

Mount Isa City Council

Subordinate Local Law No. 1 (Administration) 2018

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Mount Isa City Council Subordinate Local Law No. 1 (Administration) 2018*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2013*, which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) to provide 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) 2013* (the ***authorising local law***).

4 Definitions

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

Part 2 Approvals for prescribed activities

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

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

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

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

- (a) the prescribed activities listed in part 1 of schedule 2 are category 1 activities; and
- (b) the prescribed activities listed in part 2 of schedule 2 are category 2 activities; and
- (c) the prescribed activities listed in part 3 of schedule 2 are category 3 activities.

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

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

8 Prescribed complementary accommodation-Authorising local law, schedule 1

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

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

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

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

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

11 Matters regarding prescribed activities-Authorising local law, ss6(3), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) For each prescribed activity, a schedule prescribes the matters specified in this section for the prescribed activity named in section 1 of the schedule.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to an activity stated in section 2 of the schedule relating to the prescribed activity.
- (3) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of the schedule relating to the prescribed activity.
- (4) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for a prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of the schedule relating to the prescribed activity.
- (5) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for a prescribed activity are stated in section 5 of the schedule relating to the prescribed activity.
- (6) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for a prescribed activity are stated in section 6 of the schedule relating to the prescribed activity.
- (7) For section 13(a) of the authorising local law, the term of an approval for a prescribed activity is provided for in section 7 of the schedule relating to the prescribed activity.
- (8) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for a prescribed activity is provided for in section 8 of the schedule relating to the prescribed activity.
- (9) For section 12 of the authorising local law, in table 1 of the schedule relating to a prescribed activity—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

Part 3 Miscellaneous

12 Repeal

This subordinate local law repeals *Subordinate Local Law No. 1 (Administration) 2013*.

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

Section 5

No activities stated.

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

Part 1 Category 1 activities

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

- (a) Alteration or improvement to local government controlled areas and roads
- (b) Establishment or occupation of a temporary home
- (c) Installation of advertising devices
- (d) Keeping of animals
- (e) Use of bathing reserves for training, competitions etc
- (f) Operation of cane railways

Part 2 Category 2 activities

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

- (a) Commercial use of local government controlled areas and roads
- (b) Undertaking regulated activities regarding human remains
- (c) Undertaking regulated activities on local government controlled areas and roads
- (d) Operation of camping grounds
- (e) Operation of caravan parks
- (f) Operation of cemeteries
- (g) Operation of public swimming pools
- (h) Operation of shared facility accommodation
- (i) Operation of temporary entertainment events

Part 3 Category 3 activities

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

No activities stated.

Schedule 3 Categories of approval that are non-transferable

Section 7

Prescribed activity that the local government wishes to be non-transferable, include—

- (a) keeping of animals.

Schedule 4 Prescribed complementary accommodation

Section 8

Complementary accommodation that is approved for all caravan parks within the local government's area. These types of accommodation will therefore be covered by an approval to operate a caravan park.

Including accommodation in—

- (a) demountable accommodation units.

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

Section 9

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

Schedule 6 Public place activities that are prescribed activities

Section 10

The following public place activities are prescribed activities —

- (a) an invitation-only ceremony, party or celebration attended by more than 20 people; or
- (b) a food stall, car wash or similar fundraiser held on no more than 1 day; or
- (c) a training event held on no more than 1 day; or
- (d) a training event held on more than 1 day without payment of a fee; or
- (e) a display, demonstration or information booth; or
- (f) a right of occupation and use of a specified part of a park or reserve by a sporting association; or
- (g) a procession associated with a special event usually occurring on a single day.

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

Section 11

1 Prescribed activity

Alteration or improvement to local government controlled areas and roads

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

- (1) Subject to subclause (2), an approval under the authorising local law is not required for any of the following activities, provided that the activity, in the opinion of an authorized person, is not likely to create a risk to public health, safety and amenity or cause environmental nuisance or harm—
 - (a) vegetation maintenance by a person of a footpath area immediately adjacent to the person's property;
 - (b) vegetation maintenance by a person of an area of up to 1.5 metres from the person's side or rear property boundary;
 - (c) tree planting by a person on the footpath area immediately adjacent to the person's property in the following circumstances—
 - (i) no more than three trees are planted per road frontage for an urban property, 5 trees per corner property; and
 - (ii) the trees are listed as a preferred tree species in the local government's Road Reserve Policy, or such other policy that may apply to tree planting on footpath areas from time to time; and
 - (iii) the trees do not obstruct visibility of vehicular traffic; and
 - (iv) the trees are not planted over or under infrastructure and will not be likely to impact on infrastructure;
 - (v) must be maintained and kept in a way that does not compromise the safety of others and the overall amenity of the area;
 - (d) maintenance of a driveway access;
- (2) An activity mentioned in subclause (1) does not require approval only if it complies in all respects with the local government's Road Reserve Policy, or such other policy that may apply to the activity.
- (3) In this section— vegetation maintenance means—
 - (a) mowing, slashing or edging grass; or

- (b) trimming vegetation; or
- (c) removing weeds; or
- (d) removing falling branches; or
- (e) watering vegetation.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by—

- (a) the approved form; and
- (b) the relevant fee; and
- (c) the name and address of the applicant; and
- (d) if the applicant is a body corporate or a partnership, the name and address of an individual who is authorised by the applicant to act on its behalf; and
- (e) full details of the proposed alteration or improvement; and
- (f) if the applicant proposes to erect or install a structure on, over or under the road— plans and specifications of the structure; and
- (g) details of building or other work to be carried out under the approval.

4 Additional criteria for the granting of approval

For alteration or improvement to a local government controlled area, the alteration does not, in the opinion of the local government—

- (a) unduly interfere with the usual use of the area or the amenity of the area;
- (b) result in:
 - (i) harm to human health or safety; or
 - (ii) property damage or loss of amenity; or
 - (iii) nuisance; or
 - (iv) obstruction of vehicular or pedestrian traffic; or
 - (v) environmental harm; or
 - (vi) environmental nuisance; or
- (c) adversely affect the amenity of the area in which the prescribed activity is to be undertaken;
- (d) prevent pedestrians from walking safely along the footpath area in preference to walking on the roadway, regardless of whether a footpath has been constructed or not.

- (e) prevent the local government or any other authority from installing new services or maintaining existing services;
- (f) prevent the area from properly draining;
- (g) inhibit, or potentially inhibit or interfere with adequate street lighting;
- (h) deter from the aesthetics of the verge and surrounding area.

5 Conditions that must be imposed on approvals

The conditions of an approval must—

- (a) require compliance with specified safety requirements; and
- (b) require the holder of the approval to carry out specified additional work such as earthwork and drainage work; and
- (c) regulate the time within which work must be carried out; and
- (d) require the holder of the approval to give the local government specified indemnities; and
- (e) require the holder of the approval to take out specified insurance indemnifying persons who may suffer personal injury, or loss or damage, as a result of the work; and
- (f) require the holder of the approval to maintain structures erected or installed, or vegetation planted, under the approval in good condition; and
- (g) require the holder of the approval to remove a structure erected or installed under the approval at the end of a stated period.

6 Conditions that will ordinarily be imposed on approvals

The local government may impose the following conditions on an approval:

- (1) The approval holder must comply in all respects with the local government's Road Reserve Policy, or such other policy that may apply to the activity.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank.

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

An approval is not required under this local law for —

- (a) a business on part of a road if the person carrying on the business is authorised by a permit under the *Land Act 1994* to occupy the relevant part of the road for carrying on the business; and
- (b) a person who is authorised to carry on a business under the *Transport Infrastructure Act 1994*; and
- (c) using a road for a particular purpose if the use constitutes development under the *Planning Act 2016*.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by—

- (a) details of the nature, time and place of the proposed activities for which the approval is sought; and
- (b) if the applicant wants to use a particular part of a road for serving food or drink or for other business purposes—a plan showing the relevant part of the road; and
- (c) details of the type of signage which is intended to be displayed and the method intended to be used to ensure stability of the signage.

4 Additional criteria for the granting of approval

The local government may grant an approval if satisfied that—

- (a) the activities for which the approval is sought would not unduly interfere with the proper use of a road; and
- (b) the activity would not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (c) the activity would not adversely effect the amenity of the surrounding area.

5 Conditions that must be imposed on approvals

The conditions of an approval must include conditions that—

- (a) restrict activities under the approval to specified days and times; and
- (b) prohibit or limit activities under the approval during periods of poor visibility; and
- (d) limit the activities authorised by the approval to a single specified location or to a specified area; and
- (d) require the approval holder to display the approval in a specified position or to produce the approval for inspection on demand by an authorised person or, if the approval relates to a State-controlled road, a person authorised by the chief executive; and
- (e) require the approval holder to take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
- (f) require the approval holder to take out insurance against personal injury or property damage resulting from activities authorised by the approval; and
- (g) require the approval holder to take specified measures to ensure that the activities authorised by the approval do not cause a nuisance; and
- (h) if the approval relates to an activity on a State controlled road—require the approval holder to indemnify the State; and
- (i) if the approval authorises the approval holder to use a specified part of a road for carrying on a business—require the approval holder to pay specified rental to the local government at specified intervals.

Example of a condition under subsection (2)(g)-

If an approval authorises use of a road for serving food or drink, the condition could, for example, require the approval holder to provide and maintain receptacles for waste and to clean the area thoroughly at the conclusion of business on each day.

6 Conditions that will ordinarily be imposed on approvals

Conditions that will ordinarily be imposed on approvals may require the approval holder to dispose of waste in a particular way.

7 Term of approval

An approval will be granted or renewed for—

- (a) in the case of an application for an approval for a single occasion – the period stated in the approval; or
- (b) in the case of an application for an approval to continually operate a commercial activity on roads – until the next 30 June following the grant or renewal of the approval.

8 Term of renewal of approval

Left intentionally blank.

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

Left intentionally blank.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by—

- (a) a drawing showing the design and dimensions of the proposed temporary home; and
- (b) details of the materials out of which the temporary home is (or is to be) constructed and other structural details of the temporary home; and
- (c) details of the location of the temporary home; and
- (d) if the applicant is not the owner of the land on which the temporary home is (or is to be) located—the written consent of the owner.

4 Additional criteria for the granting of approval

Left intentionally blank

5 Conditions that must be imposed on approvals

The conditions of an approval must—

- (a) regulate the design, dimensions, construction, and external appearance of the temporary home; and
- (b) require the provision of specified facilities for personal hygiene and sanitation, and for washing and drying clothes; and
- (c) require the holder of the approval to provide specified equipment, or take specified action, to ensure that the temporary home is adequately supplied with water; and
- (d) regulate the disposal of waste water and refuse from the temporary home; and
- (f) require the holder of the approval to dismantle and remove the temporary home by a specified date.

6 Conditions that will ordinarily be imposed on approvals

Conditions will ordinarily be imposed on an approval requiring—

in good order and repair; and

- (b) the approval holder to ensure that the home is not unsightly or unhygienic.

7 Term of approval

An approval is granted for a term of up to 12 months specified in the approval.

An approval comes to an end when—

- (a) the term of the approval ends; or
- (b) the permanent residence becomes fit for occupation; (whichever happens first).

8 Term of renewal of approval

Left intentionally blank.

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 the prescribed activity if the advertising device is –

- (a) installed, erected and displayed in accordance with the general and prescribed criteria specified in Table 2, provided that Table 1 confirms that an approval is not required for the installation of the advertising device; and
- (b) installed, erected and displayed in accordance with the zone categorization criteria specified in Table 1.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by—

- (a) Full details of the proposed advertising device including –
 - (i) the name and address of the premises at which the proposed advertising device will be installed; and
 - (ii) the name and address of the person responsible for the installation of the advertising device; and
 - (iii) the name and address of any business which will be advertised on the advertising device.
- (b) Details of all building work and other work to be carried out under the approval;
- (c) Details of the time and place at which the prescribed activity will be undertaken;
- (d) The proposed term of the approval;
- (e) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic;
- (f) The materials, equipment and vehicles to be used in the undertaking of the prescribed activity;
- (g) Plans and specifications detailing –
 - (i) the location of the proposed advertising device and how it is to be affixed; and
 - (ii) each item of equipment to be used in the installation, erection or display of the proposed advertising device; and

- (iii) the type and location of any utility, service or infrastructure to be used in the installation, erection or display of the proposed advertising device; and
 - (iv) particulars of the content, design, dimensions, materials and construction of the proposed advertising device; and
 - (v) a site plan, to scale, of the proposed advertising device; and
 - (vi) if the applicant is not the owner of the premises on which the proposed advertising device is to be installed, erected or displayed, the consent of the owner of the premises to the installation, erection and display of the advertising device; and
 - (vii) a pictorial presentation of the proposed advertising device; and
 - (viii) where necessary, an engineer's certification of the structural adequacy of the device with reference to wind velocity loadings; and
 - (ix) for election signs, particulars of the signs, details of where the signs are to be located and when they will be erected and removed; and
 - (x) the duration of the temporary advertising device;
 - (xi) underground services, as identified and located via the 'Dial before you dig 1100' function.
- (h) Any other material reasonably required by the local government.

