



**Douglas Shire Council
Subordinate Local Law No. 1
(Administration) 2020**

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Part 1 Preliminary

1. Short title

This subordinate local law may be cited as Subordinate Local Law No. 1 (Administration) 2020.

2. Purposes and how they are to be achieved

- (a) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2020*, 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 specified regulatory powers under legislation and for miscellaneous administrative matters.
- (b) The purpose is to be achieved by providing for—
 - (i) various matters regarding the granting of approvals for prescribed activities; and
 - (ii) 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) 2020* (the **authorising local law**).

4. Definitions—the Dictionary

- (a) The dictionary in schedule 33 defines particular words used in this subordinate local law.
- (b) Other particular words have the same meaning as in the authorising local law.

Part 2 Approvals for prescribed activities

5. Prescribed activities that do not require an approval - authorising local law, s 6(3)

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

6. Categories of prescribed activities for the purposes of maximum penalties - authorising local law, schedule 2

- (a) For section 6(2) of the authorising local law, it is declared that—
 - (i) the prescribed activities listed in part 1 of schedule 2 are category 1 activities; and

- (ii) the prescribed activities listed in part 2 of schedule 2 are category 2 activities; and
- (iii) 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 **undertaking 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, sections 6(3), 8(1)(d)(v), 9(1)(d), 10(3), 12, 13(a) and 14(1)(a)

- (a) For each prescribed activity, a schedule - prescribes the matters specified in this section for the prescribed activity named in section 1 of a schedule.
- (b) 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 section 2 of the schedule relating to the prescribed activity.
- (c) For section 8(1)(d)(v) of the authorising local law, the documents and materials in addition to those listed in section 8(1)(d) that must accompany an application for an approval for the prescribed activity are stated in section 3 of the schedule relating to the prescribed activity.
- (d) 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.

- (e) For section 10 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.
- (f) 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.
- (g) For section 13(a) of the authorising local law, the term of an approval for a prescribed activity is provided in section 7 of the schedule relating to the prescribed activity.
- (h) 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.
- (i) For section 12 of the authorising local law, in Table 1 of the schedule relating to a prescribed activity—
 - (i) column 1 lists the application requirements for which the local government may accept as evidence the certificate of an independent certifier; and
 - (ii) column 2 lists the individuals or organisations that are declared to be independent certifiers for the corresponding application requirement in column 1; and
 - (iii) column 3 lists the qualifications that are necessary for an individual or organisation to be an independent certifier for the corresponding application requirement in column 1.

12. Repeal

The following subordinate local laws are repealed:

- (1) *Subordinate Local Law No. 1 (Administration) 2011;*
- (2) *Subordinate Local Law No. 2 (Animal Management) 2011;*
- (3) *Subordinate Local Law No. 3 (Community and Environmental Management) 2011;*
- (4) *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;*
- (5) *Subordinate Local Law No. 5 (Parking) 2011;*
- (6) *Subordinate Local Law No. 6 (Bathing Reserves) 2011;*
- (7) *Subordinate Local Law No. 59 (Commercial Use of Roads) 2002.*

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

Section 5(3)

This schedule has been intentionally left blank

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

Section 5(3)

This schedule has been intentionally left blank

Schedule 3 Categories of approval that are non-transferable

Section 7

- (a) Establishment and occupation of a temporary home.
- (b) Operation of temporary entertainment events.
- (c) Use of bathing reserves for training, competitions etc.
- (d) Commercial filming and photography.

Schedule 4 Prescribed Complementary Accommodation

Section 8

- (a) Demountable accommodation units.
- (e) Relocatable homes.
- (f) Other relocatable structures used for sleeping or lodging e.g. reconfigured train carriages.

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

Section 9

- (a) Macrossan Street, Port Douglas
- (b) Port Douglas Road, Port Douglas
- (c) Alchera Drive, Mossman
- (d) Front Street, Mossman

Schedule 6 Public place activities that are prescribed activities

Section 10

The following are public place activities that are prescribed activities.

- (a) Any fundraising activity including a street stall, cake stall, sausage sizzle, car wash or similar.
- (b) An invitation-only ceremony, party or celebration.
- (c) A right of occupation and use of a specified part of a park or reserve by a sporting association or recreational group.
- (d) A display, demonstration or information booth.

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

Section 11

1. Prescribed activity

Alteration or improvement to local government controlled areas and roads.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must also accompany an application for an approval—

- (a) full details of building or other work to be carried out under the approval;
- (b) the proposed commencement date and completion date for the construction of the building or other work to be carried out under the approval;
- (c) details of any impact upon traffic or pedestrian movement, and how any impacts will be managed or addressed;
- (d) details regarding compliance with relevant standards such as Australian standards or industry codes of practice; and

4. Additional criteria for the granting of approval

This section has been intentionally left blank.

5. Conditions that must be imposed on approvals

This section has been intentionally left blank

6. Conditions that will ordinarily be imposed on approvals

The approval holder, its contractors or agents must—

- (a) only carry out the approved works or activities at the location specified in the approval;
- (b) ensure unobstructed movement of vehicles and pedestrians;
- (c) operate within the hours specified on the approval;
- (d) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;

- (e) indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the works or activity;
- (f) lodge a security for performance bond in the amount decided by the local government and specified in the approval;
- (g) comply with any deadline for completion of the works or ceasing of the activity;
- (h) observe the standards specified in the approval in the carrying out the works or activity;
- (i) reinstate the area/road to the satisfaction of the local government's engineer following completion of the works or ceasing of an activity;
- (j) ensure the safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (k) comply with the requirements of relevant legislation, Australian standards and / or the FNQROC Development Manual; and
- (l) comply with all reasonable directions of an authorised person within the time specified by the authorised person.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in a renewal.

Schedule 8 Commercial use of local government controlled areas and roads

Section 11

1. Prescribed activity

Commercial use of local government controlled areas and roads.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a)** details of the nature, time, duration and place of the proposed activities for which the approval is sought;
- (b)** a site plan showing the relevant part of the land to be used for the prescribed activity including boundaries of the site, the outline of the buildings, emergency exits, exclusion zones, trees, public facilities and infrastructure and other obstructions;
- (c)** details of the type of signage which is intended to be displayed and the method intended to be used to ensure stability of the signage;
- (d)** if the activity is to operate from a vehicle, a copy of a current vehicle registration certificate; and
- (e)** details of all insurances relevant to the authority held by the person who will be undertaking the activity.

4. Additional criteria for the granting of approval

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

- (a)** Whether in the proposed activity would—
 - (i)** adversely affect existing services located in, on or over an area or road; or
 - (ii)** be in conflict with or not in accordance with any local government policy relating to the activity at the time of the application.
- (b)** Whether the applicant's proposed waste management strategy makes provision for the satisfactory collection, storage and removal of all waste generated by the proposed activity; and
- (c)** Whether the application provides documented evidence that the applicant holds a public liability insurance policy.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

- (1) For all approvals, the conditions that will ordinarily be imposed on an approval are as follows—
 - (a) Reasonable access to local government staff or contractors must be permitted at all times.
 - (b) The activity must be conducted in accordance with any standards of the local government applicable at the time of the approval.
 - (c) The approval must be displayed in a way that is visible to the public whilst conducting the activity.
 - (d) The approval must be produced for inspection on demand by an authorised person.
 - (e) A defined access point for emergency vehicles must be maintained at all times.
 - (f) If the approval authorises the approval holder to use a specified part of a local government controlled area or road for carrying on a business—
 - (i) pay rental specified in the approval to the local government at specified intervals; and
 - (ii) maintain the area where the activity takes place in clean, tidy and orderly condition.
 - (g) If the activity involves playing live or taped performances—
 - (i) a requirement that amplified music does not exceed a decibel limit determined by an authorised person.
 - (h) If the activity involves use of a footpath—maintain a clear unobstructed pedestrian corridor of not less than 1.5 metres or, in the case of high usage footpaths, a distance greater than 1.5 metres stipulated in the approval.
 - (i) The activity must only be conducted on the days and hours specified on the approval.
 - (j) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity
 - (k) the approval holder must indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the works or activity.

-
- (l) pay any costs or expenses incurred by local government to rectify any damage caused by the activity;
 - (m) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;
 - (n) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by the local government.
- (3) For an approval for itinerant vending, the additional conditions that will ordinarily be imposed are that the approval holder must not, unless authorised by an authorised person, park the vehicle used for that activity for a period longer than is necessary to serve a customer who has hailed down the vehicle.
- (4) For an approval for roadside vending, the additional conditions that will ordinarily be imposed are that the approval holder must—
- (a) not amplify, or cause to be made, any noise identifying, advertising or otherwise drawing attention to a roadside vending stall;
 - (b) keep the vehicle or stall and all goods contained therein or thereon, at all times in a clean, tidy and orderly condition;
 - (c) maintain the area in which the vending activity is conducted at all times in a clean and tidy condition.
- (5) For an approval for outdoor dining, additional conditions that will ordinarily be imposed on an approval are that the approval holder must—
- (a) comply with the plan approved by the local government (**approved plan**) depicting the area in which the outdoor dining activity is to take place;
 - (b) ensure all tables and associated furniture used for the purpose of outdoor dining are placed and shall remain at all times in the position as indicated on the approved plan;
 - (c) ensure that only the approved outdoor dining area shall be utilised at any time;
 - (d) ensure that an unobstructed clear width of at least 1.5 metres is maintained for pedestrian access at all times (which area shall also be clear of any signage and ancillary items);
 - (e) ensure all approved outdoor dining furniture is kept clean and tidy, suitable refuse containers are provided and the area is cleaned thoroughly at the end of each day the outdoor dining area is in operation;
 - (f) ensure all tables and associated furniture are secured at all times outside the business hours of operation;
 - (g) ensure any umbrellas are suitably weighted or fixed to the satisfaction of an authorised person, to ensure there is neither uplift, nor damage to property or person;

- (h) ensure any permanent structures erected in the vicinity of the outdoor dining are structurally sound, certified by an RPEQ and approved by the local government;
 - (i) ensure any outdoor dining furniture not approved by an authorised person is not placed on the footpath at any time;
 - (j) ensure any amendments to the approved plan, including any additional furniture shall be submitted for the prior approval of an authorised person;
 - (k) ensure that the approved area in which outdoor dining is to take place must not be used for any other purpose;
 - (l) ensure the footpath and road reserves used for outdoor dining purposes remain public spaces at all times, including when the outdoor dining activity is taking place, and that there is no obstruction of the movement of vehicles or pedestrians that would ordinarily use the space;
- (6) For an approval for displaying goods for sale on footpaths, additional conditions that will ordinarily be imposed on an approval are that the approval holder must—
- (a) provide an unobstructed clear width of a minimum of 1.5 metres for pedestrian access at all times;
 - (b) ensure all approved outdoor furniture is to be kept in a clean and tidy manner at all times;
 - (c) ensure that goods and associated furniture shall remain on the footpath only during the hours of operation of the business;
 - (d) ensure that footpath and road reserves the subject of an approval remain publicly accessible for the duration of the approval;
 - (e) ensure that all display racks and stands or other things used for the display of goods shall be constructed of such materials and be of such design so as not to cause any injury to any person or damage to any property.;
 - (f) maintain all display racks, stands and other items used in the display of goods in a clean, safe and well-maintained condition at all times.
- (7) For an approval for busking, additional conditions that will ordinarily be imposed on an approval are that the approval holder must unless the permittee of those activities has provided written consent to the busking activity—
- (a) not use any amplification equipment or cause to be made any unreasonable noise during the conduct of the busking activity;
 - (b) only conduct busking activities in the areas defined in the approval;
 - (c) not undertake busking activities closer than 10 metres from—
 - (i) any outdoor dining area;
 - (ii) any licenced venue; or
 - (iii) any market stall;

