly condition at all times; and
 - (e) produce the vehicle for inspection by an authorised person—
 - (i) prior to commencement of the prescribed activity; and
 - (ii) when required by the authorised person; and
 - (f) limit the operation of the activity to vehicles having specified characteristics, appropriate for the operation of the activity; and
 - (g) only serve customers from the non-traffic or kerbside side of a vehicle used in the operation of the activity; and
 - (h) not operate the activity in a manner which is, or may be, a risk to road safety; and
 - (i) unless authorised by an authorised person—not permit or allow an animal in or about any vehicle used in the operation of the activity; and
 - (j) not discharge trade waste generated by the operation of the activity otherwise than in accordance with an approval under the *Water Supply (Safety and Reliability) Act 2008*; and
 - (k) for waste generated by the operation of the activity—
 - (i) only dispose of the waste—
 - (A) in a safe and sanitary manner; and
 - (B) in a manner which maintains the vehicle and its surrounds in a clean, tidy, sanitary and hygienic condition; and
 - (ii) not dispose of the waste—
 - (A) so as to attract pests; or
 - (B) into a water course; or
 - (C) at another location other than a location properly intended for the receipt of the waste.
- (3) If the prescribed activity is footpath dining, the conditions of the approval may also require that the approval holder—
- (a) limit the operation of the activity to a specified area which is contiguous to, or in the vicinity of, a registered café, restaurant,

takeaway food shop or similar premises which are operated by the approval holder (*principal premises*); and

- (b) limit the operation of the activity to the footpath immediately adjacent to the principal premises; and
- (c) keep and maintain a clear unobstructed pedestrian corridor of a specified width depending on the density of pedestrian traffic; and
- (d) limit the operation of the activity to the normal business hours of the principal premises; and
- (e) remove all tables, chairs, fixtures and fittings from the area identified in the approval when the principal premises are not open for business; and
- (f) keep and maintain the area identified in the approval, including all tables, chairs, fixtures, fittings and equipment used in the operation of the activity at all times in a clean, sanitary and tidy condition; and
- (g) keep and maintain in and about the area identified in the approval, adequate waste disposal facilities, for example, bins, and be responsible for the removal of all waste from the waste disposal facilities at such intervals as an authorised person may direct; and
- (h) not place or display any sign or device advertising the activity in the area identified in the approval otherwise than in accordance with an approval of the local government which authorises the use of the footpath for that purpose; and
- (i) not use an umbrella within the area identified in the approval unless the umbrella has not less than 2m clearance above ground level adjacent to the umbrella and is securely anchored to the satisfaction of an authorised person; and
- (j) only use furniture in the area identified in the approval which is—
 - (i) aesthetically acceptable to the local government; and
 - (ii) kept in a proper state of repair; and
- (k) provide, for use by patrons of each of the principal premises and the area identified in the approval, adequate toilet facilities; and
- (l) regularly clean the area identified in the approval—
 - (i) during business hours for the principal premises; and
 - (ii) daily, after the close of business of the principal premises.

-
- (4) If the prescribed activity is the display of goods for sale on a footpath, the conditions of the approval may also require that the approval holder—
- (a) limit the operation of the activity to a specified area which is contiguous to, or in the vicinity of, retail premises which are operated by the approval holder (also *principal premises*); and
 - (b) limit the operation of the activity to the footpath immediately adjacent to the principal premises; and
 - (c) keep and maintain a clear unobstructed pedestrian corridor of a specified width depending on the density of pedestrian traffic; and
 - (d) limit the operation of the activity to the normal business hours of the principal premises; and
 - (e) only use, for the purposes of display of the goods for sale, a structure which is—
 - (i) of safe construction; and
 - (ii) in good condition and repair; and
 - (iii) securely fixed to the footpath; and
 - (f) only display goods for sale if the goods are in an orderly and sightly condition; and
 - (g) only display goods for sale if the goods are the property of, or offered for sale by, the approval holder; and
 - (h) remove all goods, and any structure designed for the display of the goods for sale, when the principal premises are not open for business.

7. Term of an 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.
- (3) An approval may be granted for a term of up to 1 year.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.

- (2) The term for which an approval may be renewed or extended must not exceed 1 year.
- (3) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

9. Definitions for this Schedule

In this Schedule –

footpath has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

goods includes wares, merchandise, chattels, money, stone, timber, metal, fluid and any other article, substance or material whatsoever and also includes an animal.

mobile roadside vending means an operator soliciting or carrying on the supply of goods or services (including food or drink) for profit in circumstances where—

- (a) the operator travels from place to place; and
- (b) the operator supplies the goods or services to a customer in response to the customer waving down the operator.

principal premises has the meaning given in ~~schedule 1~~, section 6(3)(a) and 6(4)(a) of this Schedule.

sale includes —

- (a) to sell; and
- (b) sell for resale; and
- (c) offer, or expose for sale; and
- (d) agree or attempt to sell; and
- (e) receive, keep or have in possession for sale; and
- (f) cause or permit to be sold or offered or exposed for sale; and
- (g) provide a sample; and
- (h) barter; and
- (i) auction; and
- (j) supply or have available for supply; and
- (k) suffer or permit any of the above acts.

stationary roadside vending means an operator soliciting or carrying on the supply of goods or services (including food or drink) for profit in circumstances where—

- (a) the operator carries on the activity from—
 - (i) a specified place; or
 - (ii) a number of specified places; but
- (b) the activity is not footpath dining.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

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 an approval under the authorising local law

(1) The establishment of a temporary home on land upon which exists a permanent residence, if the owner of the temporary home or, when the owner of the temporary home cannot be located, the owner of the land upon which the temporary home is established, proves to the satisfaction of an authorised person that the temporary home—

(a) is merely being stored on the land; and

(b) is not being used as a place of residence; and

(c) is being occupied by a guest of the owner of the subject land for a period not exceeding 31 days.

(2) The establishment of a temporary home on vacant land which does not contain a permanent residence, if the owner of the temporary home or, when the owner of the temporary home cannot be located, the owner of the land upon which the temporary home is established, proves to the satisfaction of an authorised person that the temporary home—

(a) is occupied less than 3 months in any calendar year; and

(b) is not used to derive any income;

(c) is located in a Rural Zone under Council's Planning Scheme.

3. Documents and materials that must accompany an application for an approval

(1) A drawing showing the design and dimensions of the proposed temporary home.

(2) Details of the materials out of which the temporary home is (or is to be) constructed and other structural details of the temporary home.

(3) Details of the location of the temporary home.

(4) If the applicant is not the owner of the land on which the temporary home is (or is to be) located—the written consent of the owner.

-
- (5) Details of the name of each person who is to occupy the temporary home.
- (6) Details of the operation of the proposed temporary home including cooking, toilet, bathing, laundry, water storage and refuse facilities.
- (7) In addition to (1) – (6) above, iff—a permanent residence or permanent structure is proposed to be constructed on ~~the vacant~~ land that does not contain a permanent residence the subject of the application—a copy of the development approval for the permanent residence or permanent structure.
- (8) In addition to (1) – (7) above, If the applicant or another person is to live on site during construction of a permanent residence or permanent structure on ~~the land~~ then the following will be required—
- (a) an independent itemised valuation of the construction cost (of both the proposed temporary home and the permanent residence or permanent structure) including an itemised valuation based on recognised current building industry rates covering all areas that are applicable to the construction of the temporary home and the permanent residence or permanent structure including, without limitation, the outstanding cost of purchase of the land, the cost of construction of the proposed temporary home and the cost of construction of the proposed permanent residence or permanent structure.
- (9) (b) Proof that the financial resources of the applicant are such that the applicant is capable of funding the construction of the temporary home and the permanent residence or permanent structure.
- (10) (c) If the applicant is an owner/builder—verification that the cash flow of the applicant will be sufficient to fund the construction of each of the temporary home and the permanent residence or permanent structure.
- (11) (d) If the applicant is an owner/builder—evidence that the applicant is registered as an owner/builder with the Queensland Building and Construction Commission~~Services Authority~~.
- (12) (e) A progress chart or similar timetable showing significant milestones during the process of construction of each of the temporary home and the permanent residence or permanent structure so as to enable the term of the proposed approval to be fixed by the local government.
- (9) In addition to (1) – (6) above, if the applicant or another person is to live on site during the repair of an uninhabitable or non-compliant residence then such information as is reasonably required in order to demonstrate the repairs that will be undertaken or approvals that will be obtained.

(10) Any other information in addition to the above that may be reasonably requested.

4. Additional criteria for the granting of an approval

- (1) The temporary home will not be occupied as a place of residence permanently or for an indefinite period.
- (2) The applicant proposes, within the period for which the approval is granted—
 - (a) to erect, or convert an existing structure into, a permanent residence; or
 - (b) to carry out building work on a permanent residence that will make the residence temporarily unfit for occupation as a place of residence.
- (3) An adequate source of water will be available to the proposed temporary home.
- (4) Adequate means of waste disposal and sanitation will exist to ensure that reasonable standards of health and hygiene can be maintained.
- (5) The temporary home must be located on the land in such a way as to not impact adversely on the amenity of the owner or occupier of any adjoining land.
- (6) The local government may refuse an application for an approval on the ground that—
 - (a) the applicant has not made a genuine application for a development approval for—
 - (i) the proposed erection of, or conversion of an existing structure into, a permanent residence; or
 - (ii) the proposed building work on a permanent residence that will make the residence temporarily unfit for occupation as a place of residence; or
 - (b) a development approval has been granted but is likely to expire before building work to be carried out under the approval has been completed; or
 - (c) the application is for a second proposed temporary home, unless there are exceptional circumstances and a short period of time is sought.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

(1) The conditions of an approval may—

- (a) regulate the design, dimensions, construction, and external appearance of the temporary home including any siting and screening requirements; and
- (b) require the provision of specified facilities for cooking, personal hygiene and sanitation, and for washing and drying clothes; and
- (c) require the approval holder to provide specified equipment, or take specified action, to ensure that the temporary home is adequately supplied with water; and
- (d) regulate the requirements for the disposal or discharge of stormwater, greywater, blackwater, waste-water and refuse from the temporary home; and
- (e) require the approval holder to dismantle and remove the temporary home by a specified date;
- (f) require the approval holder to keep the temporary home in good order and repair;
- (g) require the approval holder to ensure that the temporary home is not unsightly or unhygienic and is kept in a clean, tidy and good condition, free of rubbish, weeds and long grass; and
- (h) restrict the number of persons who may occupy the temporary home; and
- (i) require the approval holder to advise the local government of any change of the name of the persons who are occupying the temporary home; and
- (j) require any other condition necessary to ensure the temporary home does not pose any health, safety or other risk;
- (k) require any other condition necessary to ensure any impacts from the temporary home does not cause a nuisance or otherwise affect the amenity of the neighbourhood in which it is located;
- (l) permit Council officers to inspect the temporary home at any reasonable time to assess compliance.

(2) All water supplied for domestic purposes to the temporary home must be potable water with all plumbing lines buried or securely clipped to prevent trip or safety hazards.

~~(3) All sewerage and waste water from the temporary home must be discharged safely.~~

7. Term of an approval

(1) An approval may be granted for a term of:

(a) up to 18 months if the approval relates to the occupation of a temporary home during the construction or repair of a residence;

(b) up to 12 months if the approval relates to the occupation of a temporary home on land where a permanent residence already exists;

(c) up to 31 days in any calendar year if the approval relates to the occupation of a temporary home on vacant land which does not contain a permanent residence, and is not otherwise exempted from an approval under 2(2) above.

(2) The term of an approval may be assessed by an authorised person having regard to the information submitted by the applicant.

(3) The term of an approval must not exceed the lawful period of the development approval for the permanent residence or permanent structure.

(4) The term of the approval must be specified in the approval.

(5) In any event, the term of an approval comes to an end on the earlier of—

(a) the date on which the term of the approval ends; and

(b) the date on which the permanent residence or proposed permanent residence becomes fit for occupation as a place of residence.

8. Term of renewal of an approval

(1) An approval cannot be renewed.

(2) However, the local government may extend the term of an approval to coincide with the expected completion date of the building work for the erection or alteration of, or conversion of an existing structure into, a permanent residence that is, when the application for extension is made, and likely to be completed within a reasonable time.