Note: The display of an advertising device which is placed on, or visible from, a State-controlled road may –

- (a) *be regulated under the Roadside Advertising Guide of the Department of Transport and Main Roads; and*
- (b) *also require an approval from the Department.*

4 Additional criteria for the granting of approval

The local government must be satisfied that–

- (a) the proposed advertising device is structurally sound; and
- (b) the device will not obstruct or distract pedestrian or vehicular traffic in an unsafe manner; and
- (c) the device will not unreasonably obstruct views; and
- (d) the effect on amenity will not be detrimental; and
- (e) the device is consistent with surrounding buildings and environment.

5 Conditions that must be imposed on approvals

- (1) The installation, erection and display of the proposed advertising device must comply with the general and prescribed criteria specified in Table 1 and Table 2.
- (2) The advertisement content must not, in the opinion of the local government, be offensive;

- (3) The approval holder must take out and maintain public liability insurance cover in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the prescribed activity.
- (4) Unless otherwise specified in Table 2, all signs that protrude over a footpath by more than 50 mm shall be a minimum of 2.4 metres above the footpath, measured from the underside of the sign.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) that the approval holder ensure that at all times during its existence, the advertisement complies in all respects with all relevant town planning and/or building approvals; and
- (b) that the approval holder ensure that at all times during its existence, the advertisement is maintained in good repair and sightly appearance; and
- (c) upon cessation of the business or activity to which the advertisement refers, the advertising device must be removed and the site made good within thirty (30) days of the last day on which the business or activity operated; and
- (d) the illumination of an advertising device must not cause any nuisance or distraction to traffic to the satisfaction of an authorised person; and
- (e) that the approval holder must comply with specified safety requirements; and
- (f) that the approval holder must adhere to any conditions about the times of day and dates at which the prescribed activity must be carried out; and
- (g) that the approval holder must—
 - (i) carry out specified additional work such as earthwork and landscaping; and
 - (ii) give the local government specified indemnities; and
 - (iii) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
 - (iv) remove a structure erected or installed, under the approval, at the end of a stated period; and
 - (v) exhibit specified signage warning about the conduct of the prescribed activity; and
 - (vi) construct the advertising device from specified materials; and
 - (vii) maintain the advertising device in good order and repair; and
 - (viii) install the advertising device at a specified location, or in a specified manner; and
 - (ix) take specified measures to illuminate, or control the illumination of, the advertising device; and
 - (x) restrict the dimensions of the advertising device; and
 - (xi) That the approval holder ensures that –
 1. the advertising device does not interfere with any underground

utility;

2. the advertising device must not cause damage to public infrastructure;
3. the advertising device does not interfere with a road or its operation;
4. no portion of the advertising device projects over the carriageway or any surface used by motor vehicles;
5. unless otherwise specified in Table 2, the advertising device is situated at least 1 metre from a kerb alignment;
6. the advertising device is not located in a place that is likely to distract motorists, restrict sight distances on approaches to intersections, cause unsafe movement or obstruction, restrict the visibility of other signs such as official traffic signs or other road signage or otherwise impact on safety;
7. the advertising device is not located in a place that is likely to cause a safety hazard, not impede clear sign lines for pedestrian crossings, create unsafe movement or obstruction to other traffic (for example, pedestrians or cyclists);
8. not obstruct the view or access to property or cause pedestrians to need to move out from any shelter or from a footpath.

7 Term of approval

The term of the approval must be specified in the approval.

8 Term of renewal of approval

Left intentionally blank.

9 Definitions

In this schedule, the following terms have their corresponding meanings:

advertiser means a person—

- (a) by whom an advertising device is installed, erected or displayed; or
- (b) whose business or place of business is advertised by an advertising device; or
- (c) who manages and controls, or has power to manage and control, the place at which an advertising device is installed, erected or displayed; or

- (d) who is—
- (i) the owner of premises or a place on which an advertising device is installed, erected or displayed; or
 - (ii) the occupier of premises or a place on which an advertising device is installed, erected or displayed; or
 - (iii) the owner of a vehicle on which an advertising device is installed, erected or displayed.

advertising device means a structure or device which is visible from a road or other public place and which conveys information or directions of any kind (other than a structure or device displayed pursuant to the authority or requirements of an Act) and the term includes any structure forming part of the advertising device or to which the advertising device is attached or on which it is displayed.

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

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

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

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

government election has the meaning given in section 36 of the Act.

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

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

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

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

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

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

occupier, of premises—

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

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

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

permitted advertisement see schedule 10, Table 1

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

public place has the meaning given in the Act.

road has the meaning given in the Act.

road reserve is a legally described area within which facilities such as roads, footpaths and associated features may be constructed for public travel. It is the total area between boundaries shown on a cadastral plan.

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

roof means the protective covering, that covers or forms the top of a building.

street frontage/street front boundary of premises, means

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

structure has the meaning given in the Act.

third party advertising on an advertising device, means the display on the advertising device of—

- (a) the name, logo or symbol of a company, organisation or individual which does not own or substantially occupy the premises or building on which the advertising device is displayed; or
- (b) a product or service which is not supplied at, or available from, the premises on which the advertising device is displayed; or

- (c) an activity or event which does not occur on the premises on which the advertising device is displayed.

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

zone means an area identified as a zone in the planning scheme of the local government.

Table 1 – Level of Assessment

 AR – Approval Required

✓ PC – Permitted if meets prescribed criteria in Table 2

✗ P – Prohibited

 AR - If an advertising device is identified as an approval required sign in a specified zone in the table in this schedule, a person must not install, erect or display the advertising device without a current approval granted by the local government.

✓ PC - If an advertising device is identified as a permitted sign in a specified zone in this “Table 1”, a person may install, erect or display the advertising device without a current approval granted by the local government as long as it meets all of the prescribed criteria for that device as specified in “Table 2” in addition to general criteria and conditions listed in Schedule 10. However, if the advertising device does not meet the criteria in Table 2 and general criteria and conditions in Schedule 10, an application for approval will be required from the local government.

✗ P - If an advertising device is identified as a prohibited sign in a specified zone in the table in this schedule, a person must not install, erect or display the advertising device in the zone.

Residential Environment	Business Centre Environment	Industry Environment	Rural/ Recreational/ Open Environments
<ul style="list-style-type: none"> Residential planning area code Rural Residential planning area code 	<ul style="list-style-type: none"> Village planning area code Commercial centre planning area code 	<ul style="list-style-type: none"> Industrial planning area code 	<ul style="list-style-type: none"> Rural planning area code

Type of sign (refer to Table 2 for definitions)	Zone Category			
	Residential Environment	Business Centre Environment	Industry Environment	Rural/ Recreational/ Open Environments
Temporary				
Banner sign	✗			✓
Bunting	✗	✓	✓	✓

Type of sign (refer to Table 2 for definitions)	Zone Category			
	Residential Environment	Business Centre Environment	Industry Environment	Rural/Recreational/Open Environments
Community Organisation – Site (to be located on the site of the event or the property of the organisation holding the event only)	✓	✓	✓	✓
Community Organisation - Directional				
Construction Site – Project Sign	✓	✓	✓	✓
Construction Site – Site Fence Sign	✓	✓	✓	✓
Display Home and Estate Sales Advertisement				
Election Advertisement				
Garage	✓	✓	✓	✓
Inflatable Sign	✗			
Mobile Advertisement	✗			
Mobile Advertisement - Electronic Graphic Display Screen	✗			
Motor Vehicle Advertisement	✗			
Real Estate Directional/Open House Display Event	✓	✓	✓	✓
Real Estate Sign	✓	✓	✓	✓
Statutory	✓	✓	✓	✓
Trade Sign	✓	✓	✓	✓
Semi-Permanent/Permanent				
Animated Sign	✗			
Awning – Above Awning Advertisement	✗			
Awning – Created Awning Line Advertisement	✗			

Type of sign (refer to Table 2 for definitions)	Zone Category			
	Residential Environment	Business Centre Environment	Industry Environment	Rural/ Recreational/ Open Environments
Awning – Fascia Advertisement	✗			
Awning – Under Awning Advertisement	✗			
Billboard Sign	✗			
Blackboard sign	✗			
Blind/Canopy Advertisement	✗			
Boundary Fence Sign	✗			
Business Nameplate Advertisement	✗			
Commercial Flag Sign	✗			
Electronic Graphic Display Screen	✗			
Fly Poster Sign	✗	✗	✗	✗
Ground Advertisement	✗			
Hamper Advertisement	✗			
Multiple Tenancy Advertisement	✗			
Pole Sign	✗			
Projecting Sign	✗			
Pylon Sign	✗			
Roof/Sky Sign	✗			
Sign Written Non-Building	✗			
Sign Written Roof Sign	✗			
Sporting Field Advertisement	✓	✓	✓	✓
Sporting Complex Sign				
Stallboard Advertisement	✗			
Vertical Banner Sign	✗			
Wall Advertisement	✗			
Window Advertisement	✗	✓	✓	✓

Table 2 – Definitions and prescribed criteria for installation, erection and display of advertising devices

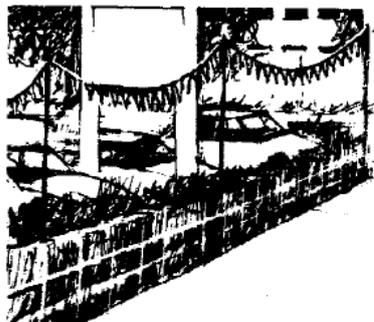
Note: The prescribed criteria below is in addition to meeting conditions as stated in Schedule 10 Installation of Advertising Devices

In all cases, the approval holder must take out and maintain public liability insurance cover in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the prescribed activity.

ADVERTISING DEVICE AND DEFINITION	PRESCRIBED CRITERIA
<p>Temporary</p> <p>Banner sign – 4 consecutive weeks or less</p> <p>A banner sign:</p> <p>(a) is 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; and</p> <p>(b) includes real estate, for lease, lease, auction, inspection and directional messages.</p> <p>Note: Not For Profit Organisations - Please refer to Site Community Organisational advertisement</p> 	<p>The criteria prescribed for a banner sign are:</p> <p>(a) is erected within the premises boundary to which it relates; and</p> <p>(b) is not located on a local government controlled area or road; and</p> <p>(c) the advertising device must not be affixed to a tree, official sign local government infrastructure, lighting standard or power pole on a local government controlled area or a road; and</p> <p>(d) the advertising device must only be displayed for short term promotional purposes (4 consecutive weeks or less); and</p> <p>(e) is of a size no greater than 4 m x 1.5m; and</p> <p>(f) the advertising device must be affixed to a structure with fixtures and fittings that are of sound construction, durable and of sufficient inherent strength to ensure that the device does not become a danger to persons or property and will accommodate wind loadings for the area ; and</p> <p>(g) is not left in place in the event of extreme weather; and</p> <p>(h) if attached to banner poles, is positioned so that pedestrian and vehicle movements are not interfered with; and</p> <p>(i) does not contain explicit, inappropriate or offensive content</p> <p>(j) is displayed for no more than 16 weeks in any 52 week period;</p>

Temporary

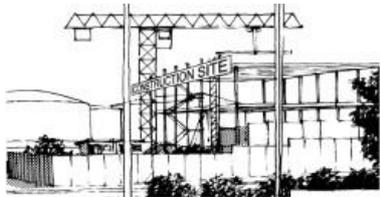
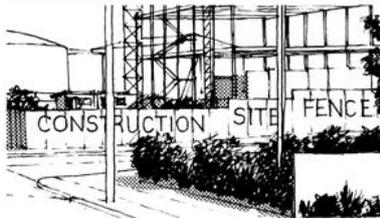
Bunting – 4 consecutive weeks or less
A Bunting Advertising Device includes decorative flags, pennants and streamers, affixed to a structure, for an event or promotional purposes.



The criteria prescribed for bunting are:

- (a) is erected within the premises boundary to which it relates; and
- (b) is not located on a local government controlled area or road; and
- (c) the advertising device must not be affixed to a tree, official sign local government infrastructure, lighting standard or power pole on a local government controlled area or a road; and
- (d) the advertising device must only be displayed for short term promotional purposes (4 consecutive weeks days or less); and
- (e) the advertising device must be affixed to a structure with fixtures and fittings that are of sound construction, durable and of sufficient inherent strength to ensure that the device does not become a danger to persons or property and will accommodate wind loadings for the area; and
- (f) is erected no higher than 6 meters above the original ground level of the site; and
- (g) if requested by an authorised person, the advertiser must provide an engineer's certification for any structure dedicated for the support of the advertising device; and
- (h) is not left in place in the event of extreme weather; and
- (i) if attached to banner poles, is positioned so that pedestrian and vehicle movements are not interfered with; and
- (j) does not contain explicit, inappropriate or offensive content; and
- (k) is displayed for no more than 16 weeks in any 52 week period.

