Gympie Regional Council
Subordinate Local Law No. 1 (Administration) 2026

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1 (Administration) 2026.*

2 Purpose and how it is to be achieved

(1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011*, which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.

(2) The purpose is to be achieved by providing for—

(a) various matters regarding the granting of approvals for prescribed activities; and

(b) further specification of the definitions relevant to various prescribed activities.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the ***authorising local law***).

4 Repeal of subordinate local law

Subordinate Local Law No.1 (Administration) 2011 is repealed.

5 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—

community titles scheme has the meaning given in the *Body Corporate and Community Management Act 1997*.

lot has the meaning given in the Planning Act, schedule 2.

occupant, of premises, means a person who uses, or occupies, the premises, including a visitor to the premises.

property means—

(a) a lot; or

(b) if a person owns and occupies 2 or more adjoining lots—the parcel of land comprising all of the lots owned by the person.

Standards for the Conduct of Prescribed Activities means the document, published on the local government's website and available at the local government's office, setting out the standards for conducting various prescribed activities pursuant to an approval issued under the authorising local law.

urban property means a property that is entirely or mostly within the

boundaries of a zone, other than the Rural zone or Industry Investigation zone, defined in the local government's planning scheme.

Part 2 Approvals for prescribed activities

6 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.

7 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.

8 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.

9 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 following accommodation is prescribed as appropriate for caravan parks—

This list has been intentionally left blank.

10 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 4 are roads to which the authorising local law applies unless otherwise provided in the local law.

11 Works on roads or interference with roads not requiring written approval—Authorising local law, s 7A(1)

For section 7A(1) of the authorising local law, it is declared that in the circumstances specified in schedule 5, a person does not require the local government's written approval to—

(a) carry out works on a road; or

(b) interfere with a road or its operation.

12 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.

13 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—

(a) that an approval holder must produce a copy of the approval on request by an authorised person; and

(b) the additional conditions 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

operation of cane railways

operation of cemeteries

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

commercial use of local government controlled areas and roads

establishment or occupation of a temporary home

installation of advertising devices

keeping of animals

temporary placement of a shipping container, where the shipping container has been in place less than 3 months at the time enforcement action is commenced

undertaking regulated activities regarding human remains

undertaking regulated activities on local government controlled areas and roads

Part 2 Category 2 activities[2]

operation of camping grounds

operation of caravan parks

operation of public swimming pools

operation of shared facility accommodation

operation of short stay accommodation

operation of temporary entertainment events

prescribed activity mentioned in section 10(1) of *Local Law No.6 (Bathing Reserves) 2011*

temporary placement of a shipping container, where the shipping container has

[1] Prescribed activities listed here attract a 50 penalty unit maximum penalty under section 6(2)(b) of the authorising local law.

[2] Prescribed activities listed here attract a 200 penalty unit maximum penalty under section 6(2)(c) of the authorising local law.

been in place 3 months or longer at the time enforcement action is commenced

Part 3 Category 3 activities[3]

This part has been intentionally left blank.

[3] Prescribed activities listed here attract a 500 penalty unit maximum penalty under section 6(2)(d) of the authorising local law.

Schedule 3 Categories of approval that are non-transferable

section 7

1 approvals for the keeping of animals, where the approval is to keep more than 2 dogs

2 approvals for undertaking regulated activities regarding human remains

3 approvals for establishment or occupation of a temporary home

4 approvals for commercial use of local government controlled areas and roads

5 approvals for operation of camping grounds

6 approvals for operation of caravan parks

7 approvals for operation of public swimming pools

8 approvals for operation of shared facility accommodation

Schedule 4 State-controlled roads to which the local law applies

section 10

This schedule has been intentionally left blank.

Schedule 5 Works on roads or interference with roads not requiring written approval

section 11

1 Installation, by a property owner, of a driveway access or vehicle crossover to provide vehicular access from a road to the owner's property, provided—

(a) the driveway access or vehicle crossover complies with the local government's standard drawings; and

(b) if temporary road or footpath closure is required for the installation—the property owner obtains the local government's authorisation for the closure.

Schedule 6 Public place activities that are prescribed activities

section 12

1 discharging a firearm or other weapon in, over or across a local government controlled area

2 a private (invitation only) function attended by more than 75 people

3 a wedding or other ceremony

4 directing or procuring a performance other than a temporary entertainment event

5 conducting a survey

6 a display or information booth

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

section 13

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) An approval under the authorising local law is not required for any of the following activities, provided that the activity 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 road verge (nature strip) between the road kerb and the front boundary of 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 one tree is planted per road frontage for an urban property; and

(ii) the tree is listed on the preferred tree species list in the local government's planning scheme; and

(iii) the tree does not obstruct visibility of vehicular traffic; and

(iv) the tree is not planted over or under infrastructure and will not be likely to impact on infrastructure;

(d) maintenance or repair of a driveway access or vehicle crossover;

(e) maintenance or repair work to a memorial in a local government cemetery—

(i) by the burial rights holder for the deceased person, or another person who has written permission from the burial rights holder; and

(ii) carried out in accordance with written authorisation by an authorised person.