- (d) allow a minimum 1.5 metre pedestrian corridor parallel to any road or footpath;
 - (e) display their approval in a prominent and visible position at the busking site at all times during their acts;
 - (f) only perform between the hours specified on the approval;
 - (g) perform for a maximum of 2 hours at any one site;
 - (h) keep the busking site in a clean, tidy and orderly condition while they are busking;
 - (i) not offer goods and services for sale, display, demonstrate or advertise goods for sale or associate themselves with such advertising in conjunction with their performance (other than a compact disc or USB drive consisting of the busker's own work);
 - (j) not interfere with pedestrian flow or cause obstruction to traders or delivery vehicles, including by way of encouraging audience formation in such a manner as to cause such interference;
 - (k) not use dangerous implements and materials unless specifically prescribed in the approval.
- (8) For an approval for the landing of a helicopter, aircraft, parachute or other aircraft, additional conditions that will ordinarily be imposed on an approval are that the approval holder must—
- (a) accept full responsibility for the safe transportation of customers and all other persons undertaking the activity;
 - (b) provide information explanations, cautions and warnings to customers and all other persons undertaking the activity regarding the hazards likely to be encountered by them when the activity is undertaken;
 - (c) ensure that any motor vehicle, vessel, aircraft or other machinery used in connection with the activity, complies with all safety requirements and regulations and are operated in accordance with requirements, guidelines or recommendations published from time to time by the manufacturer and any State or Commonwealth authority;
 - (d) identify the points at which an operator is to access the site for the purpose of undertaking the commercial recreation activity;
 - (e) provide a site specific safety management plan;
 - (f) state the number of customers to be taken to the site at any one time; and
 - (g) obtain all necessary approvals required from the Civil Aviation Safety Authority and any other relevant authority or body.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in a renewal.

Schedule 9 Establishment or occupation of a temporary home

Section 11

1. Prescribed activity

Establishment or occupation of a temporary home.

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

Occupation of a temporary home on private land, by a person who ordinarily resides elsewhere or by a temporary visitor who has the consent of the owner or occupier of the private land, for a total period not exceeding 28 days in any calendar year, if proper sanitary facilities are maintained to the satisfaction of an authorised person for use by such person or temporary visitor.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) an appropriate development approval or building approval;¹
- (b) a drawing showing the design and dimensions of the proposed temporary home, separation distances, the boundaries of the site and where the temporary home will be located within the site;
- (c) details of the materials out of which the temporary home is (or is to be) constructed and other structural details of the temporary home;
- (d) details of the duration of proposed occupancy of the temporary home;
- (e) the number and names of each person who are to occupy the temporary home;
- (f) proposed water and electricity connections;
- (g) proposed on-site sewerage facilities, waste water disposal and refuse disposal; and
- (h) where the proposed temporary home is for the temporary on-site accommodation of an owner-builder or builder—
 - (i) verification that the applicant is an owner-builder or a builder who is a licensed builder; or
 - (ii) written confirmation that the applicant is subcontracting the work to a licensed builder under the applicant's supervision.

¹ See *Building Act 1975* (Qld), section 6.

4. Additional criteria for the granting of approval

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

- (a) That—
 - (i) the temporary home is not intended to be used as a permanent or indefinite place of habitation;
 - (ii) the temporary home will not be erected and used for a period of more than 12 calendar months; and
 - (iii) there is a current development and/or building approval to erect a dwelling on the relevant land which dwelling (or a part of which dwelling) will be used as a permanent or indefinite place of habitation.
- (b) The temporary home has a sufficient source of water supply and sufficient means of disposal of effluent and refuse to ensure that minimum standards of health and hygiene for safe human habitation can be established and maintained.
- (c) That the applicant is able to demonstrate an ability and capacity to construct a permanent dwelling within the term of the approval.

Example—

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

5. Conditions that must be imposed on approvals

This section has been intentionally left blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) substantial progress must be made towards the completion of the dwelling to be constructed on the land by a set date;
- (b) habitation must cease on the expiry of the approval;
- (c) toilet and laundry facilities must be provided as part of the temporary home;
- (d) water must be supplied to the temporary home as specified in the approval;
- (e) waste water and refuse must be disposed of in the way specified in the approval;
- (f) the construction materials and methods of construction of the temporary home but be consistent with the approval; and
- (g) painting and other external treatment of the temporary home or any part thereof, either at the stage of construction or at any later time must be consistent with the approval.

7. Term of approval

An approval commences on the date of issue and terminates on—

- (a) the date specified in the approval, being a date determined by the local government, but being not more than 12 months after the date of issue; or
- (b) on the issue pursuant to the *Building Act 1975* of the Form 21 Final Inspection Certificate for the new permanent residence constructed on the allotment where the temporary home is located,

whichever is sooner.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 10 Installation of advertising devices

Section 11

1. Prescribed activity

Installation of advertising devices.

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

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

- (a) an advertising device that is regulated by the local government's planning scheme; or
- (b) an advertising device that has been approved within another schedule; or
- (c) an exempt advertising device.

An exempt advertising device is an advertising device that satisfies all of the following requirements—

- (a) The advertising device is one of the types of advertising devices listed and defined in column 1 of table 1 to this schedule;
- (b) The form and placement of the advertising device is within the parameters prescribed for the relevant type of advertising device in column 2 of table 1 to this schedule;
- (c) The advertising device advertises a lawfully established business or activity;
- (d) Where the advertising device is to be placed beside a road, it is constructed of materials that can be easily broken, such as timber stakes;
- (e) The advertising device is not fixed or placed on traffic signs or light poles or other similar infrastructure; and
- (f) The advertising device does not-
 - (i) Distract road users
 - (ii) Obstruct road users' clear line of vision
 - (iii) Obstruct pedestrian or vehicle movement
 - (iv) Block official road signs
 - (v) Otherwise cause a hazard to road users
 - (vi) Cause property or vegetation damage (including not being nailed or tied to a tree);
 - (vii) Have a detrimental impact on the amenity of the area;
 - (viii) Cause environmental harm;

- (ix) Create an obstruction of a view or vista from any premises.

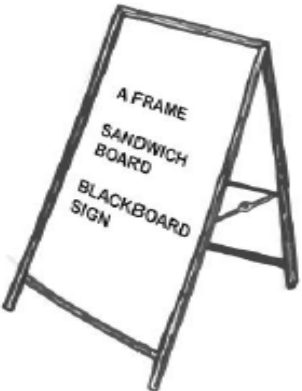
Table 1 – Exempt advertising devices (movable advertising devices not requiring an approval provided they are within prescribed parameters)

Column 1 Type of device and definition	Column 2 Prescribed parameters (Portable advertising devices displayed within these parameters do not require approval)
<p>Free Standing Flag sign: <i>any free standing flag-style advertising device including a feather banner or tear drop</i></p>	<p>The criteria prescribed for a Free Standing Flag sign are —</p> <ul style="list-style-type: none"> (a) the sign must not be located on a local government controlled area or road; and (b) the maximum height of the sign must not exceed 3.0 metres; and (c) the sign must only be displayed during the opening times of the activity to which the sign relates; and (d) only 1 sign may be displayed for the business or event being advertised; and (e) the sign must — <ul style="list-style-type: none"> (i) be positioned at least 600 mm from the kerb; and (ii) provide a clear pedestrian corridor of 1.5 metres.
<p>Awning Face Sign: <i>an advertising device painted or otherwise affixed flat to the face of an awning</i></p>	<p>The criteria prescribed for an Awning Face Sign are –</p> <ul style="list-style-type: none"> (a) the building on which the advertising device is proposed to be displayed must have a constructed awning; and (b) the advertising device must- <ul style="list-style-type: none"> (i) be contained within the outline of the fascia of the building; and (ii) not exceed 50mm in thickness; and (c) an awning face sign which is painted on to the face of an awning must not be illuminated; and (d) an awning face sign other than a painted on awning face sign – <ul style="list-style-type: none"> (i) may be illuminated internally; but (ii) must not be externally illuminated.

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Type of device and definition</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prescribed parameters</p> <p style="text-align: center;">(Portable advertising devices displayed within these parameters do not require approval)</p>
<p>Under Awning sign: <i>Is an advertising device affixed underneath, or suspended from, an awning or veranda</i></p>	<p>The criteria prescribed for an Under Awning sign must –</p> <ul style="list-style-type: none"> (a) have a minimum clearance of 2.4m between its lowest point and any adjacent road related area; and (b) not have a horizontal dimension greater than the width of the awning; and (c) be oriented at right angles to the front of the building on which it is displayed; and (d) not project beyond the awning or veranda to which it is affixed.
<p>Banner sign: <i>A temporary advertising device intended to be suspended from a structure or pole with or without supporting framework displaying an advertising device applied or painted to fabric or similar material of any kind</i></p>	<p>The criteria prescribed for a Banner sign are –</p> <ul style="list-style-type: none"> (a) the advertising device must only be displayed for short term promotional purposes; and (b) the advertising device must not have a face area in excess of 2.4m²; and (c) the advertising device may only be displayed for 14 days or less within any 90 day period prior to the function or occasion advertised on the advertising device; and (d) the advertising device must be affixed to a structure that will accommodate wind loadings for the area; and (e) the advertising device must not be affixed to a tree, lighting standard or power pole on a local government controlled area or a road; and (f) the advertising device must not be erected above the gutter line or on the roof of a building.
<p>Community Organisation sign: <i>Is a temporary, non-illuminated advertising device which</i></p>	<p>The criteria prescribed for a Community Organisation sign are –</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Type of device and definition</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prescribed parameters</p> <p style="text-align: center;">(Portable advertising devices displayed within these parameters do not require approval)</p>
<p><i>advertises a non-profit short term event such as a fete, fair, festival or similar event organised by a charitable, religious, educational, childcare or sporting organisation or a community service organisation</i></p>	<p>(a) if a community organisation sign takes the form of a banner, the same criteria are prescribed for the advertising device as are prescribed for a banner sign.</p> <p>(b) a community organisation sign must not be displayed for more than 14 days prior to the event advertised on the advertising device and must be removed within 48hrs of the event.</p>
<p>Site Community Organisation sign: <i>Is a community organisation sign which is displayed at the site of a fete, fair, festival or other similar event for the primary purpose of advertising the fete, fair, festival or similar event</i></p>	<p>The criteria prescribed for a Site Community Organisation sign are –</p> <p>(a) A site community organisation sign must not be displayed longer than 30 days prior to the event advertised on the advertising device and must be removed within 1 day of the event.</p>
<p>Directional Community Organisation sign: <i>Is a community organisation sign the primary purpose of which is to direct the public to the fete, fair, festival or other similar event advertised on the advertising device</i></p>	<p>The criteria prescribed for a Directional Community Organisation sign are –</p> <p>(a) The advertising device may be displayed –</p> <ul style="list-style-type: none"> (i) On the day of the event, and for a period not more than 3 days prior to the event advertised on the advertising device; and (ii) On a road related area, in the vicinity of the fete, fair or festival event; and <p>(b) The siting of the advertising device must not cause a pedestrian or vehicular hazard.</p>
<p>Garage Sale sign: <i>Is an advertising device of a temporary nature which –</i></p> <ul style="list-style-type: none"> (a) <i>Advertises a garage sale; and</i> (b) <i>Is displayed for directional purposes</i> 	<p>The criteria prescribed for a Garage Sale sign are –</p> <ul style="list-style-type: none"> (a) The advertising device must be located in the vicinity of the garage sale; and (b) The advertising device must be limited to a number reasonably necessary to identify the route to the garage sale; and (c) The advertising device may be displayed on the day of the event and for a period not more than 3 days prior to the event; and (d) The advertising device must not be located so as to cause a pedestrian or vehicular hazard.