Temporary	
<p>Community Organisation Site advertisement - 60 consecutive days or less</p> <p>A community organisation sign is a temporary, non-illuminated advertisement which advertises a not-for-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.</p> 	<p>The criteria prescribed for a community organisational advertisement are:</p> <ul style="list-style-type: none"> (a) to be located on the site of the event or the property of the organisation holding the event; and (b) is no greater than 2 square metres in size; and (c) no more than 1 of either a banner or rigid type fete sign may be exhibited at each frontage of a site; and (d) must not be displayed for more than 60 days prior to the event advertised on the advertisement; and (e) is removed within 7 days following the event <p>If a community organisational advertisement takes the form of a banner, the same conditions apply to the advertisement as the banner advertisement.</p>
Temporary	
<p>Community Organisation Directional advertisement – 1 week or less</p> <p>A directional community organisational advertisement primary purpose is to direct the public to the fete, fair, festival or other similar event advertised on the advertisement.</p>	<p>The criteria prescribed for a directional community organisational advertisement are:</p> <ul style="list-style-type: none"> (a) the advertising device must not be affixed to a tree, official sign local government infrastructure, lighting standard or power pole on a local government controlled area or a road; and (b) A clearance from the local government is required if sign posts are to be placed within medians to avoid damage to irrigation systems or services; and (c) no more than 10 advertising devices may be displayed on a road related area and each advertising device must have a maximum face area of 0.3m²; and (d) the advertising device may be displayed - <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>(iii) event advertised on the advertising device and must be removed within 1 day of the event; and</p> <p>(e) the siting of the advertising device must not cause a pedestrian or vehicular hazard.</p>
Temporary	
<p>Construction Project sign – 12 months or less</p> <p>A construction project sign is a sign which conveys information relating to the nature of the development project proposed for a site as well as the name and contact details of the developer and their principal consultants.</p> 	<p>The criteria prescribed for a construction project sign are that the sign must:</p> <ul style="list-style-type: none"> (a) not be illuminated; and (b) not have a face area in excess of— <ul style="list-style-type: none"> (i) 5m² in an industrial zone or a centre zone; or (ii) 2.5m² in all remaining zone category areas; and (c) relate to a current development permit; and (d) be removed upon completion of construction at the site; and (e) have only 1 construction project sign per street frontage may be displayed.
Temporary	
<p>Construction site Fence Sign – 12 months or less</p> <p>A <i>construction site fence sign</i> is a sign painted or otherwise affixed parallel with and confined to the limits of a temporary safety fence of a construction site, along the boundary or boundaries of the site.</p> 	<p>The criteria prescribed for a construction site fence sign are that the sign must:</p> <ul style="list-style-type: none"> (a) not be illuminated; and (b) only contain information related to the project under construction, for example, the project name, project slogan, project developer, construction company, proposed uses and completion date; and (c) not have a face area in excess of 1m² for each metre of the length of the fence to which it is affixed, except for residential zone category areas where the face area must be limited to a maximum of 20% of the length of the fence; and (d) not be affixed to a fence unless the fence is constructed to withstand the consequent wind or other loads; and (e) relate to a construction site where there is a current building development permit and

	<p>construction works have commenced; and</p> <p>(f) be removed within 7 days of a successful final building inspection or the issue of a certificate of classification; and</p> <p>(g) only be displayed for a maximum period of 12 months in a residential zone.</p>
<p>Temporary</p>	
<p>Display Home & Estate Sales Sign – 12 months or less A display home sign is an advertising device which advertises a display home in conjunction with the sale, auction or leasing of a group of dwellings or building sites.</p>  	<p>The criteria prescribed for a display home sign and Estate Sales sign are that the advertising device must:</p> <p>(a) the advertising device may only be displayed on premises for, whichever is the lesser of:</p> <p style="margin-left: 40px;">(i) 12 calendar months; or</p> <p style="margin-left: 40px;">(ii) 14 days after the last lot comprising part of the estate or development is sold.</p> <p>(b) not have a face area in excess of 2.4m²; and</p> <p>(c) only be located on the premises of the display home advertised on the advertising device.</p>
<p>Temporary</p>	
<p>Election advertisement – Election signs are any free standing advertising device identifying candidates and/or promoting a political party at local, state or federal government elections.</p>	<p>The criteria prescribed for an election sign are that the sign must:</p> <p>(a) not be erected or displayed until the election has been officially announced; and</p> <p>(b) be removed within 7 days of the election polling day, if not removed within 7 days, the local government may remove the sign at the cost of the advertiser; and</p> <p>(c) be no greater than 0.6m² in size; and</p> <p>(d) be made of a material that is designed to be easily broken; and</p>



- (e) be mounted on star pickets with safety caps;
- (f) not rotate or be illuminated; and
- (g) not use reflective or fluorescent materials; and
- (h) be located so as not to distract motorists, restrict sight distances on approaches to intersections, obstruct the view of road traffic signs, or otherwise impact on safety; and
- (i) be located at least three and a half metres from the edge of the nearest traffic lane on roads where the speed limit is 80km/hr or less; and
- (j) be located at least six metres from the edge of the nearest traffic lane on roads where the speed limit is over 80km/hr; and
- (k) must not be erected without checking for underground services through “Dial before you dig 1100”; and
- (l) not be located on centre medians or roundabouts; and
- (m) not be attached to trees/vegetation or Department of Transport and Main roads infrastructure (for example, road signs, guard rails, etc); and
- (n) be located as close as practicable to the property boundary; and
- (o) not hinder the flow of traffic, protrude over the road or interfere with the road’s operation (this includes a person holding or waving an election sign); and
- (p) not obstruct pedestrians and cyclists (including people using a mobility device).

Temporary

Garage Sale – Maximum of 3 days

A garage sale sign is an advertising device of a temporary nature which—

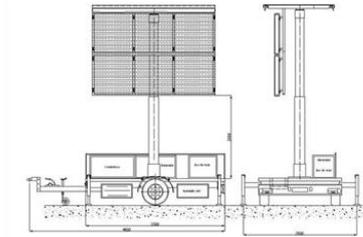
- (a) advertises a garage sale only; and
- (b) is displayed for directional purposes.

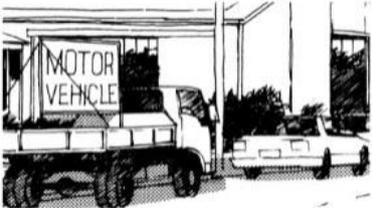


The criteria prescribed for a garage sale sign are:

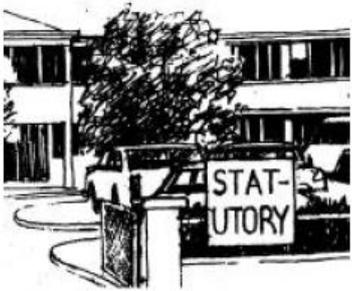
- (a) the advertising device must not have a face area in excess of 0.3m²; and
- (b) directional signage must not have a face area in excess of 0.2m²; and
- (c) must not be illuminated; and
- (d) is a temporary advertising device that advertises a garage sale; and
 - (i) is not located on a local government controlled area or road; and
 - (ii) is not one of more than 4 signs advertising the same garage sale; and
 - (iii) is not in place earlier than the day before the commencement of the garage sale and is removed within 24 hours after the commencement of the sale; and
 - (iv) is not advertising for a sale at premises where a garage sale has been held on 4 occasions already in the previous 12 months; and
 - (v) does not interfere with the road or its operation; and
 - (vi) is not fastened to trees, official signs, local government infrastructure or power poles; and
 - (vii) is not located in a place that is likely to distract motorists, restrict sight distances on approaches to intersections, restrict the visibility of authorised signs or otherwise impact on the safety of traffic or persons; and
 - (viii) the advertising device must not be located so as to cause a pedestrian or vehicular hazard; and
 - (ix) is located at least 6 metres from the edge of the nearest traffic lane; and
 - (x) is not left in place in the event of extreme weather; and
 - (xi) does not contain explicit, inappropriate or offensive content.

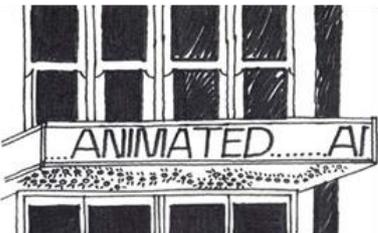
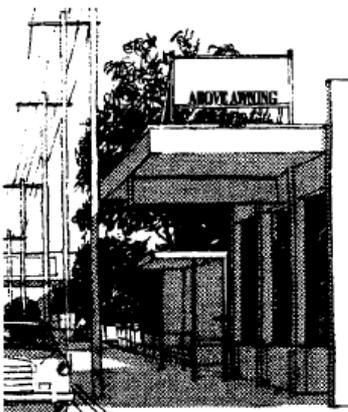
Temporary	
<p>Inflatable sign – 2 weeks An inflatable sign is a fixed or captive balloon, including a tethered lighter than air device which is displayed in conjunction with a special event such as a fete, fair, circus, sales promotion or the like.</p> 	<p>The criteria prescribed for an inflatable sign are:</p> <ul style="list-style-type: none"> (a) the advertising device must only be displayed for short term promotional purposes (2 consecutive weeks or less); and (b) is displayed for no more than 8 weeks in any 52 week period; and (c) the method of securing the advertising device must be certified as to standard by an accredited engineer prior to the display of the advertising device; and (d) the location of the advertising device must be such that the display of the advertising device will not interfere with any power lines or other public services.
Temporary	
<p>Mobile Advertisement –Business Trading Hours Only A mobile sign:</p> <ul style="list-style-type: none"> (a) is a temporary portable self-supporting sign which is free-standing and may be mounted on wheels to facilitate movement; or (b) includes free standing signage, an A-frame sign, sandwich board; but (c) does not include a free-standing sign or a real estate sign. 	<p>The criteria prescribed for a mobile sign are:</p> <ul style="list-style-type: none"> (a) the face area of the advertising device must not exceed 2.5m² on either side of the advertising device and the number of face areas of the advertising device must not exceed 2; and (b) the display of mobile signs must not exceed 1 advertising device for each shop or business fronting a road; and (c) where the advertising device advertises a particular shop or business, the advertising device must identify the shop or business; and (d) the advertising device may only be placed on the premises of the shop or business it is advertising or promoting on a local government controlled area or a road if – <ul style="list-style-type: none"> (i) the advertising device is not a hazard to pedestrian or vehicular traffic and secured so as to prevent danger to pedestrian and vehicular traffic in windy conditions; and (ii) no part of the advertising device protrudes more than 1m from the boundary of the premises; and (e) the advertising device must be –

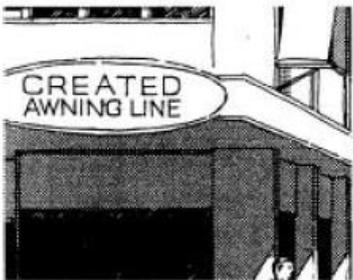
	<ul style="list-style-type: none"> (i) placed so as to minimise visual clutter; and (ii) kept erect and maintained in a good state of repair at all times; and <p>(f) the advertising device must not be illuminated or have flashing lights.</p>
Temporary	
<p>Mobile Advertisement - Electronic Graphic Display Screen – Subject to yearly renewal</p> <p>An electronic graphic display screen is a sign with light emitting diode (LED) technology and associated technology and software.</p> 	<p>The criteria prescribed for an electronic graphic display screen sign are that the sign must:</p> <ul style="list-style-type: none"> (a) not to be displayed on a road; and (b) when visible from a road (State-controlled or local government road) — be sited and displayed in accordance with the Queensland Government Roadside Advertising Guide (as amended); and (c) not to project beyond the front alignment of a property; and (d) not to expose an unsightly back view to a road or other public place; and (e) not be located on a street frontage along which another Electronic Display Screen is located, unless such a screen is located at least 200m away; and (f) may be for a specific community event of limited duration (e.g. community festivals or concerts); and (g) not interfere with access to any premises; and (h) if a mobile device—not utilise vehicle parking spaces or other dedicated service areas (e.g. waste collection and delivery bays); and (i) not be visible from premises used for a residential purpose.