(2) In this section—

vegetation maintenance means—

(a) mowing, slashing or edging grass; or

(b) trimming vegetation; or

(c) removing weeds listed in the local government's biosecurity plan; or

(d) removing falling branches; or

(e) watering vegetation.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

(a) details of the work methods and supervision arrangements to be used in the proposed activity; and

(b) details of the persons or organisations undertaking the activity; and

(c) details of the persons or organisation responsible for the activity, if not the applicant; and

(d) if the applicant is not the owner of land adjoining the proposed site for the activity, the adjoining landowner's consent; and

(e) for an approval to erect or install a memorial in a local government cemetery—

(i) details of the burial site or other place in which the memorial is to be erected or installed; and

(ii) a description of the nature and dimensions of the proposed memorial.

4 Additional criteria for the granting of approval

This section has been intentionally left blank.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval.

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

Schedule 8 Commercial use of local government controlled areas and roads

section 13

1 Prescribed activity

Commercial use of local government controlled areas and roads

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

This section has been intentionally left blank.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by full details of how the activity will be operated, including any relevant work methods, signage, maps, specifications, plans and vehicles to be used.

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are—

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

(b) the likelihood of the use causing nuisance, inconvenience or annoyance to the occupiers of the adjoining land, vehicular traffic or pedestrians; and

(c) the likely effect on the amenity of the surrounding area; and

(d) the likely effect on the local environment and any risk of pollution or other environmental damage; and

(e) the appropriateness, quality and condition of equipment to be used in the activity; and

(f) the likely impact on the ability of the general public to use the site concurrently with the proposed activity; and

(g) 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.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval; and

(c) take measures specified in the approval to ensure that the activity does not cause environmental harm.

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 31st day of August.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 31st day of August.

Schedule 9 Establishment or occupation of a temporary home

section 13

1 Prescribed activity

Establishment or occupation of a temporary home

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

An approval under the authorising local law is not required for the use of a caravan as a temporary home on a private property for a period of up to two weeks in any eight week period.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

(a) full details of the activity including—

(i) its purpose; and

(ii) the number of proposed usual occupants, adults and children, of the temporary home; and

(iii) the toilet, bathing, laundry, water storage and refuse facilities available; and

(iv) a drawing or specifications and plans or a map depicting the design, dimensions of the temporary home and its location on the site; and

(v) the materials proposed to be used for construction, and other structural details, of the temporary home.

(b) where the basis for the application is construction of a permanent residence on the property where the temporary home is to be located— a copy of the decision notice for the development approval for the construction of the permanent residence; and

(c) 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

(1) For an approval for a temporary home to be used in connection with the erection of, or conversion of an existing building or structure into, a permanent residence, including occupation by an owner builder or site caretaker, the additional criteria are—

(a) the applicant is able to demonstrate an ability and capacity to construct a permanent residence within the period of the relevant development approval; and

(b) an adequate source of water will be available to the proposed temporary home; and

(c) there is adequate means of waste disposal and sanitation to ensure reasonable standards of health and hygiene can be maintained; and

(d) the temporary home is located in such a way as to not impact adversely on the amenity of an adjoining land owner; and

(e) in the case of an application for a renewal of an approval—the applicant has made satisfactory progress with the construction of the permanent residence.

(2) For all other approvals, the additional criteria are—

(a) 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 made the existing dwelling house unsuitable for habitation; and

(b) an adequate source of water will be available to the proposed temporary home; and

(c) there is adequate means of waste disposal and sanitation to ensure reasonable standards of health and hygiene can be maintained; and

(d) the temporary home is located in such a way as to not impact adversely on the amenity of an adjoining owner; and

(e) the term of occupation of the temporary home does not exceed—

(i) for a tent—3 months;

(ii) for a car, van or other vehicle designed or modified as a place of residence—6 months;

(iii) for a caravan, mobile home or bus designed or modified as a place of residence—18 months.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) not cease construction of the permanent residence on the property for a period greater than three calendar months; and

(c) ensure the provision of the basic amenities required for living, such as kitchen facilities, bathing facilities, laundry, toilet, sleeping accommodation, waste water disposal, refuse disposal, storage and adequate water supply; and

(d) keep the temporary home in good order and repair; and

(e) ensure that the home is not unsightly or unhygienic.

7 Term of approval

The term of the approval will be as stated in the approval, and must not exceed—

(a) for an urban property—6 months; or

(b) for another property—9 months.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal, and must not exceed the lesser of—

(a) the term of the original approval; or

(b) the estimated time for completion of the permanent dwelling on the property where the temporary home is located.

Schedule 10 Installation of advertising devices

section 13

1 Prescribed activity

Installation of advertising devices

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

(1) The installation of the following advertising devices does not require approval under the authorising local law—

(a) an advertising device that is regulated by the local government's planning scheme;

(b) a permitted advertising device.