Column 1 Type of device and definition	Column 2 Prescribed parameters (Portable advertising devices displayed within these parameters do not require approval)
Real Estate (Residential) sign: <i>a temporary advertisement to facilitate the sale, auction or rental of a residential property or properties</i>	The criteria prescribed for a Real Estate (Residential) sign are as follows— <ul style="list-style-type: none"> (a) the sign must not be positioned on a local government controlled area or road; (b) the maximum face of a sign must not exceed 2.16 m²; and (c) only 1 sign for each agent marketing the premises may be displayed on a property at any time and must be removed 14 days after the property is sold/leased/auctioned or rented; and (d) the sign must be fixed securely to a wall or fence or placed securely on the ground.
Real Estate (Commercial / Industrial) sign: <i>a temporary advertisement to facilitate the sale, auction or rental of commercial or retail or industrial property or properties</i>	The prescribed parameters for a Real Estate (Commercial / Industrial) sign are that the sign must— <ul style="list-style-type: none"> (a) not have a total face area that exceeds 5m² exhibited per street frontage of a property; and (b) where exhibited on a window, not exceed 2.16 m² per street frontage of a property or tenancy; and (c) be securely fixed to the premises; and (d) be removed from the premises within 7 (seven) days of the property reaching settlement or being leased; and (e) not be illuminated.
Statutory sign: <i>Is an advertising device exhibited pursuant to the authority or requirements of an Act</i>	The criteria prescribed for a Statutory sign are: <ul style="list-style-type: none"> (a) The advertising device must be exhibited in accordance with the requirements of the Act which requires the exhibition of the advertising device.
Trade sign: <i>Is a temporary advertising device which displays a trade person's activity on premises, for example, the activities of a pool builder</i>	The criteria prescribed for a Trade sign are: <ul style="list-style-type: none"> (a) A maximum of 1 sign per trade may be displayed on any premises.
Outdoor Dining sign:	The prescribed parameters for an Outdoor Dining sign are that the sign —

Column 1 Type of device and definition	Column 2 Prescribed parameters (Portable advertising devices displayed within these parameters do not require approval)
<i>signage displayed on dining furniture, such as umbrellas and wind breaks on the footway</i>	(a) must not exceed a maximum height of 1m and a maximum length equal to the length of the approved outdoor dining area; (b) must be constructed to withstand wind or other loads; and (c) must be removed at the end of each day; and (d) must not obstruct the safe movement of people on the footpath or create an obstruction or distraction to traffic.
<p>Portable Advertising Device: <i>Is a temporary portable self supporting sign which is free-standing and may be mounted on wheels to facilitate movement; and</i></p> <p>(a) <i>includes an A-Frame sign and a sandwich board; but</i> (b) <i>does not include a real estate sign</i></p> 	<p>The criteria prescribed for a portable advertising device are –</p> <p>(a) The sign must not be located on a local government controlled area or road; and (b) The sign must not exceed the following dimensions— (i) height of 0.9 m; and (ii) width of 0.6 m; and (iii) depth of 0.6 m at the base; and (c) a maximum of 1 sign per business, or 2 signs per business if the business premises has 2 road frontages can be displayed; and (d) the sign must be displayed adjacent to the business premises; and (e) the sign must be constructed to withstand wind or other loads; and (f) the sign must not have moving, rotating or animated parts, such as a spinning sign; and (g) the sign can only be exhibited during trading hours and cannot not be used for the display of merchandise. (h) the sign must be positioned— (i) on rateable land other than a public place</p> <p><u>Note:</u> All portable advertising signs placed on public land require an approval.</p>

3. Documents and materials that must accompany applications for approval

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

- (a) a colour photograph, drawing or diagram of the proposed advertising device;
- (b) a site plan indicating the placement of the device.

4. Additional criteria for the granting of approval

The following additional criteria for the granting of an approval—

Type of advertisement	Criteria
All advertisements, including those placed on local government controlled areas and roads	The advertisement — a) is structurally sound; and b) is coordinated and compatible in its contents, where there are multiple advertisements on site, with the other advertisements on site.

5. Conditions that must be imposed on approvals

The following conditions must be imposed on an approval—

- (a) the approval holder, its contractors or agents must—
 - (i) display only the sign for which approval was given;
 - (ii) secure the sign by removal and storage inside the premises proposed, at all times outside of the business hours of operation;
 - (iii) keep the sign positioned in accordance with the approved plan for the business premises;
 - (iv) display the portable advertisement only on the days and hours specified in the approval;
 - (v) adhere to safety standards;
 - (vi) comply with all requirements regarding size, area, height and location of the sign as specified in the approval;
 - (vii) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
 - (viii) indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in consequence or arising out of the activity; and
 - (ix) comply with all reasonable directions of an authorised person in the time specified by the authorised person.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) The approval holder will be responsible for maintaining the aesthetic appearance of the advertisement at all times and not permit the advertisement to degrade, deteriorate or become a safety hazard.
- (b) The advertisement must be capable of withstanding consequent wind or other loads.

- (c) The advertisement must not obstruct approved or permitted advertisements on adjoining properties or the vision of pedestrians or motorists.
- (d) The advertisement must not be fixed to trees, lighting poles or power poles or any other similar infrastructure.
- (e) The advertisement is not to be modified or relocated without approval (including conversion of the approved advertisement into a Third Party Advertising device).

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 11 Keeping of animals

Section 11

1. Prescribed activity

Keeping of animals.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) The species, breed, age and gender and any unique identification details of each animal for which the approval is sought.
- (b) The total number and type of animals that will be kept on the property.
- (c) A drawing showing the design and dimensions of any enclosure in which the animal or animals are to be kept.
- (d) Where the animal or animals are to be kept on multi-residential premises 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.
- (e) 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.
- (f) Whether the animals have been desexed.
- (g) The nature (including details of fencing) and location of the enclosure in which the animal or animals are to be kept.
- (h) The arrangements for disposal of waste generated by the animal or animals.
- (i) The location of water supply and any food storage areas.

4. Additional criteria for the granting of approval

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

- (a) The physical suitability of the land for the keeping of the animal.
- (b) Whether a proper enclosure is maintained on the premises in accordance with the requirements of Local Law No. 2 (Animal Management) 2020.

- (c) The animal would not cause nuisance, inconvenience, or annoyance to the occupiers of adjoining land.

5. Conditions that must be imposed on approvals

This section has been intentionally left blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) The approval holder must—
- (i) care for the animal in accordance with appropriate and reasonable standards;
 - (ii) keep the animal in enclosures that comply with reasonable standards;
 - (iii) comply with reasonable standards of hygiene;
 - (iv) ensure that the animal wears or displays an appropriate identifying tag;
 - (v) ensure that the animal does not cause nuisance, inconvenience or annoyance to others;
 - (vi) take specified action to protect against possible harm to the local environment; and
 - (vii) comply with all reasonable directions of an authorised person in the time specified by the authorised person.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 12 Operation of camping grounds

Section 11

1. Prescribed activity

Operation of camping grounds.

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

Nil

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) a scaled plan showing the boundaries of the camping ground, the division of the camping ground into camping sites and the separation distances;
- (b) a current certificate of compliance issued by the Queensland Fire and Rescue Service, and an electrical safety certificate of compliance;
- (c) details of the facilities to be provided for campers, including location and type;
- (d) details of sewerage disposal;
- (e) details of water quality, water supply reticulation and drainage;
- (f) the proposed maximum number of occupants;
- (g) details of waste management systems, and the position of all garbage receptacles;
- (h) details of the on-site nightsoil discharge points or pump out facilities for self-contained recreation vehicles;
- (i) projected average and maximum duration of stay of occupants;
- (j) details of a cleaning and maintenance schedule that specifies the frequency with which camping ground facilities are to be cleaned and maintained; and
- (k) details of public liability insurances held by the person operating the camping area.

4. Additional criteria for the granting of approval

Nil.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank

6. Conditions that will ordinarily be imposed on approvals

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

- (a) ensure a notice advising of the conditions is displayed at each public entrance to the camping ground to which the conditions apply;
- (b) provide at a distance of not more than 10 metres from any camp site, a waste water disposal facility which includes a tap and an impervious paved area of no less than 1 m² graded to a central drainage inlet and connected to a sewage or drainage system;
- (c) where bedding is supplied—
 - (i) ensure the bedding is provided in a clean and sanitary condition;
 - (ii) change and replace bedding whenever occupation of the accommodation changes;
- (d) for a premises not connected to a town water supply, the approval holder must provide the local government with documentation to demonstrate the private water supply used for any of the accommodation activities conducted on the premises is potable.
- (e) ensure that the maximum number people accommodated at the camping ground does not exceed the limit specified on any development approval;
- (f) provide and maintain a current site plan that shows camp sites and all facilities;
- (g) ensure that any changes or alterations to the approved plans with the local government for the operation of the camping ground receives prior approval from the local government and that such requests for approval be submitted in the appropriate format.
- (h) provide and maintain an adequate supply of water to the camping ground; and
- (i) supply and maintain an adequate supply of potable water for cooking, drinking, cleaning and personal hygiene;
- (j) ensure every outlet within the camping ground that receives non-potable water displays a permanent, prominent and legible sign “UNSUITABLE FOR DRINKING”;
- (k) for a premises not connected to a town water supply, the approval holder must provide the local government with documentation to demonstrate the private water supply used for any of the accommodation activities conducted on the premises is potable. The documented evidence must be provided in accordance with current Council requirements.
- (l) the implemented Water Management Plan (WMP) for the private water supply of the business must achieve the effective control of all microbial pathogens including *Cryptosporidium* and *Giardia*;
- (m) provide appropriate facilities for collection, storage and disposal of waste to the satisfaction of an authorised person;

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

Table A

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

- (q) in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet fixture and its compartment or cubicle is constructed, equipped and provided with access in accordance with AS1428, Code of Practice for Design Rules for Access by the Disabled (or other equivalent Australian Standard);
- (r) ensure all sanitary conveniences are constructed so as to ensure privacy to the satisfaction of an authorised person;
- (s) unless an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants separate ablutionary facilities as per Table B above;
- (t) ensure a shower or bath is installed—
 - (i) with separate drainage points for the discharge of water into the drainage system; and
 - (ii) in a separate compartment or cubicle which is constructed so as to ensure privacy to the satisfaction of an authorised person;
- (u) provide for the exclusive use of the occupants, laundry facilities in the ratio of 1 laundry tub and 1 clothes washing machine and 1 clothes hoist, or suitable length of clothes line, for every 20 sites or part thereof;
- (v) provide sewerage or a drainage system in conformity with the requirements of the local government for the carrying off and disposal of all wastes from every water closet fixture, urinal, ablutionary facility, laundry facility, camp kitchen and camp site;
- (w) provide an on-site manager, available at all times the camping ground is operating, and have provision for emergency contact;