Table 1 – Third party certification

Column 1	Column 2	Column 3
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Application requirement	Individuals or organisations that are third party certifiers	Qualifications necessary to be a third party certifier
Consistency of the proposed operation and management of the activity with the criteria in section 4(3) and (4) of this schedule.		A builder's licence (of the class BLR, BMR, BO or BPMS) issued by the Building Services authority OR A plumber's license issued by the Plumbers and Drainers Board

Schedule 10 Installation of advertising devices

Section 11

1. Prescribed activity

Installation of advertising devices¹.

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

(1) An approval is not required under the authorising local law for the prescribed activity if—

- (a) the activity is the installation ~~of advertising devices for a permitted erection or display of a permitted~~ advertisement that is visible from a road or other public place; or
- (b) under the planning scheme of the local government, the prescribed activity is identified as—
 - (i) self assessable development; or
 - (ii) code assessable development; or
 - (iii) impact assessable development.

(2) A permitted advertisement is an advertising device that is visible from a road or other public place which is—

- (a) defined in schedule ~~3~~10.1; and
- (b) installed, erected and displayed in accordance with the prescribed criteria in schedule ~~3~~10.1; and
- (c) installed, erected and displayed in accordance with the general criteria specified in schedule 10.24.

3. Documents and materials that must accompany an application for an approval

(1) Full details of the proposed advertising device including—

- (a) the name and address of the premises at which the proposed advertising device will be installed; and
- (b) the name and address of the person responsible for the installation of the advertising device; and

¹ Note this Subordinate Local Law does not apply to how-to-vote cards or election signs – see Section 36 of the Local Government Act 2009.

- (c) the name and address of any business which will be advertised on the advertising device.
- (2) Details of all building work and other work to be carried out under the approval.
- (3) Details of the time and place at which the prescribed activity will be undertaken.
- (4) The proposed term of the approval.
- (5) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic.
- (6) The materials, equipment and vehicles to be used in the undertaking of the prescribed activity.
- (7) Plans and specifications detailing—
 - (a) the location of the proposed advertising device; and
 - (b) each item of equipment to be used in the installation, erection or display of the proposed advertising device; and
 - (c) the type and location of any utility, service or infrastructure to be used in the installation, erection or display of the proposed advertising device; and
 - (d) particulars of the content, design, dimensions and construction of the proposed advertising device; and
 - (e) a site plan, to scale, of the proposed advertising device; and
 - (f) if the applicant is not the owner of the premises on which the proposed advertising device is to be installed, erected or displayed, the consent of the owner of the premises to the installation, erection and display of the advertising device; and
 - (g) a copy of each development approval required for the installation, erection and display of the proposed advertising device; and
 - (h) a pictorial representation of the proposed advertising device.

4. Additional criteria for the granting of an approval

- (1) The conduct of the prescribed activity must not—
 - (a) result in—
 - (i) harm to human health or safety; or

- (ii) property damage or loss of amenity; or
 - (iii) nuisance; or
 - (iv) obstruction of pedestrian or vehicular traffic; or
 - (v) environmental harm; or
 - (vi) environmental nuisance; or
 - (vii) a potential road safety risk; or
 - (b) adversely affect the amenity of the area in which the prescribed activity is to be undertaken; or
 - (c) significantly obstruct the view of any premises.
- (2) The installation, erection and display of the proposed advertising device must comply with the general criteria specified in schedule [410.2](#).

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) Council may grant an approval on any conditions Council considers appropriate.
- (2) The conditions of an approval may—
- (a) require compliance with specified safety requirements; and
 - (b) regulate the time within which the prescribed activity must be carried out; and
 - (c) specify standards with which the undertaking of the prescribed activity must comply; and
 - (d) require the approval holder to—
 - (i) carry out specified additional work such as earthwork and landscaping; and
 - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the prescribed activity; and
 - (iii) give the local government specified indemnities; and

- (iv) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
- (v) remove a structure erected or installed, under the approval, at the end of a stated period; and
- (vi) exhibit specified signage warning about the conduct of the prescribed activity; and
- (vii) construct the advertising device from specified materials; and
- (viii) maintain the advertising device in good order and repair; and
- (ix) install the advertising device at a specified location, or in a specified manner; and
- (x) take specified measures to illuminate, or control the illumination of, the advertising device; and
- (xi) restrict the dimensions of the advertising device.

(23) The conditions of an approval may require the approval holder to take specified measures to—

- (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
- (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
- (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of pedestrian or vehicular traffic.

7. Term of an 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 an approval

- (1) The term for which an approval may be 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 the application, the local government must specify in the written notice, the term of the renewal or extension.

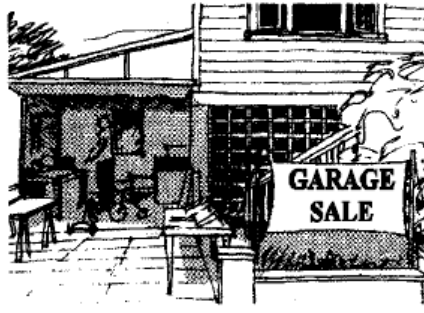
Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirement stated		

Schedule 10.1 Definitions and prescribed criteria for installation, erection and display of advertising devices

Schedule ~~4~~10, section 2(2)(a) and (b)

1 Garage sale sign



- (1) A **garage sale sign** is an advertising device of a temporary nature which—
 - (a) advertises a garage sale; and
 - (b) is displayed for directional purposes.
- (2) The criteria prescribed for a garage sale sign are—
 - (a) the advertising device may only be placed on rateable land other than a public place; and
 - (b) the advertising device must not have a face area in excess of 0.6m²; and
 - (c) the advertising device must be located in the vicinity of the garage sale; and
 - (d) the advertising device must be limited to a number reasonably necessary to identify the route to the garage sale; and
 - (e) the advertising device may only be displayed on the day of the garage sale; and
 - (f) the advertising device must not be located so as to cause a pedestrian or vehicular hazard.

2 Mobile sign



- (1) A *mobile sign* —
 - (a) is a temporary portable self supporting sign which is free-standing and may be mounted on wheels to facilitate movement; and
 - (b) includes an A-frame sign and a sandwich board; but
 - (c) does not include a free-standing sign or a real estate sign.
- (2) The criteria prescribed for a mobile sign are—
 - (a) the face area of the advertising device must not exceed 2.5m^2 on either side of the advertising device; and
 - (b) the display of mobile signs must not exceed 1 advertising device for each shop or business fronting a road; and
 - (c) where the advertising device advertises a particular shop or business, the advertising device must identify the shop or business; and
 - (d) the advertising device may only be placed on the premises of the shop or business it is advertising or promoting on a local government controlled area or a road if—
 - (i) no part of the advertising device protrudes more than 1m from the street front boundary of the premises; and
 - (ii) the advertising device is not a hazard to pedestrian or vehicular traffic; and
 - (iii) the advertiser takes out and maintains public liability insurance cover in an amount not less than \$~~10~~20,000,000.00 against claims for personal injury and property damage resulting from the display of the advertising device; and
 - (e) the advertising device must be—
 - (i) placed so as to minimise visual clutter; and
 - (ii) kept erect and maintained in a good state of repair at all times; and
 - (iii) secured so as to prevent danger to pedestrian and vehicular traffic in windy conditions; and
 - (f) the number of face areas of the advertising device must not exceed 2; and
 - (g) the advertising device must not be illuminated.

3 Real estate sign



- (1) A **real estate sign** is a temporary, non-illuminated advertising device which promotes the sale, auction, lease or letting of premises.
- (2) The criteria prescribed for a real estate sign (other than a directional real estate sign) are—
 - (a) the advertising device must not—
 - (i) interfere with the safe and convenient passage of pedestrians; or
 - (ii) detract from the amenity of the area in which it is situated or unreasonably obstruct existing views; and
 - (b) the advertising device may be double sided; and
 - (c) the advertising device must not have a face area in excess of 0.6m^2 ; and
 - (d) the number of real estate signs displayed at premises must not exceed 1 sign for each agent marketing the premises up to a maximum of 3 signs; and
 - (e) as an alternative to paragraphs (b) to (d) inclusive, an advertiser may display 1 sign having a maximum face area of 2.4m^2 at the premises; and
 - (f) the advertising device must not be displayed for—
 - (i) more than 14 days after the sale of the premises identified in the advertising device; or
 - (ii) more than 6 months in any 12 month period; and
 - (g) the advertising device must be kept erect and maintained in a good state of repair at all times; and
 - (h) if a high fence, foliage or the like obscures the advertising device, it must be located as close as practicable to the street front boundary of the premises.
- (3) The criteria prescribed for a directional real estate sign are—
 - (a) if the advertising device is displayed on land which is not a public place—
 - (i) a maximum of 3 advertising devices may be displayed; and

- (ii) the face area of each advertising device must not exceed 0.6m^2 ; and
- (iii) the advertising device—
 - (A) must only be displayed on the day on which the premises offered for sale are open for public inspection or offered for sale by auction; and
 - (B) must be located in close proximity to the premises; and
- (b) the advertising device must not be displayed on a road except subject to approval of an authorised person.

4 Roadside directional sign



- (1) A **roadside directional sign** is an advertising device located on a road related area to advertise an open house day, estate, development or auction of premises which are difficult to locate.
- (2) The criteria prescribed for a roadside directional sign are—
 - (a) the advertising device must—
 - (i) not have a face area in excess of 0.6m^2 ; and
 - (ii) be located in the vicinity of the auction, estate, development or open-house advertised on the advertising device; and
 - (iii) not be displayed on a median strip, roundabout, traffic island, pole, post or any other structure on a road reserve except as approved by an authorised person; and
 - (b) not more than 5 roadside directional signs may be displayed by a licensed real estate agent; and
 - (c) the advertising device must at all times display a reference to the registered real estate office responsible for the display of the advertising device; and
 - (d) the advertising device must not cause a hazard to pedestrian or vehicular traffic; and
 - (e) the advertising device must not be displayed on a motorway or a limited access road; and
 - (f) the advertiser of the advertising device must take out and maintain public liability insurance cover in an amount not less than \$10,000,000.00

against claims for personal injury and property damage resulting from the display of the advertising device; and

- (g) a roadside directional sign may only be placed on a road reserve between 6.00pm on Friday and 6.00pm on the following Sunday; and
- (h) roadside directional signs must be used together, or in sequence, to direct people to premises which are the subject of an auction, estate, development or open-house and must be located within a reasonable distance of the premises.

Schedule 10.2 General criteria for installation, erection and display of advertising devices

Schedule ~~4~~10, section 2(2)(c)

1. This schedule specifies general criteria for the installation, erection and display of advertising devices.
2. The advertising device must—
 - (a) not cause a nuisance; and
 - (b) be kept and maintained at all times in good order and repair, and free of graffiti.
3. The activity being advertised on the advertising device must be able to be lawfully conducted on the relevant premises.
4. The advertising device must be structurally sound.
5. The display of the advertising device must not cause obstruction of, or distraction to, pedestrian or vehicular traffic.
6. The advertising device must be of high design quality.
7. The face area of the advertising device must be appropriate for the location.
8. The height of the advertising device must be appropriate for the location.
9. The advertising device must not cause damage to public infrastructure.
10. The advertising device must be consistent with applicable environmental standards.
11. An illuminated advertising device must not be positioned so as to create glare or a nuisance to pedestrian or vehicular traffic.
12. The size and scale of the advertising device, whether attached to a building or free-standing, must be appropriate to the size and scale of the building (if any) and of the premises where it is erected or to be erected and the advertising device must not be oversized so as to detract from or dominate the building, premises or adjacent uses of the land on which it is to be displayed.
13. Where numerous small advertising devices are located adjacent to one another, the number, size, position and height of each advertising device must be limited to avoid visual clutter.
14. To avoid visual clutter, where more than 1 tenant or business occupies a building or attached premises, advertising devices located on the building, or free-standing signs, must be harmonious and co-ordinated in size and height.
15. The face area and size of an advertising device must be compatible with predominant land uses, the built environment and the orientation of the premises with respect to adjacent roads and buildings.
16. The advertising device must be harmonious with the architectural style and

character of the location.²

17. The advertising device must blend with landscaping and street features of the location.³

² Where particular areas have unique or special characteristics which may affect advertising device requirements, separate guidelines or variations may be applied.