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

(a) real estate signs that—

(i) advertise a property for sale, lease or auction; and

(ii) are not greater than 3m² in face area; and

(iii) are not positioned on a road, footpath or building (other than the building being advertised);

(b) election signs that—

(i) are not displayed before the commencement of the election period; and

(ii) are not displayed for more than 7 days after the conclusion of the election period;

(c) construction site signs that—

(i) contain only project details and real estate information; and

(ii) are only exhibited during the period of construction; and

(iii) are not greater than 2m in height; and

(iv) are not positioned on a road, footpath or building (other than the building being advertised);

(d) rural identification signs that—

(i) are not greater than 2m² in face area; and

(ii) do not number more than 1 sign per property;

(e) 'A' board signs that—

(i) are not greater than 1m² in face area on any face; and

(ii) are no wider than 750mm; and

(iii) are only placed adjacent to the business being advertised; and

(iv) are secured to prevent danger to pedestrians and traffic outside the site in high wind situations; and

(v) do not number more than 1 sign per business per road frontage or, in the case of a business in an arcade, 1 sign per business per arcade opening;

(f) bunting that—

(i) is not placed within 20m of a streetfront boundary; and

(ii) is not placed above 6m height from the ground level of the site; and

(iii) is affixed to structures that will accommodate wind loadings; and

(iv) is not placed on a building roof; and

(v) is not affixed to trees, lighting standards or power poles; and

(vi) does not extend above dedicated car parking areas;

(g) window signs that—

(i) do not cover more than 25% of the glazed area; and

(ii) are not illuminated;

(h) temporary real estate signs that—

(i) are no larger than 1.08m² in face area; and

(ii) do not number more than 1 sign per selling agent per streetfront boundary of the site to which the sign applies; and

(iii) where more than one selling agent is appointed—are grouped centrally on the streetfront boundary in an organised manner;

(i) road side stall signs that—

(i) are not adjacent to an urban property; and

(ii) are no larger than 1.08m² in face area; and

(iii) do not number more than 2 signs per stall;

(j) sporting field fence signs on the perimeter of playing fields that—

(i) are not legible at streetfront boundaries; and

(ii) are no larger than 1m² in face area per metre of fence length;

(k) business name plates that—

(i) are no larger than 0.5m² in face area; and

(ii) do not number more than 1 business name plate per tenant;

(l) lantern signs that—

(i) are no larger than 0.25m² in area for any face of the device; and

(ii) are used only for directional messages for vehicular traffic or pedestrians entering the site; and

(iii) are not arranged together to form an overall advertising message;

(m) property numbers or names displayed on the roof of a residence.

(3) In this section—

'A' board sign means any portable, self supporting footway sign, such as a sandwich board, blackboard, A frame or inverted T frame board.

bunting includes decorative flags, pennants and streamers.

business name plate means a sign intended to display the name or occupation of the business occupants or occupant and may be either freestanding or painted or otherwise affixed to a building wall or a fence.

candidate means the person who is seeking to be elected.

election means a—

(a) government election; or

(b) a referendum; or

(c) election of a person to a position in accordance with the provisions of an Act.

election period means—

(a) for a local government election—the period of 28 days preceding the day of the election; or

(b) for a State government election—the meaning given in the *Electoral Act 1992*, section 3; or

(c) for a Commonwealth government election—the period beginning on the day after the writ for the election is issued and ending on the day of the election; or

(d) for another election—

(i) the election period stipulated by the Act providing for the election; or

(ii) if no period is stipulated by the Act—the period of 28 days preceding the day of the election; or

(e) for a referendum—the period beginning on the day after the writ for the referendum is issued and ending on the day of the referendum.

election sign means a device that is able, or is intended, to—

(a) influence a person about voting at an election or referendum; or

(b) affect the result of an election or referendum.

government election see the Act, section 36(4).

lantern sign means a fabricated or moulded light shade which may have lettering affixed.

local government election means an election of a member of the local government.

referendum means a referendum as defined under the *Referendums Act 1997* or the *Referendum (Machinery Provisions) Act 1984 (Cwth)*.

roadside stall sign means a temporary sign erected for the purposes of advertising the availability of seasonal produce grown on the subject site for a maximum period of 3 months concurrent within any 6 month period.

rural identification sign means a freestanding sign which is intended to display the name or nature of an agribusiness or occupant undertaking an agricultural practice on the property that the sign is advertising.

sporting field fence sign means a sign painted or otherwise affixed to a fence marking the boundaries of a playing field and facing inward to the playing field area.

window sign means a sign painted or otherwise affixed to the exterior or on the inner surface of the glazed area of any window and—

(a) includes devices that are suspended from the window frame;

(b) does not include product displays or showcases to be viewed by pedestrians.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

This section has been intentionally left blank.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval.

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 31st day of August.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 31st day of August.

Schedule 11 Keeping of animals

section 13

1 Prescribed activity

Keeping of animals

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

Not applicable.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

(1) For all approvals, the additional criteria are—

(a) the land is physically suitable for the keeping of the animal; and

(b) the enclosure in which the animal is to be kept is structurally suitable; and

(c) the animal is not likely to cause undue nuisance, inconvenience, or annoyance to the occupiers of adjoining land; and

(d) the animal will not have a significant detrimental effect on the amenity of the surrounding area; and

(e) the animal will not have a significant detrimental effect on the local environment or cause pollution or other environmental damage.

(2) For an approval to keep more than 2 dogs or more than 2 cats over the age of 12 weeks on any property, an additional criterion is that the application is not for more than 4 animals, unless exceptional circumstances exist.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

A condition that will ordinarily be imposed on an approval is that the approval holder must comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

Schedule 12 Operation of camping grounds

section 13

1 Prescribed activity

Operation of camping grounds

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

This section has been intentionally left blank.

