

Subordinate Local Law No. 1 (Administration) 2014

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1 (Administration) 2014*.

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) _ 2010*, which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) __ 2010* (the ***authorising local law***).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) In this subordinate local law ***standard public liability insurance condition*** means that the approval holder must
 - a) for the duration of the term of the approval, maintain in full force and effect a public liability insurance policy
 - i. in the joint names of the approval holder and the local government and
 - ii. covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
 - iii. for an amount of no less than \$10 million for any single event; and
 - b) prior to the commencement of the activity, provide the local government with a certificate of currency for the public liability insurance policy; and

c) indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon, the local government as a result of the activity.

Part 2 Approvals for prescribed activities

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

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

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

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

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

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

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

8 Prescribed complementary accommodation—Authorising local law, schedule 1

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

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

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

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

For the purposes of paragraph (c) of the definition of *regulated activities on local government controlled areas and roads* in part 2 of schedule 2 of the authorising

local law, the holding of a public place activity listed in schedule 6 is a prescribed activity.

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

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

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

Section 5

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

Section 6

Part 1 Category 1 activities

1. Alteration or improvement to local government controlled areas and roads
2. Commercial use of local government controlled areas and roads
3. Establishment or occupation of a temporary home
4. Installation of advertising devices
5. Keeping of animals
6. Undertaking regulated activities regarding human remains
7. Undertaking regulated activities on local government controlled areas and roads
8. Camping within a camping site in a trust area
9. Operation of temporary entertainment events

Part 2 Category 2 activities

1. *operation of camping grounds*
2. *operation of caravan parks*
3. *operation of cemeteries*
4. *operation of shared facility accommodation*

Part 3 Category 3 activities

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Schedule 3 Categories of approval that are non-transferable

Section 7

1. *Keeping and Breeding of animals for domestic purposes.*
2. *Camping.*
3. *Operation of a camp ground.*
4. *Temporary home.*
5. *Any item in schedule 2 of Subordinate Law No.4 (Local Government Controlled Areas Facilities and Roads) 2014 that is not intended for a commercial purpose.*

Schedule 4 Prescribed complementary accommodation

Section 8

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

Section 9

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Schedule 6 Public place activities that are prescribed activities

Section 10

Approval is required to hold the following activities on a local government controlled area or road:

1. An organised event attended by 10 or more persons including a ceremony, fundraising event, fete, training event, display, demonstration or information booth etc. but not including cultural activities such as tombstone openings and funerals etc.
2. A cake stall, sausage sizzle, car wash or similar fundraiser held on no more than 1 day.
3. A training event held on no more than 1 day.
4. A training event held on more than 1 day without payment of a fee.
5. A display, demonstration or information booth.
6. A right of occupation and use of a particular part of a park or reserve by sporting association or recreational group or other association on a regular or recurring basis;
7. A wedding ceremony for which the use of a set area is reserved.
8. The erection or inflation of a temporary structure which is either greater than 10 square meters in area or greater than 3 metres in height.
9. 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

Activities of a cultural nature undertaken in the course of celebration and/or acknowledgement of a cultural holiday; and

(2) In this section—

cultural nature means activities undertaken in accordance with recognised traditional and cultural practice of the Torres Strait Islander and/or Aboriginal community in which it is practiced and/or acknowledged.

cultural holiday means a holiday formally gazetted under the *Holidays Act 1983* (Qld) for the Division(s) of the local government area seeking to celebrate and/or acknowledge a culturally-significant event, and shall not include holidays of non cultural **significance**.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of public liability insurance certificate; and
- (c) full details of all proposed alterations and/or improvements; and
- (d) all applicable building plans and applicable approvals required under another law for the proposed alterations or improvements; and
- (e) schedule of timeframes for the project to practical completion; and
- (f) details of builders, sub-contractors, or principal contractor engaged or proposed to be engaged to undertake the prescribed activity; and
- (g) potential impacts on environment, use of or amenity of the area, Cultural Heritage and/or Native Title, and ILUA; and
- (h) details of community engagement (if any), and consultation held in the division of the local government in which the prescribed activity is to be undertaken and outcome; and
- (i) plan for waste removal from the community; and
- (j) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are –

- (a) require that the alteration or improvement would not unduly interfere with the usual use of the area or the amenity of the area; and
- (b) the physical suitability of the site for the proposed activity; and
- (c) the suitability of any proposed structure including satisfactory compliance with relevant standards of the local and state government and/or any applicable Industry or Australian Standard(s); and
- (d) the alteration or improvement will not prejudice the safety of pedestrian or vehicular traffic; and
- (e) the alteration or improvement will not prejudice or interfere with the proper maintenance of existing infrastructure, the construction of future infrastructure within or adjacent to a local government area or road; and
- (f) require that community engagement has occurred in the Shire in which the proposed alteration or improvement is to be undertaken in the local government area, and that the land-owner has given its consent to the proposed alteration or improvement; and
- (g) require that the proposed alteration or improvement is valid under the *Native Title Act 1993 (Cth)* (if applicable) and any existing ILUA; and
- (h) any other criteria the local government considers relevant to determine the application.

5 Conditions that must be imposed on approvals

Conditions that must be imposed on approvals are –

- (a) require compliance with specified safety requirements; and
- (b) require the approval holder to comply with standard public liability insurance condition; and
- (c) if the approval holder or the holder's employee or agent damages the local government controlled area, facility or road or any public infrastructure within the local government controlled area, facility or road, it must: -
 - (i) take immediate steps to make the area safe and maintain the area in a safe condition until all necessary repairs are effected; and
 - (ii) report damage to the local government; and
 - (iii) provide payment to the local government to have all damage rectified or with the local government's prior approval, carry out repairs at its own expense to the satisfaction of the local government; and
- (d) require the approval holder must maintain structures erected or installed, or vegetation planted, under the approval to the satisfaction of the local government; and
- (e) require the approval holder to be responsible for all costs associated with the design and construction of any alteration or improvement; and