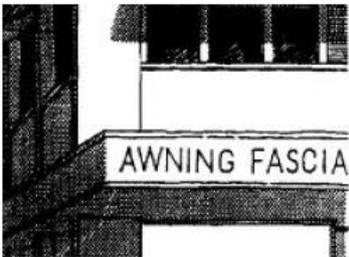
Temporary	
<p>Motor vehicle advertisement – 1 week or less</p> <p>A motor vehicle sign* is an advertising device affixed to, placed upon, or beside, a vehicle, caravan or trailer apparently stopped on land for the primary purpose of displaying the advertising device.</p> <p><i>*The local law does not apply to an advertising device that is the subject of a permit issued pursuant to section 126 (Advertising, placards, handbills etc.) or 126B (Carrying signs on roads) of the Traffic Regulation 1962.</i></p> 	<p>The criteria prescribed for a motor vehicle sign are that the advertising device must:</p> <ul style="list-style-type: none"> (a) not have a face area in excess of 2.4m²; and (b) not extend beyond the dimensions of, as the case may be, the vehicle, caravan or trailer; and (c) not cause a hazard to pedestrian or vehicular traffic; and (d) be static; and (e) not be constructed from illuminated or reflective material; and (f) parking of vehicle must be in accordance with the local government's Regulated Parking Time Zones (CBD and surrounding areas); fines may be incurred.
Temporary	
<p>Real Estate sign – 12 consecutive months</p> <p>A real estate sign is a temporary, non-illuminated advertising device which promotes the sale, auction, lease or letting of premises.</p> 	<p>The criteria prescribed for a real estate sign (other than a directional real estate sign) is that the sign:</p> <ul style="list-style-type: none"> (a) is placed only within the boundaries of the site being offered for sale, lease or auction; and (b) is not located on a local government-controlled area or road; and (c) does not exceed 3 square metres; and (d) interfere with the safe and convenient passage of pedestrians; and (e) detract from the amenity of the area in which it is situated or unreasonably obstruct existing views; and (f) is not rotating, is not illuminated and does not incorporate reflective or fluorescent materials; and (g) does not interfere with the road or its operation and is not likely to distract motorists; restrict sight distances on approaches to intersections; restrict the visibility of other authorised signed or otherwise impact on safety; and (h) is not fastened to trees or road infrastructure (for example official signs or guardrails); and

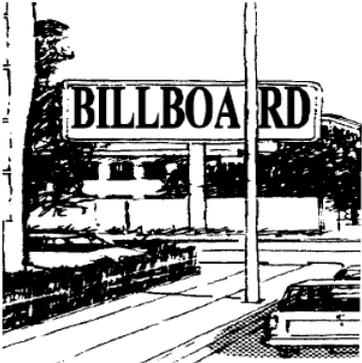
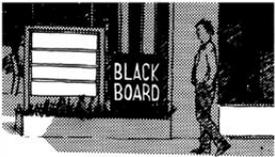
	<ul style="list-style-type: none"> (i) is not left in place in the event of extreme weather; and (j) the advertising device is made of frangible material that is designed to be easily broken and must be affixed to a structure with fixtures and fittings that are of sound construction, durable and of sufficient inherent strength to ensure that the device does not become a danger to persons or property and will accommodate wind loadings for the area ; and (k) in the case of an individual property is removed from the premises within 14 days of the property being sold or being leased; and (l) in the case of a group of dwellings (for example multiple dwellings) or building sites (for example, newly subdivided estates, is removed from the premises within 14 days of the last remaining property reaching settlement or being leased; and (m) the advertising device may be double sided; and (n) the number of real estate signs displayed at premises must not exceed 1 sign for each agent marketing the premises; and (o) the advertising device must be kept erect and maintained in a good state of repair at all times.
Temporary	
<p>Real Estate Directional Sign – Erected day prior and removed no later than subsequent day</p> <p>A roadside directional sign is an advertising device located on a road related area to advertise an open house day of auction of premises which are difficult to locate.</p>	<p>The criteria prescribed for a roadside directional sign are -</p> <ul style="list-style-type: none"> (a) the advertising device must - <ul style="list-style-type: none"> (i) not have a face area in excess of 0.3m²; and (ii) be located in the vicinity of the auction or open- house advertised on the advertising device; and (iii) not be displayed on a median strip, roundabout, traffic island, pole, post or any other structure on a road reserve except as approved by an authorised person; and (b) not more than 5 roadside directional signs may be displayed by a licensed real estate agent; and (c) the advertising device must at all times display a reference to the registered real estate office

	<p>responsible for the display of the advertising device; and</p> <ul style="list-style-type: none"> (d) the advertising device must not cause a hazard to pedestrian or vehicular traffic; and (e) the advertising device is made of frangible material that is designed to be easily broken and must be affixed to a structure with fixtures and fittings that are of sound construction, durable and of sufficient inherent strength to ensure that the device does not become a danger to persons or property and will accommodate wind loadings for the area ; and (f) roadside directional signs must be used together, or in sequence, to direct people to premises which are the subject of an auction or open-house and must be located within a reasonable distance of the premises.
Temporary	
<p>Statutory sign – A statutory sign is an advertising device exhibited pursuant to the authority or requirements of an Act.</p> 	<p>The criteria prescribed for a statutory sign is that the advertising device must be exhibited in accordance with the requirements of the Act which requires the exhibition of the advertising device.</p> <p><i>Examples:</i></p> <p><i>The Workplace Health and Safety Act 1995 requires the exhibition of signs regarding safety.</i></p> <p><i>Planning Act 2016 requires the exhibition of signs regarding town planning issues.</i></p>
Temporary	
<p>Trade sign – Displayed only while works are being undertaken A trade sign is a temporary advertising device which displays a trade person’s activity on premises, for example, the activities of a painter or a tiler.</p> 	<p>The criteria prescribed for a trade sign are:</p> <ul style="list-style-type: none"> (a) a maximum of 1 trade sign may be displayed on any premises; and (b) the face area of the advertising device must not exceed 0.3m².

Semi-Permanent/ Permanent	
<p>Animated sign – An animated sign is a sign with a changing display, including flashing, chasing fibre optic lights, scrolling illuminated images and any other non-static illuminated displays other than an Electronic Graphic Display Screen.</p> 	<p>The criteria for prescribed for an animated sign are that the sign must:</p> <ul style="list-style-type: none"> (a) not interfere with the road or its operation and is not likely to distract motorists; restrict sight distances on approaches to intersections; restrict the visibility of other authorised signed or otherwise impact on safety; and (b) not to be displayed on a road; and (c) when visible from a road (State-controlled or local government road) — be sited and displayed in accordance with the Queensland Government Roadside Advertising Guide (as amended); and (d) not interfere with access to any premises; and (e) if a mobile device—not occupy vehicle parking spaces or other dedicated service areas (e.g. waste collection and delivery bays); and (f) not be visible from premises used for a residential purpose.
Semi-Permanent/ Permanent	
<p>Above awning advertisement – An above awning sign is an advertising device located on top of an awning or verandah of a building used for purposes other than residential purposes, with no part of the advertising device projecting:</p> <ul style="list-style-type: none"> (a) above the roof, parapet or ridge line of the building; or (b) beyond the edge of the awning or verandah. 	<p>The criteria prescribed for an above awning sign are that the advertising device must:</p> <ul style="list-style-type: none"> (a) not have a face area in excess of 2.5m², more than 2 faces and must be proportional to size of existing awning; and (b) where the advertising device has 2 faces — be constructed such that the angle between each face is not more than 45 degrees; and (c) not have a height in excess of 1.5m above the awning on which the advertising device is displayed; and (d) not project beyond the awning to which it is affixed; and (e) not be displayed less than 3m from another above awning sign; and (f) not be displayed less than 1.5m from each side boundary of the premises on which it is displayed; and

	<ul style="list-style-type: none"> (g) have a face area length greater than the face area height of the advertising device; and (h) if illuminated—not diminish the amenity of the locality; and (i) be installed without “guide wires” or exposed supporting framework.
Semi-Permanent/ Permanent	
<p>Created awning line advertisement – A created awning line sign is an advertising device positioned on the face of, or aligned with, the natural horizontal line of an awning of a building used for purposes other than residential purposes, which creates another awning line with its shape.</p> 	<p>The criteria prescribed for a created awning line sign are that the advertising device must:</p> <ul style="list-style-type: none"> (a) maintain a clearance from any road related area directly adjacent to the advertising device of not less than 2.4m; and (b) not extend more than 600mm above an existing awning and must not project beyond the awning to which it is affixed.; and (c) not extend above the height of the building on which the advertising is displayed; and (d) not cover more than 50% of the overall face area of the awning on which the advertising device is displayed; and (e) if illuminated—not diminish the amenity of the locality; and (f) be installed without “guide wires” or expose supporting framework.

Semi-Permanent/ Permanent	
<p>Awning fascia advertisement – An awning fascia sign is an advertising device painted or otherwise affixed flat to the face of an awning.</p> 	<p>The criteria prescribed for an awning fascia 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 (iii) fascia sign which is painted to the fascia of the permanent awning – the face of the fascia . (c) an awning face sign (other than painted awning face sign)— <ul style="list-style-type: none"> (i) may be illuminated internally; but (ii) must not be externally illuminated. (d) not cause a hazard to pedestrian or vehicular traffic.
Semi-Permanent/ Permanent	
<p>Under awning advertisement – An under awning sign is an advertising device affixed underneath, or suspended from, an awning or verandah.</p> 	<p>The criteria prescribed for an under awning sign are that the advertising device must:</p> <ul style="list-style-type: none"> (a) have a minimum clearance of 2.4m between its lowest point and any directly adjacent road related area; and (b) not have a horizontal dimension greater than the width of the awning, a vertical dimension of more than 0.5m or a thickness of more than 0.3m; and (c) be oriented at right angles to the front of the building on which it is displayed; and (d) not be displayed less than 3m from another under awning sign; and (e) not be displayed less than 1.5m from each side boundary of the premises on which it is

	<p>displayed; and</p> <p>(f) not project beyond the awning or verandah to which it is affixed.</p>
Semi-Permanent/ Permanent	
<p>Bill Board sign – A billboard/hoarding sign means an advertising device which:</p> <ul style="list-style-type: none"> (a) is free-standing; and (b) has a face area greater than 2.4m²; and (c) has a face area width greater than its face area height; and (d) is normally elevated from the ground and supported by 1 or more vertical columns, pylons or poles; and (e) is an erected structure used primarily for the display of advertising matter. 	<p>The conditions of an approval for a billboard/hoarding sign require that:</p> <ul style="list-style-type: none"> (a) the advertising device must – <ul style="list-style-type: none"> (i) the advertising device dimensions must integrate, be compatible with and must bear a reasonable relationship to amenity of the area; (ii) not face adjoining premises unless it is more than 3m from each boundary of the premises; and (iii) not be located or constructed so as to expose an unsightly back view of the advertising device; and (iv) not have more than 2 faces; and (b) if the advertising device has 2 faces — the angle between each face must not be more than 45 degrees; and (c) only 1 double-sided billboard/hoarding sign may be displayed on premises except where the street front boundary of the premises exceeds 100m; and (d) if the street front boundary of the premises exceeds 100m, more than 1 double-sided billboard/hoarding sign is permitted, however, each billboard/hoarding sign must be not less than 100m apart; and (e) the advertising device must not be displayed less than 3m from any side boundary of the premises; and (f) the advertising device must be installed without “guide wires” or exposed supporting framework.
Semi-Permanent/ Permanent	
<p>Blackboard sign – A blackboard sign is a mobile blackboard, whiteboard or the like with a hand written message.</p> 	<p>The criteria prescribed for a blackboard sign are:</p> <ul style="list-style-type: none"> (a) that the sign must not have a face area in excess of 2.0m²; and (b) a limit of only 1 blackboard sign per shop front or 10 metres of linear shop frontage, whichever is the greater, may be displayed.

Semi-Permanent/ Permanent

Blind/canopy advertisement – A blind/canopy sign is an advertising device painted or otherwise affixed to a solid or flexible material suspended from an awning, verandah or wall.

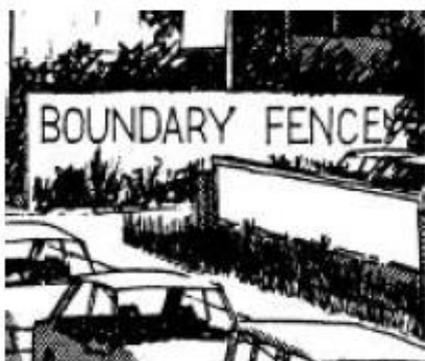


The criteria prescribed for a blind/canopy sign are:

- (a) the advertising device must not be displayed unless there is a minimum clearance of 2.4m between the lowest point of the advertising device and ground level directly adjacent to the advertising device; and
- (b) the advertising device must be contained within the premises advertised in the advertising device; and
- (c) the display of the advertising device on the blind or canopy must be ancillary to the use of the blind or canopy as a blind or canopy, as the case may be, for example: The primary purpose of the blind or canopy must not be the display of the advertising device; and
- (d) the face area of the advertising device must not exceed 50% of the face area of the blind or canopy, as the case may be; and
- (e) the advertising device must not be illuminated.

Semi-Permanent/Permanent

Boundary Fence sign – A boundary fence sign is an advertising device painted or otherwise affixed to a fence that has been designed to permanently delineate or identify a boundary alignment or enclosure.



The criteria prescribed for a boundary fence sign are:

- (a) a maximum of 2 advertising devices may be displayed on any premises.
- (b) the whole of the advertising device must be contained within the fence outline; and
- (c) if the advertising device is on premises adjacent to any kind of residential dwelling, the advertising device must be located on the front property boundary of the premises; and
- (d) the size and form of the advertising device must be in scale and proportion with —
 - (i) the fence on which the advertising device is displayed; and
 - (ii) adjacent buildings and structures; and
- (e) where a boundary fence sign is to be displayed on a fence on which boundary fence signs are already displayed, the new advertising device must be uniform in design and positioning to the

	<p>other advertising devices displayed on the fence unless the new advertising device will significantly enhance the appearance of the fence and the existing signage; and</p> <p>(f) if the advertising device is not painted on the fence, the advertising device must not project more than 30mm from the fence; and</p> <p>(g) if the advertising device is painted on the fence—the advertising device must not be illuminated; and</p> <p>(h) if the advertising device is not painted on the fence—</p> <ul style="list-style-type: none"> (i) the advertising device may be illuminated in a manner which does not cause splashing or spilling of light from the face of the advertising device; and (ii) internal illumination of the advertising device is preferred.
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Semi-Permanent/ Permanent

Business nameplate advertisement –
 A business nameplate sign is an advertising device that displays the name or occupation of the business of the occupier of premises which is:

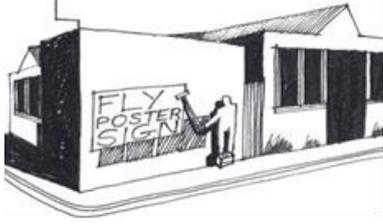
- (a) painted or otherwise affixed to a building, wall or fence at the premises; or
- (b) free-standing on the premises.