- (x) provide the following kitchen facilities to enable occupants to prepare a substantial meal—
 - (i) one hand wash basin with hot and cold water delivered through a common outlet in each kitchen;
 - (ii) refrigerator space which is sufficient to meet the reasonable needs of the maximum potential number of occupants at the camping ground;
 - (iii) vermin proof dry food storage space which is sufficient to meet the reasonable needs of the maximum potential number of occupants at the camping ground; and
 - (iv) washing up sinks or dishwashers which are sufficient to meet the reasonable needs of the maximum potential number of occupants at the camping ground;
- (y) keep an up-to-date register of all persons accommodated at the camping ground. Such register must have the occupants forwarding contact details as well as name, address and site number;
- (z) ensure that each camp site is identified by a number displayed on or near the site; comply with all requirements contained within the current fire safety report from Queensland Fire and Rescue Services;
- (aa) if a swimming pool is provided for guests, keep such records as required by an authorised person;
- (bb) not alter or change the configuration of persons accommodated or amenities and facilities provided e.g. laundry, kitchen, showers, toilets, waste, without the prior written approval of the local government. Such requests for approval are to be submitted in the approved format.
- (cc) provide, at a distance not more than 10 m from any camp site, a waste water disposal point which is—
 - (i) provided with a tap; and
 - (ii) provided with an impervious paved area measuring not less than 1m x 1m and graded to a central drainage inlet which is connected to a sewerage or drainage system; and
- (dd) maintain a buffer zones between accommodation sites and roads, external boundaries, or facilities on the camping ground in accordance with the approved plans or approval;
- (ee) provide overhead and internal lighting in the camping ground in accordance with the approved plans or approval for specified hours; and
- (ff) maintain the site in such a manner so as not to inhibit the access, egress and transit through the camping ground of the emergency services and their vehicles, having regard to the minimum turning circles and height clearances of overhead structures.
- (gg) for premises not connected to a town water supply, implement a Water Management Plan (WMP) for the private water supply of the business. The WMP must include the following—
 - (i) a description of the water distribution system - e.g. water source, pumps, storage, treatment, and pipelines;

- (ii) operational procedures for the water distribution system - e.g. inspection and maintenance of pumps, filters and other associated equipment;
- (iii) identify hazards - e.g. flood areas, contaminated sites, animal holding/grazing areas, wastewater system, septic tank location;
- (iv) document the water supply use for the business - e.g. drinking, food preparation, cleaning and sanitation, clothes washing and irrigation;
- (v) records in association with the management and supply of potable water - e.g. chemical and microbiological testing, servicing and maintenance logs, deliveries from carted water suppliers;
- (vi) contingency plans for system failures or insufficient water supply - e.g. warning signs, bottled water, boil water procedures; and
- (vii) emergency contacts - e.g. Queensland Health, the local government's Environmental Health Officer or person occupying an equivalent position, plumber, electrician.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 13 Operation of cane railways

Section 11

1. Prescribed activity

Operation of cane railways.

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

Nil.

3. Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4. Additional criteria for the granting of approval

This section has been intentionally left blank.

5. Conditions that must be imposed on approvals

This section has been intentionally left blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) comply with the conditions of any other relevant approval issued under an Act;
- (b) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
- (c) indemnify the local government against claims for person injury (including death) and damage to property (including economic loss) arising by, through or in connection with the construction, operation or maintenance of the cane railway; and
- (d) comply with all reasonable directions of an authorised person within the time specified by the authorised person.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 14 Operation of caravan parks

Section 11

1. Prescribed activity

Operation of caravan parks.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

(a) a site plan drawn at a scale of 1:200 showing—

- (i) the immediate area of the proposed caravan park;
- (ii) the location within the local government area;
- (iii) the sites for the parking of caravans;
- (iv) the locations of the roads, buildings and structures situated on the caravan park;
- (v) the position of all water points;
- (vi) the position of all refuse containers;
- (vii) the position of all sanitary, ablution and laundry buildings;
- (viii) the position of all effluent and sullage water drainage lines and final disposal area or areas; and
- (ix) the nature and position of fire fighting facilities;

(b) details of the proposed administration and management of the caravan park;

(c) the name, address and contact details of the proposed resident manager of the caravan park; and

(d) the maximum number of persons who can be accommodated in the caravan park.

4. Additional criteria for the granting of approval

This section has been left intentionally blank.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) where bedding is supplied—
 - (i) keep bedding clean and in a sanitary condition; and
 - (ii) change and replace with clean bed linen whenever there is a change of occupation of the relevant accommodation site;
- (b) ensure a notice advising of the conditions is displayed at each public entrance to the caravan park to which the conditions apply;
- (c) provide copies of relevant approvals issues under another Act to an authorised person upon request.
- (d) ensure that the maximum number people accommodated at the caravan park does not exceed the limit specified on the approval;
- (e) maintain all facilities in the caravan park to a good standard of hygiene and safety to the satisfaction of an authorised person;
- (f) provide and maintain a current site plan that identifies all caravan sites and facilities;
- (g) comply with all requirements contained within the current fire safety report from Queensland Fire and Rescue Services;
- (h) ensure that each caravan site is identified by a number displayed on or near the site;
- (i) provide and maintain an adequate supply of water to the caravan park;
- (j) provide and maintain an adequate supply of potable water for drinking, cooking, cleaning and personal hygiene;
- (k) ensure every outlet within the caravan park that receives non-potable water displays a permanent, prominent and legible sign “UNSUITABLE FOR DRINKING”;
- (l) for a premises not connected to a town water supply, the approval holder must provide the local government with documentation to demonstrate the private water supply used for any of the accommodation activities conducted on the premises is potable. The documented evidence must be provided in accordance with current Council requirements.
- (m) for premises not connected to a town water supply, implement a Water Management Plan (WMP) for the private water supply of the business. The WMP must include the following—
 - (i) a description of the water distribution system - e.g. water source, pumps, storage, treatment, pipelines;
 - (ii) operational procedures for the water distribution system - e.g. inspection and maintenance of pumps, filters and other associated equipment;

- (iii) identify hazards - e.g. flood areas, contaminated sites, animal holding/grazing areas, wastewater system, septic tank location;
 - (iv) document the water supply use for the business - e.g. drinking, food preparation, cleaning and sanitation, clothes washing and irrigation;
 - (v) records in association with the management and supply of potable water - e.g. chemical and microbiological testing, servicing and maintenance logs, deliveries from carted water suppliers;
 - (vi) contingency plans for system failures or insufficient water supply - e.g. warning signs, bottled water, boil water procedures; and
 - (vii) emergency contacts - e.g. Queensland Health, the local government's Environmental Health Officer or person occupying an equivalent position, plumber, electrician;
- (n) the implemented Water Management Plan (WMP) for the private water supply of the business must achieve the effective control of all microbial pathogens including Cryptosporidium and Giardia;
 - (o) provide appropriate facilities for collection, storage and disposal of waste;
 - (p) not locate or permit accommodation at any place within the caravan park other than on a site approved by the local government;
 - (q) at all times keep the caravan park, its buildings, sanitary conveniences and other facilities in a clean, sanitary and safe condition to the satisfaction of an authorised person;
 - (r) unless an accommodation is fitted with a sanitary convenience, as a minimum standard provide for the exclusive use of the occupants separate sanitary conveniences for each sex in accordance with the Table B below;

Table B

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

- (s) in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet fixture and its compartment or cubicle is constructed, equipped and provided with access in accordance with AS1428, Code of Practice for Design Rules for Access by the Disabled (or other equivalent Australian Standard);
- (t) ensure all sanitary conveniences are constructed to ensure privacy to the satisfaction of an authorised person;

- (u) unless an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants separate ablutionary facilities, as per Table B above;
- (v) ensure a shower or bath facilities is installed—
 - (i) with separate drainage points for the discharge of water into the drainage system; and
 - (ii) in a separate compartment or cubicle which is constructed to ensure privacy to the satisfaction of an authorised person;
- (w) provide for the exclusive use of the occupants, laundry facilities in the ratio of 1 laundry tub and 1 clothes washing machine and 1 clothes hoist, or an equivalent length of clothes line, for every 20 sites or part thereof;
- (x) provide sewerage or a drainage system in conformity with the requirements of the local government for the carrying off and disposal of all wastes from every water closet fixture, urinal, ablutionary facility, laundry facility, camp kitchen and caravan or other accommodation site;
- (y) provide, at a distance not more than 10 m from any site, a waste water disposal point which is—
 - (i) provided with a tap; and
 - (ii) provided with an impervious paved area measuring not less than 1m x 1m and graded to a central drainage inlet which is connected to sewerage or drainage system;
- (z) provide an on-site manager, available at all times the caravan park is operating, and have provision for emergency contact;
- (aa) provide the following kitchen facilities at the caravan park to enable occupants to prepare a substantial meal—
 - (i) one hand wash basin with hot and cold water delivered through a common outlet in each kitchen;
 - (ii) refrigerator space which is sufficient to meet the reasonable needs of the maximum potential number of occupants at the caravan park;
 - (iii) vermin proof dry food storage space which is sufficient to meet the reasonable needs of the maximum potential number of occupants at the caravan park; and
 - (iv) washing up sinks or dishwashers which are sufficient to meet the reasonable needs of the maximum potential number of occupants at the caravan park;
- (bb) keep an up-to-date register of all persons accommodated at the caravan park. Such register must have the occupants forwarding contact details as well as name, address and site number;
- (cc) ensure all sites are clearly numbered;

- (dd) provide ground anchor points designed to withstand wind loads in accordance with Structural design actions, Part 2 Wind Actions (AS/NZS 1170:2:2011 or other equivalent Australian Standard) to enable tie-down of caravans, mobile homes, temporary buildings or any other accommodation;
- (ee) not alter or change the configuration of persons accommodated or amenities and facilities provided e.g. laundry, kitchen, showers, toilets or waste, without the prior written approval of the local government in the approved format.
- (ff) if a swimming pool is provided for guests, keep such records as may be required by an authorised person;
- (gg) maintain to the satisfaction of an authorised person buffer zones between accommodation sites and roads, external boundaries, or facilities on the caravan park;
- (hh) provide overhead and internal lighting in the caravan park to the satisfaction of an authorised person for specified hours; and
- (ii) maintain the site in such a manner and to the satisfaction of an authorised officer so as not to inhibit the access, egress and transit through the caravan park of the emergency services and their vehicles, having regard to the minimum turning circles and height clearances of overhead structures.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st of August, unless otherwise specified in the renewal.

Schedule 15 Operation of cemeteries

Section 11

1. Prescribed activity

Operation of cemeteries.

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

Local government owned or operated cemeteries.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) a drawing showing the design and dimensions of the proposed cemetery;
 - (i) details of the materials out of which the cemetery is (or is to be) constructed and other structural details of the cemetery;
 - (ii) details of the location of the cemetery;
 - (iii) if the applicant is not the owner of the land on which the cemetery / crematorium is located—the written consent of the owner;
 - (iv) a site plan drawn at a scale of 1:200 and showing the immediate area of the proposed cemetery and proposed burial plots, columbarium niches, walls or any associated structures, plots and layout; and
 - (v) details of the proposed administration and management of the cemetery.