- (f) require that the approval holder ensure a copy of the approval is held on site during the prescribed hours of operation under the approval and must be produced for viewing upon request by an authorised person; and
- (g) require the approval holder to comply with the approved dates and hours of operation as stated in the approval; and
- (h) require that the alteration or improvement shall not unduly obstruct pedestrian and/or vehicular traffic; and
- (i) require the approval holder to ensure the safety of pedestrians and vehicular traffic by providing and maintaining appropriate signage and barrier protection, in accordance with relevant Industry and Australian Standards; and
- (j) require that the approval holder provide adequate warning of the presence of works on the local government controlled area or road –
 - (i) between sunset and sunrise which shall at least consist of a barrier with warning lights and a reflectorized warning sign on each side of the approved road works; and
 - (ii) between sunrise and sunset which shall at least consist of a barrier with warning flags or a warning sign on each side of the approved works; and
- (k) require the approval holder to take all steps necessary for the protection of the public at the approval holder's cost; and
- (l) ensure the approved works must be made safe at the end of each working day to allow the safe movement of vehicular and pedestrian traffic and other users of the local government controlled area and/or road; and
- (m) ensure that any excavation, hole or opening shall be backfilled, consolidated and the surface reinstated upon completion of the opening works, or before the approval expires, whichever is the sooner, and to the satisfaction of the local government; and
- (n) ensure any subsidence or other damage which occurs within 3 months and is attributable to the work done under this approval, must be repaired by the approval holder or agent within 7 days of receiving notice to do so by an authorised person; and
- (o) ensure no environmental damage is caused; and
- (p) ensure that within 30 days of completion of the works–
 - (i) all wastes (including surplus oil, earth, and other materials) generated by the approved works are lawfully disposed of as directed by the local government; and
 - (ii) remove all rubbish skips or containers; and
 - (iii) make good the structure of the local government area or road to the satisfaction of the local government; and
- (q) require the approval holder to comply with the permitted use of the underlying tenure upon which the alteration or improvement is constructed; and
- (r) require the approval holder to comply with all Native Title consents (if applicable); and
- (s) require the alteration or improvement will not unreasonably obstruct traffic; and

(t) require that the alteration or improvement will not detrimentally affect the amenity of the local government area; and

(u) require that the alteration or improvement has been approved under the local government's Planning Scheme or equivalent planning process; and

(v) require acknowledgement from the approval holder that the use of the area is subject to any additional requirements that the local government may impose from time to time in the event of construction, alteration, or other improvement works to or adjacent to the local government controlled area or road.

6 Conditions that will ordinarily be imposed on approvals

Not applicable

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of the renewal of the approval shall be the term stated in the renewal.

Schedule 8 Commercial use of local government controlled areas and roads

Section 11

1 Prescribed activity

Commercial use of local government controlled areas and roads

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

- (1) An approval under the authorising local law is not required where the activity is a public purpose activity.

(2) In this section—

public purpose activity means an activity undertaken for primarily public or charitable purposes (eg. fundraising events for a community sporting team or church or provision of volunteer ferry services to facilitate resident travel to and from a community event etc).

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) details of the nature, time and place of the proposed activity for which the approval is sought; and
- (c) 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
- (d) details of the type of signage which is intended to be displayed and the method intended to be used to ensure stability of the signage; and
- (e) details of any temporary structures to be erected; and
- (f) a certified copy of any other registration, license, permit, or approval required for the activity under any other law; and
- (g) if the activity is to operate from a vehicle – a full description of the vehicle and its registration number; and
- (h) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

For all approval, the additional criteria are –

- (a) the physical suitability of the area or road for the proposed use; and

- (b) the activities for which the approval is sought would not unduly interfere with the proper use of a road; and
- (c) the activities would not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (d) the activities would not adversely affect the amenity of the surrounding area; and
- (e) the likely effect on the local environment and any risk of pollution or other environmental damage; and
- (f) the proximity of the activities to other existing commercial businesses; and
- (g) the appropriateness, quality and condition of equipment to be used in the activity; and
- (h) the likely impact on the ability of the general public to use the site concurrently with the proposed activity; and
- (i) the applicant's proposals regarding the provision of shade and shelter to protect against environmental conditions; and
- (j) whether the applicant's proposed waste management strategy makes provision for the satisfactory collection, storage and removal of all waste generated by the proposed activity.
- (k) adversely affect existing services located in, on, or over a road.

5 Conditions that must be imposed on approvals

A condition that must be imposed on an approval is that the approval holder must comply with the standard public liability insurance condition.

6 Conditions that will ordinarily be imposed on approvals

(1) For all approvals, the conditions that will ordinarily be imposed on an approval are that the approval holder must –

- (a) permit access to local government staff or contractors at all times to inspect or service facilities; and
- (b) carry out the activity in accordance with any standards of the local government applicable at the time of the approval; and
- (c) conduct the activity only on the days and times, and at the specific locations or areas, specified in the approval; and
- (d) display the approval in the ways stated in the approval and produce the approval for inspection on demand by an authorised person; and
- (e) comply with the measures specified in the approval to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
- (f) comply with measures specified in the approval to ensure that the activities authorised by the approval do not cause nuisance; and
- (g) comply with a requirement to submit the business, vehicle or premises to be inspected by an authorised person; and

- (h) maintain a defined access point for emergency vehicles at all times; and
- (i) if the approval authorised the approval holder to use a specified part of a local government controlled area or road for carrying on a business –
 - (i) pay rental specified in the approval to the local government at specified intervals; and
 - (ii) maintain the area where the activity takes place in clean, tidy and orderly condition; and
- (j) seek written authorisation from an authorised person prior to playing amplified music.

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of the renewal of the approval shall be the term stated in the renewal.