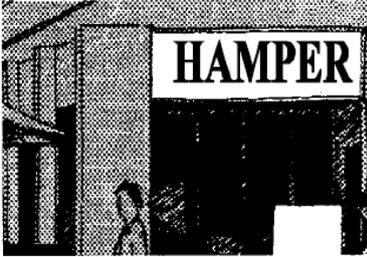


The criteria prescribed for a business nameplate sign are:

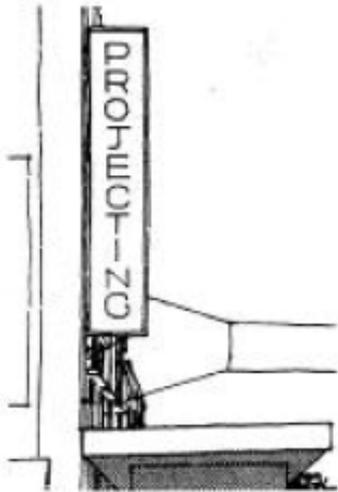
- (a) the face area of the advertising device must not exceed 0.3m²; and
- (b) a maximum of 2 advertising devices may be displayed on any premises.

Semi-Permanent/ Permanent	
<p>Commercial Flag sign – A commercial flag sign is an advertisement in the form of a cloth or similar non-rigid fabric, flown from a masthead fixed either to or in front of a building, or suspended from any structure, for the purpose of advertising or identifying commercial or business premises.</p> 	<p>The criteria prescribed for a commercial flag sign are:</p> <ul style="list-style-type: none"> (a) may have a face area no larger than 2.4m²; and (b) must be fixed to a masthead or structure that complies in all respects with all relevant town planning and/or building approvals and with any other relevant laws, regulations, codes or standards; and (c) maximum height is 6.5m above ground level; and (d) is not to be illuminated by any means other than spill or reflected light; and (e) has a minimum side boundary clearance of 3m; and (f) maximum number of commercial flags per premises is 2.
Semi-Permanent/ Permanent	
<p>Electronic Graphic Display Screen – An electronic graphic display screen is a sign with light emitting diode (LED) technology and associated technology and software, capable of producing still images, video replay or television broadcasts or animations as programmed.</p> 	<p>The criteria prescribed for an electronic graphic display screen sign are that the sign must:</p> <ul style="list-style-type: none"> (a) not to be displayed on a road; and (b) when visible from a road (State-controlled or local government road) — be sited and displayed in accordance with the Queensland Government Roadside Advertising Guide (as amended); and (c) not to project beyond the front alignment of a property; and (d) not to expose an unsightly back view to a road or other public place; and (e) the advertising device must be consistent with the design of the built environment where it will be displayed; and (f) not interfere with access to any premises; and (g) not be visible from premises used for a residential purpose.

Semi-Permanent/ Permanent	
<p>Fly Poster sign – Prohibited A fly poster sign is a non-rigid, printed paper sign, multiple copies of which are glued to walls and other fixtures or structures in public places, specifically provided by the local government for the installation of fly poster signs.</p> 	<p>Currently prohibited in the Mount Isa Local Government Area.</p>
Semi-Permanent/ Permanent	
<p>Ground advertisement – A ground sign is an advertising device that sits on a low level wall or completely clad vertically oriented free-standing structure which sits on or rises out of the ground.</p> 	<p>The criteria prescribed for a ground sign are:</p> <ol style="list-style-type: none"> (a) the advertising device must not have a face area in excess of 10m²; and (b) the advertising device must not have a height in excess of 2.4m above ground level directly adjacent to the advertising device; and (c) the advertising device must be consistent with the design of the built environment where it will be displayed; and (d) where the advertising device has 2 faces, the advertising device must be constructed such that the angle between each face is not more than 45 degrees; and (e) the advertising device must not be displayed less than 3m from each side boundary of the premises on which it is displayed; and (f) not more than 1 ground sign may be displayed on any premises; and (g) if the ground sign is illuminated— illumination of the advertising device must not cause splashing or spilling of light from the face of the advertising device and internal illumination of the advertising device is preferred; and (h) the advertising device must be erected within a landscaped environment; and (i) the advertising device must not face adjoining

	<p>premises unless it is more than 3m from each boundary of the premises; and</p> <p>(j) the advertising device must be installed without “guide wires” or exposed supporting framework.</p>
Semi-Permanent/ Permanent	
<p>Hamper advertisement – A hamper sign is an advertising device which:</p> <p>(a) is located above the door head or its equivalent height and below the awning level or verandah of a building; and</p> <p>(b) is painted or otherwise affixed to the building; and</p> <p>(c) projects not more than 30mm from the building face.</p> 	<p>The criteria prescribed for a hamper sign are:</p> <p>(a) the advertising device must be compatible with the design of the building on which it is displayed; and</p> <p>(b) the advertising device must not exceed 30mm in thickness*;and</p> <p>(c) the advertising device must be contained within the actual or created outline of the building on which it is to be displayed; and</p> <p>(d) the advertising device—</p> <p>(i) may be illuminated internally; but</p> <p>(ii) must not be externally illuminated.</p> <p>* A hamper sign thicker than 30mm may satisfy the criteria for a wall sign</p>
Semi-Permanent/ Permanent	
<p>Home Business nameplate advertisement A home business sign is a small advertisement identifying the name and/or trade, business or calling of the occupants of a home business premises.</p>	<p>Please refer to the current City of Mount Isa Planning Scheme.</p>

Semi-Permanent/ Permanent	
<p>Multiple tenancy advertisement – A multiple tenancy advertisement is an advertising device that contains 2 or more different advertisements on the same structure.</p>	<p>The criteria prescribed for a multiple tenancy advertisement are:</p> <ul style="list-style-type: none"> (a) maximum face area for all multiple tenancy advertisements is 1m² of face area per metre of street front boundary length of the premises on which the advertisement is exhibited; and (b) for the avoidance of doubt, the area calculated for free-standing multiple tenancy advertisements forms part of the maximum face area for an advertisement on premises.
Semi-Permanent/ Permanent	
<p>Pole sign – A pole sign means an advertising device which:</p> <ul style="list-style-type: none"> (a) is free-standing on 1 or more vertical supports which has a face area not in excess of 2.4m² on any side; and (b) may have a face area consisting of separate slats, panels or components which are removable and replaceable. <div style="text-align: center;">  </div>	<p>The conditions of an approval for a pole sign require that:</p> <ul style="list-style-type: none"> (a) the advertising device must not have a height in excess of 5m above ground level directly adjacent to the advertising device; and (b) the advertising device must not face adjoining premises unless it is more than 3m from each boundary of the premises; and (c) the advertising device must not be displayed unless there is a minimum clearance of 2.4m between the lowest point of the advertising device and ground level directly adjacent to the advertising device.
Semi-Permanent/ Permanent	
<p>Projecting sign - A projecting sign is an advertising device which:</p> <ul style="list-style-type: none"> (a) is displayed on the wall of a building; and (b) projects at right angles to the building more than 1.5m from the wall on which it is displayed; and (c) does not project higher than the height of the building to which it is attached. 	<p>The criteria prescribed for a projecting sign are:</p> <ul style="list-style-type: none"> (a) the front elevation of the advertising device must not project beyond the outline of the wall to which it is attached; and (b) the advertising device may only be placed on premises to promote or advertise an activity undertaken on the premises; and (c) the advertising device must be positioned and designed in a manner which is compatible with

	<p>the architecture of the building to which it is attached; and</p> <p>(d) the advertising device must be situated so as to maintain a clearance of 2.4m from any road related area directly adjacent to the advertising device; and</p> <p>(e) the advertising device must be installed without “guide wires” or exposed supporting framework.</p>
<p>Semi-Permanent/ Permanent</p>	
<p>Pylon sign – A pylon sign means an advertising device which:</p> <ul style="list-style-type: none"> (a) is free-standing; and (b) has a face area greater than 2.4m²; and (c) has a face area height greater than its face area width; and (d) is normally elevated from the ground and supported by 1 or more vertical columns, pylons or poles; and (e) may have a face area consisting of separate slats, panels or components which are removable and replaceable. 	<p>The criteria prescribed for a pylon sign require that:</p> <ul style="list-style-type: none"> (a) where the advertising device has 2 faces, the advertising device must be constructed such that the angle between each face is not more than 45 degrees unless the space between each face is filled or cladded; and (b) the advertising device dimensions must integrate, be compatible with and must bear a reasonable relationship to amenity of the area; and (c) only 1 double-sided advertising device is permitted on premises except where the street front boundary of the premises exceeds 100m; and (d) if the street front boundary of the premises exceeds 100m, more than 1 double-sided advertising device is permitted, however, each advertising device must be not less than 100m apart; and (e) the advertising device must not be located or constructed so as to expose an unsightly back view of the advertising device; and (f) the advertising device must not face adjoining premises unless it is more than 3m from each boundary of the premises; and (g) the advertising device must be installed without “guide wires” or exposed supporting framework.

Semi-Permanent/ Permanent**Roof/sky sign –**

A roof/sky sign is an advertising device fitted to the roof of a building.



The criteria prescribed for a roof/sky sign are:

- (a) the advertising device must be contained within the existing or created outline of the building on which it is displayed; and
- (b) if the advertising device creates a new outline for the building – the advertising device must be designed to appear as if it were part of the original building, or in some other way match or complement the architecture of the building; and
- (c) the advertising device must not extend horizontally beyond the edge of the roof of the building on which it is displayed; and
- (d) Roof sign is to be securely fixed to either the roof or parapet wall at the front of a building, and must comply in all respects with all relevant town planning and/or building approvals and with any other relevant laws, regulations, codes or standards; and
- (e) the advertising device must not be displayed less than 3m from any other roof/sky sign displayed on the building; and
- (f) if there is more than 1 advertising device on a building, the advertising devices must match, align or otherwise be compatible with each other; and
- (g) the source of illumination of the advertising device must be internal and not cause excessive light spill; and
- (h) the advertising device must be installed without “guide wires” or exposed supporting framework.

Semi-Permanent/ Permanent**Sign written non-building**

A sign written non-building structure sign is an advertising device painted or affixed to any structure which is not a building.

Example: A structure which is not a building includes a batching plant, conveyor housing, unroofed storage building or liquid or gas tank.



The criteria prescribed for a sign written non-building structure sign are:

- (a) the advertising device must be contained within the height and width of the structure on which it is displayed; and
- (b) the advertising device must not project in excess of 50mm from the face of the structure*

** If the advertising device is thicker than 50mm, the advertising device may satisfy the criteria for a wall sign*

Semi-Permanent/ Permanent**Sign written roof sign –**

A sign written roof sign is an advertising device which is painted or otherwise affixed to the roof of a building and directed at, or visible from, a road.



The criteria prescribed for a sign written roof sign are:

- (a) the advertising device must be contained within the existing or created outline of the building on which it is displayed; and
- (b) the advertising device must be of a size and scale which is consistent with the scale and character of the building on which it is displayed and, in any event, must not cover more than 25% of the roof of the building on which it is displayed; and
- (c) the advertising device must not extend horizontally beyond the edge of the building roof; and
- (d) the advertising device must be compatible with other sign written roof signs (if any) displayed on the building; and
- (e) the advertising device must not be visible from any building used for residential purposes located adjacent to the building on which it is displayed; and
- (f) the advertising device must not be illuminated or reflective.

Semi-Permanent/ Permanent**Sporting field advertisement –**

A sporting field fence sign is an advertising device which is painted or otherwise affixed to a fence marking the boundaries of a sporting field.



The criteria prescribed for a sporting field fence sign are:

- (a) the advertising device must acknowledge sponsors associated with the club which has the right to occupy the sporting field on which it is displayed; and
- (b) the advertising device must be displayed on the internal fence surrounding the sporting field; and
- (c) the advertising device must not be visible from any road, public place (other than the sporting field) or premises used for residential purposes; and
- (d) the advertising device must be contained within the boundaries of the fence on which it is to be displayed; and
- (e) the advertising device must not cause a danger to the public; and
- (f) if the advertiser is a sporting club or association, the advertiser must erect or display the advertising device immediately adjacent to the area allocated to the advertiser for conduct of the advertiser's sporting activity.

Semi-Permanent/ Permanent**Sporting Complex Sign –**

A sporting complex sign is an advertising device which is located in close proximity to and identifies a sporting complex, club or building.