4. Additional criteria for the granting of approval

This section has been left intentionally blank.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank

6. Conditions that will ordinarily be imposed on approvals

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

- (a) keep a publicly available register containing the following information about burials and cremations at the cemetery—
 - (i) sex of deceased;
 - (ii) date of death;

- (iii) age at time of death;
 - (iv) cause of death;
 - (v) date of burial or cremation;
 - (vi) location of burial site—grave number;
 - (vii) last known address; and
 - (viii) next of kin;
- (b) comply with the local government's policies about matters such as the exhumation or disturbance of human remains;
- (c) maintain the memorials and other buildings and structures in the cemetery to the satisfaction of an authorised person;
- (d) comply with the approval in relation to—
- (i) the hours when the cemetery may be open to the public;
 - (ii) the hours when burials and cremations may be conducted in the cemetery;
 - (iii) the size and position of grave sites; and
 - (iv) minimum periods of leases of grave sites.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 16 Operation of public swimming pools

Section 11

1. Prescribed activity

Operation of public swimming pools.

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

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

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

4. Additional criteria for the granting of approval

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

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

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) provide attendance and supervision at the swimming pool at all times, or at specified times by a person with appropriate qualifications and experience;
- (b) provide dressing rooms and facilities for showering and sanitation;
- (c) comply with the current Queensland Health water quality guidelines for public swimming facilities;
- (d) carry out tests at a frequency stated in an approval;
- (e) provide appropriate equipment for—
 - (i) emergency medical treatment and first aid; and
 - (ii) rescue of persons in difficulty; and
- (f) erect and display of notices providing information about basic life saving, resuscitation and first aid techniques; and warning about possible danger;
- (g) keep appropriate records as required by an authorised person of all testing and have it readily available for local government officers to view upon inspection;
- (h) install special equipment for filtering, purifying and recirculating the water as specified in the approval;
- (i) advise the local government in writing of any intention to empty a swimming pool, unless instruction has been received from the local government to do so;
- (j) allow an authorised person access to the premises stated in the approval at any reasonable time to inspect a swimming pool and associated equipment;
- (k) allow an authorised person to take samples of water from a swimming pool and have them analysed.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 17 Operation of shared facility accommodation

Section 11

1. Prescribed activity

Operation of shared facility accommodation.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) details of the facilities that are to be shared by persons for whom accommodation is provided;
- (b) a site plan of the allotment upon which the shared facility accommodation premises is located;
- (c) the maximum number of persons which will reside at the accommodation at any given time;
- (d) where applicable, the most recent building work carried out in respect of the premises for which approval was obtained under the *Building Act 1975*;
- (e) a statement as to the number of sleeping rooms in the premises, information to identify which rooms are the sleeping rooms and the number of beds in each sleeping room;
- (f) details of when the premises were last treated for vermin and insect pests; and
- (g) a floor plan of the premises.

4. Additional criteria for the granting of approval

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

- (a) Whether the approval includes a pest management plan, incorporating the—
 - (i) prevention of introduction of pests;
 - (ii) maintenance required to prevent harbourage of pests;
 - (iii) procedures to monitor the detection of the presence of pests;
 - (iv) intervention strategies when pests are detected; and
 - (v) record keeping pertaining to the plan.
- (b) Whether the premises will be suitable and convenient for operation as accommodation premises and will provide a proper standard of hygiene, safety and comfort.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) provide kitchen, clothes washing, clothes drying, bathroom, rooms, shower and toilet facilities and maintain such facilities in a good condition to the satisfaction of an authorised person;
- (b) provide furniture, fittings, equipment and chattels and maintain such items in a good condition to the satisfaction of an authorised person;
- (c) ensure that no cooking or facilities for cooking are allowed in any bedroom of the accommodation premises;
- (d) ensure that sleeping bags are not used to sleep on any bed in the accommodation premises;
- (e) provide a secure, lockable storage area for the purpose of storing occupants' packs and luggage;
- (f) ensure compliance with AS/NZ 4220:2010 Bunk beds and other elevated beds, or any subsequent standard;
- (g) ensure that in any bunk, the distance between the surface of—
 - (i) the lower bed and the base of the upper bed is at least 87 cm; and
 - (ii) the upper bed and the ceiling is at least 100 cm;
- (h) provide adequate under cover dining room seating for a minimum of 25% of the maximum potential number of occupants at the accommodation premises;
- (i) towels and bed linen supplied shall be replaced with clean towels and bed linen before a change of occupancy, or replaced every third day thereafter until occupancy has ceased; and
- (j) provide the following kitchen facilities at the accommodation premises to enable occupants to prepare a substantial meal—
 - (i) one hand wash basin with hot and cold water delivered through a common outlet in each kitchen;
 - (ii) refrigerator space which is sufficient to meet the reasonable needs of the maximum potential number of occupants at the accommodation premises;
 - (iii) vermin proof dry food storage space which is sufficient to meet the reasonable needs of the maximum potential number of occupants at the accommodation premises; and

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- (iv) washing up sinks or dishwashers which are sufficient to meet the reasonable needs of the maximum potential number of occupants at the accommodation premises;
 - (k) the approval may state—
 - (i) the approved use of the rooms; and
 - (ii) the number of beds that may be placed and the number of persons who may sleep—
 - in a specified room in the premises; or
 - in the premises as a whole;
 - (l) display a notice advising of the conditions of the approval at each public entrance to the shared facility accommodation to which the conditions apply; and
 - (m) comply with all applicable Australian Standards with respect to shared facility accommodation;
 - (n) ensure that the accommodation premises are kept in a clean and sanitary condition;
 - (o) ensure that the accommodation premises is maintained in a good state of repair and working order;
 - (p) ensure that all fixtures, equipment, fittings and furniture is kept in a good state of repair and working order;
 - (q) reside, or delegate an approved representative to reside, on the land at all times;
 - (r) keep a register which includes the following details—
 - (i) the name and address of each occupant;
 - (ii) the date of each occupant's arrival at and departure from the accommodation premises; and
 - (iii) the number of the bedroom and bed allocated to each occupant;
 - (s) keep a record of all fire safety management plans;
 - (t) keep a record of pest control;
 - (u) keep appropriate records for any swimming pool as required by that approval;
 - (v) keep an up-to-date site plan that identifies all rooms, bed allocation and communal facilities;
 - (w) ensure that all records and site plans are maintained and made available for perusal by an authorised person on request, and kept at the office at all times while the office is open in a fireproof safe located at the accommodation premises when the office is not open and saved and backed up electronically off site;

- (x) not make any changes or alterations to the accommodation premises without prior approval by local government with such application for approval to be submitted in writing in the approved format;
- (y) establish and maintain a clearly designated office;
- (z) ensure that occupants can contact emergency services at all times;
- (aa) provide shared or communal areas and facilities and maintain such areas and facilities in a good condition to the satisfaction of an authorised person;
- (bb) provide a set of clean sheets or clean sheet sleeping envelopes to each occupant on arrival at the accommodation premises;
- (cc) ensure all light fittings and other ceiling and wall projections (including ceiling and wall fans) are provided with safety guards or positioned so as not to be a danger to any occupants of a bedroom in the accommodation premises to the satisfaction of an authorised person;
- (dd) ensure all rooms are clearly numbered;
- (ee) provide and maintain an adequate supply of potable water for drinking, cooking, cleaning and personal hygiene;
- (ff) for a premises not connected to a town water supply, the approval holder must provide the local government with documentation to demonstrate the private water supply used for any of the accommodation activities conducted on the premises is potable. The documented evidence must be provided in accordance with current Council requirements.
- (gg) for premises not connected to a town water supply, implement a Water Management Plan (WMP) for the private water supply of the business. The WMP must include the following—
 - (i) a description of the water distribution system - e.g. water source, pumps, storage, treatment, pipelines;
 - (ii) operational procedures for the water distribution system - e.g. inspection and maintenance of pumps, filters and other associated equipment;
 - (iii) identify hazards - e.g. flood areas, contaminated sites, animal holding/grazing areas, wastewater system, septic tank location;
 - (iv) document the water supply use for the business - e.g. drinking, food preparation, cleaning and sanitation, clothes washing and irrigation;
 - (v) records in association with the management and supply of potable water - e.g. chemical and microbiological testing, servicing and maintenance logs, deliveries from carted water suppliers;
 - (vi) contingency plans for system failures or insufficient water supply - e.g. warning signs, bottled water, boil water procedures; and
 - (vii) emergency contacts - e.g. Queensland Health, the local government's Environmental Health Officer or person occupying an equivalent position, plumber, electrician.

- (hh) the implemented Water Management Plan (WMP) for the private water supply of the business must achieve the effective control of all microbial pathogens including *Cryptosporidium* and *Giardia*.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in an approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 18 Operation of temporary entertainment events

Section 11

1. Prescribed activity

Operation of temporary entertainment events.

Example—

Music festival.

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

Nil

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (e) details of the proposed event including the type and location of the event;
- (f) the number of persons invited to or likely to attend the event;
- (g) details about how the applicant proposes to manage the event, which must include (where relevant):
 - (i) community consultation plan;
 - (ii) an event operational plan;
 - (iii) a catering plan;
 - (iv) a security service plan;
 - (v) an emergency management plan;
 - (vi) an alcohol management plan;
 - (vii) a noise management plan;
 - (viii) a traffic management plan;
 - (ix) a waste management plan;
 - (x) a risk assessment and management plan;
 - (xi) a public safety plan
- (h) confirmation that the applicant has consulted with adjoining land holders to the event and persons in the vicinity of the event who may be affected by the event including noise emanating from the event and the comments received from that consultation;
- (i) details of the proposed shelter and shape to protect against environmental conditions;

- (j) confirmation of the ability of the general public to access and use the site concurrently with the proposed event;
- (k) details of the quality and condition of equipment to be used in the activity;
- (l) details of how the event will be accessed and in particular any impact upon roads or the use of roads;
- (m) location of any proposed parking to be used by attendees, including temporary parking;
- (n) if the business or activity is to operate from a vehicle—a full description of that vehicle and its registration number;
- (g) details of the type of signage which is intended to be displayed and the method intended to be used to ensure stability of the signage; and

4. Additional criteria for the granting of approval

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

- (a) The premises are suitable and convenient for use as a temporary entertainment venue taking into account the type of activity proposed, the numbers of persons expected or likely to attend the premises, the location and appearance of the premises and the means of entry and exit for persons and, where applicable, vehicles.
- (b) The operation of the temporary entertainment event must not unreasonably detract from the established amenity in the vicinity of the temporary entertainment event;
- (c) The premises must comply with environmental, health and safety standards;
- (d) the use of the venue must be a lawful use;
- (e) For an approval relating to the operation of a circus, an additional criterion is that the applicant demonstrates compliance with the National Consultative Committee for Animal Welfare (NCCAW) *Position Statement Number 26, Recommended National Circus Standards*.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) conduct a letter drop to residents in the vicinity of the property pursuant to a map attached to the approval (500 metre radius or some other distance determined by an authorised person). The letter must detail the nature of the event, date, hours of operation and contact details of the event organiser;
- (b) collect and dispose of any refuse generated during the operation of the activity;