3 Documents and materials that must accompany applications for approval

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

(a) if the applicant is not the owner of the land on which the camping ground is situated—the written consent of the owner; and

(b) details of the location and real property description of the land; and

(c) a copy of any development approval for the camping ground required under the Planning Act; and

(d) details of the proposed design of the camping ground, including the proposed location and number of camping sites and the distance between sites; and

(e) details of the maximum number of persons to be permitted to occupy each site; and

(f) details of the facilities to be provided, including the location, number and type of toilets, showers, cooking facilities and laundries; and

(g) details of the proposed water supply, sewerage system, waste disposal system, drainage system and any electrical system to be installed; and

(h) details of the firefighting equipment to be maintained onsite.

4 Additional criteria for the granting of approval

The additional criteria are that—

(a) the camping ground can be operated in a way that 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 acceptable standard before operation commences; and

(c) the proposed operator is a suitable person to be operating a camping ground.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval.

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

Schedule 13 Operation of caravan parks

section 13

1 Prescribed activity

Operation of caravan parks

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

This section has been intentionally left blank.

3 Documents and materials that must accompany applications for approval

An application for an approval 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; and

(b) a copy of any development approval for the caravan park required under the Planning Act; and

(c) details of the following—

(i) the location, real property description and boundaries of the premises; and

(ii) the design of the caravan park, including the location and number of proposed sites for caravans or complementary accommodation and the maximum number of persons to be permitted to occupy each site; and

(iii) the location, number, and type of proposed toilets, showers, laundries, cooking facilities and ancillary facilities; and

(iv) the proposed water supply, sewerage system, waste disposal system, drainage system and electrical system to be installed; and

(v) the proposed firefighting equipment to be maintained onsite.

4 Additional criteria for the granting of approval

The additional criteria are that—

(a) the caravan park can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and

(b) the proposed facilities are at an acceptable standard or can be brought to acceptable standard before operation commences; and

(c) any development approval for the caravan park required under the Planning Act has been granted; and

(d) the proposed operator is a suitable person to be operating a caravan park; and

(e) there will be a manager residing onsite or near the caravan park.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval.

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

Schedule 14 Operation of public swimming pools

section 13

1 Prescribed activity

Operation of public swimming pools

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

An approval is not required for operation of a public pool by the body corporate of a community titles scheme for use by the owners or occupiers of lots in the scheme or their invitees.

3 Documents and materials that must accompany applications for approval

An application for an approval for the operation of a public swimming pool must include or be accompanied by—

(a) details of the design of the swimming pool and all associated infrastructure, and a map showing the location of the pool and infrastructure on the premises; 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:

(i) the proposed management plan for operation and supervision of the swimming pool; and

(ii) how the plan and the qualifications and experience of proposed managers and supervisors conforms to the Royal Life Saving Society's *Guidelines for Safe Pool Operations*; and

(d) details of the equipment which will be used for chlorination, filtration and recirculation of water in the public swimming pool; and

(e) details of procedures that will be adopted to ensure the swimming pool water is adequate to protect public health in accordance with relevant Queensland Health guidelines; and

(f) for facilities using a water supply other than the local government's reticulated water supply network for recreational contact purposes—a Water Supply Management Plan outlining filtration and treatment infrastructure monitoring regimes; and

(g) evidence of any development approval required under the Planning Act; and

(h) if the applicant is not the owner of the land on which the swimming pool is situated—the owner's consent to the application.

4 Additional criteria for the granting of approval

The additional criteria are that—

(a) the equipment for chlorination, filtration and recirculation of swimming pool water is adequate to protect public health; and

(b) the maintenance, management and supervision of the swimming pool is adequate to protect public safety and prevent nuisance.

5 Conditions that must be imposed on approvals

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

(a) supervision is provided at all times the swimming pool is in use, by a person with appropriate qualifications and experience; and

(b) specified equipment is provided and maintained for—

(i) emergency medical treatment and first aid; and

(ii) rescue of persons in difficulty; and

(iii) addressing other aspects of public health and safety; and

(c) notices are erected, maintained and displayed—

(i) providing information about basic lifesaving, resuscitation and first aid techniques; and

(ii) warning about possible dangers; and

(d) dressing rooms and facilities for showering and sanitation are maintained in good repair; and

(e) all fencing at the premises meets the same standards that would be required if the pool was a private residential pool.

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 any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval.

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

Table 1 – Third party certification

Column 1 **Application requirement**	**Column 2** **Individuals or organisations that are third party certifiers**	**Column 1** **Qualifications necessary to be a third-party certifier**
Management Plan	Royal Life Saving Society	Not Applicable
Life Saving Certificate	Royal Life Saving Society	Not Applicable

Schedule 15 Operation of shared facility accommodation

section 13

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) premises used to provide residential services, as defined in the *Residential Services (Accreditation) Act 2002*; or

(b) a residential college or boarding school; or

(c) a facility other than a private home operated by an employer to provide accommodation to workers; or

(d) a private home in which accommodation is provided for not more than 4 persons, including where the accommodation is provided as part of the conditions of a resident's employment.