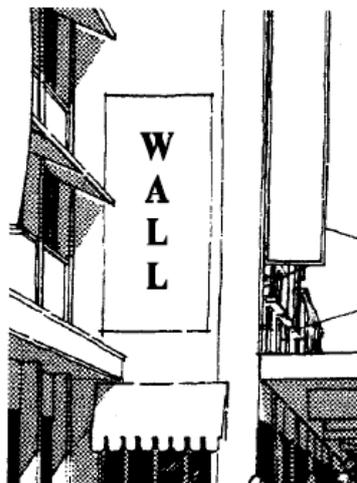
The criteria prescribed for a sporting complex sign are:

- (a) the advertising device must not have a face area in excess of 12m^2 ; and
- (b) if requested by an authorised person, the advertiser must produce an engineer's certification for any structure dedicated for the support of the advertising device; and
- (c) if the advertising device includes third party advertising, only 25% of the face area of the advertising device may display third party advertising.

Semi-Permanent/ Permanent	
<p>Stallboard advertisement – A stall board sign is an advertising device painted or otherwise affixed flat to the wall of a building used for purposes other than residential purposes below a ground floor window of the building.</p> 	<p>The criteria prescribed for a stall board sign are:</p> <ul style="list-style-type: none"> (a) the face area of the advertising device must be limited to the stall board area below a ground floor window of the building on which it is displayed; and (b) the advertising device must not protrude so as to cause injury to pedestrians; and (c) the advertising device must not exceed a thickness of 30mm; and (d) the advertising device— <ul style="list-style-type: none"> (i) may be illuminated internally; but (ii) must not be externally illuminated.
Semi-Permanent/ Permanent	
<p>Vertical Banner sign – A vertical banner sign is an advertising device of a non-rigid material normally supported at 2 or more locations from brackets extending from either a pole or a building.</p> 	<p>The criteria prescribed for a vertical banner sign are that the advertising device must:</p> <ul style="list-style-type: none"> (a) is not located on a local government controlled area or road; and (b) not be illuminated; and (c) must be fixed to a structure that complies in all respects with all relevant town planning and/or building approvals and with any other relevant laws, regulations, codes or standards; and (d) not have a face area in excess of 2.4m²; and (e) not have a width in excess of 750mm; and (f) not have a height in excess of 5m above ground level directly adjacent to the advertising device; and (g) not be displayed less than 6m from another vertical banner sign; and (h) not be displayed less than 3m from any boundary of the premises on which it is displayed; and (i) not extend lower than 2.4m above ground level directly adjacent to the advertising device; and (j) not have more than 2 face areas.

Semi-Permanent/ Permanent**Wall advertisement –**

A wall sign is an advertising device painted or otherwise affixed flat to the wall of a building that does not protrude from the wall more than 100mm.



The criteria prescribed for a wall sign are:

- (a) the advertising device must only be displayed on the wall of a building; and
- (b) the advertising device must not project in excess of 100mm from the wall to which it is affixed; and
- (c) the advertising device must not project beyond any edge of the wall unless this improves the appearance of the building or the premises on which it is painted or affixed*; and
- (d) the advertising device must integrate, and be compatible, with the architecture of the building on which it is painted or affixed; and
- (e) the dimensions of the advertising device must bear a reasonable relationship to the size of the wall on which it is painted or affixed; and
- (f) the advertising device must be consistent, in colour and appearance, with buildings and natural features of the environment in which it is situated; and
- (g) the advertising device—
 - (i) may be illuminated internally; but
 - (ii) must not be externally illuminated; and
- (h) if illuminated—the illumination of the advertising device must not diminish the amenity of the locality; and
- (i) the advertising device must be installed without “guide wires” or exposed supporting framework; and
- (j) the face area of the advertising device must not cover more than 75% of the area of the wall on which it is painted or affixed.

* If the advertising device extends above the top of a wall, the advertising device may satisfy the criteria for a roof/sky sign

Semi-Permanent/ Permanent**Window advertisement -**

A window sign:

- (a) is an advertising device painted (illuminated or non-illuminated) or otherwise affixed to the glazed area of a window; and
- (b) includes devices that are suspended from a window frame; but
- (c) does not include products displayed in a window.



The criteria prescribed for a window sign are:

- (a) the advertising device must be situated inside the window on which it is displayed except in the case of a window sign painted directly on the outside face of the window; and
- (b) the advertising device—
 - (i) may be internally illuminated; but
 - (ii) must not be externally illuminated.

Schedule 11 Keeping of animals

1 Prescribed activity

Keeping of animals.

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

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

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by the following information—

- (a) the species, breed, age and gender of the animal or each of the animals for which the approval is sought; and
- (b) the number of animals to be kept; and
- (c) the area, or part of the area, in which the animal or animals are to be kept; and
- (d) the nature of the premises in which the animal or animals are to be kept; and
- (e) evidence of current registration and microchipping (if applicable); and
- (f) evidence of a current membership from a recognised breeder association (if applicable); and
- (g) a copy of any development approval that applies to the prescribed activity and
- (h) any other document reasonably required by the local government.

4 Additional criteria for the granting of approval

The local government must be satisfied —

- (a) that the land is physically suitable for the keeping of the animals; and
- (b) that the enclosures in which the animals are to be kept are structurally suitable; and
- (c) that the animals are not likely to cause undue nuisance, inconvenience, or annoyance to the occupiers of adjoining land; and
- (d) that the animals will not have a significant detrimental effect on the amenity of the surrounding area; and
- (e) that the animals will not have a significant detrimental effect on the local environment or cause pollution or other environmental damage.

5 Conditions that must be imposed on approvals

The approval holder must—

- (a) care for the animals in accordance with appropriate standards; and
- (b) ensure the animals be kept in enclosures that comply with specified structural requirements; and
- (c) comply with specified standards of hygiene; and
- (d) ensure that the animal wears or displays an appropriate identifying tag as long as this is not inconsistent with requirements of the *Animal Management (Cats and Dogs) Act 2008*; and
- (e) take specified action to protect against possible harm to the local environment.

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on approvals are:

- (a) The approval holder may only keep the number of animals specified in the approval;
- (b) Where the approval relates to cats or dogs, the approval holder must ensure the cats or dogs are registered in accordance with the requirements under any legislation or any other local law;

7 Term of approval

The term of an approval is decided by the local government when it grants the approval or renewal, usually to 30 June.

8 Term of renewal of approval

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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

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3 Documents and materials that must accompany applications for approval

An application for an approval authorising a person to operate a commercial camping ground must include or be accompanied by—

- (a) a plan showing the boundaries of the camping ground and the division of the camping ground into camping sites; and
- (b) if the applicant is not the owner of the land on which the camping ground is situated—the written consent of the owner to the application; and
- (c) details of the facilities to be provided for campers; and
- (d) details of water quality, reticulation and drainage; and
- (e) the plan of the proposed camping ground shall be drawn to scale showing the following additional particulars—
 - (i) the location and real property description of such land; and
 - (ii) the location, number, designation and type of sanitary conveniences to be provided; and
 - (iii) the location, number, and designation of ablutionary facilities to be provided; and
 - (iv) details of each site clearly defined and bearing a distinguishing mark or number and indicating the number of persons who may occupy the site; and
- (f) before the application is granted, the applicant must provide evidence of any necessary statutory permit, authorisation or approval—
 - (i) for the development and use of the relevant land as a camping ground; and
 - (ii) for the occupation and use of buildings and structures on the land in connection with the operation of the camping ground.

4 Additional criteria for the granting of approval

Applications must also meet the following additional criteria—

- (a) the camping ground can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (b) all facilities in the camping ground are at an acceptable standard or can be brought to an acceptable standard; and
- (c) any development permit for the camping ground required under the *Planning Act 2016* has been granted; and
- (d) the local government must also be satisfied that the approval holder is a suitable person to be operating a camping ground.

5 Conditions that must be imposed on approvals

The approval holder must —

- (a) ensure that a register is kept containing the name and address of each person who hires a camping site; and an identifying number for the site; and if a vehicle is brought onto the site—the registration number of the vehicle; and the dates when the hiring of the site begins and ends; and
- (b) at the request of an authorised person, produce the register for inspection; and
- (c) not permit occupation of a camping site by more persons than the limit fixed for the relevant site; and
- (d) maintain all buildings, structures and facilities provided by the operator on the camping ground in good and serviceable condition; and
- (e) keep the camping ground (including all camping sites) clean and tidy.

6 Conditions that will ordinarily be imposed on approvals

The approval holder must —

- (a) maintain an adequate supply of water to the camping ground, including water suitable for drinking, cooking and personal hygiene; and
- (b) ensure that, if water obtained from a particular water outlet in the camping ground may be unsuitable for drinking, a sign is prominently displayed at the outlet stating "**Unsuitable for Drinking**"; and
- (c) maintain toilets and bathing or showering facilities for persons of both sexes (including disabled persons) using the camping ground; and
- (d) maintain facilities for disposal of wastes; and
- (e) ensure that the number of persons who may occupy a camping site is not contravened; and
- (f) if bedding is supplied—
 - (i) keep it in a clean and sanitary condition; and
 - (ii) if bed linen is provided — change and replace it with clean bed linen whenever there is a change of occupier.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

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Schedule 13 Operation of cane railways

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Schedule 14 Operation of caravan parks

1 Prescribed activity

Operation of caravan parks

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

No activities stated.

3 Documents and materials that must accompany applications for approval

An application for an approval authorising a person to operate a caravan park must include or be accompanied by—

- (a) if the applicant is not the owner of the land on which the caravan park is situated—the written consent of the owner to the application; and
- (b) the name and address of the proposed resident manager of the caravan park and the proposed resident manager's written agreement accepting the responsibilities of resident manager of the caravan park; and
- (c) before the application is granted, the applicant must provide evidence of any necessary statutory permit, authorisation or approval—
 - (i) for the development and use of the relevant land as a caravan park; and
 - (ii) for the occupation and use of buildings and structures on the land in connection with the operation of the caravan park; and
- (d) the plan of the proposed caravan park shall be drawn to scale showing the following additional particulars—
 - (i) the location and real property description of such land; and
 - (ii) the location, number, designation and type of sanitary conveniences to be provided; and
 - (iii) the location, number, and designation of ablutionary facilities to be provided; and
 - (iv) details of each site clearly defined and bearing a distinguishing mark or number; and
 - (v) the caravan park can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
 - (vi) all facilities in the caravan park are at an acceptable standard or can be brought to acceptable standard for use by residents.

4 Additional criteria for the granting of approval

Applications must also meet the following additional criteria—

- (a) the caravan park must be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (b) all facilities in the caravan park must be at an acceptable standard or must be able to be brought to acceptable standard; and
- (c) any development permit for the caravan park required under the *Planning Act 2016* must be granted; and
- (d) the local government must be satisfied that the approval holder is a suitable person to be operating a caravan park.

5 Conditions that must be imposed on approvals

The approval holder must—

- (a) ensure that the caravan park is managed and supervised by the resident manager who is resident on or near the caravan park; and
- (b) ensure that the resident manager or a representative of the resident manager is present at the caravan park at all reasonable times to ensure the proper operation of the park; and
- (c) ensure that a register is kept containing the name and address of each person who hires a caravan site and further this register must include the following particulars:
 - (i) an identifying number for the site; and
 - (ii) if a vehicle is brought onto the site—the registration number of the vehicle; and
 - (iii) the dates when the hiring of the site begins and ends; and
- (d) at the request of an authorised person, produce the register for inspection; and
- (e) not permit occupation of a caravan site by more persons than the limit fixed for the relevant site; and
- (f) not hire out a part of the caravan park for separate occupation unless it is a site approved by the local government for separate occupation; and
- (g) not permit a person to bring onto a site a caravan or other type of accommodation that is not fit for human habitation; and
- (h) not to change the sites or structures or facilities in the caravan park without agreement of the local government.

6 Conditions that will ordinarily be imposed on approvals

The local government may impose conditions on an approval requiring the approval holder—

- (a) to maintain an adequate supply of water to the caravan park, including water suitable for drinking, cooking and personal hygiene; and
- (b) to ensure that, if water obtained from a particular water outlet in the caravan park may be unsuitable for drinking, a sign is prominently displayed at the outlet stating "Unsuitable for Drinking"; and
- (c) to maintain toilets and bathing or showering facilities for persons of both sexes (including disabled persons) using the caravan park; and
- (d) to maintain laundry facilities; and
- (e) to maintain recreational facilities; and
- (f) to maintain facilities for disposal of wastes; and
- (g) to maintain sewerage, drainage, refuse collection, electricity supply, telephone and postal services; and
- (h) require lighting of the caravan park to specified standards during specified hours; and
- (i) if the operator supplies bedding, require the operator—
 - (i) to keep it in a clean and sanitary condition; and
 - (ii) if bed linen is provided—to change and replace it with clean bed linen whenever there is a change of occupation.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

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Schedule 15 Operation of cemeteries

1 Prescribed activity

Operation of cemeteries

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

No activities stated.