³ Where additional treatment may enhance the compatibility of an advertising device, such treatment may be required.

Schedule 11 Keeping of animals⁴

Section 11

1. Prescribed activity

Keeping of animals.

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

The keeping of animals at an animal entertainment park or an animal sanctuary.

3. Documents and materials that must accompany an application for an approval

(1) An application detailing—

- (a) the species, breed, age and gender of each animal for which the approval is sought; and
- (b) the number of animals to be kept and any reasons; and
- (c) the nature of the premises at which the animal or animals are to be kept; and
- (d) the area, or the part of the area, in which the animal or animals are to be kept; and
- (e) the materials out of which any enclosure in which the animal or animals to be kept is (or is to be) constructed and any other details of the enclosure; and
- (f) the location of the enclosure on the premises; and
- (g) the name of each person who is to occupy any residence located on the premises on which the animal or animals are to be kept.

(2) Proof that the applicant currently holds any development approval relating to the prescribed activity that is required under the Sustainable Planning Act 2009.

(3) If the applicant is not the owner of the premises on which the animal or animals are to be kept — the written permission of the owner of the premises to the keeping of the animal or animals on the premises.

(4) Where the animal or animals are to be kept on multi-residential premises

⁴ See also Subordinate Local Law No. 2 (Animal Management) 2011

and the keeper of the animal or animals is entitled to make use of an area used in common with others (a **common area**) for the purpose of keeping the animal or animals — the written permission of the person or body which manages or controls the common area to use the common area for the purpose of keeping the animal or animals.

- (5) If an animal the subject of the application is required to be registered under the Animal Management Act — evidence that the animal is currently registered with the local government.
- (6) A drawing showing the design and dimensions of any enclosure in which the animal or animals are to be kept.

4. Additional criteria for the granting of an approval

- (1) Whether the premises on which the animal or animals are to be kept is appropriately sized so that the animal or animals can be effectively and comfortably kept on the premises.
- (2) Whether a residence exists on the premises.
- (3) Whether a proper enclosure is maintained on the premises in accordance with the requirements of *Local Law No. 2 (Animal Management) 2011*.
- (4) Whether the applicant for the approval or some other suitable person to supervise the animal or animals will be resident on the premises on which the animal or animals are to be kept.
- (5) Whether the animal or animals will be properly supervised.
- (6) If the application relates to the keeping of dogs or cats — whether the animals identified in the application are registered with the local government.
- (7) If section 14 of the Animal Management Act applies to the applicant for the approval — whether the applicant has complied with the requirements of the section.
- (8) Whether the applicant is a suitable person to hold the approval.
- (9) Whether the grant of the approval for the prescribed activity on the premises is likely to —
 - (a) cause nuisance, inconvenience or annoyance to occupiers of adjoining land; or
 - (b) affect the amenity of the surrounding area; or
 - (c) have a deleterious effect on the local environment or cause pollution or other environmental damage.

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- (10) If the application relates to the keeping of cats —
- (a) whether the cats have been desexed; and
 - (b) whether the cats have been fitted with an approved microchip.
- (11) If the application relates to the keeping of an animal or animals on multi-residential premises —
- (a) whether the applicant is entitled to make use of a common area; and
 - (b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and
 - (c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals.
- (12) Where the animal or animals are to be kept on premises other than multi-residential premises and the applicant is not the owner of the premises — whether the applicant has the written permission of the owner of the premises to keep the animal or animals on the premises.
- (13) Whether the applicant has been refused a similar type of approval by the local government or another local government.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions that will ordinarily be imposed on an approval to keep dogs on premises are—
- (a) a condition requiring that the approval holder take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises; and
 - (b) a condition requiring that the approval holder ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises; and
 - (c) a condition requiring that the approval holder ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised

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- person; and
- (d) a condition requiring that the approval holder ensure that any enclosure in which the dogs are kept is maintained in—
 - (i) a clean and sanitary condition and disinfected regularly; and
 - (ii) an aesthetically acceptable condition; and
 - (e) a condition limiting the approval to the dogs identified in the approval.
- (2) The conditions that will ordinarily be imposed on an approval to keep cats on premises are—
- (a) a condition requiring that each cat be fitted with an approved microchip; and
 - (b) a condition limiting the approval to the cats identified in the approval; and
 - (c) a condition requiring the approval holder to—
 - (i) desex each cat within 3 months of the issue of the approval if the cat is aged 6 months or over; and
 - (ii) otherwise, desex each cat within 3 months after the cat reaches 6 months of age; and
 - (iii) produce to the local government evidence, by way of, for example, a statutory declaration, that the cat has been desexed.
- (3) The conditions that will ordinarily be imposed on an approval to keep an animal (other than a dog or a cat) are—
- (a) if minimum standards for the keeping of the species or breed of the animal are prescribed in schedule 5 of *Subordinate Local Law No. 2 (Animal Management) 2011*—the animal must be kept in accordance with the minimum standards for the species or breed of animal prescribed in schedule 5 of *Subordinate Local Law No. 2 (Animal Management) 2011*; and
 - (b) if the approval relates to the keeping of 1 or more animals and the animal or animals are identified in the approval—a condition limiting the approval to the animal or animals identified in the approval.

7. Term of an 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.
- (3) An approval may be granted for a term of up to 1 year.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) The term for which an approval may be renewed or extended must not exceed 1 year.
- (3) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

9. Definitions for this Schedule

In this Schedule –

animal entertainment park means a public place which includes, as part of its entertainment, the exhibiting of animals for the amusement or entertainment of the public.

Animal Management Act has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

animal sanctuary means a park, reserve or other place used for the preservation, protection or rehabilitation of animals.

approved microchip (for an animal)—

- (a) means a microchip which—
 - (i) is capable of being read by the local government’s microchip reader; and
 - (ii) bears an electronic code which permanently identifies the animal for identification purposes; and
- (b) includes a prescribed permanent identification device.

common area has the meaning given in ~~schedule 1~~, section 3(4) in this Schedule.

multi-residential premises has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

owner (of an animal) has the meaning given in *Local Law No. 2 (Animal Management) 2011*.

owner (of land) includes—

- (a) the registered proprietor of freehold land; and

- (b) the purchaser of land to be held as freehold land that is being purchased from the State under an Act; and
- (c) the holder of a leasehold interest from the State; and
- (d) the holder of a mining claim or a mining lease to which the *Mineral Resources Act 1989* applies; and
- (e) another person who is entitled to receive the rent for the land.

owner (of premises) means the person for time being entitled to receive the rent for the premises or who would be entitled to receive the rent for it if it were let to a tenant at a rent.

prescribed permanent identification device has the meaning given in the Animal Management Act.

premises has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

proper enclosure has the meaning given in *Local Law No. 2 (Animal Management) 2011* as detailed in Schedule 8 of Subordinate Local Law No. 2 (Animal Management) 2011.

public place has the meaning given in *Local Law No. 1 (Administration) 2011*.

registered has the meaning given in the Animal Management Act.

residence has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

Schedule 12 Operation of camping grounds and caravan parks

Section 11

1. Prescribed activity

Operation of camping grounds and/or caravan parks

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

No activities stated.

3. Documents and materials that must accompany an application for an approval

(1) If the applicant is not the owner of the place at which the camping ground and/or caravan park is to be operated—the written consent of the owner to the application.

(2) 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.

(32) A plan of the proposed camping ground and/or caravan park which must be drawn to scale showing—

(a) the land comprising the camping ground and/or caravan park and its location and real property description; and

(b) the boundaries of the camping ground and/or caravan park; and

(c) the division of the camping ground and/or caravan park into camp sites, including—

(i) the location and number of potential camp or caravan sites with each site clearly defined and bearing a distinguishing mark or number; and

(ii) the separation distance between each camp or caravan site; and

(iii) the number of persons who, it is intended, may occupy each camp or caravan site; and

(d) the location of each road and building situated within the camping ground and/or caravan park; and

- (e) details of the water supply system, including the position of all water points; and
 - (f) the position of all waste containers; and
 - (g) details of the sewerage system including the position of each sanitary convenience, ablution and laundry building; and
 - (h) details of the on-site sewerage facilities and the waste water disposal system; and
 - (i) the position of all fire places; and
 - (j) the nature and position of—
 - (i) all fire safety installations; and
 - (ii) all electrical installations; and
 - (iii) all food preparation areas; and
 - (iv) all recreational facilities; and
 - (v) all car parking facilities.
- (34) Details of the facilities for sanitation, washing and laundry to be provided for users of the camping ground and/or caravan park.
- (54) Details of water quality, reticulation and drainage facilities to be provided for users of the camping ground and/or caravan park.
- (6) Details of the maximum number of persons who can be accommodated at—
- (a) the caravan park; and
 - (b) each site within the caravan park.
- (75) Details of the rules which will govern the use of the camping ground and/or caravan park, including rules which prohibit or restrict the keeping of dogs at the camping ground and/or caravan park.
- (86) If the camping ground and/or caravan park is operating when the application is submitted to the local government — a current certificate of compliance issued d under the *Fire ~~and Rescue Services~~ Act 1990*.
- (97) If the camping ground and/or caravan park is operating when the application is submitted to the local government — a current certificate of testing and compliance—safety issued under the *Electricity Safety ~~Act—Regulation~~ 20022013*.

4. Additional criteria for the granting of an approval

- (1) The operation of the camping ground and/or caravan park must be lawfully conducted on the premises.
- (2) The operation of the camping ground and/or caravan park must not produce—
 - (a) environmental harm; or
 - (b) environmental nuisance; or
 - (c) inconvenience or annoyance to the occupiers of any adjoining land.
- (3) All facilities at the camping ground and/or caravan park must be—
 - (a) of an acceptable standard; or
 - (b) able to be brought to an acceptable standard,for use by residents of the camping ground and/or caravan park.

5. Conditions that must be imposed on an approval

No conditions stated.

6. Conditions that will ordinarily be imposed on an approval

- (1) The operation of the camping ground and/or caravan park must not detrimentally affect the amenity of adjoining land.
- (2) The operation of the camping ground and/or caravan park, including any premises, building, structure, vehicle, facility, equipment or fixture must be maintained in—
 - (a) good working order and condition; and
 - (b) a clean, safe and tidy condition.
- (3) Provision must be made for people and vehicles to enter and exit the camping ground and/or caravan park safely.
- (4) The approval holder must:
 - (a) provide and maintain an adequate supply of water to the camping ground, including water suitable for drinking, cooking and personal hygiene;
 - (b) cause hot and cold water to be reticulated to every shower, bath and hand basin

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- (5) The water supply for drinking purposes must be potable water.
- (6) The approval holder must ensure that, if water obtained from a particular water outlet in the camping ground and/or caravan park may be unsuitable for drinking, a sign is prominently displayed at the outlet stating “Unsuitable for Drinking”.
- (7) The approval holder must provide and maintain adequate toilet, bathing and showering facilities for persons of both sexes (including disabled persons) using the camping ground and/or caravan park, including—
- (a) at least 2 showers or baths (in separate cubicles) for each sex, for every 15 individual ~~camp~~-sites (within the camping ground and/or caravan park); and
 - (b) at least 1 handbasin for every 4 shower cubicles (or baths) for each sex; and
 - (c) shower (or bath) cubicles must be constructed so as to totally conceal a person within the cubicle from persons who may be outside the cubicle; and
 - (d) for water closets—for every 12 individual ~~camp~~-sites (within the camping ground and/or caravan park)—
 - (i) for males—at least 2 water closet pedestals and 0.9 metres of urinal stall; and
 - (ii) for females—at least 4 water closet pedestals.
- (8) If bed linen is supplied—
- (a) keep it in a clean and sanitary condition; and
 - (b) replace it with clean bed linen after each change of occupation of the ~~camp~~-site.
- (9) All materials of a hazardous or dangerous nature which are used in the operation of the camping ground and/or caravan park must be stored and used in a safe manner.
- (10) Facilities for the disposal of waste must be—
- (a) sufficient to accommodate the collection and storage of all waste generated as part of the operation of the camping ground and/or caravan park; and
 - (b) provided in the manner, and at the locations, specified by the local government.