Schedule 9 Establishment or occupation of a temporary home

Section 11

1. Prescribed activity

Establishment or occupation of a temporary home

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

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3. Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by –

- (a) the prescribed fee; and
- (b) a drawing showing the design and dimensions of the proposed temporary home; and
- (c) details of the materials out of which the temporary home is (or is to be) constructed and other structural details of the temporary home; and
- (d) details of the location of the temporary home; and
- (e) details of the builder engaged or proposed to be engaged to undertake the construction works; and
- (f) a copy of the development approval for the permanent residence, together with the expected date of completion; and
- (g) details or plans, where relevant, for:
 - (i) waste water;
 - (ii) sewerage;
 - (iii) water supply;
 - (iv) painting;
 - (v) engineering;
 - (vi) electrical;
 - (vii) structural approval.
- (h) the intended duration of occupancy of the temporary home, including a progress chart or similar timetable showing milestones during the construction process; and
- (i) details of the names of persons who are to occupy the temporary home; and
- (j) 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; and
- (k) if the land upon which the temporary home is to be established is subject to Native Title, the written consent of the Native Title holder(s); and

- (l) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are –

- (a) the temporary home will not be occupied as a place of residence permanently or for an indefinite period; and
- (b) the applicant holds a current development permit for the erection of, or conversion of an existing building or structure into, a permanent residence; and
- (c) the applicant proposes, within the period for which the approval is granted to erect, or convert an existing structure into, a permanent residence or to carry out building work on a permanent residence that will make the residence temporarily unfit for occupation as a place of residence; and
- (d) adequate source of water will be available to the proposed temporary home; and
- (e) adequate means of waste disposal and sanitation will exist to ensure that reasonable standards of health and hygiene can be maintained; and
- (f) the temporary home is located in such a way as to not impact adversely on the amenity of an adjoining owner; and
- (g) that reasonable grounds exist to justify the need to establish and occupy a temporary home, including special consideration where a natural disaster or emergency situation has the existing dwelling house unsuitable for habitation.

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval are that the approval holder must –

- (a) compliance with the public liability insurance condition; and
- (b) not cease construction of the permanent residence for a period greater than three (3) calendar months; and
- (c) require the provision of specified facilities for personal hygiene and sanitation, and for washing and drying clothes; and
- (d) provide specified equipment, or take specified action, to ensure that the temporary home is adequately supplied with water; and
- (e) keep the temporary home in good order and repair; and
- (f) ensure that the temporary home is not unsightly or unhygienic.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) dismantle and remove the temporary home within one (1) month of occupation of the permanent residence or the expiry of the approval; and

(b) connect all plumbing and drainage facilities to the temporary home as soon as practicable or within 3 months of initial occupation of the temporary home so as to reasonably comply with plumbing and drainage regulations.

7 Term of approval

The approval commences on the day it is issued and concludes on the sooner of –

(a) the expiry date, not exceeding 12 months from the date of issue, stated in the approval; or

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

8 Term of renewal of approval

The term of a renewal of the approval will be term stated in the renewal but must not extend beyond the expected completion date of the permanent residence unless exceptional personal circumstances exist.

Schedule 10 Installation of advertising devices

Section 11

1 Prescribed activity

Installation of advertising devices

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

(1) An approval under the authorising local law is not required for –

- (a) a temporary advertising device that has been authorised as part of an approval for another prescribed activity under the authorising local law; or
- (b) an under-awning sign that does not exceed 2400mm long and 200mm wide; or
- (c) signs displayed by the Commonwealth, State or local governments or charitable/ not for profit organisations; or
- (d) official election signage approved in accordance with a Commonwealth, State or local government election.

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by –

- (a) the prescribed fee; and
- (b) details of the advertising device including the dimensions, colour, content, materials and construction; and
- (c) details of where the device is to be located and how it is to be affixed; and
- (d) an engineer's certification of the structural adequacy of the device with reference to wind velocity loadings; and
- (e) 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
- (f) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria are that –

- (a) the proposed advertising device is structurally sound; and
- (b) the device will not obstruct or distract 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

Intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

For all approvals, the conditions that will ordinarily be imposed are that –

- (a) compliance with the public liability insurance condition; and
- (b) the device does not interfere with any underground utilities; and
- (c) the device does not interfere with the road or its operation; and
- (d) no portion of the sign projects over a road or any surface used by motor vehicles; and
- (e) the device is not located in a place that is likely to distract motorists, restrict sight distances on approaches to intersections, restrict the visibility of other authorised signs, or otherwise impact on safety; and
- (f) the device is not located in a place that is likely to cause a safety hazard to other traffic (for example, pedestrians or cyclists); and
- (g) the device is not fastened to trees or road infrastructure (for example, signs or guardrails); and
- (h) the device is not made of frangible material that is designed to be easily broken; and
- (i) the device is not left in place in the event of extreme weather; and
- (j) the device does not contain explicit, inappropriate, offensive or irrelevant content.

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of the renewal of the approval shall be the term stated in the renewal.

Schedule 11 Keeping of animals

Section 11

1 Prescribed activity

Keeping of animals

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

As per *Subordinate Local Law No. 2 (Animal Management) 2014*.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) a description of the species, breed, age and gender of the animal or each of the animals for which the approval is sought; and
- (c) evidence of current registration of each animal if required to be registered with the local government; and
- (d) evidence of current micro chipping ; and
- (e) copy of any declared animal approval (if applicable); and
- (f) a description of the number of animals to be kept; and
- (g) reasons why the applicant requires more animals than the threshold amount allowed under *Local Law No. 2 (Animal Management) 2010* without approval; and
- (h) a description of the area, or part of the area, in which the animal or animals are to be kept; and
- (i) a description of the nature of the premises in which the animal or animals are to be kept; and
- (j) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are that –

- (a) the land is physically suitable for the keeping of the animals; and
- (b) the enclosures in which the animals are to be kept are structurally suitable as required by *Subordinate Local Law No. 2 (Animal Management) 2014*; and
- (c) 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

Intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

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

- (a) be at least 17 years of age; and
- (b) comply with the minimum standards for animals as defined in the *Subordinate Local Law No. 2 (Animal Management) 2011*; and
- (c) care for the animals in accordance with appropriate standards; and
- (d) keep the animals in enclosures that complies with specified structural requirements; and
- (e) comply with specified standards of hygiene; and
- (f) not keep more than any maximum number of animals specified in the approval; and
- (g) ensure registration of the animals to which this approval relates, unless otherwise exempted by local law; and
- (h) ensure the animal is micro chipped; and
- (i) take specified action to protect against possible harm to the local environment; and
- (j) comply with specific requirements as identified by an authorised person.

7 Term of Approval

Term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of the renewal shall be the term stated in the renewal.