3 Documents and materials that must accompany applications for approval

An application for an approval to operate a cemetery must include or be accompanied by—

- (a) the location and real property description of such land; and
- (b) a plan of the proposed cemetery drawn to scale showing the location of proposed grave sites and other structures; and
- (c) if the applicant is not the owner of the land on which the cemetery is situated—the written consent of the owner to the application; and
- (d) details of soil and drilling tests to verify that the land is suitable for use as a cemetery; and
- (e) details of the occupation and use of buildings and structures on the land in connection with the operation of the cemetery; and
- (f) details of the proposed administration and management of the cemetery including the establishment of a cemetery authority.

4 Additional criteria for the granting of approval

Applications must also submit the following additional criteria—

- (a) if approval for the cemetery is required under the *Planning Act 2016* - a certified copy, or other appropriate evidence, of the approval; and
- (b) whether the cemetery is to incorporate additional features including—
 - (i) a columbarium; or
 - (ii) a mausoleum or vault; or
 - (iii) a garden of remembrance.

5 Conditions that must be imposed on approvals

An approval holder must ensure that—

- (a) a person must not dispose of human remains in a cemetery unless the disposal of the remains is authorised by an approval issued by the approval holder; and

- (b) an application for an approval permitting disposal of human remains in a cemetery must be accompanied by certified copies of other legal authorities that are required for the disposal of the remains; and
- (c) human remains brought into a cemetery must be in a coffin or other form of container of water tight construction; and
- (d) proper and publicly available records are kept about the disposal of human remains within and outside public cemeteries; and
- (e) the approval holder has in place provision for the proper maintenance of memorials and other buildings and structures in the cemetery; and
- (f) the approval holder has in place policies about matters such as the exhumation or disturbance of human remains.

6 Conditions that will ordinarily be imposed on approvals

- (1) Standards which must be met for the disposal of human remains in cemeteries are as follows—
 - (a) graves must be dug to a depth of—
 - (i) for a child under the age of 5 years - at least 1.2 metres; or
 - (ii) for all other graves at least 1.8 metres; and
 - (b) no more than two bodies of adults or children to be buried in any grave; and
 - (c) the upper surface of a coffin must be at least 1 metre below the natural soil surface; and
 - (d) in no case shall a grave be sunk deeper after the first burial therein; and
Example—
No coffin once buried shall be disturbed for the purpose of deepening the grave.
 - (e) grave plots must be at least—
 - (i) for a single grave plot—at least 2.4 metres by 1.2 metres; or
 - (ii) for a double grave plot—at least 2.4 metres by 2.4 metres; or
 - (iii) for a family grave plot—at least 2.4 metres by 3.7 metres.
 - (f) any body interred in a mausoleum or vault must be enclosed—
 - (i) firstly, in a wooden shell; and
 - (ii) secondly, in a leaden hermetically sealed shell; and
 - (iii) thirdly, in a coffin on the lid of which a metal plate must be placed that has the deceased person's name stamped or inscribed.
- (2) An approval holder may enter into contracts—
 - (a) giving rights to burial sites or other rights relating to the placement of human remains in the cemetery; and
 - (b) granting an approval authorising the erection or installation of a memorial to a deceased person provided that if a development permit is required under the *Planning Act 2016* for the erection or installation of the proposed

- memorial, the application must be accompanied by a copy of the relevant permit; and
- (c) authorising a person to construct and maintain a private columbarium, mausoleum or vault in a local government cemetery, provided that—
- (i) a contract under this section does not dispense with the need for a development permit for the proposed structure under the *Planning Act 2016*; and
- (ii) a contract under this section must provide for the maintenance and repair of the structure and if the structure is not to be maintained by the cemetery authority under the terms of the contract— authorise the cemetery authority to demolish and remove the structure if it falls into disrepair; and
- (iii) if a party to a contract under this section dies, the approval holder must (subject to wishes the deceased had made known to the approval holder) allow relatives of the deceased whose identity and whereabouts are known to the cemetery authority a reasonable opportunity to take over the deceased's contractual rights and liabilities.
- (3) The approval holder must ensure compliance with any requirements imposed by the local government with respect to the size, location and nature of any memorial devices, plaques, ornaments, decorations and artefacts.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

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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

A public swimming pool does not include a swimming pool made available by the body corporate of a community titles scheme for use by the owners or occupiers of lots in the scheme or their invitees.

Examples –

- *A swimming pool available for use by paying guests in a hotel or motel.*
- *A swimming pool available for use by customers or employees of the owner.*

3 Documents and materials that must accompany applications for approval

- (1) An application for an approval authorising the operation of a swimming pool as a public swimming pool must include or be accompanied by—
 - (a) a plan or other information identifying the swimming pool; and
 - (b) details of the nature and extent of the public use that is proposed by the applicant including any training programs intended to be conducted; and
 - (c) details of the proposed management and supervision of the swimming pool (the management plan must comply with the Royal Life Saving Society's *Guidelines for Safe Pool Operation* including the qualifications and experience of proposed managers and supervisors); and
 - (d) if the applicant is not the owner of the land on which the swimming pool is situated—the owner's consent to the application.
- (2) Before the application is granted, the applicant must provide evidence of any necessary statutory permit, authorisation or approval—
 - (a) for the development and use of the relevant land as a public pool; and
 - (b) for the use of buildings and structures on the land in connection with the operation of the public pool.

4 Additional criteria for the granting of approval

The local government may grant an approval if satisfied that—

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

5 Conditions that must be imposed on approvals

The approval holder must —

- (a) require the provision and maintenance of specified equipment for—
 - (i) emergency medical treatment and first aid; or
 - (ii) rescue of persons in difficulty; or
 - (iii) other aspects of public health and safety; and
- (b) require the erection, maintenance and display of notices—
 - (i) providing information about basic life saving, resuscitation and first aid techniques; or
 - (ii) warning about possible dangers; and
- (c) require the regular testing of the water to ensure that biological contaminants are kept within acceptable levels; and
- (d) require the approval holder to install and maintain special equipment for filtering, purifying and recirculating the water; and
- (e) require the approval holder to maintain dressing rooms and facilities for showering and sanitation; and
- (f) require a certain standard for exterior fencing.

However, the conditions of the approval must be consistent with the conditions of any relevant development permit.

6 Conditions that will ordinarily be imposed on approvals

Conditions will ordinarily be imposed in an approval may require the approval holder to—

- (a) maintain equipment to test the water daily to ensure that biological contaminants are kept within levels specified in Australian Standards; and
- (b) maintain equipment specified in the approval for emergency medical treatment, first aid and rescue of persons in difficulty; and
- (c) if the approval holder intends to empty the pool, the approval holder must give the local government at least 24 hours notice of intention to empty the pool, and must comply with any directions given by an authorised person about when and how the pool is to be emptied.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

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Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Management Plan	Royal Life Saving Society	Certificate issued by the Royal Life Saving Society
Life Saving Certificate	Royal Life Saving Society	Certificate issued by the Royal Life Saving Society

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

This schedule does not apply to accommodation in—

- (a) premises used to provide residential services, as defined in the *Residential Services (Accreditation) Act 2002*; or
- (b) public housing as defined in the *Planning Act 2016*; or
- (c) a hotel or motel; or
- (d) a hospital, nursing home, or other institution where people are cared for on a live-in basis; or
- (e) a residential college or boarding school; or
- (f) a religious institution; or
- (g) a community titles scheme under the *Body Corporate and Community Management Act 1997*; or
- (h) a private home in which accommodation is provided for not more than 3 boarders.

3 Documents and materials that must accompany applications for approval

- (1) An application for an approval must include or be accompanied by—
 - (a) the name, location and real property description of the premises; and
 - (b) a plan of the premises drawn to scale and showing—
 - (i) the location of the building on the site including location of vehicle accesses and parking, areas for clothes drying and open recreation areas; and
 - (ii) the internal layout of the building showing the proposed function of each room and in the case of bedrooms and dormitories the maximum number of beds proposed; and
 - (c) details of shared facilities including—
 - (i) number of toilets; and
 - (ii) number of bathrooms and showers; and
 - (iii) laundry facilities; and
 - (iv) dining facilities; and
 - (v) cooking facilities; and

- (d) sufficient vehicle parking is available given the type of accommodation provided and number of persons for whom accommodation is proposed to be provided at the premises; and
 - (e) a report from an appropriately qualified professional that the fire safety provisions of the *Building Act 1975* have been complied with; and
 - (f) if the applicant is not the owner of the premises for which the approval is sought the written consent of the owner to the application.
- (2) Before the approval is granted, the applicant must provide evidence of any necessary statutory permit, authorisation or approval including—
- (a) any development permit for the premises required under the *Planning Act 2016* has been granted; and
 - (b) the use of the premises for providing the accommodation without significant risk to health or safety.

Examples –

Under paragraph (a) the local government would, for example, need to be satisfied that the premises may lawfully be used for the purpose of providing accommodation on a commercial basis under the Planning Act 2016.

Under paragraph (b) the local government would, for example, need to be satisfied that the premises will not be so over crowded so as to give rise to a risk of the spread of disease or illness affecting a person.

4 Additional criteria for the granting of approval

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

- (a) reasonable expectations of persons who were, before the commencement of this local law, providing accommodation of the relevant type to be able to continue to provide the accommodation; and
- (b) the needs of socially disadvantaged people who rely on the availability of accommodation to which this local law applies; and
- (c) the need for a reasonable degree of uniformity between local government areas; and
- (d) the need to encourage prospective operators to enter the market for accommodation to which this local law applies as a way of promoting tourism.

5 Conditions that must be imposed on approvals

- (1) It is a condition of an approval that the approval holder must not permit a person to sleep in a part of the premises to which the approval relates unless the relevant part of the premises is approved by the local government as a dormitory or a bedroom.
- (2) However, the conditions of the approval must be consistent with the conditions of any relevant development permit and the number accommodated must not exceed the requirements of clause D1.13 of the Building Code of Australia.

6 Conditions that will ordinarily be imposed on approvals

Conditions will ordinarily be imposed in an approval may include the following –

- (1) The conditions of an approval may –
 - (a) limit the number of persons for whom accommodation may be provided in the premises, or a specified part, of the premises;¹ and
 - (b) require that specified modifications, or other specified building work related to the premises, be carried out within a specified period²; and
 - (c) require the regular maintenance of the premises (including internal and external paintwork); and
 - (d) require the provision and maintenance of specified facilities; and
 - (e) require the provision and maintenance of specified furniture and equipment; and
 - (f) require the regular cleaning of the premises; and
 - (g) if relevant to the type of accommodation provided—require the regular provision of clean linen and towels; and
 - (h) require the provision of services of specified kinds for the persons using the accommodation; and
 - (i) require that the approval holder reside on the premises; and
 - (i) require the approval holder to keep specified records.

Example of paragraph (a) –

The approval might, for example, provide that a dormitory or bedroom is not to contain more than a specified number of beds.

Example of paragraph (h) –

A condition of an approval must include, require the safe custody of valuables by the operator.

- (2) Bedrooms and Dormitories:
 - (a) That sleeping accommodation and beds are not provided in any room or space except those rooms designated on the plan accompanying the application as bedrooms or dormitories; and
 - (b) Every person accommodated on the premises to be provided with an appropriate bed which shall be designated by a room and bed number; and
 - (c) Each bedroom or dormitory to have –
 - (i) cupboard space provided at a rate of 0.03 square metres per person; and
 - (ii) one (1) towel rail per person.

¹ Under section 10 of the *Building Fire Safety Regulation 1991* the occupier of a building must ensure that the number of persons present in the building at any one time does not cause overcrowding and does not exceed the maximum number that may be accommodated in compliance with clause D 1.13 of the *Building Code of Australia*. A condition of the approval could impose a limitation that is more stringent than section 10 of the *Building Fire Safety Regulation 1991* but could not allow for the accommodation of more people than is permissible under that section.

² A development permit for the proposed modification or other building work may be necessary under the *Planning Act 2016*.