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- (11) The local government may limit the number of persons who may occupy a camp or caravan site and require the approval holder to—
- (a) ensure that the limit is displayed on a notice erected in a prominent position at the camping ground and/or caravan park; and
 - (b) take appropriate action to ensure that the limit is not contravened.
- (12) The approval holder must keep and maintain a register which details—
- (a) the name and address of each person who hires a camp or caravan site; and
 - (b) an identifying number for the site; and
 - (c) if any vehicle is brought on to the site—
 - (i) the registration number of the vehicle; and
 - (ii) the dates when the hiring of the site begins and ends.
- (13) The approval holder must, at the request of an authorised person, produce the register for inspection.
- (14) The approval holder must not permit or allow the occupation of a camp or caravan site by more persons than the limit fixed for the site under the conditions of an approval.
- (15) The approval holder must not permit or allow a person to bring on to a camp or caravan site a tent or other type of accommodation that is not fit for human habitation.
- (16) The approval holder must keep and maintain all buildings, playground areas and equipment used for recreational purposes at the camping ground and/or caravan park in a safe and proper condition.
- (17) The approval holder must not, unless the local government agrees in writing, change the camp or caravan sites at the camping ground and/or caravan park by—
- (a) adding to the existing sites; or
 - (b) changing the position or boundaries of a site.
- (18) The approval holder must not change any building, structure or facility at the camping ground and/or caravan park by—
- (a) adding new buildings, structures or facilities; or
 - (b) removing existing buildings, structures or facilities; or

- (c) changing the position of any building, structure or facility.
- (19) However, subsections (17) and (18) do not apply if the proposed change constitutes development under the *Sustainable Planning Act 2009*.
- (20) The operation of the camping ground and/or caravan park must not—
- (a) create a traffic problem; or
- (b) increase an existing traffic problem; or
- (c) detrimentally affect the efficiency of an existing road network.
- (21) The approval holder must not use an extension telephone bell, open air address system or similar device as part of the operation of the camping ground and/or caravan park if the bell, system or device causes a nuisance or annoyance to any person.
- (22) The operation of the camping ground and/or caravan park must not attract fly breeding or vermin infestation.
- (23) In the operation of the camping ground and/or caravan park the approval holder must only use lighting which is angled or shaded so that the lighting does not cause a nuisance or inconvenience.
- (24) The approval holder must dispose of all waste generated as part of the operation of the camping ground and/or caravan park in a manner which maintains the operation of the camping ground and/or caravan park and its surrounds in a clean, tidy, sanitary and hygienic condition.
- (25) Signage used in the operation of the camping ground and/or caravan park must be exhibited in a manner, and at the locations, specified by the local government.
- (26) Each camp or caravan site used as part of the operation of the camping ground and/or caravan park must be individually numbered and described in the manner specified by the local government.
- (27) The local government may prescribe rules which govern the use of the camping ground and/or caravan park and require the approval holder to ensure compliance with the rules by each user of the camping ground and/or caravan park.
- (28) The rules which govern the use of the camping ground and/or caravan park must be displayed in the manner, and at the locations, specified by the local government so that the rules can be viewed by users of the camping ground and/or caravan park.

(29) The approval holder must—

- (a) not locate or permit accommodation to be located at any place within the camping ground and/or caravan park other than on a site approved by the local government under this subordinate local law; and
- (b) not locate or permit to be located more than 1 accommodation, on a site at any 1 time; and
- (c) not permit accommodation to be occupied by more persons than the accommodation is designed to accommodate.

(30) The approval holder must—

- (a) unless an accommodation is fitted with a set of twin wash tubs and a clothes washing machine or washing boiler— provide for the exclusive use of the occupants of the accommodation, laundry facilities in the ratio of 1 set of twin wash tubs and 1 clothes washing machine or washing boiler and 1 clothes hoist or an equivalent length of clothes line for every 20 sites or part of a site; and
- (b) provide a waste water disposal point which is—
 - 1. provided with a water stand pipe; and
 - 2. provided with an impervious paved area measuring not less than 1m by 1m and graded to a central drainage inlet which is connected to a sewerage system; and
- (c) not erect or locate an accommodation or suffer or permit an accommodation to be erected or located, closer than 3m to any other accommodation; and
- (d) if the local government has approved a site layout plan for the camping ground and/or caravan park — cause each site to be clearly defined and legibly marked in accordance with the plan; and
- (e) not erect an accommodation or suffer or permit an accommodation to be erected, unless and until the accommodation is weatherproof, in good repair, fit for human habitation and in a clean and sanitary condition; and
- (f) provide ground anchor points designed to withstand heavy wind loads to enable the tie-down of caravans and complementary accommodation; and
- (g) cause sanitary conveniences and ablutionary facilities to be located—
 - 1. not more than 100 m from any site; and

- 2. at least 6 m from any site; and
- (h) provide and maintain specified recreational facilities; and
- (i) provide and maintain buffer zones between sites and roads, external boundaries and other facilities of the camping ground and/or caravan park; and
- (j) provide and maintain lighting at the camping ground and/or caravan park —
 - 1. to a specified standard; and
 - 2. during specified hours.
- (31) If the local government gives written notice to the approval holder that the local government is not satisfied that the resident manager of the camping ground and/or caravan park is a suitable person to be the resident manager—replace the resident manager with an alternate resident manager who is acceptable to the local government within a time stated in the notice.
- (32) The approval holder must comply with specified standards for the painting, paving and internal and external treatment of buildings, structures and sites.
- (33) The approval holder must ensure that no accumulation, aggregation or proliferation of—
 - (a) discarding or disused machinery, goods or wares; or
 - (b) waste, refuse, scrap, bottles or second hand materials of any description; or
 - (c) dead, overgrown or untended trees or vegetation,occurs on any part of the caravan park.
- (34) The approval holder must not permit a person who occupies a site or complementary accommodation at the camping ground and/or caravan park to engage in any business, trade or occupation within—
 - (a) the site; or
 - (b) the complementary accommodation; or
 - (c) the camping ground and/or caravan park.
- (35) The local government may specify conditions applying to the operation of the camping ground and/or caravan park including—
 - (a) times and days for administration of the arrival and departure of

- hirers of accommodation at the camping ground and/or caravan park; and
 - (b) conditions of stay; and
 - (c) minimum requirements for condition and maintenance of caravans and complementary accommodation; and
 - (d) conditions applying to the use of any facilities or services of the camping ground and/or caravan park; and
 - (e) the prohibition of specified activities.
- (36) The local government may require that the approval holder direct a person to leave the camping ground and/or caravan park forthwith, or within a specified time, where the person is found to be—
- (a) acting in a disorderly or objectionable manner; or
 - (b) contravening a requirement of this local law or a Local Government Act, which contravention will, in the opinion of an authorised person, adversely impact on the safety or amenity of other camping ground and/or caravan park users.
- (37) The local government may require that the approval holder remove from the camping ground and/or caravan park a caravan which, in the opinion of an authorised person, is dilapidated, unsightly or overcrowded within a specified time.

7. Term of an 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.
- (3) An approval may be granted for a term of up to 1 year.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) The term for which an approval may be renewed or extended must not exceed 1 year.
- (3) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

9. Definitions for this Schedule

In this Schedule –

accommodation means—

- (a) a caravan; or
- (b) a complementary accommodation.

cabin means a relocatable home, building or fixed structure (other than a building or structure used exclusively as the residence or office of a resident manager).

camp site means a part of a camping ground which is designated for occupation by a tent, inclusive of ropes, poles, supports and pegs incidental to the erection and use of the tent.

commercial camping ground means land that is made available, on a commercial basis, for camping but does not include a caravan park.

manufactured home has the meaning given in the *Manufactured Homes (Residential Parks) Act 2003*.

occupant (of accommodation) means a person who resides at the accommodation.

premises means the premises used for the operation of the camping ground and/or caravan park.

relocatable home means a Class 1 or Class 3 building under the Building Code of Australia as that term is defined in the *Building Act 1975* which is—

- (a) constructed away from the site at which it is erected; and
- (b) designed to be moved from 1 location to another; and
- (c) ordinarily able to be moved within 24 hours of commencement of work associated with the move.

resident (of a caravan park) means a person who resides in a caravan or complementary accommodation at the caravan park.

resident manager (of a caravan park) means—

- (a) a person nominated by the approval holder and accepted by the local government from time to time who—
 - (i) is responsible for the management and supervision of the caravan park; and
 - (ii) resides on or near the caravan park; and
 - (iii) is present or available at all reasonable times to ensure the operation of the caravan park; and
- (b) if that person cannot be located, or if no such person is nominated and accepted, the approval holder.

site means a part of a caravan park which is designated for a single accommodation of a particular type.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

Schedule 13 Operation of cane railways

Section 11

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Schedule 14 Operation of caravan parks

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See Schedule 12

Section 14

~~(29) Prescribed activity~~

~~Operation of caravan parks~~

~~(30) Activities that do not require an approval under the authorising local law~~

~~No activities stated.~~

~~(31) Documents and materials that must accompany an application for an approval~~

~~a. If the applicant is not the owner of the place at which the caravan park is to be operated the written consent of the owner to the application.~~

~~b. 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.~~

~~c. A plan of the proposed caravan park which must be drawn to scale showing—~~

~~d. the location and real property description of the place at which the caravan park is to be operated; and~~

~~e.a. the boundaries of the caravan park; and~~

~~(a) the division of the caravan park into sites, including the location and number of potential sites, with each site clearly defined and bearing a distinguishing mark or number; and~~

~~(b) the location of each road and building situated within the caravan park; and~~

~~(c) details of the water supply system, including the position of all water points; and~~

~~(d) the position of all waste containers; and~~

~~(e) details of the sewerage system including the position of each sanitary convenience, ablution and laundry building; and~~

~~(f) — details of the on-site sewerage facilities and the waste water disposal system; and~~

~~(g) — the position of all fire places; and~~

~~(h) — the nature and position of —~~

~~1. all fire safety installations; and~~

~~2. all electrical installations; and~~

~~3. all food preparation areas; and~~

~~4. all recreational facilities; and~~

~~5. all car parking facilities.~~

~~f. — Details of the facilities for sanitation, washing and laundry to be provided for users of the caravan park.~~

~~g. — Details of water quality, reticulation and drainage facilities to be provided for users of the caravan park.~~

~~h. — Details of the maximum number of persons who can be accommodated at —~~

~~(a) — the caravan park; and~~

~~(b) — each site within the caravan park.~~

~~i. — Details of the rules which will govern the use of the caravan park, including rules which prohibit or restrict the keeping of dogs at the caravan park.~~

~~j. — If the caravan park is operating when the application is submitted to the local government — a current certificate of compliance issued under the *Fire and Rescue Service Act 1990*.~~

~~k. — If the caravan park is operating when the application is submitted to the local government — a current certificate of testing and compliance issued under the *Electricity Safety Act 2002*.~~

~~l. — In this Schedule —~~

~~**accommodation** means —~~

~~(a) — a caravan; or~~

~~(b) — a complementary accommodation.~~

~~**cabin** means a relocatable home, building or fixed structure (other than a building or structure used exclusively as the residence or office of a resident manager).~~

~~**manufactured home** has the meaning given in the *Manufactured Homes (Residential Parks) Act 2003*.~~

~~**occupant** (of accommodation) means a person who resides at the accommodation.~~

~~**premises** means the premises used for the operation of the caravan park.~~

~~**relocatable home** means a Class 1 or Class 3 building under the Building Code of Australia (or its equivalent) which is —~~

- ~~(a) — constructed away from the site at which it is erected; and~~
- ~~(b) — designed to be moved from 1 location to another; and~~
- ~~(c) — ordinarily able to be moved within 24 hours of commencement of work associated with the move.~~

~~**resident** (of a caravan park) means a person who resides in a caravan or complementary accommodation at the caravan park.~~

~~**resident manager** (of a caravan park) means —~~

- ~~(a) — a person nominated by the approval holder and accepted by the local government from time to time who —~~
 - ~~(i) — is responsible for the management and supervision of the caravan park; and~~
 - ~~(ii) — resides on or near the caravan park; and~~
 - ~~(iii) — is present or available at all reasonable times to ensure the operation of the caravan park; and~~
- ~~(b) — if that person cannot be located, or if no such person is nominated and accepted, the approval holder.~~