- (c) ensure that food is only sold from licensed food premises and temporary food stalls are approved by local government. All food must be processed, prepared and packed in accordance with the provisions of the *Food Act 2006*;
- (d) have in place appropriate security arrangements for the duration of the event in and around the venue;
- (e) provide an adequate number of toilets to meet the reasonable needs of all attendees and staff to the satisfaction of an authorised person;
- (f) ensure that all toilets are to be maintained in a sanitary state during the event to the satisfaction of an authorised person;
- (g) ensure that pyrotechnics displays are carried out by an individual or corporation with the appropriate fireworks licence issued by the relevant statutory body or government department. A current public liability policy must also cover the approval holder, operator and local government in the sum determined by the local government;
- (h) ensure that structures including large tents, stage, lighting, sound towers and grand stands, are erected by suitably qualified persons and are approved by building certifiers where applicable;
- (i) ensure that all temporary electrical work is carried out in accordance with relevant Australian Standards or Industry Codes of Practice and a copy of any required certification is to be forwarded to the local government; and
- (j) ensure that noise, dust, excessive light or other adverse effects outside the temporary entertainment venue to any significant degree (unless such matters may be effectively abated by control measures);
- (k) only operate the event on the dates and times specified on the approval;
- (l) provide safe pedestrian and vehicular access to and from the site to the satisfaction of an authorised person;
- (m) provide appropriate access for emergency vehicles into the site at all times including access to the First Aid Station;
- (n) ensure the First Aid Station is attended by a qualified First Aid Officer at all times during the event;
- (o) ensure that adequate waste receptacles are placed around the venue to meet the reasonable needs of attendees; Clean-up of waste must be carried out within 24 hours of the event;
- (p) take specific measures to protect the safety of persons who may be involved in, or affected by, the use or activity authorised under the approval. This may include the use of approved safety barricading and signage regarding any fireworks display or aircraft landing;
- (q) reimburse the local government for any cost or expense it incurs in rectifying any damage caused or contributed to by the approval holder or by the conduct of the approved use or activity;
- (r) use the venue for the use / activity stated on the approval and for no other use / activity;

- (s) produce the approval for inspection by an authorised person on request;
- (t) obtain any other necessary approval, lease, licence or permit under any other Local Law, Act or Regulations that is required for the use or activities and such an approval, lease, licence or permit must remain valid for the period for which it is granted under this section;
- (u) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
- (v) indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the activity.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 19 Undertaking regulated activities regarding human remains— (a) disturbance of human remains buried outside a cemetery

Section 11

1. Prescribed activity

Undertaking regulated activities regarding human remains— (a) disturbance of human remains buried outside a cemetery.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) a written statement of reasons for the proposed exhumation;
- (b) an explanation of the applicant's relationship (if any) to the deceased;
- (c) written confirmation from a recognised undertaker that he or she is prepared to carry out the exhumation;
- (d) written consent to the proposed exhumation by the nearest living relative to the deceased;
- (e) a certified copy of the death certificate;
- (f) in the case of exhumation for the purposes of reinterment—details of the new burial place where reinterment is to take place; and
- (g) in the case of exhumation for the purposes of cremation—a completed declaration in accordance with the provisions of the *Cremations Act 2003* and the written approval of Queensland Health.

4. Additional criteria for the granting of approval

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

- (a) Whether the human remains have been buried for not more than 3 days or not less than 12 months.

5. Conditions that must be imposed on approvals

The following conditions must be imposed on approvals—

- (a) The disturbance of the human remains must only be carried out by a recognised undertaker.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) give notice to the local government of the disturbance of human remains to enable an authorised person to enter the land and inspect the grave;
- (b) remove all markers or means of identification on or around the grave if the human remains are removed from the grave and dispose of appropriately;
- (c) provide the local government with confirmation of the disturbance of human remains within 14 days of the event;
- (d) stipulate the day on which the disturbance of human remains may be performed; and
- (e) stipulate the hours between which the disturbance of human remains may be performed.

7. Term of approval

Not applicable.

Schedule 20 Undertaking regulated activities regarding human remains— (b) burial or disposal of human remains outside a cemetery

Section 11

1. Prescribed activity

Undertaking regulated activities regarding human remains— (b) burial or disposal of human remains outside a cemetery.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) details of the burial site or other place in which the remains are to be buried or placed;
- (b) details of when and how the remains are to be disposed of; and
- (c) the written consent of the owner of, and anyone else with a registered interest in, the land on which the remains are to be buried or placed.

4. Additional criteria for the granting of approval

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

- (a) whether there is a special family, personal or historical association between the deceased person and the place at which it is sought to bury the body of that person.

5. Conditions that must be imposed on approvals

Nil.

6. Conditions that will ordinarily be imposed on approvals

For all applications, conditions that will ordinarily be imposed on an approval are—

- (a) the approval holder must supply the Global Positioning System (GPS) coordinates of the grave to the local government, so that the details of the deceased person can be placed on the property record; and
- (b) the approval holder must to erect a marker or means of identification on or around the grave and stipulate the information required to be recorded on it; and
- (c) the approval holder must give notice to the local government of the preparation of the grave to enable an authorised person to enter the land and inspect the grave before the burial; and

- (d) the local government may—
 - (i) stipulate the day on which the burial may be performed; and
 - (ii) stipulate the hours between which the burial may be performed; and
 - (iii) regulate the manner of the preparation of the grave.

7. Term of approval

Not applicable.

Schedule 21 Undertaking regulated activities regarding human remains— (c) disturbance of human remains in a local government cemetery

Section 11

1. Prescribed activity

Undertaking regulated activities regarding human remains— (c) disturbance of human remains in a local government cemetery.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) a written statement of reasons for the proposed exhumation;
- (b) an explanation of the applicant's relationship (if any) to the deceased;
- (c) written confirmation from a recognised undertaker that he or she is prepared to carry out the exhumation;
- (d) written consent to the proposed exhumation by the nearest living relative to the deceased;
- (e) a certified copy of the death certificate;
- (f) in the case of exhumation for the purposes of reinterment—details of the new burial place where reinterment is to take place; and
- (g) in the case of exhumation for the purposes of cremation—a completed declaration in accordance with the provisions of the *Cremations Act 2003* and the written approval of Queensland Health.

4. Additional criteria for the granting of approval

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

- (a) whether the human remains have been buried for not more than 3 days or not less than 12 months.

5. Conditions that must be imposed on approvals

The following conditions must be imposed on an approval—

- (a) the approval holder must—
 - (i) remove and appropriately dispose of, any monuments on the existing grave; and
 - (ii) ensure that exhumation to be carried out by a recognised undertaker.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) preparation of the grave as prescribed in the approval;
- (b) only conduct the activity on the dates and time stipulated in the approval;
- (c) ensure that the coffin, body, ashes or other remains disinterred are removed under the supervision and to the satisfaction of the local government; and
- (d) ensure that the grave is opened and closed by the local government.

7. Term of approval

Not applicable.

Schedule 22 Undertaking regulated activities on local government controlled areas and roads— (a) driving or leading of animals to cross a road

Section 11

1. Prescribed activity

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

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

The following activities do not require approval under the authorising local law—

- (a) leading of horses across a road by a member of a horse or pony club;
- (b) where no more than 2 animals are being led by a single person; or
- (c) where the animals are being led or driven pursuant to an approval under another local law.

3. Documents and material that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

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

4. Additional criteria for the granting of approval

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

- (a) whether leading of animals would not unduly interfere with the proper use of the road, or create a safety hazard for users of the road.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
- (b) indemnify the local government against all claims and liability, including claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the activity;
- (c) only conduct the activity at the times and dates specified in the approval;
- (d) restrict the number of animals that may be driven or led across the road to the number stipulated in the approval;
- (e) implement all safety requirements specified in an approval ; and
- (f) exhibit warning notices and to take other precautions specified in the approval.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 23 Undertaking regulated activities on local government controlled areas and roads— (b) depositing or encroachment of goods or materials

Section 11

1. Prescribed Activity

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

Example—

Construction or placing of hoarding, installation of scaffolding, depositing of construction material such as bricks, timber, containers, skips etc.

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

Nil.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the application for an approval must be accompanied by—

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

4. Additional criteria for the granting of approval

This section has been left intentionally blank.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) lodge a security for performance of any requirement under this local law or any condition of approval;
- (b) only conduct the activity in the locations specified in the approval;

- (c) conduct the activity only during the hours specified in the approval;
- (d) ensure unobstructed movement of vehicles and pedestrians;
- (e) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
- (f) indemnify the local government against all claims and liability, including claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the works or activity;
- (g) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades to the satisfaction of an authorised person;
- (h) reinstate the road to its original condition upon ceasing the activity.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

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

Section 11

1. Prescribed Activity

Undertaking regulated activities on local government controlled areas and roads—(c) undertaking of a public place activity prescribed by subordinate local law.²

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

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

- (a) A cake stall, car wash, raffle stall or similar fundraiser where—
 - (i) the activity is held not more than 1 day in a calendar month;
 - (ii) the activity is on a footpath adjacent to a road, other than on a median strip;
 - (iii) the activity involves no furniture other than 1 table with a maximum diagonal length of 2 metres and 2 chairs;
 - (iv) there is a 1.5 metre unobstructed pedestrian access maintained at all times;
 - (v) there is no handling or sale of unpackaged food; and
 - (vi) there is no sale of live animals.

- (b) An invitation-only ceremony, party or celebration where-
 - a. the activity is attended by less than 50 people.
 - b. the activity does not require road closures;
 - c. the activity does not include amplified music;
 - d. the activity does not include temporary structures or furniture which is either greater than 10m² in area or greater than 3m in height;

² See schedule 4 of this subordinate local law for the list of activities prescribed as public place activities that require approval.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the application for an approval must be accompanied by—

- (a) a plan of the venue/location; and
- (b) a detailed statement of the nature of the activity; and
- (c) the dates and times the activity will be undertaken; and
- (d) if an approval is required under another law—a certified copy or other appropriate evidence of the approval.

4. Additional criteria for the granting of approval

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

- (a) The activity will not unduly interfere with the usual use and enjoyment of the area or road;
- (b) That the operation of the activity can be lawfully conducted on the site;
- (c) The operation of the activity does not unreasonably detract from the established amenity in the vicinity of the public place;
- (d) The premises or location is suitable for the prescribed activity taking into account the type of activity proposed, the numbers of persons expected to attend, the means of entry and exit for persons and, where applicable, vehicles.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

- (1) For all applications, conditions that will ordinarily be imposed on an approval are—
 - (a) The activity must only be conducted on the days and times, and at the specific locations or areas, specified in the approval;
 - (b) The approval must be displayed in the way stated in the approval and must be produced on demand by an authorised person;
 - (c) The approval holder must maintain a defined access point for emergency vehicles at all times;
 - (d) The approval holder must pay any fees specified in the approval to the local government;

- (e) The approval holder must maintain the area where the activity takes place in clean, tidy and orderly condition;
- (f) If the activity involves use of a footpath—a clear unobstructed pedestrian corridor of not less than 1.5 metres must be maintained;
- (g) The approval holder must comply with relevant workplace health and safety requirements;
- (h) The approval holder is to comply with any requirements specified in the approval to protect the safety of persons who may be involved in, or affected by, the use or activity authorised under the approval;
- (i) The approval holder must remove all rubbish created by the use or activity, and to ensure that the area used is kept in the same condition as before the use or activity commenced;
- (j) Where the local government incurs costs or expenses in rectifying any damage caused or contributed to by the approval holder or by the conduct of the approved use or activity, the approval holder must pay the amount of those costs or expenses to the local government;
- (k) The approval holder will use the location for the use or activity stated in the approval and for no other use or activity;
- (l) The approval holder will ensure that no glass or glass receptacles will be used at the location during the activity;
- (m) The approval holder must maintain any other necessary approval, lease, licence or permit under any other local law, Act or Regulation that is required for the use or activities for the duration of the activity;
- (n) The approval holder is responsible for the security of the venue and the security and safety of any property of the local government in or around the venue.
- (o) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
- (p) The approval holder must indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the activity.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 25 Undertaking regulated activities on local government controlled areas and roads— (c) film and television activities

Section 11

1. Prescribed Activity

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

Example—

Commercial filming/photography

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

Filming or photography undertaken only for personal use.