3 Documents and materials that must accompany applications for approval

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

(a) the 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 the 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) details of parking available for residents; and

(e) a report from an appropriately qualified professional that the fire safety provisions of the *Building Act 1975* have been complied with or that plans for any new building work are consistent with those provisions; and

(f) a copy of any development approval for the premises required under the Planning Act; and

(g) any certifications required under the *Building Act 1975*; and

(h) evidence of compliance with, or a plan to achieve compliance with, other legislation applicable to health or safety in relation to the shared accommodation facility or its proposed management or use by staff or residents; and

(i) if the applicant is not the owner of the premises for which the approval is sought—the written consent of the owner.

4 Additional criteria for the granting of approval

The additional criteria are that—

(a) the shared facility accommodation can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and

(b) where one or more buildings proposed to constitute the accommodation already exist, they are at an acceptable standard or can be brought to acceptable standard for use by residents; and

(c) 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.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) a limitation of the number of persons for whom accommodation may be provided in the premises, or a specified part of the premises[4]; and

(b) that specified modifications, or other specified building work related to the premises, are carried out within a specified period[5]; and

(c) that a pest management plan is developed and implemented to—

(i) prevent the introduction and harbourage of pests; and

(ii) regularly monitor the presence of pests; and

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[4] Under section 16 of the *Building Fire Safety Regulation 2008* the occupier of a building must ensure that the number of persons in a building at any one time is not more than the maximum number that may be accommodated in compliance with stated provisions of the Queensland Development Code and the National Construction Code. A condition of the approval could impose a limitation that is more stringent than section 16 of the *Building Fire Safety Regulation 2008* but could not allow for the accommodation of more people than is permissible under that section.

[5] A development approval for the proposed modification or other building work may be necessary under the Planning Act.

(iii) ensure intervention strategies are implemented when pests are detected; and

(d) that the approval holder must comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*.

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

Schedule 16 Operation of short stay accommodation

section 13

1 Prescribed activity

Operation of short stay accommodation

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

An approval is not required for an activity undertaken at premises located within the Principal Centre Zone and the District Centre Zone in the planning scheme.

3 Documents and materials that must accompany applications for approval

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

(a) a plan of the premises and specifications for the activity including—

(i) a site plan showing the location of all buildings, including any outdoor entertainment areas, swimming pool or spa, and vehicle parking areas and the location of windows and door openings of adjoining dwellings; and

(ii) a floor plan of the premises; and

(iii) the use proposed in respect of each room and the maximum number of persons to be accommodated on the premises within each bedroom; and

(b) written confirmation from the local government (or the Planning and Environment Court) that the use of the premises for the operation of short stay accommodation is allowed—

(i) by a development approval; or

(ii) by lawful use rights of premises that exist on the date the application is made to the local government; and

(c) written confirmation that—

(i) if the activity is to occur under a development approval—the activity complies with the development approval conditions; or

(ii) if the activity is to occur under lawful use rights as confirmed by the local government or in a decision about the matter by the Planning and Environment Court—there has been no material change in the intensity or scale of use at the premises since the rights accrued; and

(d) a statutory declaration that the premises will not be used for the purposes of a party house as defined in the Planning Act, section 276; and

(e) written confirmation that, under the *Building Act 1975*—

(i) the premises are lawfully constructed; and

(ii) the use of the premises for the prescribed activity is authorised by the classification attributable to the premises; and

(f) if a pool is situated on the premises—written confirmation that a current pool safety certificate has been issued by a QBCC licensed pool safety inspector and that a current pool safety certificate will be maintained at all times; and

(g) written confirmation that a current electrical safety certificate of compliance has been issued by a licensed electrical contractor for each smoke alarm at the premises; and

(h) a written statement that—

(i) identifies the name and mobile telephone numbers of two contact persons (one or both of whom may be from a letting agency, property management business, security firm or the like) for the operation of the activity; and

(ii) confirms that the contact persons are both available 24 hours a day, 7 days a week, to supervise and manage the activity; and

(iii) confirms that at least one of the contact persons resides and/or has a place of business at a location which enables a contact person to attend the premises within 1 hour of a complaint being received; and

(iv) confirms that at least one of the contact persons will attend the premises, as required, within 1 hour, for the purpose of addressing any complaint received about the use of the premises for the activity.

4 Additional criteria for the granting of approval

The additional criteria are that—

(a) the applicant is the owner of the premises, or the applicant has the owner's consent in writing for the premises to be used for the activity for the relevant period; and

(b) the activity can lawfully be conducted at the premises under a current development approval or under lawful use rights which have been confirmed in writing by the local government or in a decision about the matter by the Planning and Environment Court; and

(c) the matters that are the subject of the conditions in section 6 of this schedule relevant to the activity can be adequately addressed by the imposition of conditions;

(d) the applicant is suitable to conduct the activity, taking into account their history in respect of the operation of the activity at the premises or other premises and any suspensions or cancellations pursuant to section 18 or 19 of the authorising local law;

(e) the activity complies with the following requirements—

(i) the terms and conditions of any relevant development approval; or

(ii) if lawful existing use rights for the use of premises have been confirmed in writing by the local government or in a decision about the matter by the Planning and Environment Court—there has been no material change in the intensity or scale of use at the premises since the rights accrued; and

(iii) there will be no detrimental effect on the residential amenity (including, but not limited to noisy, unruly or aggressive behaviour) enjoyed by residents adjoining, or in the vicinity of the premises; and

(iv) adequate on-site parking will be provided on the premises for all vehicles, including boats, trailers, jet skis and the like; and

(v) the applicant will ensure that up to date details of two contact persons have been nominated in accordance with this schedule.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) at all times, hold and maintain a broadform public liability insurance policy which provides indemnity—

(i) in an amount not less than $10,000,000 or another amount specified in the approval; and

(ii) in respect of the use of the premises for the operation of the activity.