~~**site** means a part of a caravan park which is designated for a single accommodation of a particular type.~~

~~(32) — Additional criteria for the granting of an approval~~

- ~~a. — The operation of the caravan park must be lawfully conducted on the premises.~~
- ~~b. — The operation of the caravan park must not produce —~~
 - ~~(a) — environmental harm; or~~
 - ~~(b) — environmental nuisance; or~~
 - ~~(c) — inconvenience or annoyance to the occupiers of any adjoining land.~~
- ~~c. — All facilities at the caravan park must be —~~

~~(a) — of an acceptable standard; or~~

~~(b) — able to be brought to an acceptable standard;~~

~~for use by residents of the caravan park.~~

~~(33) — Conditions that must be imposed on an approval~~

~~No conditions stated.~~

~~(34) — Conditions that will ordinarily be imposed on an approval~~

~~a. — The operation of the caravan park must not detrimentally affect the amenity of adjoining land.~~

~~b. — The operation of the caravan park, including any premises, building, structure, vehicle, facility, equipment or fixture must be maintained in —~~

~~(a) — good working order and condition; and~~

~~(b) — a clean, safe and tidy condition.~~

~~c. — Provision must be made for people, vehicles and caravans to enter and exit the caravan park safely.~~

~~d. — The approval holder must —~~

~~(a) — provide and maintain an adequate supply of water to the caravan park, including water suitable for drinking, cooking and personal hygiene; and~~

~~(b) — cause hot and cold water to be reticulated to every shower, bath and hand basin.~~

~~e. — The water supply for drinking purposes must be potable water.~~

~~f. — The approval holder must ensure that, if water obtained from a particular water outlet in the caravan park may be unsuitable for drinking, a sign is prominently displayed at the outlet stating “Unsuitable for Drinking”.~~

~~g. — The approval holder must provide and maintain adequate toilet, bathing and showering facilities for persons of both sexes (including disabled persons) using the caravan park, including —~~

~~(a) — at least 2 showers or baths (in separate cubicles) for each sex, for every 15 individual sites (within the caravan park); and~~

~~(b) — at least 1 handbasin for every 4 shower cubicles (or baths) for each sex; and~~

- ~~(c) — shower (or bath) cubicles must be constructed so as to totally conceal a person within the cubicle from persons who may be outside the cubicle; and~~
 - ~~(d) — for water closets — for every 12 individual sites (within the caravan park) —
 - ~~1. — for males — at least 2 water closet pedestals and 0.9 metres of urinal stall; and~~
 - ~~2. — for females — at least 4 water closet pedestals.~~~~
- ~~h. — If bed linen is supplied —
 - ~~(a) — keep it in a clean and sanitary condition; and~~
 - ~~(b) — replace it with clean bed linen after each change of occupation of the accommodation.~~~~
- ~~i. — All materials of a hazardous or dangerous nature which are used in the operation of the caravan park must be stored and used in a safe manner.~~
- ~~j. — Facilities for the disposal of waste must be —
 - ~~(a) — sufficient to accommodate the collection and storage of all waste generated as part of the operation of the caravan park; and~~
 - ~~(b) — provided in the manner, and at the locations, specified by the local government.~~~~
- ~~k. — The local government may limit the number of persons who may occupy a site and require the approval holder to —
 - ~~(a) — ensure that the limit is displayed on a notice erected in a prominent position at the caravan park; and~~
 - ~~(b) — take appropriate action to ensure that the limit is not contravened.~~~~
- ~~l. — The approval holder must —
 - ~~(a) — not locate or permit accommodation to be located at any place within the caravan park other than on a site approved by the local government under this subordinate local law; and~~
 - ~~(b) — not locate or permit to be located more than 1 accommodation, on a site at any 1 time; and~~
 - ~~(c) — not permit accommodation to be occupied by more persons~~~~

~~than the accommodation is designed to accommodate.~~

~~m. The approval holder must—~~

- ~~(a) unless an accommodation is fitted with a set of twin wash tubs and a clothes washing machine or washing boiler—provide for the exclusive use of the occupants of the accommodation, laundry facilities in the ratio of 1 set of twin wash tubs and 1 clothes washing machine or washing boiler and 1 clothes hoist or an equivalent length of clothes line for every 20 sites or part of a site; and~~
- ~~(b) provide a waste water disposal point which is—
 - ~~1. provided with a water stand pipe; and~~
 - ~~2. provided with an impervious paved area measuring not less than 1m by 1m and graded to a central drainage inlet which is connected to a sewerage system; and~~~~
- ~~(c) not erect or locate an accommodation or suffer or permit an accommodation to be erected or located, closer than 3m to any other accommodation; and~~
- ~~(d) if the local government has approved a site layout plan for the caravan park—cause each site to be clearly defined and legibly marked in accordance with the plan; and~~
- ~~(e) not erect an accommodation or suffer or permit an accommodation to be erected, unless and until the accommodation is weatherproof, in good repair, fit for human habitation and in a clean and sanitary condition; and~~
- ~~(f) provide ground anchor points designed to withstand heavy wind loads to enable the tie down of caravans and complementary accommodation; and~~
- ~~(g) cause sanitary conveniences and ablutionary facilities to be located—
 - ~~1. not more than 100 m from any site; and~~
 - ~~2. at least 6 m from any site; and~~~~
- ~~(h) provide and maintain specified recreational facilities; and~~
- ~~(i) provide and maintain buffer zones between sites and roads, external boundaries and other facilities of the caravan park; and~~
- ~~(j) provide and maintain lighting at the caravan park—~~

~~1. to a specified standard; and~~

~~2. during specified hours.~~

~~n. If the local government gives written notice to the approval holder that the local government is not satisfied that the resident manager of the caravan park is a suitable person to be the resident manager—replace the resident manager with an alternate resident manager who is acceptable to the local government within a time stated in the notice.~~

~~o. The approval holder must keep and maintain a register which details—~~

~~(a) the name and address of each person who hires a site or complimentary accommodation at the caravan park; and~~

~~(b) an identifying number for the site or accommodation; and~~

~~(c) if a caravan is brought onto the site—the registration number of the caravan and (if applicable) the vehicle towing it; and~~

~~(d) the dates when the hiring of the site or accommodation begins and ends.~~

~~p. The approval holder or the resident manager must, at the request of an authorised person, produce the register for inspection.~~

~~q. The approval holder must not permit or allow a person to bring onto a site a caravan or other type of accommodation that is not fit for human habitation.~~

~~Example—a caravan that is not weather proof.~~

~~r. The approval holder must not, unless the local government agrees in writing, change the sites at the caravan park by—~~

~~(a) adding to the existing sites; or~~

~~(b) changing the position or boundaries of a site.~~

~~s. The approval holder must not change any building, structure or facility at the caravan park by—~~

~~(a) adding new buildings, structures or facilities; or~~

~~(b) removing existing buildings, structures or facilities; or~~

~~(c) changing the position of any building, structure or facility.~~

~~t. However, subsections (18) and (19) do not apply if the proposed~~

~~change constitutes development under the Sustainable Planning Act 2009.~~

- ~~u. The operation of the caravan park must not —~~
 - ~~(a) create a traffic problem; or~~
 - ~~(b) increase an existing traffic problem; or~~
 - ~~(c) detrimentally affect the efficiency of an existing road network.~~
- ~~v. The approval holder must not use an extension telephone bell, open air address system or similar device as part of the operation of the caravan park if the bell, system or device causes a nuisance or annoyance to any person.~~
- ~~w. The operation of the caravan park must not attract fly breeding or vermin infestation.~~
- ~~x. The approval holder must dispose of all waste generated as part of the operation of the caravan park in a manner which maintains the operation of the caravan park and its surrounds in a clean, tidy, sanitary and hygienic condition.~~
- ~~y. Signage used in the operation of the caravan park must be exhibited in a manner, and at the locations, specified by the local government.~~
- ~~z. The local government may prescribe rules which govern the use of the caravan park and require the approval holder to ensure compliance with the rules by each user of the caravan park.~~
- ~~aa. The rules which govern the use of the caravan park must be displayed in the manner, and at the locations, specified by the local government so that the rules can be viewed by users of the caravan park.~~
- ~~bb. The approval holder must comply with specified standards for the painting, paving and internal and external treatment of buildings, structures and sites.~~
- ~~cc. The approval holder must ensure that no accumulation, aggregation or proliferation of —~~
 - ~~(a) discarding or disused machinery, goods or wares; or~~
 - ~~(b) waste, refuse, scrap, bottles or second hand materials of any description; or~~
 - ~~(c) dead, overgrown or untended trees or vegetation;~~

~~occurs on any part of the caravan park.~~

~~dd. — The approval holder must not permit a person who occupies a site or complementary accommodation at the caravan park to engage in any business, trade or occupation within —~~

~~(a) — the site; or~~

~~(b) — the complementary accommodation; or~~

~~(c) — the caravan park.~~

~~ee. — The local government may specify conditions applying to the operation of the caravan park including —~~

~~(a) — times and days for administration of the arrival and departure of hirers of accommodation at the caravan park; and~~

~~(b) — conditions of stay; and~~

~~(c) — minimum requirements for condition and maintenance of caravans and complementary accommodation; and~~

~~(d) — conditions applying to the use of any facilities or services of the caravan park; and~~

~~(e) — the prohibition of specified activities.~~

~~ff. — The local government may require that the approval holder direct a person to leave the caravan park forthwith, or within a specified time, where the person is found to be —~~

~~(a) — acting in a disorderly or objectionable manner; or~~

~~(b) — contravening a requirement of this local law or a Local Government Act, which contravention will, in the opinion of an authorised person, adversely impact on the safety or amenity of other caravan park users.~~

~~gg. — The local government may require that the approval holder remove from the caravan park a caravan which, in the opinion of an authorised person, is dilapidated, unsightly or overcrowded within a specified time.~~

~~(35) — Term of an approval~~

~~a. — The term of an approval must be determined by the local government having regard to the information submitting by the applicant.~~

~~b. — The term of the approval must be specified in the approval.~~

~~c. — An approval may be granted for a term of up to 1 year.~~

~~(36) Term of renewal of an approval~~

~~a. — The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.~~

~~b. — The term for which an approval may be renewed or extended must not exceed 1 year.~~

~~c. — If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.~~

Table 1 — Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

Schedule 15 Operation of cemeteries

Section 11

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Schedule 16 Operation of public swimming pools

Section 11

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Schedule 17 Operation of shared facility accommodation

Section 11

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Schedule 18 Operation of temporary entertainment events

Section 11

1. Prescribed activity

Operation of temporary entertainment events.

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

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) A plan of the place of the temporary entertainment event which details—
 - (a) the boundaries of the place; and
 - (b) the water supply system for the place; and
 - (c) the position of each waste container at the place; and
 - (d) each advertising device proposed to be installed, erected or displayed about the operation of the temporary entertainment event at the place; and
 - (e) the sewerage system for the place, including the position of each sanitary convenience at the place; and
 - (f) the nature and position of each installation at the place which is to be used for the preparation or sale of food.
- (2) Details and drawings of buildings and other structural elements of the place of the temporary entertainment event.
- (3) A detailed statement of the nature of the entertainment to be provided at the place of the temporary entertainment event and when the place is to be open to the public.
- (4) If the applicant is not the owner of the place of the temporary entertainment event—the written consent of the owner of the place.
- (5) The dates and times during which the temporary entertainment event is to be undertaken.
- (6) The expected attendance rate for the temporary entertainment event.

- (7) The street address, real property description and details of the owner of the place where the temporary entertainment event is to be undertaken.
- (8) The name, street address, telephone number, facsimile number and email address of each person and business who will operate the temporary entertainment event.