Schedule 12 Operation of camping grounds

Section 11

1 Prescribed activity

Operation of camping grounds

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

Intentionally left blank

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of compliance with the standard public liability insurance condition; and
- (c) a plan showing the boundaries of the camping ground and the division of the camping ground into camping sites; and
- (d) 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
- (e) details of the facilities on the land which will be provided for use by the campers; and
- (f) details of public consultation had in the division to which the camping ground is proposed; and
- (g) if applicable, Native Title consent, ILUA and land-owner consent; and
- (h) details of water quality, reticulation and drainage; and
- (i) details of ablution facilities; and
- (j) projected average and maximum duration of stay of occupants; and
- (k) details of a cleaning and maintenance schedule that specifies the frequency with which camping ground facilities are to be cleaned and maintained; and
- (l) a plan showing the boundaries of the camping ground and the division of the camping ground into camping sites; and
- (m) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for the granting of the approval are –

- (a) the suitability of the number of persons that will be camping on the land; and
- (b) whether the grant of the approval will cause or be likely to have a negative impact on the amenity of the area; and

- (c) whether the facilities on the land are of an acceptable standard or can be brought to an acceptable standard for use by the intended occupants; and
- (d) cultural significance of the site; and
- (e) environmental capacity of the site to accommodate the scale and intensity of the proposed activity; and
- (f) whether in the opinion of the authorised person; the proposed manager is a suitable person to be manager of the camping ground; and
- (g) is consistent with the provisions of local governments planning scheme; and
- (h) the camping ground can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land.

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval are that the approval holder must –

- (a) compliance with the standard public liability insurance condition; and
- (b) keep of a register of campers and vehicles; and
- (c) maintain all buildings, structures and facilities provided by the operator on the camping ground in good and serviceable condition; and
- (d) keep the camping ground (including all camping sites) clean and tidy; and
- (e) if applicable, maintain Native Title consent and land-owner consent; and
- (f) ensure the camping ground is kept free of pests; and
- (g) provide adequate water supply, toilets, showers and waste facilities; and
- (h) ensure any supplied bedding is kept in a clean and sanitary conditions and changed whenever the occupier changes.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) limit the number of persons occupying a camping site to any number specified in the approval; and
- (b) limit the period of the stay to a maximum of 14 days; and
- (c) ensure that campers comply with the conditions of their camping permit; and
- (d) provide satisfactory amenities to cater for the occupants of the camping ground; and
- (e) maintain adequate supply of water to all toilet, bathroom, laundry and drinking water facilities that form part of the camping ground; and
- (f) maintain an adequate supply of hot water to all bathroom and laundry facilities that form part of the operation of the camping ground; and
- (g) ensure that the water supply for drinking and ablutionary purposes is potable water; and

(h) notify the local government of any modification to the water supply system (for example, installation of a tank for the supply of water).

7 Term of approval

The term of an approval shall be a period of 12 months, or part thereof

8 Term of renewal of approval

The term of a renewal shall be a period of 12 months, or part thereof.

Schedule 13 Operation of cane railways

Section 11

Intentionally Left Blank

Schedule 14 Operation of caravan parks

Section 11

Intentionally left blank

Schedule 15 Operation of cemeteries

Section 11

1 Prescribed activity

Operation of cemeteries

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

Intentionally left blank

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of compliance with the standard public liability insurance condition; and
- (c) details of the cemetery; and
- (d) a drawing showing the design and dimensions of the proposed cemetery; and
- (e) details of the materials out of which the cemetery is (or is to be) constructed and other structural details of the cemetery; and
- (f) details of the location of the cemetery; and
- (g) if the applicant is not the owner of the land on which the cemetery is located – written consent of the owner; and
- (h) a site plan showing the immediate area of the proposed cemetery and proposed burial plots, columbarium niches, walls or any associated structures, plots and layout; and
- (i) if applicable, Native Title consent and tenure; and
- (j) details of the proposed administration and management of the cemetery; and
- (k) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

Intentionally left blank

5 Conditions that must be imposed on approvals

A condition that must be imposed on an approval is that the approval holder must comply with the standard public liability insurance condition.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) comply with specified hours when the cemetery may be open to the public (where not previously regulated by a development approval); and

- (b) comply with specified hours when a burial, cremation or disposal may take place in the cemetery (where not previously regulated by development approval); and
- (c) give notice to the local government prior to a burial, cremation or disposal; and
- (d) permit an authorised person to inspect a burial site at any time either before or after a burial; and
- (e) keep a publicly available register containing various information about burials and cremations at the cemetery; and
- (f) keep a record of all reserved sites or niches within the cemetery; and
- (g) properly maintain memorials and other buildings and structures in the cemetery; and
- (h) ensure records of burials and graves are not destroyed or otherwise disposed of without the written approval of the local government; and
- (i) keep records of burials and graves open to inspection at all times when the person responsible for the making and retaining thereof is ordinarily in attendance at the place where the records are kept; and
- (j) comply with the regulated size and position of grave sites; and
- (k) if applicable, maintain Native Title consent and tenure; and
- (l) not exceed the maximum number of bodies which may be buried in a single grave; and
- (m) minimum periods of leases of grave sites; and
- (n) the proper maintenance of memorials and other buildings and structures in the cemetery; and
- (o) the requirement for operators to have policies about matters such as the exhumation or disturbance of human remains.

7 Term of approval

The term of an approval shall be a period of 12 months.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

Schedule 16 Operation of public swimming pools

Section 11

Intentionally left blank

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

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

- (a) houses where accommodation is provided in accordance with a General Tenancy Agreement under the *Residential Tenancies and Rooming Accommodation Act 2008* (Qld); or
- (b) accommodation for family members in exchange for board payment; or
Examples for paragraph (b) – Teenage or young children paying board to parents or aged parents living with and paying board to their adult.
- (c) accommodation at premises where professional health or welfare services are provided. *Example for paragraph (c) – Hospitals, nursing homes, convalescent homes, retirement homes and other institutions providing treatment for persons with a disability.*

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of compliance with the standard public liability insurance condition; and
- (c) A site plan of the premises; and
- (d) details of the facilities that are to be shared by persons for whom the accommodation is provided; and
- (e) details of any public consultation held in the division to which the shared facility accommodation is to be operated; and
- (f) a statement as to the number of sleeping rooms in the premises, information to identify which rooms are the sleeping rooms and the number of beds in each sleeping room; and
- (g) a statement that, to the best of the applicant's knowledge after having undertaken reasonable inquiries and investigations, the premises are structurally sound and in a state of good repair; and
- (h) details of when the premises were last treated for vermin and insect pests; and
- (i) if the applicant is not the owner of the premises for which the approval is sought—the written consent of the owner to the application; and
- (j) if applicable, Native Title consent and land-owner consent; and

(k) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

Intentionally left blank.