7 Term of approval

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

(2) An approval expires at the end of the day for expiry specified in subsection (1).

8 Term of renewal of approval

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

Schedule 17 Operation of temporary entertainment events

section 13

1 Prescribed activity

Operation of temporary entertainment events

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

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

(a) a temporary entertainment event that is—

(i) held on property that is not a local government controlled area; and

(ii) attended by less than 500 people;

(b) a temporary entertainment event that is held in any of the following locations—

(i) a club house or hall located in a local government controlled area.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

(1) For all approvals, the additional criteria are—

(a) the physical suitability of the area or road for the proposed event, including access roads servicing the event; and

(b) the likelihood of the event causing nuisance, inconvenience or annoyance to the occupiers of the adjoining land, vehicular traffic or pedestrians; and

(c) the likely effect on the amenity of the surrounding area; and

(d) the likely effect on the local environment and any possible pollution or other environmental damage; and

(e) the appropriateness, quality and condition of equipment to be used in the activity; and

(f) the likely impact on the ability of the general public to use the site concurrently with the proposed activity; and

(g) whether the applicant's proposed waste management strategy makes provision for the satisfactory collection, storage and removal of all waste generated by the proposed activity.

(2) For an approval relating to the operation of a circus, an additional criterion is that the applicant demonstrates compliance with the National Consultative

Committee for Animal Welfare (NCCAW) *Position Statement Number 26, Recommended National Circus Standards*.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval.

7 Term of approval

The term of the approval will be as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal.

Schedule 18 Temporary placement of a shipping container

section 13

1 Prescribed activity

Temporary placement of a shipping container

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

(1) An approval is not required under the authorising local law for the placement of a shipping container in each of the following circumstances—

(a) the shipping container is—

(i) in place for less than—

(A) for an urban property—90 days; or

(B) for a property that is not an urban property—180 days; and

(ii) not likely to cause—

(A) a detrimental impact on the amenity of the area; or

(B) harm to human health or safety; or

(C) environmental harm; or

(D) obstruction to pedestrian or vehicular traffic; or

(E) obstruction of a view or vista from any premises; or

(b) the shipping container is—

(i) placed on a construction site; and

(ii) used for the purposes of construction works; and

(iii) in place only for the period necessary to complete the construction works; and

(iv) not likely to cause—

(A) a detrimental impact on the amenity of the area; or

(B) harm to human health or safety; or

(C) environmental harm; or

(D) obstruction to pedestrian or vehicular traffic; or

(E) obstruction of a view or vista from any premises; or

(c) the placement of the container is permitted under the terms or conditions of an approval issued by the local government for another prescribed activity.

Example for paragraph (c)—

The temporary placement of a shipping container could be permitted under the terms or conditions of an approval for operation of a temporary entertainment event (see schedule 17).

(2) In this schedule—

construction site means a site where there are active construction works or where works have temporarily ceased for no more than 30 days.

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by full details of the proposal, including—

(a) the name, address and telephone number of the person responsible for siting and maintaining the shipping container; and

(b) the purpose for the placement of the container; and

(c) a dimensioned site plan providing proposed siting location, boundary setbacks, existing building locations, vegetation and other features (for example, fencing); and

(d) details demonstrating that the proposed siting has taken account of how to minimise impact on neighbouring residents and surrounding streetscape; and

(e) details demonstrating that the siting will not cause an obstruction of pedestrian or vehicular traffic; and

(f) photographic images of all sides of the shipping container and details of any proposed changes to its appearance; and

(g) details demonstrating no impacts on view lines, either public or private.

4 Additional criteria for the granting of approval

For an application for an approval for the temporary placement of a shipping container, the additional criteria are that the placement will not be likely to cause—

(a) a detrimental impact on the amenity of the area; or

Example of detrimental impacts on amenity for paragraph (a)—

- rusted and/or broken metal on the structure;
- graffiti;
- overgrown vegetation surrounding the structure.

(b) harm to human health or safety; or

(c) environmental harm; or

(d) obstruction to pedestrian or vehicular traffic; or

(e) obstruction of a view or vista from any premises.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

Conditions that will ordinarily be imposed are that the approval holder must—

(a) keep the shipping container wholly within the boundaries of the property for which approval has been granted; and

(b) if a specific location for the container is indicated in the approval—keep the shipping container sited at that location; and

(c) ensure the external surfaces are rust free and kept in a consistent and maintained painted finish; and

(d) ensure grass or other vegetation is maintained (for example, grass is mown and weeds are not present) in proximity to the shipping container; and

(e) ensure the siting does not cause an obstruction to pedestrians or vehicular traffic; and

(f) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*.

7 Term of approval

(1) The term of an approval commences on the date the approval is granted and expires on the date specified in the approval.