4. Additional criteria for the granting of an approval

- (1) The design and construction of the place of the temporary entertainment event must be safe and appropriate to the nature of the entertainment proposed and the number of people expected to attend the place.
- (2) Entertainment of the kind proposed must not unreasonably detract from the amenity of the area in which the entertainment is, or is proposed to be, situated.
- (3) Entertainment provided at the place must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood.
- (4) There must be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public.
- (5) Adequate provision must exist for the disposal of waste generated by the use of the place for the temporary entertainment event.
- (6) Adequate provision must exist for people and (if relevant) vehicles to enter and leave the place of the temporary entertainment event.
- (7) The applicant for the approval must nominate a person who is responsible for —
 - (a) ensuring compliance with the authorising local law before, during and after the event; and
 - (b) handling general complaints which may be received; and
 - (c) liaising and communicating with the local government or an authorised person.
- (8) The operation of the temporary entertainment event must be lawfully conducted on the place identified in the application.

5. Conditions that must be imposed on an approval

The approval holder must—

- (a) display the approval in the manner, and at the locations, specified by the

local government; and

- (b) produce the approval for inspection by an authorised person on demand.

6. Conditions that will ordinarily be imposed on an approval

The conditions of an approval may —

- (a) require specified action to maintain or improve the place of the temporary entertainment event; and
- (b) require the approval holder to provide specified equipment, and to take specified measures, for the safety of the public; and
- (c) require the approval holder to provide specified facilities and amenities; and
- (d) regulate the hours of operation of the temporary entertainment event; and
- (e) require the approval holder to provide specified equipment, or take specified measures, to reduce adverse effects of activities at the temporary entertainment event on the surrounding neighbourhood to acceptable levels; and
- (f) require the approval holder to take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before the event commences; and
- (g) regulate noise emission from the temporary entertainment event; and
- (h) require the design and construction of the place of the temporary entertainment event to be safe and appropriate having regard to the nature of the entertainment proposed and the number of people expected to attend the place; and
- (i) if the approval relates to an activity on a road – require the approval holder to indemnify the State; and
- (j) require the approval holder to ensure that the place of the temporary entertainment event and its operation do not unreasonably detract from the amenity of the area in which the place is located; and
- (k) prescribe requirements for adequate toilets and sanitary conveniences for the use of members of the public attending the temporary entertainment event; and
- (l) prescribe requirements for the collection and disposal of waste generated by the temporary entertainment event; and
- (m) prescribe requirements for people and (if applicable) vehicles to enter and

leave the place of the temporary entertainment event; and

- (n) require that any premises, building, structure, vehicle, facility or equipment used in the operation of the temporary entertainment event be maintained at all times—
 - (i) in good working order; and
 - (ii) in a good state of repair; and
 - (iii) in a clean and sanitary condition; and
- (o) prescribe requirements about—
 - (i) crowd, traffic and parking control; and
 - (ii) security measures to be implemented; and
 - (iii) evacuation procedures to be implemented as part of the operation of the temporary entertainment event; and
 - (v) the public display of evacuation plans and procedures as part of the operation of the temporary entertainment event; and
 - (iv) the exhibition of signage as part of the operation of the temporary entertainment event; and
 - (vi) the removal of structures erected, and equipment used, as part of the operation of the temporary entertainment event at the completion of the event.

7. Term of an 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 an approval

- (1) The term for which an approval may be 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 the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1	Column 2	Column 3
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Application requirement	Individuals or organisations that are third party certifiers	Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

Schedule 19 Undertaking regulated activities regarding human remains

Section 11

1. Prescribed activity

Undertaking regulated activities regarding human remains, including undertaking 1 or more of the following activities—

- (a) disturbance of human remains buried outside a cemetery; and
- (b) burial or disposal of human remains (excluding cremated remains) outside a cemetery; and
- (c) disturbance of human remains in a local government cemetery.

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

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) Details of —
 - (a) the burial site, niche or other place or proposed burial site, niche or other place at which the human remains are buried or placed, or are proposed to be buried or placed; and
 - (b) the coffin, container or shroud in which the human remains are buried or placed or are proposed to be buried or placed.
- (2) Evidence of the applicant's relationship (if any) with the deceased.
- (3) A certified copy of each approval required (including authority under the *Coroners Act 2003* (if applicable)) for the undertaking of the prescribed activity.
- (4) Details of how and when the prescribed activity is to be undertaken.
- (5) Evidence of the identity of the deceased person.
- (6) Evidence of the wishes of the deceased and the relatives of the deceased.
- (7) If the prescribed activity is the disturbance of human remains buried outside a cemetery—
 - (a) a written statement of the reasons for the proposed disturbance; and

- (b) the written agreement of the owner of, and anyone else with a registered interest in, the land on which the remains are buried.
- (8) If the prescribed activity is the burial or disposal of human remains outside a cemetery—
 - (a) a written statement of how and when the remains are proposed to be disposed of or buried; and
 - (b) the written agreement of the owner of, and anyone else with a registered interest in, the land on which the remains are to be buried or placed to the disposal of the remains on the land; and
 - (c) details of the nature of the ceremony (if any) to be conducted at the time of the burial or disposal; and
 - (d) details of how the applicant proposes to secure ongoing access to the place at which the human remains are to be buried or disposed of if the owner of the land on which the place is located, disposes of the owner's interest in the land.
- (9) If the prescribed activity is the disturbance of human remains in a local government cemetery—
 - (a) a written statement of the reasons for the proposed disturbance; and
 - (b) the written approval of an authorised person.

4. Additional criteria for the granting of an approval

The undertaking of the prescribed activity must—

- (a) not result in—
 - (i) harm to health or safety; or
 - (ii) personal injury; or
 - (iii) nuisance; or
 - (iv) a loss of amenity; and
- (b) comply with the expressed wishes of each of the deceased and the relatives of the deceased; and
- (c) if the prescribed activity involves the opening of a grave in order to bury another deceased person in the grave—comply with the expressed wishes of all of the deceased persons who are buried or will be buried in the grave; and

- (d) if the prescribed activity is the burial or disposal of human remains outside a cemetery — secure ongoing access to the place at which the human remains are to be buried or disposed of if the owner of the land on which the place is located disposes of the owner's interest in the land.

5. Conditions that must be imposed on an approval

No conditions stated.

6. Conditions that will ordinarily be imposed on an approval

- (1) The approval holder must undertake the prescribed activity at a particular time, or during a particular period.
- (2) Any spillage of waste, a contaminant or another material must—
 - (a) be cleaned up immediately; and
 - (b) not be cleaned up by hosing, sweeping or otherwise releasing the waste, contaminant or material to any stormwater system or other waters.
- (3) The approval holder must take specified measures to—
 - (a) prevent harm to the health or safety of persons who may be involved in, or effected by, the undertaking of the prescribed activity; and
 - (b) prevent personal injury, property damage or loss of amenity resulting from the undertaking of the prescribed activity; and
 - (c) ensure that there is compliance with the provisions of each local government Act which regulates the undertaking of the prescribed activity.
- (4) If the prescribed activity is the disturbance of human remains buried outside a cemetery—
 - (a) the approval holder must permit an authorised person to inspect the site at any time either before or after the disturbance; and
 - (b) the approval holder must prepare the site in accordance with particular standards as directed by the local government; and
 - (c) the prescribed activity must be undertaken by a qualified undertaker.
- (5) If the prescribed activity is the burial or disposal of human remains outside a cemetery—
 - (a) the approval holder must ensure that an appropriate identifying

memorial is placed on or adjacent to the place of the burial or disposal;
and

- (b) if a development approval is required under the *Sustainable Planning Act 2009* to erect or install a memorial—the approval holder must not erect or install the memorial without the required development approval; and
- (c) the local government may regulate—
 - (i) the number of bodies which may be buried in a single grave; and
 - (ii) the frequency with which bodies may be buried in a single grave;
and
 - (iii) the position of the grave site; and
 - (iv) standards for the minimum depth, size and other dimensions of the grave site; and
 - (v) the manner in which the applicant secures ongoing access to the place at which the human remains are buried or disposed of if the owner of the land on which the place is located disposes of the owner's interest in the land.
- (6) If the prescribed activity is the disturbance of human remains in a local government cemetery—
 - (a) the prescribed activity must be undertaken by a qualified undertaker;
and
 - (b) the approval holder must prepare the site in accordance with particular standards as directed by the local government.

7. Term of an 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 an approval

- (1) The term for which an approval may be 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 the application, the local government must specify in the written notice, the term of the renewal or extension.

9. Definitions for this Schedule

In this Schedule –

memorial includes—

- (a) a headstone; and
- (b) an inscribed plaque or commemorative plate; and
- (c) monumental, ornamental or other structures erected on a grave site; and
- (d) anything else erected or placed to mark the site where human remains have been buried or placed, or to commemorate a deceased person.

qualified undertaker means a person who carries on the business of disposing of human remains.

shroud means a length of cloth or an enveloping garment in which a dead person is wrapped for burial.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

Schedule 20 Not Used

Section 11

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See Schedule 19

Schedule 21 Not Used

Section 11

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See Schedule 19

Schedule 22 Undertaking regulated activities on local government controlled areas and roads

Section 11

1. Prescribed activity

- (1) Undertaking regulated activities on local government controlled areas and roads, and in particular, undertaking 1 of the following activities on a local government controlled area or road—
 - (a) driving or leading of animals to cross a road;
 - (b) depositing of goods or materials;
 - (c) holding of a public place activity prescribed under a subordinate local law but excluding the operation of a temporary entertainment event.
- (2) For the purposes of subsection (1)(c), public place activity means, provided the activity on the local government controlled area or road is not the use of the local government controlled area or road for soliciting or carrying on the supply of goods or services (including food or drink) for profit, each of the following activities—
 - (a) the placing of a display or information booth;
 - (b) conducting a social gathering or meeting of more than 50 people;
 - (c) conducting or taking part in—
 - (i) an organised sporting activity of regional, State or national significance; or
 - (ii) a street parade or festival; or
 - (iii) a vintage car display; or
 - (iv) a novelty vehicle race, for example, a go-cart race; or
 - (v) an invitation-only ceremony, party or celebration attended by more than 50 people; or
 - (vi) a cake stall, sausage sizzle, car wash or similar fundraiser held on no more than 1 day; or
 - (vii) a training event held on no more than 1 day; or
 - (viii) a training event held on more than 1 day without payment of a fee; or

- (ix) a musical or theatrical performance undertaken by a person to entertain the public; or
- (x) a wedding;
- (d) exercising a right of occupation and use of a specified part of a local government controlled area by an incorporated association.

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

No activity stated.

3. Documents and materials that must accompany an application for an approval

- (1) Details of the nature, time and place of the prescribed activity for which the approval is sought.
- (2) If the applicant wants to use a particular part of a local government controlled area or road for the prescribed activity—a plan showing the relevant part of the local government controlled area or road.
- (3) If the prescribed activity is to be undertaken at or in close proximity to a site, stall or vehicle—specifications for the site, stall or vehicle which is proposed to be used in the undertaking of the prescribed activity.
- (4) Details of the name, street address, telephone number, facsimile number and email address of the person responsible for the undertaking of the prescribed activity.
- (5) A copy of the current registration certificate for each vehicle proposed to be used in the undertaking of the prescribed activity.
- (6) Details of the undertaking of the prescribed activity including—
 - (a) a copy of each policy of insurance of the applicant which relates to the undertaking of the prescribed activity; and
 - (b) how the applicant proposes to dispose of waste generated by the undertaking of the prescribed activity; and
 - (c) if signage is intended to be displayed – details of the signage and how the signage will be secured whilst displayed.

4. Additional criteria for the granting of an approval

- (1) The prescribed activity for which the approval is sought must not unduly interfere with the proper use of the local government controlled area or road.