5 Conditions that must be imposed on approvals

A condition that must be imposed on an approval is that the approval holder must comply with the standard public liability insurance condition.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) maintain Native Title consent and land-owner consent; and
- (b) ensure the operator does not to 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; and
- (c) limit the number of persons for whom accommodation may be provided in the premises, or a specified part, of the premises; and
- (d) ensure that specified modifications, or other specified building work related to the premises, be carried out within a specified period; and
- (e) ensure the regular maintenance of the premises (including internal and external paintwork); and
- (f) ensure that every room commonly accessible to all patrons in the premises is situated so that any occupant can obtain access to it without passing through any sleeping room or other room which is not a common use room; and
- (g) ensure that the premises are either –
 - (i) connected to the local government’s reticulated water supply system; or
 - (ii) provided with an adequate water supply which complied with all relevant legislation relating to the minimum standards for drinking water; and
- (h) ensure a adequate and continuous supply of potable hot and cold water reticulated to shows, baths, hand basins and kitchen sinks; and
- (i) treat the premises for the control of vermin and insect pests on a yearly basis, or more often if required to do so by an authorised person; and
- (j) ensure the provision and maintenance of specified facilities; and
- (k) ensure the provision and maintenance of specified furniture and equipment; and
- (l) ensure the regular cleaning of the premises; and

(m) if relevant to the type of accommodation provided—ensure the regular provision of clean linen and towels; and

(n) ensure the provision of services of specified kinds for the persons using the accommodation; and

(o) ensure that the operator or a representative of the operator approved by the local government resides on the premises; and

(p) ensure the operator keeps specified records.

7 Term of approval

The term of an approval shall be a period of 12 months, or part thereof.

8 Term of renewal of approval

The term of a renewal shall be a period of 12 months, or part thereof.

Schedule 18 Operation of temporary entertainment events

Section 11

1 Prescribed activity

Operation of temporary entertainment events

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

(1) An approval under the authorising local law is not required for activities undertaken by way of cultural exchange.

(2) In this section—

cultural exchange means activities undertaken in accordance with recognised traditional and cultural practice of Aboriginal and Torres Strait Islander people, which otherwise would be considered an “entertainment event” (eg. Traditional dance or song etc).

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of compliance with the standard public liability insurance condition; and
- (c) a copy of any registration, licence, permit or approval required under any other law; and
- (d) if the business or activity is to operate from a vehicle – a full description of that vehicle and its registration number; and
- (e) a plan of the temporary entertainment event’s venue; and
- (f) details and drawings of buildings and other structural elements of the temporary entertainment event’s venue; and
- (g) if applicable, Native Title consent and land-owner consent; and
- (h) a detailed statement of the nature of the entertainment to be provided at the temporary entertainment event and when the event is to be open to the public; and
- (i) if the applicant is not the owner of the temporary entertainment event’s venue—the written consent of the owner; and
- (j) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are –

- (a) whether the application has been submitted more than 10 days prior to the event; and
- (b) the design and construction of the temporary entertainment event's venue is safe and appropriate to the nature of entertainment proposed and the number of people expected to attend the venue; and
- (c) entertainment of the proposed kind would not unreasonably detract from the amenity of the area in which the entertainment is situated; and
- (d) entertainment provided at the temporary entertainment event will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood; and
- (e) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and
- (f) the likely effect on the local environment and any possible pollution or other environmental damage; and
- (g) the likely impact on the ability of the general public to use the site concurrently with the proposed activity; and
- (h) the applicant's proposals regarding the provision of shade and shelter to protect against environmental conditions; and
- (i) adequate availability of resources (eg. no water restrictions); and
- (j) the proximity of the activities to other existing commercial businesses;
- (k) adequate provision will exist for the disposal of refuse generated by the conduct of the temporary entertainment event; and
- (l) adequate provision will exist for people and (if relevant) vehicles to enter and leave the temporary entertainment event

5 Conditions that must be imposed on approvals

A condition that must be imposed on an approval is that the approval holder must comply with the standard public liability insurance condition.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) permit access to local government staff and contractors at all times to inspect or service facilities; and
- (b) display the approval in the ways stated in the approval and produce the approval for inspection on demand by an authorised person; and
- (c) maintain a defined access point for emergency vehicles at all times; and
- (d) if the approval authorises the approval holder to use a specified part of a local government controlled area or road for the event –
 - (i) pay rental specified in the approval to the local government at specified intervals; and

- (ii) maintain the area where the activity takes place in clean, tidy and orderly condition; and
- (e) maintain Native Title consent and tenure; and
- (f) ensure specified action is taken to maintain or improve the temporary entertainment event's venue; and
- (g) ensure that the operator provides specified equipment, and to take specified measures, for the safety of the public; and
- (h) ensure that the operator provides specified facilities and amenities; and
- (i) comply with the hours of operation of the temporary entertainment event; and
- (j) comply with the requirements for illumination of the temporary entertainment venue and light spillage from the temporary entertainment event's venue; and
- (k) comply with requirements for noise emission from the temporary entertainment event; and
- (l) ensure that the operator provides 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.

7 Term of approval

The term of an approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

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

Section 11

1 Prescribed activity

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

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

An approval under the authorising local law is not required for disturbance of 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 approval must be accompanied by –

- (a) the prescribed fee; and
- (b) details of the proposed disturbance of human remains; and
- (c) an explanation of the applicant’s relationship to the deceased (if any); and
- (d) a copy of the death certificate or medical certificate of cause of death for the deceased; and
- (e) written consent from the nearest living relative, or evidence of an attempt to obtain written consent from the nearest living relative; and
- (f) written confirmation from a recognised undertaker that he/she is prepared to carry out the exhumation; and
- (g) in the case of exhumation for the purpose of reinterment – details of the new burial place where reinterment is to take place; and
- (h) in the case of exhumation for the purposes of cremation – a completed declaration in accordance with the provisions of the *Cremations Act 2003* and the written approval of Queensland Health; and
- (i) if applicable, written consent of the State government; and
- (j) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are –

- (a) the nearest living relative consents to the disturbance of the human remains; and
- (b) there is no public health risk involved.