3. Documents and materials that must accompany applications for approval

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany applications for approval—

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

4. Additional criteria for the granting of approval

The additional criteria are as follows—

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

5. Conditions that must be imposed on approvals

This section has been intentionally left blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (b) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
- (c) indemnify the local government against all claims and liability, including claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the works or activity;
- (d) reinstate the area following the ceasing of the activity;
- (e) advise residents living adjacent to the location of the time, nature and scale of the activity at least 7 days before the activity commences;
- (f) vegetation must not to be disturbed or damaged;
- (g) inform the local government of any alterations to the activity schedule;
- (h) ensure a sufficient number of sanitary conveniences are available during the activity; and
- (i) fees are to be paid in accordance with the local government's current fees and charges schedule.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 26 Bringing or driving motor vehicles onto local government controlled areas

Section 11

1. Prescribed Activity

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

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

(Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2020 (section 6(2)).

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

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

3. Documents and materials that must accompany applications

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) the make, model and registration number of the motor vehicle to be driven;
- (b) the date and time and duration of bringing the motor vehicle onto the area;
- (c) the parts of the area where the motor vehicle will be driven; and
- (d) full details of the reasons for bringing the vehicle onto the area.

4. Additional criteria for the granting of approval

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

- (a) whether access by the vehicle will—
 - (i) unduly interfere with the usual use and enjoyment of the area;
 - (ii) impact on the natural resources and native wildlife of the area;
 - (iii) cause damage to the area; and
 - (iv) generate significant noise or dust or other significantly adverse effects on the surrounding neighbourhood or other users of the area.

5. Conditions that must be imposed on approvals

This section has been intentionally left blank.

6. Conditions that will ordinarily be imposed on approvals

For all applications, conditions that will ordinarily be imposed on an approval are that—

- (a) the approval will be valid only for the dates specified in the approval;
- (b) the approval will be valid only for the specific vehicle or type of vehicle specified in the approval;
- (c) the approval is not transferable;
- (d) the approval holder will comply with any restrictions specified in the approval regarding of the parts of the local government controlled area that may be accessed by vehicle and notwithstanding any contrary restrictions in the area;
- (e) the approval must be displayed on the dashboard of the vehicle while it is within the local government controlled area;
- (f) the approval holder must ensure the safety of other users of the local government controlled area arising from the carrying out of the approved activity;
- (g) the approval holder must give at least 24 hours notice of the vehicle access to affected neighbours of the area; and
- (h) the approval holder will be liable to pay to the local government the cost of rectifying any significant damage caused by the use of the vehicle in the area to the satisfaction of an authorised person.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st 0th day of August, unless otherwise specified in the renewal.

**Schedule 27 Bringing or driving prohibited vehicles onto
motor vehicle access areas**

Section 11

Intentionally left blank

Schedule 28 Use of bathing reserves for training, competitions etc.

Section 11

1. Prescribed Activity

To—

- (a) set apart a bathing reserve or a part of a bathing reserve for life-saving training on an exclusive basis; or
- (b) use any part of a bathing reserve for the conduct of a surfing competition, a life-saving competition or another aquatic activity. (*Local Law No. 6 (Bathing Reserves) 2020*, section 10(1)).

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

Nil.

3. Documents and materials that must accompany applications

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and material must accompany an application for an approval—

- (a) details of the activity proposed by the applicant;
- (b) details of any adverse environmental impact the proposed activity is likely to have on the bathing reserve;
- (c) details of any adverse impact the proposed activity is likely to have on the area surrounding the bathing reserve;
- (d) details of how and when existing facilities in the bathing reserve will be used for the purposes of the activity proposed in the application;
- (e) details of measures to be taken by the applicant to ensure that the proposed activity is not likely to have an adverse impact on the safety of persons who participate in the activity or the general public;
- (f) details of all equipment the applicant proposes to use;
- (g) details of the commencement and duration of the proposed activity;
- (h) a site plan of the area of the competition or activity, including car parks; and

4. Additional criteria for the granting of approval

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

- (a) whether—
 - (i) the activity is appropriate in the bathing reserve; and
 - (ii) the facilities in the bathing reserve are adequate for the activity proposed in the application.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

For all applications, conditions that will ordinarily be imposed on an approval are—

- (a) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
- (b) The approval holder must indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the activity;
- (c) The activity must only be carried out in the location specified in the approval;
- (d) The approval does not provide the approval holder with any exclusive rights to undertake the activity at the approved sites;
- (e) The activity must only be conducted during the hours specified in the approval;
- (f) Only approved equipment is to be used with the activity;
- (g) All reasonable and practicable steps are to be used to ensure that staff and customers access the approved activity area by the designated access and egress points; and
- (h) The approval holder must comply with all reasonable directions given by the local government or an authorised person regarding the use of any roads, jetties, foreshores or other means of accessing the approved activity area.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 29 Mooring or anchoring in the Port Douglas Boat Harbour

Section 11

1. Prescribed Activity

Mooring or anchoring a ship in a boat harbour.

Example—

Mooring a ship to a local government managed mooring or anchoring in the Port Douglas Boat Harbour.

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

Nil.

3. Documents and materials that must accompany applications

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and material must accompany an application for an approval—

- (a) full details of the ship to be moored including registered owner;

4. Additional criteria for the granting of approval

Nil.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

For all applications, conditions that will ordinarily be imposed on an approval are—

- (a) the approval holder must—
 - (i) pay all applicable fees in advance in accordance with local government's current fees and charges schedule;
 - (ii) be the owner of the ship;
 - (iii) notify the local government in writing of any change to the approval holder's address and contact telephone number, or changes to the ship's registration or insurance details within 48 hours of the change;

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- (iv) ensure that the ship is maintained in a safe condition at all times, and that it does not adversely affect the safety or amenity of any other user of the moorings, any other ship, or any other property;
 - (v) properly secure all lines, rigging, halyards and loose fittings on the ship;
 - (vi) securely moor or anchor a boat using mooring or anchor lines that are adequate and in good and serviceable condition;
 - (vii) comply with Maritime Safety Queensland's Extreme Weather Event Contingency Plan – Port Douglas;
 - (viii) adhere to relevant safety standards and the local government's policies as applicable and amended from time to time;
 - (ix) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
 - (x) indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising directly or indirectly from or in any way associated with the mooring of the approval holder's ship, or the approval holder's use of the mooring, except to such extent that the local government's own negligence has caused or contributed to the same;
 - (xi) give the local government written notice of any damage, loss or injury to the mooring, any person, ship or property located in the boat harbour caused or contributed to by the approval holder, the approval holder's ship, or any agent or invitee of the approval holder, within 48 hours of the damage occurring; and
 - (xii) immediately remove the ship from the mooring on the termination, suspension or cancellation of the approval.
- (b) the approval holder must not—
- (i) cause, permit or suffer any boom, spar or other projection to be rigged out of its stowed position so that it extends for a distance in excess of 1 metre from the side of the ship;
 - (ii) interfere with any fitting or appliance for any other purpose other than that for which such fitting or appliance is provided;
 - (iii) operate, manoeuvre, moor, anchor or sail a ship so as to create a danger, obstacle, impediment or inconvenience to others;

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- (iv) double moor or double up ships on a mooring;
 - (v) tie up or fasten ships to trees, markers, light poles, signage or anything other than an approved mooring;
 - (vi) discharge ship bilge, toilets, sinks and showers into the boat harbour;
 - (vii) carry out major boat maintenance, repairs, sanding, grinding, painting or refitting whilst a ship is moored in the boat harbour;
 - (viii) sub-let the mooring;
 - (ix) allow any activity or thing on or near the mooring which may be illegal, a nuisance, disturbance or annoyance to any person;
- (c) only the named ship is authorised to be moored at the mooring under the approval unless approval has been granted by an authorised person;
 - (d) the registration number, if applicable, and the current registration label of the ship must be clearly displayed on the ship at all times;
 - (e) the approval may not be transferred unless—
 - (i) the ship moored under the approval is registered to a new owner . Any such application for transfer must be lodged with the local government within 28 days of registration of the change of ownership of the ship;
 - (ii) the approval holder sells or disposed of the ship moored under the approval and acquires another ship of a similar size and type. Any such application must be lodged with the local government 28 days prior to the proposed mooring of the new ship;
 - (f) if the approval holder proposes to vacate the mooring for a period exceeding 28 days, the approval holder must notify the local government in writing. The local government may grant approval to another person to use the mooring for the intervening time period;
 - (g) the local government gives no warranty expressed or implied as to the adequacy or safety of the mooring. The approval holder uses the mooring at their own risk and further, the local government does not warrant that the mooring facility is safe in heavy, cyclonic, flood, tidal surge or other extreme weather conditions;
 - (h) if a moored ship is damaged or sinks, the approval holder is responsible for removing/salvaging the ship and for the clean up of any debris, spillage of fuel or other liquids from the ship;

- (i) the approval holder must comply with all lawful directions of an authorised person, which may include notification to remove the ship in the event of emergency, moorings maintenance or dredging operations;
- (j) the local government will not be liable for any cost or expense incurred by the approval holder complying with a direction of an authorised person to move a ship. Such costs or expenses may include the cost of alternative mooring, berthing or anchorage arrangements for the duration of any emergency, maintenance or dredging operations; and;
- (k) the approval holder must ensure the amenity of the surroundings and other occupiers is not adversely impacted by noise including, but not limited to excessively noisy running engines, motors and/or generators. Noise levels from ships are not to exceed those levels which apply to a residential area.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 30 Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee

Section 11

1. Prescribed Activity

Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee (*Local Law No.5 (Parking) 2020*, section 7(1)).

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

Nil.

3. Documents and materials that must accompany applications

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) location where the parking permit will apply and the reason why a permit is required;
- (b) period of time for which a permit is sought; and
- (c) details about the vehicle, such as registration number, vehicle make and type.