-
- (2) There must be a public demand for the prescribed activity in respect of which the approval is sought.
 - (3) The physical characteristics of the local government controlled area or road must be suitable for the prescribed activity.
 - (4) The prescribed activity must not cause nuisance, inconvenience or annoyance to—
 - (a) the occupier of any land which adjoins the location of the prescribed activity; or
 - (b) vehicular traffic; or
 - (c) pedestrian traffic.
 - (5) The prescribed activity must not have a detrimental effect on the amenity of the surrounding area.
 - (6) If the prescribed activity is the driving or leading of animals to cross a road—the driving or leading of the animals to cross the road must not unduly interfere with the proper use of the road or create a safety hazard for users of the road.
 - (7) If the prescribed activity is the depositing of goods or materials on a local government controlled area or road—the depositing of the goods or materials on the local government controlled area or road must not unduly interfere with the usual use or the amenity of the local government controlled area or road.
 - (8) If the prescribed activity is the holding of a public place activity on a local government controlled area or road—
 - (a) the undertaking of the prescribed activity must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding area; and
 - (b) there must be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and
 - (c) adequate provision must exist for the disposal of waste generated by the undertaking of the prescribed activity; and
 - (d) adequate provision must exist for people and (if relevant) vehicles to enter and leave the site of the prescribed activity.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may require that the approval holder—
 - (a) limit the activities authorised by the approval to 1 or more of—
 - (i) a single specified location;
 - (ii) a number of specified locations;
 - (iii) a specified area;
 - (iv) a number of specified areas; and
 - (b) limit the activities to specified days and times; and
 - (c) limit the activities to—
 - (i) a specified period of time; or
 - (ii) specified periods of time; and
 - (d) display the approval in a specified position, and produce the approval for inspection on demand by an authorised person; and
 - (e) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
 - (f) give the local government specified indemnities and take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
 - (g) take specified measures to ensure that the activities authorised by the approval do not cause environmental harm or environmental nuisance; and
 - (h) if the approval authorises the approval holder to use a specified part of a local government controlled area or road for the undertaking of the activity — pay a specified rental to the local government at specified intervals; and
 - (i) submit the undertaking of the activity, including any vehicle or premises used in the undertaking of the activity, for inspection by an authorised person; and
 - (j) prominently and permanently display at a specified location each of—
 - (i) the approval number granted by the local government in

-
- numbers not less than 50mm in height; and
 - (ii) the name and address of the approval holder in letters not less than 75mm in height; and
 - (k) if the approval relates to an activity on a road—give a written indemnity to the State; and
 - (l) display specified warning notices for the safety of users of the local government controlled area or road; and
 - (m) limit the undertaking of the prescribed activity so that it does not—
 - (i) create a traffic nuisance; or
 - (ii) increase an existing traffic nuisance; or
 - (iii) detrimentally affect the efficiency of the road network in which the activity is undertaken; and
 - (n) limit the undertaking of the prescribed activity so that it does not detrimentally affect the amenity of the neighbourhood in which the prescribed activity is undertaken; and
 - (o) ensure that the undertaking of the prescribed activity does not create a safety risk; and
 - (p) at all times keep and maintain all facilities and equipment used in the undertaking of the prescribed activity—
 - (i) in good working order and condition; and
 - (ii) in a clean and sanitary condition.
 - (2) If the prescribed activity is the driving or leading of animals to cross a road, the conditions of the approval may also require that the approval holder—
 - (a) restrict the number of animals that may be driven or led across the road; and
 - (b) not conduct the prescribed activity in a manner which is, or may be, a risk to road safety.
 - (3) If the prescribed activity is the depositing of goods or materials on a local government controlled area or road, the conditions of the approval may also require that the approval holder—
 - (a) deposit the goods or materials in a specified manner; and
 - (b) limit the deposit of the goods or materials to a specified area; and

-
- (c) if the goods or materials are deposited on a footpath—keep and maintain a clear unobstructed pedestrian corridor of a specified width depending on the density of pedestrian traffic; and
 - (d) only use, for the purposes of the deposit of the goods or materials, a structure which is—
 - (i) of safe construction; and
 - (ii) in good condition and repair; and
 - (iii) securely fixed to the land on which the prescribed activity is undertaken; and
 - (e) remove the goods or materials, and any structure used for the purposes of the depositing of the goods or materials, at a specified time, or after a specified period.
- (4) If the prescribed activity is the holding of a public place activity prescribed under a subordinate local law, the conditions of the approval may also require that the approval holder—
- (a) provide specified facilities and amenities; and
 - (b) provide specified illumination for the purposes of the undertaking of the prescribed activity and take specified measures to reduce light spillage from the undertaking of the prescribed activity; and
 - (c) take specified measures to reduce noise emission from the undertaking of the prescribed activity; and
 - (d) provide specified equipment, or take specified measures, to reduce adverse effects of the undertaking of the prescribed activity on the surrounding neighbourhood to acceptable levels; and
 - (e) not discharge trade waste generated by the undertaking of the prescribed activity otherwise than in accordance with an approval under the *Water Supply (Safety and Reliability) Act 2008*; and
 - (f) for waste generated by the undertaking of the prescribed activity—
 - (i) only dispose of the waste—
 - (A) in a safe and sanitary manner; and
 - (B) in a manner which maintains the site of the prescribed activity and its surrounds in a clean, tidy, sanitary and hygienic condition; and
 - (ii) not dispose of the waste—

- (A) so as to attract pests; or
- (B) into a water course; or
- (C) at another location other than a location properly intended for the receipt of the waste; and
- (g) keep and maintain in and about the area identified in the approval, adequate waste disposal facilities, for example, bins, and be responsible for the removal of all waste from the waste disposal facilities at such intervals as an authorised person may direct; and
- (h) not place or display any sign or device advertising the undertaking of the prescribed activity in the area identified in the approval otherwise than in accordance with an approval of the local government which authorises the use of the area for that purpose.

7. Term of an 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 an approval

- (1) The term for which an approval may be 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 the application, the local government must specify in the written notice, the term of the renewal or extension.

9. Definitions for this Schedule

In this Schedule –

footpath has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

goods includes wares, merchandise, chattels, money, stone, timber, metal, fluid and any other article, substance or material whatsoever and also includes an animal.

premises means the premises used in the undertaking of the prescribed activity.

road has the meaning given in the ~~authorising local law~~ Local Law No. 1 (Administration) 2011.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

Schedule 23 Not Used

Section 11

Left intentionally blank
See Schedule 22

Schedule 24 Not Used

Section 11

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See Schedule 22

Schedule 25 Bringing or driving motor vehicles onto local government controlled areas

Section 11

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**Schedule 26 Bringing or driving prohibited vehicles onto
motor vehicle access areas**

Section 11

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**Schedule 27 Use of bathing reserves for training,
competitions etc**

Section 11

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**Schedule 28 Parking contrary to an indication on an
official traffic sign regulating parking by
time or payment of a fee**

Section 11

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See Subordinate Local Law No. 5 (Parking) 2011

**Schedule 29 Parking in a loading zone by displaying a
commercial vehicle identification label**

Section 11

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See Subordinate Local Law No. 5 (Parking) 2011

Schedule 30 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 the road or its operation (*Local Government Act 2009*, section 75(2)).

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

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) Full details of the proposed works or interference including plans and specifications.
- (2) Details of all building work and other work to be carried out under the approval.
- (3) Details of the time and place at which the prescribed activity will be undertaken.
- (4) The proposed term of the approval.
- (5) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic.
- (6) The materials, equipment and vehicles to be used in the undertaking of the prescribed activity.
- (7) Plans and specifications detailing—
 - (a) the relevant part of the road that is to be used for the undertaking of the prescribed activity; and
 - (b) the proposed location of each structure and item of equipment to be used in the undertaking of the prescribed activity; and
 - (c) the type and location of any utility, service or infrastructure to be used in the undertaking of the prescribed activity.

4. Additional criteria for the granting of an approval

The carrying out of the work or interference with the road or its operation must not—

- (a) result in—
 - (i) harm to human health or safety; or
 - (ii) property damage or loss of amenity; or
 - (iii) nuisance; or
 - (iv) obstruction of vehicular or pedestrian traffic; or
 - (v) environmental harm; or
 - (vi) environmental nuisance; or
- (b) adversely affect the amenity of the area in which the prescribed activity is to be undertaken.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may—
 - (a) require compliance with specified safety requirements; and
 - (b) regulate the time within which the prescribed activity must be carried out; and
 - (c) specify standards with which the prescribed activity must comply; and
 - (d) require the approval holder to—
 - (i) carry out specified additional work such as earthwork and drainage work; and
 - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the prescribed activity; and
 - (iii) give the local government specified indemnities; and
 - (iv) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and

- (v) remove a structure erected or installed, under the approval, at the end of a stated period; and
 - (vi) exhibit specified signage warning about the conduct of the prescribed activity.
- (2) The conditions of an approval may require the approval holder to take specified measures to—
- (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
 - (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
 - (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of vehicular or pedestrian traffic.

7. Term of an 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 an approval

- (1) The term for which an approval may be 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 the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Not Applicable	Not Applicable	Not Applicable

Schedule 31 Use of a vehicle on an airside area

Section 11

1. Prescribed activity

Use of a vehicle on an airside area

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

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) The name of the applicant.
- (2) A description of the type and make of the vehicle.
- (3) The registration number of the vehicle and the date of expiry of the registration.
- (4) Details of the registered owner of the vehicle.
- (5) Details of the comprehensive motor vehicle insurance and/or public liability insurance covering the vehicle and the applicant.
- (6) Details of why the applicant requires the approval.
- (7) The period during which the applicant requires the approval.

4. Additional criteria for the granting of an approval

The grant of the approval must be consistent with the objects of *Local Law No. 7 (Aerodromes) 2011*.

5. Conditions that must be imposed on an approval

No conditions stated.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may require the approval holder to—
 - (a) affix the approval to, or exhibit the approval on, a specified part of the vehicle identified in the approval facing outwards and as near as practicable to the registration label for the vehicle; and

- (b) if the approval holder requests the issue of a replacement approval—complete a statutory declaration detailing the facts and circumstances of the loss, destruction or damage of the original approval; and
 - (c) enter into an agreement with the local government to indemnify the local government against claims (including claims made against the approval holder by the local government) for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the use of a vehicle under the approval; and
 - (d) ~~if that~~ the approval holder ~~is a business~~—take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval and/or comprehensive motor vehicle insurance; and
 - (e) take specified measures to reduce the impact of the activities authorised by the approval so that the activities do not—
 - (i) create a traffic nuisance; or
 - (ii) increase an existing traffic nuisance; or
 - (iii) detrimentally affect the efficiency of the airside area on which the activity is undertaken.
- (2) The conditions of an approval may require that the approval holder—
- (a) limit the activities authorised by the approval to—
 - (i) a specified area; or
 - (ii) a number of specified areas; and
 - (b) limit the activities to specified days and times; and
 - (c) limit the activities to—
 - (i) a specified period of time; or
 - (ii) specified periods of time; and
 - (d) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
 - (f) take specified measures to ensure that the activities authorised by the approval do not cause a nuisance; and

- (h) ensure that the vehicle used in the operation of the prescribed activity is, at all times, maintained—
 - (i) in good working order and condition; and
 - (ii) in a clean and sanitary condition.

7. Term of an approval

- (1) The term of an approval may be assessed by an authorised person having regard to the information submitted by the applicant.
- (2) However, the local government may fix the term for an approval if it is desirable to do so—
 - (a) to provide common expiry dates for approvals; or
 - (b) for some other reason.
- (3) The term of the approval must be specified in the approval.

8. Term of renewal of an approval

- (1) The term for which an approval may be 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 the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirements stated		

Schedule 32 **Sale or consignment of stock at a saleyard and supply of fodder at a saleyard**

section 11

1. Prescribed activity

A person uses the saleyard for a prescribed activity if the person—

- (a) sells or offers to sell by auction or otherwise at the saleyard; or
- (b) consigns stock from the saleyard; or
- (b)(c) supplies fodder at a saleyard.

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

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) The ~~name of the a~~Applicant's details including names, contact details, licence number;
- (2) Details of insurances.
- (3) If the application relates to the for sale or consignment of stock at a saleyard:
 - (a) Details of authorised agents and licenced auctioneers and any relevant history or licence conditions or restrictions;
 - (b) Details of any relevant history or convictions under the Local Laws;
- (1)–
- (2)– Details of—
- (3)– why the applicant requires the approval; and
- (4)– the principal place of business of the applicant
- (5)– The period during which the applicant requires the approval

4. Additional criteria for the granting of an approval

- (1) The applicant must be a fit and proper person to be permitted to use the saleyard for the prescribed activity.
- (2) If the applicant proposes to sell or consign stock as agent for others, the applicant must be able to lawfully carry on the business of the sale or consignment of stock as agent for others under any other relevant law, ~~for~~

~~example, the *Property Agents and Motor Dealers Act 2000*.~~

- (3) Without limiting the matters which the local government may consider in deciding whether to grant an approval, in considering whether the applicant is a fit and proper person, the local government may take into account—
 - (a) each conviction of the applicant for an offence under *Local Law No. 6 (Operation of Saleyards) 2011* or a corresponding former local law or similar law applying to another saleyard facility; and
 - (b) the history of the applicant in relation to non-payment or persistent late payment of fees and charges payable in respect of the use of the saleyard under *Local Law No. 6 (Operation of Saleyards) 2022* or a corresponding former local law, or a similar law applying to another saleyard facility.