5 Conditions that must be imposed on approvals

For an approval for exhumation for the purposes of reinterment, a condition that must be imposed on all approvals are that the approval holder must place the remains of the deceased in a sealed plastic bag encased in a hermetically sealed coffin and enclosed in a wooden outer shell or coffin.

6 Conditions that will ordinarily be imposed on approvals

Intentionally left blank

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

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

Section 11

1 Prescribed activity

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

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

Intentionally left blank

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) details of the location and nature of the burial site or other place in which the remains are to be buried or placed; and
- (c) details of when and how the remains are to be disposed of; and
- (d) if applicable, written consent of the State government; and an explanation of the applicant's relationship to the deceased (if any); and
- (e) a copy of the death certificate or medical certificate of cause of death for the deceased; and
- (f) written consent from the nearest living relative, or evidence of an attempt to obtain written consent from the nearest living relative; and
- (g) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are that –

- (a) 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) 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.
- (c) consent has been given by the owner of the land and anyone else with a registered interest in the land on which the remains are to be buried or placed; and

(d) is authorised by the living family of the deceased.

5 Conditions that must be imposed on approvals

Intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) ensure the preparation of a grave and allow an authorised person to inspect the grave before burial of human remains in the grave; and
- (b) dispose of the human remains a particular time or within a particular period; and
- (c) ensure the erection or installation of a memorial or marker to identify a site in which human remains have been buried.

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

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

Intentionally left blank

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) details of the proposed disturbance of the remains; and
- (c) an explanation of the applicant's relationship to the deceased (if any); and
- (d) written confirmation from a recognised undertaker that he or she is prepared to carry out the disturbance; and
- (e) a copy of the death certificate or medical certificate of cause of death for the deceased; and
- (f) written consent from the nearest living relative, or evidence of an attempt to obtain written consent from the nearest living relative; and
- (g) written confirmation from a recognised undertaker that he/she is prepared to carry out the exhumation; and
- (h) if applicable, consent of the State government; and
- (i) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are –

- (a) there is no public health risk involved.

5 Conditions that must be imposed on approvals

For an approval for exhumation for the purposes of reinterment, a condition that must be imposed on all approvals are that the approval holder must;

- a) place the remains of the deceased in a sealed plastic bag encased in a hermetically sealed coffin and enclosed in a wooden outer shell or coffin.
- b) Remove any monuments on the existing grave and dispose of appropriately in the opinion of an authorised person;
- c) Ensure that the coffin, body, ashes or other remains disinterred are removed under the supervision and to the satisfaction of the local government;

6 Conditions that will ordinarily be imposed on approvals

Intentionally left blank

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

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

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

- (a) leading of 10 or less animals across a road between 6am and 6pm, other than declared dangerous animals; or
- (b) a person who has been granted approval for installation of a gate or grid on a road adjacent to the person's land; or
- (c) driving or leading of animals that are not livestock animals.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) full details of the proposed use of the local government controlled area or road; and
- (c) details of how the applicant plans to carry out the activity and the regularity and duration of the activity; and
- (d) details of the location where the activity will be carried out by way of plan or drawing and showing the location of any warning notices for the safety of road users; and
- (e) details of the type and number or appropriate number of animals that will be involved; and
- (f) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are that –

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

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

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval are that the approval holder must comply with the standard public liability insurance condition.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) comply with the approved times of day that animals may be led across the road; and
- (b) comply with the approved number of animals that may be driven or led across the road; and
- (c) comply with specified safety requirements; and
- (d) exhibit specified warning notices and to take other specified precautions for the safety of users of the road or area.

7 Term of approval

The term of an approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be term stated in the renewal.

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

Section 11

1 Prescribed activity

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

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

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

- (a) deposit of goods and materials pertaining to a project approved by the local government; or
- (b) a self-assessable activity provided the applicant complies with the standard requirements and conditions as determined by the local government

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) details of the proposed depositing of goods and materials on the local government controlled area or road; and
- (c) details of the quantity or volume and type of goods or materials that will be deposited; and
- (d) details of the duration of the depositing of the goods or materials; and
- (e) evidence of compliance with the standard public liability insurance condition; and
- (f) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are –

- (a) the depositing of goods or materials would not unduly interfere with the usual use or the amenity of the road or area; and
- (b) the physical sustainability of the road or footway for the proposed use; and
- (c) the likelihood of the use causing nuisance, inconvenience, or annoyance to the occupiers of the adjoining land, vehicular traffic or pedestrians; and
- (d) the likely effect on the amenity of the surrounding area; and
- (e) the likely effect on the local environment and any possible pollution or other environmental damage; and

- (f) whether the activity have an adverse effect on an existing service in, on or over a road; and
- (g) compliance with the work place health and safety act.

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval are that the approval holder must –

- (a) compliance with the standard public liability insurance condition; and
- (b) agree to pay all expenses incurred in the reinstatement to the local governments standards, any damage caused to the road, local government controlled area, public infrastructure or public services as a result of the activities associated with the work, whether by their own operations or those of their sub-contractors, agents, manufacturers, cartage contractors or other delivering or removing any materials to or from the site; and
- (c) comply with approved dates and times stated in the approval; and
- (d) ensure goods and materials are only deposited in the location stated on the approval; and
- (e) ensure the goods and materials are neatly stacked or piled and equipment positioned to take up as little area as possible; and
- (f) ensure approval is available for inspection by an authorised person upon request; and
- (g) ensure compliance with any notice of the local government or its authorised person; and
- (h) comply with specified safety requirements; and
- (i) comply with the standard public liability insurance condition; and
- (j) not adversely obstruct the movement of vehicles and pedestrians along the road; and
- (k) ensure the activity does not cause a nuisance to neighbouring residents; and
- (l) must take all reasonable steps to minimise the effects of the activity on the amenity of the surrounding area (for example, by ensuring the goods or materials are kept in a tidy and orderly manner); and
- (m) not interfere with existing services located in, on or over a road.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) The approval holder may be required to deposit with the local government, security in the sum fixed by the local government, to cover the cost of repairing any damage to public infrastructure resulting from the operation of the approved activity; and
- (b) Obtain additional local government approvals relevant to the depositing of goods and materials on a local government controlled area or road, such as a –
 - (i) road closure approval; or

(ii) hoardings and gantries approval; or

(iii) temporary use of footway.