4. Additional criteria for the granting of approval

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

- (a) whether the approval—
 - (i) is needed because access to nearby premises is restricted or difficult;
 - (ii) relates to parking if building or construction work is being conducted or proposed at nearby premises.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

For all applications, conditions that will ordinarily be imposed on an approval are—

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- (a) the holder of an approval or the owner of the vehicle must return the identification label to the local government within 3 days after the expiration or revocation of the approval; and
 - (b) the approval holder must display the identification label prominently on the left hand side front of the vehicle affixed in close proximity to the vehicle registration label.
 - (c) the vehicle specified in the approval is used wholly or substantially for business or commercial purposes;
 - (d) the approval holder may only park in the area or areas designated in the approval;
 - (e) unless otherwise specified in an approval, the approval does not provide exclusive use of a parking area;
 - (f) the approval is valid within the local government area only;
 - (g) Parking bay approval—
 - (i) the approval holder is authorised to park only in the numbered bay to which they have been allocated;
 - (ii) the approval allows 24 hour, 7 days a week access to the parking bay;
 - (h) Business parking approval—
 - (i) a vehicle displaying a business permit may park in a metered or pay and display or regulated bays;
 - (ii) parking in a loading zone, no standing zone, no stopping zone, no parking zone, bus zone, taxi zone, emergency vehicle zones or disabled bays is not permitted;
 - (iii) business permit does not guarantee the availability of parking bays when a vehicle is moved out of a parking bays; and
 - (i) Residential parking approval—
 - (i) a vehicle displaying a residential permit may park in a metered or pay and display, or regulated bays;
 - (ii) parking in a loading zone, no standing zone, no stopping zone, no parking zone, bus zone, taxi zone, emergency vehicle zones or disabled bays is not permitted; and
 - (iii) residential permit will not guarantee the availability of parking bays when a vehicle is moved out of a parking bays.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 31 Parking in a loading zone by displaying a commercial vehicle identification label

Section 11

1. Prescribed Activity

Parking in a loading zone by displaying a commercial vehicle identification label (Local Law No.5 (Parking) 2020).

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

Nil.

3. Documents and materials that must accompany applications

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) the name, home address, telephone number and e-mail address of the applicant; and
- (b) the business name, address, telephone number and e-mail address of the applicant's business; and
- (c) the registration number, make, model and colour of the vehicle nominated in the application;
- (d) a copy of the current registration notice for the vehicle; and
- (e) the number of persons the vehicle is built to carry; and
- (f) details of the usage of the vehicle, including the—
 - (i) nature of goods carried in the vehicle; and
 - (ii) quantity of goods carried; and
 - (iii) hours that goods are carried; and
 - (iv) frequency with which goods will be loaded/unloaded.

4. Additional criteria for the granting of approval

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

- (a) Whether the approval is required for demonstrated business purposes.

5. Conditions that must be imposed on approvals

This section has been intentionally left blank.

6. Conditions that will ordinarily be imposed on approvals

For all applications, conditions that will ordinarily be imposed on an approval are—

- (a) A vehicle displaying a commercial vehicle identification label may park in a commercial loading zone for the purpose of loading or unloading for up to a maximum of 20 minutes unless otherwise stated;
- (b) When not parking in a loading zone, a commercial vehicle must comply with all applicable parking requirements;
- (c) The vehicle identification label must be affixed securely to the inside of the windscreen so it is clearly visible to a person outside the vehicle; and
- (d) The holder of a commercial vehicle approval must return the identification label to the local government within 3 days after expiration or revocation of the approval.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

Schedule 32 Carrying out works on a road or interfering with a road or its operation

Section 11

1. Prescribed Activity

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

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

Nil.

3. Documents and materials that must accompany applications

In addition to the documents and materials that must be provided under section 8 of Local Law No.1 (Administration) 2020, the following documents and materials must accompany an application for an approval—

- (a) full details of the proposed interference, alteration or improvement;
- (b) full details of interference, building or other work to be carried out under the approval;
- (c) the proposed commencement date and completion date for the interference, construction of the building or other work to be carried out under the approval;
- (d) details of any impact upon traffic or pedestrian movement, and how any impacts will be managed or addressed;
- (e) details on how the works or interference will be maintained;
- (f) details of all warning or similar signage erected during the works and whilst the interference is occurring;
- (g) the materials, equipment and vehicles to be used in the undertaking of the works or activity;
- (h) if the works is the installation of a grid on a road, or any other works that requires an installation of a thing on a road, an engineers report regarding the structural adequacy of the design of the grid or works to accommodate anticipated vehicle loadings;
- (i) details regarding compliance with relevant standards such as Australian standards or industry codes of practice; and

- (j) if the applicant is not the owner of land adjoining the proposed site for the works, the adjoining land holder's consent.

4. Additional criteria for the granting of approval

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

- (a) the prescribed activity must not result in—
 - (i) harm to human health or safety, including the safety of vehicular or pedestrian traffic;
 - (ii) property damage or loss of amenity;
 - (iii) unreasonable obstruction of vehicular or pedestrian traffic;
 - (iv) unreasonable prejudice to the proper maintenance of a road;
 - (v) environmental harm.

5. Conditions that must be imposed on approvals

This section has been left intentionally blank.

6. Conditions that will ordinarily be imposed on approvals

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

- (a) the interference, works or activity must not significantly—
 - (i) detract from the capacity of the road to provide a vehicular and, where relevant, pedestrian thoroughfare;
 - (ii) cause a nuisance or danger to any person or property;
 - (iii) obstruct access from the footway to kerbside parking;
 - (iv) affect the amenity of the area or the environment;
 - (v) affect existing services located in, on, over or adjacent to a road;
- (b) If the works or activities are the installation of a gate or grid in addition to the conditions above the following conditions must also be imposed—
 - (i) the approval holder must maintain the gate or grid in a condition that does not cause a potential safety hazard;
 - (ii) maintain the road, for a distance of 10 metres on each side of the gate or the grid 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;
- (c) exhibit specified signage warning traffic and pedestrians about the gate or grid on the road and maintain the signs unless or until the gate or grid is removed.
 - (d) location of such interference, works or activity;
 - (e) measures to ensure unobstructed movement of vehicles and pedestrians;
 - (f) duration or hours of operation of the activity;
 - (g) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
 - (h) the approval holder must indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the activity;
 - (i) lodgement of security for performance in amount determined by an authorised person;
 - (j) a deadline for completion of the works or ceasing of the activity;
 - (k) standards to be observed in the carrying out of the works or activity;
 - (l) reinstatement of the road by the approval holder to its original state following completion of the works or the ceasing of an activity; and
 - (m) requirements to ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades to the satisfaction of an authorised person;
 - (n) a requirement that the approval holder to enter into a binding contractual relationship with the local government regarding the maintenance and operation of the works or operation, and upon the activity ceasing, or the works no longer being required, the removal of the works by the approval holder.

7. Term of approval

An approval commences on the date the approval is granted and expires on the next 31st day of August, unless otherwise specified in the approval.

8. Term of renewal of approval

An approval that is renewed expires on the next 31st day of August, unless otherwise specified in the renewal.

9. 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
The structural adequacy of the design of the gird to accommodate anticipated vehicle loadings.		A professional engineer who is registered under the <i>Professional Engineers Act 2002</i> .

Schedule 33 Dictionary

Section 4

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

appropriate records, for a swimming pool, means a monitoring log sheet consistent with examples provided in the current Qld Health water quality guidelines for public swimming facilities, or otherwise considered appropriate by an Authorised Person.

banner advertisement means any advertisement—

- (i) suspended from any structure, tree or pole;
- (ii) with or without supporting frame work; and
- (iii) displaying an advertisement applied to paper, plastic or similar material, or fabric of any kind.

The term excludes symbolic flags of any institution or business.

bedding includes mattresses, pillows, bed linen, blankets and bed coverings.

blue card means a positive notice blue card issued under the *Commission for Children and Young People and Child Guardian Act 2000* (Qld).

bunting includes decorative flags, pennants and streamers.

busking means to play music or perform entertainment in a public place.

commercial means making or intended to make a profit.

emergency vehicle includes the following—

- (i) an ambulance;
- (ii) a fire-engine;
- (iii) a police vehicle; or
- (iv) another vehicle, including a tow truck, helicopter or mobile crane, if used in circumstances of an emergency.

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

filming and television production activities means audio or visual recording and associated activities for the purposes of cinema, television, the internet or another purpose specified in a subordinate local law, but does not include—

- (i) still photography, unless the photography is carried out:
 - (i) for a commercial benefit; and
 - (ii) is part of a fashion or sportswear shoot for a newspaper or other document as defined in the *Printing and Newspapers Act 1981* (Qld); or
- (ii) audio or visual recording of a wedding or other private celebration or event; or
- (iii) audio or visual recording for the purposes of reporting news, current affairs or sports; or
- (iv) any other film or photography production specified in a subordinate local law.

formal or organised sporting or recreational activity means an event or prearranged gathering organised by a club or association involving physical exertion and skill, undertaken competitively or for pleasure.

freestanding advertisement means an advertisement which—

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

itinerant vending means moving from place to place to sell goods or food.

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

grid means a structure designed to permit the movement of pedestrian or vehicular traffic along a road but prevent the passage of livestock.

mooring means a local government managed pile or buoy mooring in the Port Douglas Boat Harbour or any other boat harbours or marine facilities designated by the local government or under any Act.

owner, of an animal, means for the purpose of *Local Law No. 2 (Animal Management) 2020*—

- (i) the animal's registered owner;
- (ii) a person who owns the animal, in the sense of it being the person's personal property;
- (iii) a person who usually keeps the animal, including through an agent, employee or anyone else; or
- (iv) if a person mentioned in paragraphs (a) to (c) is a minor—a parent or guardian of the minor.

owner means in the case of—

- (i) a premises—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;
- (ii) a vehicle —the person in whose name the vehicle is registered within a State or Territory; and
- (iii) a property other than premises or a registered vehicle—the person who has a legal or beneficial interest in the property.

Planning Scheme means the Douglas Shire Council Planning Scheme gazetted on 2 January 2018 or such other planning scheme as the local government adopts from time to time.

potable water means water of a standard and quality that is acceptance for human consumption and complies with the Federal Government National Health and Medical Research Council's publication "*Australian Drinking Water Guidelines 2011*", or such other equivalent guideline or standard that may from time to time be the accepted guideline or standard published by the Federal Government for potable water quality

real estate advertisement means a temporary advertisement on-site, advising of the owner's intention to sell, lease, tender or auction the land and / or building.

roadside vending means—

- (i) the commercial supply of goods or services from a vehicle or place on a road; or
- (ii) the setting up on, or bringing onto a road of a stall, vehicle, equipment or other thing for the commercial supply of goods or services.

sale includes—

- (i) to sell;
- (ii) sell for resale;
- (iii) intend for sale;
- (iv) offer, or expose for sale;
- (v) agree or attempt to sell;
- (vi) receive, keep or have in possession for sale;
- (vii) cause licence to be sold or offered or exposed for sale;
- (viii) send, forward for sale or deliver for sale;
- (ix) provide a sample;
- (x) barter;
- (xi) supply or have available for supply;
- (xii) already sold or supplied;
- (xiii) provide for analysis; or
- (xiv) authorise, direct, cause, suffer or licence any of the above acts.

sell means sell by retail, wholesale or auction, and includes—

- (i) offer to agree to sell; and
- (ii) invite to treat or expose for sale;
- (iii) cause or permit to be sold; and
- (iv) supply under a lease, exchange, hiring or other commercial arrangement.

sign means a device that publicises a matter.

social or community event means a gathering of people in excess of 50 people at any one place for a social or community purpose.

street stall means a table, tent or similar temporary device or structure on a local government controlled area, road or footpath from which goods, services or information is distributed for a purpose of, or connected with any business, calling or employment.

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

temporary advertisement means an advertisement which, by its nature, is intended to be in place for only a limited amount of time, not exceeding 3 months. The term includes—

- (i) a political advertisement;
- (ii) a real estate advertisement; or
- (iii) an advertisement for the sale, lease, tender or auction of a product.