(2) An approval expires at the end of the day for expiry specified in subsection (1).

(3) The term of an approval specified under subsection (1) must not exceed—

(a) for an urban property—180 days; or

(b) for another property—260 days.

8 Term of renewal of approval

No further term is permitted by way of renewal or extension of an approval for the temporary placement of a shipping container.

Schedule 19 Undertaking regulated activities regarding human remains— (a) disturbance of human remains buried outside a cemetery; or (c) disturbance of human remains in a local government cemetery

section 13

1 Prescribed activity

Undertaking regulated activities regarding human remains—(a) disturbance of human remains buried outside a cemetery; or (c) disturbance of human remains in a local government cemetery

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

An approval under the authorising local law is not required—

(a) for the exhumation or other disturbance or interference with human remains on the order of a coroner or other lawful authority; or

(b) if human remains will or may be disturbed by reason only of an activity which is approved under schedule 20.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

(a) details of the proposed disturbance of human remains; and

(b) a certified 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) written confirmation from a recognised undertaker that he or she is prepared to carry out the exhumation; and

(e) if the remains are on land that is outside a local government cemetery—the written agreement of the owner of, and anyone else with a registered interest in, the land on which the remains are located.

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are that—

(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

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

Conditions that will ordinarily be imposed on an approval are that—

(a) a qualified undertaker must conduct the activity; and

(b) the approval holder must comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(c) the approval holder must take out and maintain public liability insurance for an amount specified in the approval.

7 Term of approval

The term of the approval will be as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal.

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

section 13

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

This section has been intentionally left blank.

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by—

(a) details of the proposed activity, including —

(i) the precise location, date and time of the activity; and

(ii) the land tenure and size of the property on which the activity is proposed to take place; and

(iii) the physical process entailed in the activity, including the coffin, container or shroud in which the human remains will be contained and the way the remains will be buried or placed; and

(iv) the reason for wishing to bury or dispose of human remains outside of a cemetery; and

(v) evidence that the deceased person expressed a wish to have their remains buried or disposed of at the general location and in the manner proposed; and

(vi) evidence of how the activity satisfies the criteria in subsection 4(1) or subsection 4(2); and

(b) a certified copy of the cause of death certificate for the deceased person; and

(c) if the person seeking the authority is not the personal representative of the deceased person—written consent from—

(i) the personal representative of the deceased person; or

(ii) where the personal representative is not reasonably available to give consent—the nearest living relative of the deceased person if such person can reasonably be identified and contacted; and

(d) if the grave of any other deceased person or persons is to be opened in the course of the activity or there is a possibility that the remains of another person or persons may be disturbed by the activity—written consent from—

(i) the personal representative of that other deceased person or of each of the deceased persons; or

(ii) where a personal representative is not reasonably available—the nearest living relative of the other deceased person if such person can reasonably be identified and contacted; and

(e) written consent to the activity by the owner of the land and anyone else with a registered interest in the land on which the activity is to take place; and

(f) written acknowledgement by the owner of the land and anyone else with a registered interest in the land on which the activity is to take place that the records of the local government will record that the activity has taken place; and

(g) written confirmation from a recognised undertaker that he or she is prepared to carry out the activity.

4 Additional criteria for the granting of approval

(1) The additional criteria are that—

(a) one of the following applies —

(i) the deceased person had a significant, long term historical association with the land where it is proposed the activity will take place and the land forms part of a freehold property of a minimum size of 50 hectares; or

(ii) the deceased person had a particularly significant traditional or cultural association with the land and the land is a demonstrated traditional burial place; and

(b) the burial or disposal of human remains at the place will not—

(i) create a risk to health or other nuisance; or

(ii) cause reasonable offence to others; and

(c) the site of the activity is—

(i) accessible by private road; and

(ii) not less than 200 metres from a public road.

(2) For the purposes of this section, a person had a ***significant, long term historical association with the land*** where the person—

(a) was a member of, or an employee of other close associate of, a family who owned or occupied the land for at least three generations, including the generation of the deceased; and

(b) resided on the land for a period of at least 30 years.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) take out and maintain public liability insurance for an amount specified in the approval; and

(b) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*.

7 Term of approval

The term of the approval will be 5 years or as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be 5 years or as stated in the renewal.

Schedule 21 Undertaking regulated activities on local government controlled areas and roads— (a) driving or leading of animals to cross a road

section 13

1 Prescribed activity

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

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

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

(a) a person who has been granted approval for installation of a gate or grid on a road adjacent to the person's land; or

(b) driving or leading of animals that are not livestock animals; or

(c) leading of horses across a road by a member of a horse or pony club.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

An additional criterion is that the proposed activity does not involve stock crossing the following roads—

(a) roads within the urban footprint or rural living area; or

(b) arterial roads.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval; and

(c) ensure the animals are supervised at all times; and

(d) ensure that the animals are not on roads outside of daylight hours; and

(e) travel the animals on the road only during the times of day stipulated in the approval; and

(f) keep the animals off the carriageway of the road wherever possible, to enhance vehicle safety and to keep the carriageway clean.

7 Term of approval

The term of an approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

8 Term of renewal of approval

The term of a renewal of the approval is—

(a) the term stated in the approval; or

(b) if no date is stated in the approval—until the next 30th day of June.