- (d) The maximum number of people to be accommodated in any bedroom or dormitory shall be eight (8); and
 - (e) No beds to be more than two tiers in height and the clearance between the upper and lower beds to be at least 870mm with a clearance of one (1) metre between the upper bed and the ceiling, light fittings or any other projection from the ceiling.
- (3) Kitchen Facilities:
- (a) All premises to be provided with a kitchen separate from all other rooms which is available for the preparation, cooking and storage of food; and
 - (b) Kitchens to be kept in a clean and hygienic manner at all times; and
 - (c) All kitchen walls and ceilings to be smooth and free of ledges, protrusions, cracks and crevices and treated with washable gloss paint or other washable surface; and
 - (d) All kitchen floors to be covered with a smooth impervious floor covering; and
 - (e) All kitchen benches, tables and shelving to be covered in smooth impervious material; and
 - (f) Cooking appliances to be provided at a rate of at least four (4) burners or hotplates and one (1) oven for each 15 people; and
 - (g) Refrigeration space to be provided at a rate of 15 litres per person; and
 - (h) Dishwashing facilities to be provided at a rate of one stainless steel sink per 15 people; and
 - (i) Adequate crockery, cutlery and cooking utensils to be provided and maintained in a sound and clean condition; and
 - (j) Kitchen cupboard space to be provided at a rate of 0.015 square metres per person.
- (3) Dining Room:
- (a) All premises to be provided with a dining room under the same roof as the kitchen; and
 - (b) Dining room seating to be provided at the rate of 50 percent of the maximum number of occupants at any one time.
- (4) Common Living Rooms:
- (a) All premises to be provided with one or more common living rooms; and
 - (b) Floor area of common living rooms to be at least two square metres per person, which may include the area of the dining room but which shall not include –
 - (i) a passage way; or
 - (ii) a fire access way; or
 - (iii) a non-habitable room.
- (5) Toilets and Ablution Facilities:
- (a) The provision of toilet and ablution facilities to be in accordance with the Building Code of Australia.
- (6) Laundry Facilities:

- (a) Laundry facilities to be provided at a rate of one (1) wash tub and one (1) washing machine per 15 people.
- (7) Office:
 - (a) Every premises to have a clearly designated office.
 - (b) An emergency telephone service to be available when the office is closed.
- (8) Refuse Disposal:
 - (a) Refuse to be disposed of at least once in every week in an approved manner; and
 - (b) Refuse storage to be provided at the rate of one (1) 240 litre bin per six (6) people.
- (9) Maintenance:
 - (a) The premises to be treated for the control of vermin at least twice per year; and
 - (b) The premises, including the grounds around any building, to be maintained in a state of good repair and in a clean and sanitary condition free from accumulated refuse and waste materials at all times.
- (10) Storage:
 - (a) A secure, fire proof safe to be provided for the keeping of the occupants valuables and papers; and
 - (b) A security lock up for bulky packs and luggage to be provided which is not accessible other than by permission of the operator.
- (11) Fire Safety:
 - (a) Fire prevention, fire detection and fire suppression and control devices to be installed to ensure compliance with the *Building Act 1975*.
- (12) Accommodation register:
 - (a) A register to be kept which details—
 - (i) the full name of the occupant; and
 - (ii) permanent residential address of the occupant; and
 - (iii) the occupant's signature; and
 - (iv) dates the occupant checked in and out; and
 - (v) room and bed number allocated to the occupant.
 - (b) The approval holder must not allow a bed to be occupied by any person who has failed to register his/her name and address in the accommodation register.
- (13) Duties of the approval holder:
 - (a) The operator or a representative of the approval holder to reside on the premises and be available for emergency contact at night.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank.

Schedule 18 Operation of temporary entertainment events

1 Prescribed activity

Operation of temporary entertainment events.

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

Trail rides conducted on a private property during the weekend.

3 Documents and materials that must accompany applications for approval

An application for an approval authorising the operation of a temporary entertainment event must include or be accompanied by—

- (a) a plan of the temporary entertainment event's venue; and
- (b) details and drawings of buildings and other structural elements of the temporary entertainment event's venue; and
- (c) a detailed statement of the nature of the entertainment to be provided at the temporary entertainment event's venue and when the temporary entertainment event's venue is to be open to the public; and
- (d) if the applicant is not the owner of the temporary entertainment event's venue— the written consent of the owner; and
- (e) if approval of anything to be done under the approval is required under another law— a certified copy or other appropriate evidence of the approval.

4 Additional criteria for the granting of approval

The local government may grant an approval authorising the operation of a temporary entertainment event if satisfied that—

- (a) the design and construction of the venue is safe and appropriate to the nature of entertainment proposed and the number of people expected to attend the event's venue; and
- (b) entertainments of the proposed kind would not unreasonably detract from the amenity of the area in which the entertainment is situated; and
- (c) entertainments provided at the venue will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood; and
- (d) to ensure sufficient supply of toilets and sanitary conveniences, which comply with standards and requirements imposed by the local government, for the use of the public; and
- (e) adequate provision will exist for the disposal of refuse generated by the use of the temporary entertainment event's venue; and

- (f) adequate provision will exist for people and (if relevant) vehicles to enter and leave the temporary entertainment event's venue.

5 Conditions that must be imposed on approvals

Left intentionally blank.

6 Conditions that will ordinarily be imposed on approvals

Conditions that will ordinarily be imposed in an approval may —

- (a) require specified action to maintain or improve the venue; and
- (b) require the approval holder to provide specified equipment, and to take specified measures, for the safety of the public; and
- (c) require the approval holder to provide specified facilities and amenities; and
- (d) regulate the hours of operation of the temporary entertainment event; and
- (e) regulate illumination of the temporary entertainment event and light spillage from the temporary entertainment event; and
- (f) regulate noise emission from the temporary entertainment event; and
- (g) require the approval holder to provide specified equipment, or take specified measures, to reduce adverse effects of activities in the temporary entertainment event's venue on the surrounding neighbourhood to acceptable levels; and
- (h) restrict the entertainment for which the approval is issued to the times specified in the approval; and
- (i) in the case of entertainments which could include noise emissions, light spillage and/or offensive odours, require the holder of the approval to give written notice of the time during which the entertainments will be conducted to persons who may be affected by the activities;
- (j) require the operator to take out and maintain public liability insurance for an amount commensurate with the nature of the entertainments provided and the size of the venue; and
- (k) require the operator to provide sufficient toilet and sanitary conveniences for the estimated attendance at the venue; and
- (l) require that all refuse generated by the use of the entertainment venue to be disposed of the day following each use of the venue; and
- (m) require that action be taken to reduce noise, dust, odour and light emissions to an absolute minimum; and
- (n) require the operator to obtain any permit required under the *Liquor Act 1992* if liquor is to be available; and
- (o) if the approval relates to an activity on a State controlled road—require the approval holder to indemnify the State.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank

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

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

This local law does not affect the exhumation or other disturbance or interference with human remains on the order of a coroner or other lawful authority.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by—

- (a) details of the proposed disturbance of human remains; and
- (b) a copy of the death certificate or medical certificate of cause of death for the deceased; and
- (c) written consent from the nearest living relative; and
- (d) there is no public health risk involved; and
- (e) written confirmation from a recognised undertaker that he/she is prepared to carry out the exhumation.

4 Additional criteria for the granting of approval

No additional criteria stated.

5 Conditions that must be imposed on approvals

The conditions of an approval must include—

- (a) a requirement that any re-interment must be carried out in accordance with Schedule 15; and
- (b) a requirement that the approval holder advise the *Registrar of Births, Deaths and Marriages* of the disturbance.

6 Conditions that will ordinarily be imposed on approvals

The local government may give an authorisation on conditions the local government considers appropriate.

Examples –

The local government may authorise the removal of the remains from 1 cemetery to another to comply with the wishes of the relatives of the deceased.

The local government may authorise the opening of a grave and the burial of another in the same grave in compliance with the expressed wishes of both or all deceased persons who have been or are to be buried in the grave.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank.

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

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

No activities stated.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by—

- (a) details of the location and nature of the burial site or other place in which the remains are to be buried or placed; and
- (b) details about when and how the remains are to be disposed of; and
- (c) time and date of the proposed burial.

4 Additional criteria for the granting of approval

Additional criteria for the granting of approval include—

- (a) evidence that the grant of the approval is justified by—
 - (i) special family, personal or historical association between the deceased person and the place in which the remains are to be buried or placed; or
 - (ii) some other special reason; and
- (b) evidence that the implementation of the proposal—
 - (i) will not create a risk to health or other nuisance; and
 - (ii) will not cause reasonable offence to others.

5 Conditions that must be imposed on approvals

Left intentionally blank.

6 Conditions that will ordinarily be imposed on approvals

Conditions that will ordinarily be imposed in an approval may include –

- (a) a condition regulating the preparation of a grave and requiring the approval holder to allow an authorised person to inspect the grave before burial of human remains in the grave; and
- (b) a condition requiring the disposal of the human remains to take place at a particular time or within a particular period; and
- (c) a condition requiring the erection or installation of a memorial or marker to identify a site in which human remains have been buried;
- (d) a condition requiring the approval holder to ensure that any undertaker who arranges for the disposal of human remains outside a cemetery ensures that the conditions of the relevant approval are complied with.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank

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

This local law does not affect the exhumation or other disturbance or interference with human remains on the order of a coroner or other lawful authority.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by—

- (a) details of the proposed disturbance of the remains; and
- (b) a copy of the death certificate or medical certificate of cause of death for the deceased; and
- (c) written consent from the nearest living relative; and
- (d) there is no public health risk involved; and
- (e) written confirmation from a recognised undertaker that he/she is prepared to carry out the exhumation.

4 Additional criteria for the granting of approval

No additional criteria stated

5 Conditions that must be imposed on approvals

The conditions of an approval must include—

- (a) a requirement that any re-interment must be carried out in accordance with Schedule 15; and
- (b) a requirement that the approval holder advise the Registrar of Births, Deaths and Marriages of the disturbance.

6 Conditions that will ordinarily be imposed on approvals

The local government may give an authorisation on conditions the local government considers appropriate.

Examples –

The local government may authorise the removal of the remains from 1 cemetery to another to comply with the wishes of the relatives of the deceased.

The local government may authorise the opening of a grave and the burial of another in the same grave in compliance with the expressed wishes of both or all deceased persons who have been or are to be buried in the grave.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank

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

Leading of horses across a road by a member of a horse or pony club; and leading of racehorses on a road where travelling by the most direct route between its stables and Buchanan Park

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by full details of the proposed use of the local government controlled area or road, including stock number, location and times.

4 Additional criteria for the granting of approval

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

5 Conditions that must be imposed on approvals

Left intentionally blank.

6 Conditions that will ordinarily be imposed on approvals

The local government may impose conditions on an approval that —

- (a) restricts the times of day that animals may be led across the road; or
- (b) restricts the number of animals that may be driven or led across the road; or
- (c) requires compliance with specified safety requirements; or
- (d) requires the approval holder to exhibit specified warning notices and to take other specified precautions for the safety of users of the road or area; or
- (e) if the approval relates to an activity on a road—requires the approval holder to indemnify the State; and require the approval holder to give specified indemnities and to take out specified insurance.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank

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

1 Prescribed activity

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

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

No activities stated.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by details of the proposed depositing of goods and materials on the local government controlled area or road.

4 Additional criteria for the granting of approval

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

5 Conditions that must be imposed on approvals

Left intentionally blank.

6 Conditions that will ordinarily be imposed on approvals

The local government may impose conditions on an approval that —

- (a) require compliance with specified safety requirements; and
- (b) regulate the time within which the activity must be carried out; and
- (c) regulate the manner in which the goods or materials may be deposited; and
- (d) if the approval relates to an activity on a State controlled road—require the approval holder to indemnify the State.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank

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

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads—
(c) holding of a public place activity prescribed by subordinate local law, excluding
the operation of a temporary entertainment event.

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

No activities stated.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by all details of the
proposed public place activity.

4 Additional criteria for the granting of approval

Left intentionally blank.

5 Conditions that must be imposed on approvals

Left intentionally blank.

6 Conditions that will ordinarily be imposed on approvals

The local government may impose conditions on the approval that requires the
approval holder –

- (a) not to unduly interfere with the usual use and enjoyment of the area or road;
and
- (b) not to generate significant noise, dust or light pollution or other significantly
adverse effects on the surrounding neighbourhood; and
- (c) to ensure sufficient supply of toilets and sanitary conveniences, which comply
with standards and requirements imposed by the local government, for the use
of the public; and
- (d) to ensure that adequate provision will exist for the disposal of refuse generated
by the conduct of the event; and
- (e) to ensure that adequate provision will exist for people and (if relevant)
vehicles to enter and leave the event.
- (f) to require compliance with specified safety requirements; and

- (g) to exhibit specified warning notices and to take other specified precautions for the safety of users of the road or area; and
- (h) to give specified indemnities and to take out specified insurance; and
- (i) to provide specified facilities and amenities; and
- (j) to regulate the hours of operation of the event; and
- (k) to regulate illumination of the event and light spillage from the event; and
- (l) to regulate noise emission from the event; and
- (m) to provide specified equipment, or take specified measures, to reduce adverse effects of the event on the surrounding neighbourhood to acceptable levels; and
- (n) if the approval relates to an activity on a road—require the approval holder to indemnify the State.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank

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

Left intentionally blank

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

Left intentionally blank

Schedule 27 Use of bathing reserves for training, competitions etc

Section 11

Left intentionally blank

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

Left intentionally blank

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

Section 11

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Schedule 30 Carrying out works on a road or interfering with a road or its operation

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

No activities stated.

3 Documents and materials that must accompany applications for approval

An application for an approval must include or be accompanied by—

- (a) full details of the proposed works on the road or interference with its operation; and
- (b) if the applicant proposes to erect or install a structure on, over or under the road – plans and specifications of the structure; and
- (c) details of building or other work to be carried out under the approval.

4 Additional criteria for the granting of approval

The application includes adequate measures to minimise the interference with the usual use of the road and protect public health and safety.

5 Conditions that must be imposed on approvals

Left intentionally blank

6 Conditions that will ordinarily be imposed on approvals

The local government may impose conditions on an approval requiring an approval holder to:

- (a) comply with specified safety requirements; and
- (b) give the local government specified indemnities; and
- (c) take out specified insurance; and
- (j) maintain structures erected or installed, or vegetation planted, under the approval in good condition; and
- (f) remove a structure erected or installed under the approval at the end of a stated period.

7 Term of approval

An approval is granted for a term specified in the approval.

8 Term of renewal of approval

Left intentionally blank