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

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

Section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads— (c) 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

(1) An approval under the authorising local law is not required for –

(a) activities of a cultural nature which, in all reasonableness, will not cause a prolonged nuisance or inconvenience to the wider community in the local government controlled area or adjacent to a road; or

(b) a public place activity approved by local law (eg. a temporary entertainment event or public place activity under an approval for the commercial use of a local government area or road).

(2) In this section—

cultural nature means activities undertaken in accordance with recognised traditional and cultural practice of the Torres Strait Islander and/or Aboriginal community in which it is practiced and/or acknowledged.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

(a) the prescribed fee; and

(b) evidence of compliance with the standard public liability insurance condition; and

(c) full details of the proposed public place activity; and

(d) if applicable, Native title consent and land-owner consent; and

(e) a copy of a risk management plan; and

(f) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are that –

(a) the event will not unduly interfere with the usual use and enjoyment of the area or road; and

- (b) the event will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood; and
- (c) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and
- (d) adequate provision will exist for the disposal of refuse generated by the conduct of the event; and
- (e) adequate provision will exist for people and (if relevant) vehicles to enter and leave the event; and
- (f) adequate provision will exist for vehicles to park at or near the activity (where applicable); and
- (g) satisfy any other criteria the local government considers relevant to determine the application.

5 Conditions that must be imposed on approvals

Intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) comply with the standard public liability insurance condition; and
- (b) comply with specified safety requirements; and
- (c) ensure that any damage sustained as a result of the approval holder or the approval holder's agent or employee's action or omission, to a road, or any public infrastructure within the road or a local government controlled area, it must –
 - (i) take immediate steps to make the area safe and maintain the area in a safe condition until all necessary repairs are effected; and
 - (ii) report the damage to the local government; and
 - (iii) pay to the local government the amount it would cost for the local government to have all damage rectified or with the local government's approval, carry out repairs at its own expense to the satisfaction of the local government; and
- (d) conduct the activity only on days and times, and at the specific locations or\ areas, specified in the approval; and
- (e) display the approval in the ways stated in the approval and produce the approval for inspection on demand by an authorised person; and
- (f) comply with measures specified in the approval to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
- (g) comply with measures specified in the approval to ensure that the activities authorised by the approval do not cause nuisance; and
- (h) maintain a defined access point for emergency vehicles at all times; and

(i) pay any rental specified in the approval to the local government at specified intervals; and

(j) maintain the area where the activity takes place in clean, tidy and orderly condition.

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

Schedule 25 Bringing or driving motor vehicles onto a park or reserve

Section 11

1 Prescribed activity

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

- (a) on any part of a park or reserve; and
- (b) not within a motor vehicle access area

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

An approval under the authorising local law is not required for access to a park or reserve by an authorised contractor for the purposes of repairing or maintaining a local government facility.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) full details of the reasons for bringing the motor vehicle onto the park or reserve; and
- (c) the date and time and duration of bringing the motor vehicle onto the park or reserve; and
- (d) the parts of the park or reserve where the motor vehicle will be driven; and
- (e) the type of motor vehicle to be driven; and
- (f) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are that –

- (a) the vehicle access is required for:
 - (i) construction, repair and maintenance work within the park or reserve;
 - (ii) access to a temporary entertainment venue for which the applicant has received approval under another local law;
 - (iii) the purposes of commercial use of the park or reserve for which the applicant has received approval under another local law;
 - (iv) holding a celebration, ceremony or competition for which the applicant has received approval under another local law;

- (b) the vehicle access will not unduly interfere with the usual use and enjoyment of the park or reserve; and
- (c) the vehicle will not impact on the natural resources and native wildlife of the park or reserve; and
- (d) the vehicle will not cause damage to the park or reserve; and
- (e) the vehicle will not generate significant noise or dust or other significantly adverse effects on the surrounding neighbourhood.

5 Conditions that must be imposed on approvals

Intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) comply with the dates and times specified in the approval; and
- (b) use only the vehicle or type of vehicle specified in the approval; and
- (c) respect any speed limits and road rules specified in the approval; and
- (d) comply with any restrictions specified in the approval regarding the parts of the park or reserve that may be accessed by vehicle; and
- (e) display the approval on the dashboard of the vehicle while it is within the park or reserve; and
- (f) have regard for the safety of other users of the park or reserve; and
- (g) give 24 hours notice of the vehicle access to affected neighbours of the park or reserve; and
- (h) acknowledge that it shall be liable to pay the local government the cost of rectifying any significant damage caused by the use of the vehicle in the park or reserve.

7 Term of approval

The term of the approval shall be the term stated in the approval

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

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

Section 11

Intentionally left blank

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

Section 11

Intentionally left blank

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

Section 11

Intentionally left blank

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

Section 11

Intentionally left blank

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

Section 11

1 Prescribed activity

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

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

This is not a prescribed activity that a local government can make exemptions about because the approval is required under the *Local Government Act 2009* (Qld).

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of compliance with the standard public liability insurance condition; and
- (c) applicant's details; and
- (d) full details of the proposed works on the road or interference with its operation; and
- (e) contact details for the site foreman or equivalent; and
- (f) reasons for carrying out the works or interfering with a road; and
- (g) duration of approval sought; and
- (h) building approval (if applicable); and
- (i) location of works or activities interfering with a road; and
- (j) a traffic management plan detailing how vehicular and pedestrian traffic is to be managed for the duration of the works or activity; and
- (k) certificate of currency for a public liability insurance policy consistent with the standard public liability insurance condition; and
- (l) if the applicant proposes to erect or install a structure on, over or under the road – plans and specifications of the structure; and
- (m) details of building or other work to be carried out under the approval; and
- (n) any other documentation or materials requested by the local government in writing

4 Additional criteria for the granting of approval

The additional criteria for approval are whether –

- (a) the works will not unduly interfere or obstruct pedestrian or vehicular traffic; and

- (b) the application includes adequate measures to minimise the interference with the usual use of the road and protect public health and safety; and
- (c) the works will cause undue nuisance; and
- (d) the works will obstruct a footpath; and
- (e) the works will have an adverse effect on the amenity of the area; and
- (f) the works will have an adverse effect on the existing services located in, on or over a road.