Schedule 22 Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or materials

section 13

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) temporary depositing of goods and materials for a period of no longer than 24 hours; or

(b) depositing of a local government-provided rubbish bin for the purposes of collection.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

This section has been intentionally left blank.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval; and

(c) ensure that the movement of vehicles and pedestrians along the road is not adversely obstructed; and

(d) ensure that the activity does not cause a nuisance to neighbouring residents; and

(e) take all reasonable steps to minimise the effect 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

(f) not interfere with existing services located in, on or over a road.

7 Term of approval

The term of the approval will be as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal.

Schedule 23 Undertaking regulated activities on local government controlled areas and roads— (c) undertaking of a public place activity prescribed by subordinate local law

section 13

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads— (c) undertaking of a public place activity prescribed by subordinate local law[6]

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

This section has been intentionally left blank.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

(1) For all approvals, the additional criteria are that—

(a) the activity for which the approval is sought would not unduly interfere with the proper use of the area; and

(b) the activity would not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and

(c) the activity would not adversely affect the amenity of the surrounding area.

(2) For an approval to discharge a firearm or weapon on or over a local government controlled area, an additional criterion is that the activity occurs as part of an organised event for archery or pistol, gun or rifle shooting.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval.

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

7 Term of approval

The term of the approval will be as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal.

Schedule 24 Use of bathing reserves for training, competitions etc

section 13

1 Prescribed activity

The prescribed activity mentioned in section 10(1) of *Local Law No.6 (Bathing Reserves) 2011*[7]

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

This section has been intentionally left blank.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

This section has been intentionally left blank.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

This section has been intentionally left blank.

7 Term of approval

The term of the approval will be as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal.

[7] Section 10(1) of *Local Law No.6 (Bathing Reserves) 2011* provides that it is a prescribed activity to—

(a) set apart a bathing reserve or a part of a bathing reserve for life-saving training on an exclusive basis; or

(b) use any part of a bathing reserve for the conduct of a surfing competition, a life-saving competition or another aquatic activity.

Schedule 25 Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee

section 13

1 Prescribed activity

Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee (*Local Law No.5 (Parking) 2011*, section 7(1))

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

Not applicable.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

This section has been intentionally left blank.

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval, which will be granted in the form of a permit, are that—

(a) the permit is only valid for the vehicle and the places specified in the permit; and

(b) the permit is only valid for the dates and times specified in the permit; and

(c) the permit must be publicly displayed within the vehicle while it is parked in the place for which the permit is valid.

6 Conditions that will ordinarily be imposed on approvals

This section has been intentionally left blank.

7 Term of approval

The term of the approval will be as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal.

Schedule 26 Parking in a loading zone by displaying a commercial vehicle identification label

section 13

1 Prescribed activity

Parking in a loading zone by displaying a commercial vehicle identification label (*Local Law No.5 (Parking) 2011*, section 8(1))

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

Not applicable.

3 Documents and materials that must accompany applications for approval

This section has been intentionally left blank.

4 Additional criteria for the granting of approval

This section has been intentionally left blank. [8]

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) display the identification label in a prominent position while using the loading zone; and

(b) not transfer the label to the new owner of the vehicle if the vehicle is sold; and

(c) destroy the label in the event of a change of vehicle and complete a new application for the new vehicle; and

(d) return damaged or defaced labels to the local government; and

(e) not wilfully misuse a label.

7 Term of approval

The term of the approval will be as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal.

[8] The grounds for an approval to park in a loading zone by displaying a commercial vehicle identification label are specified pursuant to section 8(2) of *Local Law No.5 (Parking) 2011.*

Schedule 27 Carrying out works on a road or interfering with a road or its operation

section 13

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

Not applicable.

3 Documents and materials that must accompany applications for approval

For an approval to install or operate a gate or a grid across a road, the application must include or be accompanied by—

(a) proof of public liability insurance for the gate or grid; and

(b) written advice from landowners adjoining the proposed grid or gate site concerning approval, objection or any other comment with respect to the installation of the gate or grid.

4 Additional criteria for the granting of approval

For approval to install or operate a gate or grid across a road, the additional criteria are—

(a) that the approval will only be granted where the application is to install or operate a gate or grid on a road that is on the local government's Road Asset Register; and

(b) that a gate may be installed without a grid on maintained roads designated '4WD only'; and

(c) that approval will not be granted for a grid where both sides of the road reserve have been fenced.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

6 Conditions that will ordinarily be imposed on approvals

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

(a) comply with any applicable standards for the approved activity outlined in the local government's *Standards for the Conduct of Prescribed Activities*; and

(b) take out and maintain public liability insurance for an amount specified in the approval; and

(c) maintain in good order any structures erected or installed or vegetation planted; and

(d) remove a structure erected or installed under the approval once an approval is cancelled or not renewed, unless ownership of the structure transfers to the local government.

(2) For approvals to install or operate a gate or grid on a road, a condition that will ordinarily be imposed on an approval is that, if the gate or grid is removed for any reason, the approval holder must pay for such removal, including restoration of the road to the same standard as the adjoining road.

7 Term of approval

The term of the approval will be as stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval will be as stated in the renewal.