5. Conditions that must be imposed on an approval

No conditions stated.

6. Conditions that will ordinarily be imposed on an approval

For sale or consignment of stock at a saleyard:

- (1) Stock must not be sold or offered for sale at any place at the saleyard other than the pens designated as selling pens by the local government at the saleyard.
- (2) The local government may, from time to time, nominate a particular day of the week as a regular sale day for the sale of stock, for example, each of the following—
 - (a) bulls;
 - (b) store cattle;
 - (c) prime cattle.
- (3) The local government may, from time to time, change a regular sale day for the sale of stock or a specified type of stock at the saleyard.
- (4) The approval holder must—
 - (a) at all times during the currency of the approval, have and maintain a place of business in the local government area of the local government; and
 - (b) use the saleyard for the operation of the prescribed activity on a bona fide commercial basis, for example, the prescribed activity must be undertaken at the saleyard—
 - (i) regularly; and
 - (ii) except where circumstances beyond the control of the approval holder do not permit—on each regular sale day for the sale of stock at the saleyard.
- (5) The approval holder must provide all labour which is necessary to facilitate the

reception, yarding, removal and delivery of stock in the custody, or under the control, of the approval holder which are brought into the saleyard.

- (6) If stock are delivered to the saleyard for sale by the approval holder, the approval holder must if directed by the manager—

(a) count the stock delivered to the saleyard, note any anomalies and put the stock into holding yards as directed by an authorised person; and

~~(b) if the stock are cattle—paint vendor numbers on the cattle in the manner directed by an authorised person; and~~

~~(e)~~(b) complete the reception/delivery docket in the prescribed form of the local government for all stock entering and leaving the saleyard; and

~~(d)~~(c) if 1 or more of the stock escape from the saleyard—bring the stock under control and procure the safe return of the stock to the saleyard; and

~~(e)~~(d) not supply or make available for consumption by the stock any fodder unless the fodder is accompanied by, and the approval holder produces to an authorised person on demand—

(i) a commodity vendor declaration which satisfies the prescribed criteria for fodder; and

~~(i)— a certificate of analysis for chemical residues from a laboratory which holds a current accreditation from the National Association of Testing Authorities which satisfied the prescribed criteria for fodder; and~~

(ii) a complete and continuous written record which—

(A) tracks the production, harvesting, storage and transportation of the fodder at all times up to and including delivery of the fodder to the saleyard; and

(B) identifies the fodder fed to stock by reference to a specified period; and

(C) identifies the stock to which the fodder was fed during the specified period; and

(D) identifies the pens in which the stock were located during the specified period; and

~~(f)~~(e) not request that the local government allocate, for the sale of stock by the approval holder on a sale day, a number of selling pens in excess of the number of selling pens reasonably required to accommodate the stock to be offered for sale by the approval holder on the sale day and will not exceed any legislated pen densities; and

Example—

~~If 6,000 or less cattle are offered for sale at the saleyard on a sale day—~~

~~(a)— firstly, 18 cattle (limited to steers and heifers) should be allocated to~~

~~each selling pen; and~~

~~(b) —secondly, 15 cattle (limited to cows) should be allocated to each selling pen.~~

~~In any event, an approval holder should consult with the authorised person responsible for the allocation of selling pens if issues about the health, safety or wellbeing of cattle arise as a result of the allocation of selling pens.~~

~~(g)~~(f) ensure that all stock are provided with sufficient food and water; and

~~(h)~~(g) if 1 or more stock at the saleyard contract, or is suspected of contracting, a disease—

(i) isolate the stock from all other animals; and

(ii) take immediate action to ensure prompt notification, treatment and removal of the stock; and

~~(+)~~(h) if 1 or more of the stock die at the saleyard—promptly ~~remove~~ notify the manager so the dead stock can be removed from the saleyard ~~by a waste transporter~~ to a waste disposal facility.

(7) If the approval holder is offering cattle for sale at the saleyard, the approval holder must—

(a) have the cattle drafted and penned in selling pens as directed by an authorised person; and

(b) not draft or pen cattle in selling pens other than selling pens allocated to the approval holder by an authorised person; and

(c) not swap or exchange selling pens to be used for the sale of cattle with a person other than the approval holder; and

(d) be present at the saleyard to—

(i) facilitate the weighing of the cattle; and

(ii) provide details to the weighbridge operator at the saleyard to facilitate computerised weighing and printout of the weight and price of the cattle; and

(iii) attest to the second count of the cattle following the counting out of the cattle from the selling pens.

(8) The approval holder must take out and maintain during the term of the approval specified insurance indemnifying persons who may suffer personal injury, loss or damage as a result of the escape of stock from the saleyard.

(9) The approval holder must give the local government specified written indemnities, including a written indemnity in respect of persons who may suffer personal injury, loss or damage as a result of the escape of stock from the saleyard.

(10) The approval holder must if directed by the manager perform National Livestock Identification Scheme identification procedures—

- (a) as necessary to ensure the efficient operation of the saleyard; and
- (b) in the manner directed by an authorised person.

(11) The approval holder must not bring or permit to be brought onto the saleyard any animal which is infected with a contagious disease or zoonosis.

~~(11)~~(12) The approval holder must ensure that any saleyard site rules published by the manager are complied with.

For the supply of fodder at a saleyard:

(13) The approval holder must take out and maintain during the term of the approval specified insurance indemnifying persons who may suffer personal injury, loss or damage as a result of the activities undertaken by the approval holder.

(14) The approval holder must ensure that any saleyard site rules published by the manager are complied with.

7. Terms of an approval

- (1) The term for which an approval may be 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 the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirements stated		

Schedule 33 Gates and Grids

section 11

1. Prescribed activity

1. Installing, removing or replacing a gate or grid, or a gate and a grid, across a road.
2. Being a responsible person for a gate or a grid, or a gate and a grid, installed across a road.

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

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) If the installation of a gate or a grid, or a gate and a grid, are proposed:
 - (a) a plan detailing the design of the proposed gate or grid, or gate and grid, including all dimensions, alignments and structural elements complying with the standard plans and specifications which the local government may develop or adopt from time to time; and
 - (b) a plan identifying the location within the road of the proposed gate or grid, or gate and grid; and
 - (c) particulars of all warning or similar signage proposed to be erected by the applicant.
- (2) If a gate or a grid, or a gate and a grid, are installed across a road:
 - (a) a plan detailing the design of the gate or grid, or gate and grid, including all dimensions, alignments and structural elements; and
 - (b) a plan identifying the location within the road of the gate or grid, or the gate and the grid; and
 - (c) details of all warning or similar signage erected about the gate or grid, or the gate and the grid.
- (3) If the gate or grid, or the gate and the grid, are proposed to be installed across a road-details of the time when the prescribed activity will be undertaken unless the local government is to undertake the works required for the installation of the gate and/or grid.
- (4) The proposed term of the approval.
- (5) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic.
- (6) Whether adjoining property owner's consent to the installation, removal or replacement of the gate and/or grid.

- (67) The materials, equipment and vehicles to be used in the undertaking of the prescribed activity unless the local government is to undertake the works required for the installation of the gate and/or grid.

4. Additional criteria for the granting of an approval

The prescribed activity must not –

- (a) result in -
 - (i) harm to human health or safety, including the safety of vehicular or pedestrian traffic; or
 - (ii) property damage or loss of amenity; or
 - (iii) nuisance; or
 - (iv) unreasonable obstruction of vehicular or pedestrian traffic; or
 - (v) unreasonable prejudice to the property maintenance of a road; or
 - (vi) environmental harm; or
 - (vii) environmental nuisance; or
- (b) adversely affect the amenity of the area in which the prescribed activity is to be undertaken.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may require the approval holder to take specified measures to:
 - (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
 - (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
 - (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of vehicular or pedestrian traffic.
- (2) If the approval relates to the installation, removal or replacement of a gate or a grid; or a gate and a grid - the conditions of the approval may:
 - (a) require compliance with specified safety requirements and any Council policies; and
 - (b) regulate the time within which the installation of the gate or the grid, or the

gate and the grid, must be carried out; and

- (c) specify standards with which the installation of the gate or the grid, or the gate and the grid, must comply; and
- (d) require the approval holder to:
 - (i) carry out specified additional work such as earthwork and drainage work; and
 - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before the installation of the gate or the grid, or the gate and the grid; and
 - (iii) give the local government specified indemnities; and
 - (iv) construct the gate or the grid, or the gate and the grid, in accordance with standard plans and specifications which the local government may develop or adopt from time to time; and
 - (v) maintain structures erected or installed, or vegetation planted, under the approval in good condition; and
 - (vi) clear and maintain the road in the vicinity of the gate or the grid, or the gate and the grid, (including the destruction of plants and vegetation); and
 - (vii) remove a gate, grid or structure erected or installed, under the approval, at the end of a stated period; and
 - (viii) remove a gate, grid or structure erected or installed, under the approval, if the gate, grid or structure:
 - (A) is not effective for its intended purpose; or
 - (B) is causing a nuisance, or poses a risk of a nuisance; or
 - (C) constitutes an actual, or potential safety hazard; and
 - (ix) if the approval relates to the installation of a grid-also erect a gate at the location of the grid to a standard, and in accordance with the requirements of, the local government; and
 - (x) maintain the road, for a distance of 5m on each side of the gate or the grid, or the gate and the grid, as the case may be, in good and sufficient repair
 - (A) so that vehicular and pedestrian traffic is not impeded or obstructed; and
 - (B) to prevent or minimise the risk of personal injury or damage to property; and
 - (xi) exhibit specified signage warning about the conduct of the prescribed activity on the road; and
 - (xii) take specified measures to ensure the unrestricted movement of

vehicular and pedestrian traffic along the road during construction and installation of the gate or the grid, or the gate and the grid, as the case may be, and minimise obstruction of vehicular or pedestrian traffic or the risk of personal injury or damage to property; and

(xiii) obtain an approval to undertake works in the local government's road reserve.

(3) If the approval relates to being a responsible person for a gate or grid, or a gate and a grid, installed across a road – the conditions of the approval may:

(a) require compliance with specified safety requirements and any Council policies; and

(b) require the approval holder to:

- (i) carry out specified work such as earthwork and drainage work; and
- (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government within a stated period; and
- (iii) give the local government specified indemnities; and
- (iv) maintain the gate or the grid, or the gate and the grid, in accordance with standard plans and specifications; and
- (v) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
- (vi) clear and maintain the road in the vicinity of the gate or the grid, or the gate and the grid (including the destruction of plants and vegetation); and
- (vii) remove a gate, grid or structure identified in the approval, at the end of a stated period; and
- (viii) remove a gate, grid or structure identified in the approval if the gate, grid or structure---
 - (A) is not effective for its intended purpose; or
 - (B) is causing a nuisance, or
 - (C) poses a risk of a nuisance; or constitutes an actual, or potential safety hazard; and
- (ix) if the approval relates to a grid-also erect a gate at the location of the grid to a standard, and
- (x) in accordance with the requirements of the local government; and
- (xi) maintain the road, for a distance of 5m on each side of the gate or the grid, or the gate and the grid, as the case may be, in good and sufficient repair
 - (A) so that vehicular and pedestrian traffic is not impeded or obstructed; and

- (B) to prevent or minimise the risk of personal injury or damage to property; and
- (xii) exhibit specified signage warning about the conduct of the prescribed activity on the road; ~~and-~~
- (xiii) obtain an approval to undertake works in the local government's road reserve.

7. Terms of an 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 an approval

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

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirements stated		

This and the preceding pages bearing my initials is a certified copy of the Subordinate Local Law No. 1 (Administration) 2025 made in accordance with the provisions of the Local Government Act 2009 by Maranoa Regional Council by resolution dated [DATE].

Chief Executive Officer