5 Conditions that must be imposed on approvals

For approvals, the conditions that must be imposed on an approval are that the approval holder must –

- (a) comply with the standard public liability insurance condition; and
- (b) if the approval holder or the holder's employee or agent damages the road or any public infrastructure within the road, it must: -
 - (i) take immediate steps to make the area safe and maintain the area in a safe condition until all necessary repairs are effected; and
 - (ii) report damage to the local government; and
 - (iii) provide payment to the local government to have all damage rectified or with the local government's prior approval, carry out repairs at its own expense to the satisfaction of the local government; and
- (c) ensure a copy of the approval remains on site for inspection by an authorised person upon request; and
- (d) ensure any excavation, hole or opening shall be backfilled, consolidated and the surface reinstated to the satisfaction of the local government upon completion of the works, or before the approval expires, which is the sooner; and
- (e) ensure that any subsidence or other damage which occurs within 3 months and is attributable to the work done under the approval, shall be repaired by the approval holder or his agent within 7 days of receiving notice to do so from the local government; and
- (f) ensure that if the proposed works are likely to affect local residents or businesses, the following advice must be provided to all affected residents or businesses prior to the commencement of the works—
 - (i) the nature of the work being carried out; and
 - (ii) the duration of the work; and
 - (iii) any proposed closures and detours; and
 - (iv) a contact number for enquiries relative to the work;
- (g) ensure that if access to any business or residence is prevented or restricted, alternate arrangements must be agreed between the parties; and
- (h) ensure that all roads and footways must be made safe at the end of each working day to allow the safe movement of vehicular and pedestrian traffic; and

- (i) ensure the safety of vehicular and pedestrian traffic by providing and maintaining appropriate signage and barrier protection, in accordance with relevant industry standards; and
- (j) ensure all vehicles and other ancillary plant and/or equipment associated with the approved road works must be parked/ placed so as not to inhibit –
 - (i) the effectiveness of any traffic sign or other traffic control device; or
 - (ii) access the public utilities such as fire hydrants, access chambers, inspection chambers, kerb ramps, pedestrian and bus stops; or
 - (iii) the paths of travel to kerb ramps, pedestrian crossings, bus stops and adjacent parked vehicles.
- (k) complete the works within the specified period in the approval; and
- (l) comply with specified safety requirements; and
- (m) undertake the works or activity on the specified hours and days of operation; and
- (n) notify the local government of any deviations from the details provided in the approved application; and
- (o) not interfere with existing services located in, on or over a road; and
- (p) locate and protect all existing utility services prior to the disturbance of the ground surface (for example, by using “Dial 1100 Before You Dig”); and
- (q) ensure any damage that occurs to utility services during the work is immediately reported to the relevant utility authority; and
- (r) remediate any damage to signs, posts, footpath, concrete channelling, roadway and any other local government property; and
- (s) comply with all lawful directions provided by an authorised person of the local government; and
- (t) maintain structures erected or installed, or vegetation planted, under the approval in good condition; and
- (u) remove a structure erected or installed under the approval at the end of a stated period; and
- (v) ensure no environmental damage is caused.

6 Conditions that will ordinarily be imposed on approvals

For approvals, the conditions that will ordinarily be imposed on an approval are that the approval holder must deposit with the local government, a monetary security in the sum fixed by the local government, to cover the cost of repairing any damage to public infrastructure resulting from the operation of the approved activity.

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

Schedule 31 Entry to trust areas

Section 11

Intentionally left blank

Schedule 32 Undertaking scientific research in a trust area

Section 11

1 Prescribed activity

Undertaking scientific research within a trust area

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

Intentionally left blank

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) full details of the nature, scope and purpose of the proposed scientific research for which the approval is sought, including specific details of the times and places that the proposed research will be conducted; and
- (c) details and proof of affiliation with an accredited scientific research organisation; and
- (d) the period of time for which the approval is sought; and
- (e) the parts of the trust area for which the approval is sought; and
- (f) details about any vehicles associated with the approval, such as registration number, vehicle make and type; and
- (g) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are whether –

- (a) the activities would not cause nuisance, inconvenience or annoyance to the residents of the trust area; and
- (b) the activities would not adversely affect the amenity of the surrounding area.

5 Conditions that must be imposed on approvals

Intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

Conditions for these approvals might:

- a) Comply with the specified days and times in approval;

- b) limit the activities authorised by the approval to a single specified location or to a specified area;
- c) display the approval in a specified position or to produce the approval for inspection on demand by an authorised person;
- d) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval;
- e) take out insurance against personal injury or property damage resulting from activities authorised by the approval on terms of the standard public liability insurance condition;
- f) take specified measures to ensure that the activities authorised by the approval do not cause a nuisance;
- g) follow any direction given by an authorised person;
- h) enter into an agreement in relation to the intellectual property rights to the research;
- i) comply with the local government's local laws and applicable policies as relevant to the applicant; and
- j) comply with the laws of the State of Queensland and Commonwealth of Australia.

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.

Schedule 33 Camping within a camping site in a trust area

Section 11

1 Prescribed activity

Camping within a camping site in a trust area

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

Intentionally left blank

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) details about whether the applicant is a resident of the local government area;
- (c) the period of time for which the approval is sought; and
- (d) details about any vehicles associated with the approval, such as registration number, vehicle make and type; and
- (e) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are whether –

- (a) the approval would not cause nuisance, inconvenience or annoyance to the residents of the trust area; and
- (b) the approval would not adversely affect the amenity of the surrounding area;

5 Conditions that must be imposed on approvals

Intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

- (a) ensure all rubbish must be removed by the camper or placed in receptacles provided; and
- (b) ensure camping sites are kept in a clean and tidy state; and
- (c) ensure compliance with total fire bans imposed by authorised persons; and
- (d) ensure plants, animals and natural and cultural resources are not be disturbed or damaged; and
- (e) ensure wildlife is not fed, and food must not be left in a place where it can be scavenged; and

- (f) ensure watercourses are not be polluted with shampoos, soaps, detergents, sunscreens or other harmful substances; and
- (g) comply with any lawful direction given by an authorised person; and
- (h) ensure noise is not made as to disturb other visitors, particularly between 10pm and 7am; and
- (i) ensure electric generating equipment and compressors are not to be used without approval; and
- (j) if camping in an area without toilet facilities, ensure all human waste is be buried at least 45cm deep, at least 50 metres from any lakes, watercourses, walking tracks, campsites or public facilities; and

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal