

Ipswich

City Council

*Subordinate Local Law No. 3.1
(Commercial Licensing) 2013*

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Chapter 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 3. (Commercial Licensing) 2013*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 3 (Commercial Licensing) 2013*.

3 Object

The object of this subordinate local law is to assist in the implementation of *Local Law No. 3 (Commercial Licensing) 2013* by specifying those matters necessary for the implementation of a commercial licensing system in the local government area.

4 Definitions—Dictionary

The dictionary in Schedule 1 (Dictionary) of this subordinate local law defines particular words used in this subordinate local law.

Chapter 2 Licensing

Part 1 Temporary advertising devices including election signs

5 Operation of part 1

- (1) This part only applies to a temporary advertising device or an election sign.
- (2) This subordinate local law does not apply to—
 - (a) an advertisement hoarding and an on-premises sign, as defined in the Planning Scheme; or
 - (b) an advertising device that is assessable development under the Planning Scheme; or

- (c) an advertising device that involves building work; or
- (d) an advertising device that requires development approval.

6 Temporary advertising device

- (1) For the purposes of section 5(3) (Requirement for a licence) of the authorising law, a licence is not required for the exhibition of a temporary advertising device of the category in column 1 of schedule 2.
- (2) For the purposes of section 5(4) (Requirement for a licence) of the authorising law—
 - (a) a temporary advertising device must comply with the particular minimum standards specified in column 2 of part 1 of schedule 2 relevant to the category of temporary advertising device specified in column 1 of part 1 of schedule 2; and
 - (a) a temporary advertising device must comply with the general minimum standards specified in part 2 of schedule 2.

7 Election signs

- (1) For the purposes of section 6(1)(c)(v) (Application for a licence) of the authorising law, an application for a licence for the operation of an election sign (unless otherwise required by the local government) must be accompanied by the information, material and documents set out in column 2 of schedule 3.
- (2) For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to election signs will apply to any licence granted by the local government.

Part 2 Camping grounds

8 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) of the authorising law, an application for a licence for the operation of a camping ground (unless otherwise required by the local government) must be accompanied by the information, material and documents set out in column 2 of schedule 3.

9 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to camping grounds will apply to any licence granted by the local government unless specified otherwise in the licence document.

Part 3 Caravan parks

10 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) of the authorising law, an application for a licence for the operation of a caravan park (unless otherwise required by the local government) must be accompanied by the information, material and documents set out in column 2 of schedule 3.

11 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to caravan parks will apply to any licence granted by the local government unless specified otherwise in the licence document.

Part 4 Public swimming pools

12 Requirement for a licence

For the purposes of section 5(3) (Requirement for a licence) of the authorising law, a licence is not required for a public swimming pool made available by the Body Corporate or a group division scheme for use by the owners or occupiers of lots in the scheme or their invitees.

13 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) of the authorising law, an application for a licence for the operation of a public swimming pool (unless otherwise required by the local government) must be accompanied by the information, material and documents set out in column 2 of schedule 3.

14 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to public swimming pools will apply to any licence granted by the local government unless specified otherwise in the licence document.

Part 5 Catteries

15 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) of the authorising law, an application for a licence for the operation of a cattery (unless otherwise required by the local government) must be accompanied by the information, material and documents set out in column 2 of schedule 3.

16 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to catteries will apply to any licence granted by the local government unless, specifies otherwise in the licence document.

Part 6 Kennels

17 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) the authorising law, an application for a licence for the operation of a kennel (unless otherwise required by the local government) be accompanied by the information, material and documents set out in column 2 of schedule 3.

18 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to kennels will apply to any licence granted by the local government unless, specified otherwise in the licence document.

Part 7 Pet shops

19 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) the authorising

law, an application for a licence for the operation of a pet shop (unless otherwise required by the local government must be accompanied by the information, material and documents set out in column 2 of schedule 3.

20 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to pet shops will apply to any licence granted by the local government unless, specified otherwise in the licence document.

Part 8 Cemeteries

21 Exempt licence regulated activity

For the purposes of section 5(3) (Requirement for a licence) of the authorising law, the operation of a cemetery is declared an exempt licence regulated activity for which a licence is not required.

22 Minimum standards

For the purposes of section 5(4) (Requirements for a licence) of the authorising law, all persons operating a cemetery must comply with the minimum standards set out schedule 5.

Part 9 Commercial activities on local government controlled roads and areas

Division 1 Exceptions

23 Requirements for a licence

For the purposes of section 5(3) (Requirements for a licence) of the authorising law a licence is not required for the commercial activities specified in column 1 of schedule 5 in the circumstances specified in column 2 of schedule 4.

Division 2 Footpath dining

24 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) of the authorising

law, an application for a licence for the operation of footpath dining (unless otherwise required by the local government) be accompanied by the information, material and documents set out in column 2 of schedule 3.

25 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to the operation of footpath dining will apply to any licence granted by the local government unless, specified otherwise in the licence document.

Division 3 Other commercial activities

26 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) of the authorising law, an application for a licence for the operation of commercial activity on local government controlled areas and roads other than footpath dining (unless otherwise required by the local government) be accompanied by the information, material and documents set out in column 2 of schedule 3.

27 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) the authorising law, the conditions set out in column 3 of schedule 3 which relate to the operation of commercial activity on local government controlled areas and roads other than footpath dining will apply to any licence granted by the local government unless, specified otherwise in the licence document.

Part 10 Stables

28 Application for a licence

For the purposes of section 6(1)(c)(v) (Application for a licence) of the authorising law, an application for a licence for the operation of stables (unless otherwise required by the local government) be accompanied by the information, material and documents set out in column 2 of schedule 3.

29 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to the operation of stables will apply to any licence granted by the local government unless, specified otherwise in the licence document.

Part 11 Temporary entertainment events

30 Application for a licence

For the purposes of section 6(1)(c)(iv) (Application for a licence) of the authorising law, an application for a licence for the operation of a temporary entertainment event (unless otherwise required by the local government) be accompanied by the information, material and documents set out in column 2 of schedule 3.

31 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to the operation of a temporary entertainment event will apply to any licence granted by the local government unless, specified otherwise in the licence document.

Part 12 Entertainment venues

32 Application for a licence

For the purposes of section 6(1)(c)(iv) (Application for a licence) of the authorising law, an application for a licence for the operation of an entertainment venue (unless otherwise required by the local government) must be accompanied by the information, material and documents set out in column 2 of schedule 3.

33 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of the authorising law, the conditions set out in column 3 of schedule 3 which relate to the operation of an entertainment venue will apply to any licence granted by the local government unless, specified otherwise in the licence document.

Schedule 1 Dictionary

section 4

"A" Framed Sign means a portable, freestanding advertising device, normally supported by an "A" or inverted "T" frame and typically displayed on a footpath

approved advertising device means an advertising device that is—

- (a) approved by a development permit; or
- (b) deemed self assessable in accordance with the respective planning scheme; or

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

business includes —

- (a) the supply of good and services; and
- (b) the sale of a good or a service; and
- (c) engaging in any trade or business; and
- (d) distributing a business advertising publication; and
- (e) touting; and
- (f) advertising a good or service; and
- (g) a fete, market or stall; and
- (h) the exhibition of an advertisement; and
- (g) the exhibition of a sign; and
- (h) film production.

caravan has the meaning given in the *Planning Scheme*.

commercial basis or **commercial activity** includes operation of an business .

complimentary accommodation means —

- (a) accommodation in an on-site caravan, cabin or tent or other structure that can be readily assembled and disassembled; or
- (b) other accommodation prescribed under a subordinate law.

community event (fete) sign means a temporary non-illuminated advertising device advertising non-profit, short-term events such as a fete, fair, or festival for charitable, religious, education, child care, sporting organisations or the like.

construction sign means a temporary advertising device that directs attention to the construction and activities happening on the site.

entertainment includes recreation and amusement

exhibit includes in relation to a sign the painting, writing, drawing, depiction, making, erection, affixing, putting up, operation or transport of a sign.

facilities includes 1 or more of the following—

- (a) dormitories or bedrooms;
- (b) toilets;
- (c) bathrooms, showers or other bathing facilities;
- (d) laundries;
- (e) dining facilities;
- (f) cooking facilities; or
- (g) recreation facilities.

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

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

horizontal banner event sign means a temporary horizontal banner advertising an auction, retail sale, business promotion or the like.

inflatable event sign means any fixed or captive envelope, balloon, blimp or kite, whether cold air inflatable or lighter than air aerial device.

local government controlled area—

(a) means land, facilities and other infrastructure owned, held in trust or otherwise controlled by the local government, other than a road; and

Examples of local government controlled areas—

- *parks, reserves and recreational areas*
- *conservation parks*
- *cemeteries*
- *local government operated library, including mobile libraries*
- *local government Chambers and local government offices*
- *jetties.*
- *a mall*

(b) includes part of a local government controlled area.

local utilities has the meaning given in the planning scheme.

newspaper has the meaning given in the *Printing and Newspapers Act 1981*.

mobile sign means a device that may be transported around on the land and includes a sign on wheels.

planning scheme means the planning scheme for Ipswich City Council made pursuant to the superseded *Integrated Planning Act 1997*, as amended pursuant to the *Planning Act* from time to time.

public place see the Act section 125 (5).

publication means any printed matter or written matter and includes a book, pamphlet, leaflet, circular, handbill, notice, ticket, voucher, pass, advertisement, poster, magazine or other periodical publication but does not include a newspaper.

publicise means to draw to the attention of, make known, advertise or promote and **publicises** has the corresponding meaning.

real estate sign means a device to facilitate the sale, auction or rental of a property or properties.

residential area includes areas comprising predominantly residential development and land (other than *roads*), that is situated in one or more of the following zones or other similar designation under a *Structure Plan* under the Planning Scheme—

- (a) within the Urban Areas Locality—
 - (i) Large Lot Residential Zone;
 - (ii) Residential Low Density Zone;
 - (iii) Residential Medium Density Zone;
 - (iv) Character Areas - Housing Zone;
 - (v) Future Urban Zone;
 - (vi) Character Areas - Mixed Use Zone;
 - (vii) Business Incubator Zone;
 - (viii) Bundamba Racecourse Stables Area Zone;
 - (ix) Special Uses Zone;
 - (x) Special Opportunity Zone;
- (b) within the Rosewood Locality—
 - (i) Character Areas - Housing Zone;
 - (ii) Residential Low Density Zone;
 - (iii) Residential Medium Density Zone;
 - (iv) Urban Investigation Zone;
 - (iv) Special Uses Zone;
- (c) within the City Centre Locality—
 - (i) Residential High Density Zone;
- (d) within the Township Locality—
 - (i) Township Residential Zone;
 - (ii) Township Character Housing Zone;
 - (iii) Township Character Mixed Use Zone;
 - (iv) Stables Residential Zone;

- (v) Special Uses Zone.
- (e) within the Springfield Structure Plan—
 - (i) Community Residential Designation.
- (f) within the Rural Locality—
 - (i) Rural Living Zone.

and includes land approved for residential development pursuant to a development approval, including a development which is recorded on the Planning Scheme pursuant to section 3.5.27 *Integrated Planning Act* 1997 or section 391 of the *Sustainable Planning Act* 2009.

shop means premises for the wholesale or retail sale of goods and includes a warehouse.

sign means a device that publicises a matter.

structure has the meaning given in the Local Government Act 2009 and includes a structure as defined in the *Building Act 1975* and any other thing specified in a subordinate local law.

swimming pool means a swimming pool under the *Building Act 1975*;

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995* and includes anything specified as a vehicle in a subordinate local law.

Schedule 2 Minimum standards for temporary advertising devices and election signs

section 6

Part 1 Particular minimum standards

Column 1 Temporary Advertising Device	Column 2 Standards
"A" Framed Signs	Must- (a) be limited to two (2) signs per business premises per road frontage; (b) have a minimum width of 0.6m, a maximum width of 1.2m, a minimum height of 0.6m and a maximum height of 1.2m; (c) be removed from the road reserve when the business is not open; and (d) be located: (i) adjacent to the façade of the building; or (ii) between the building and the road frontage property boundary where the building is set back from the road frontage property boundary; or (iii) wholly within an area between 0.8m and 1.5m from the kerb; and (iv) there must be a minimum 1.8m wide section of the footpath free of signage for the movement of pedestrians; (e) not be located on the concrete or paved section of a footpath where the footpath has one or more grass verges; or (f) otherwise located in a position approved in writing by an authorised person.
Community Event (Fete) Signs	Must - (a) be a temporary advertisement located on the premises to which the advertisement relates; and (b) be displayed no earlier than two weeks before the event and be removed the day following the event.
Construction Signs	Must - (a) be erected on the site; and (b) have a maximum of one sign per construction company, consultant or sub-contractor per street frontage; and (c) have a maximum area of 8m²; and (d) be removed at the end of the construction or refurbishment period.

Column 1 Temporary Advertising Device	Column 2 Standards
Horizontal Banner Event Signs	Must - (a) be erected on the site; and (b) be limited to one temporary advertisement displayed on the premises to which the advertisement relates; and (c) be displayed for not more than 14 days in any 90 day period; and (d) not cover or hide any architectural features of a building; and (e) have a maximum area of 8m².
Inflatable Event Signs	Must - (a) be displayed on the site to which the advertisement relates; and (b) if of a balloon, blimp or kite structure, be fixed no higher than 15m from the ground to the top of the device; and (c) not be erected for more than 14 days in any 90 day period; and (d) be able to withstand all weather conditions; and (e) where displayed for longer than seven days, be checked weekly to ensure the inflation and attachments are properly maintained; and (f) conform to the height provisions contained in the Defence Area Control Regulations (refer Part 11.4.9 Development Constraints Overlays – Defence Facilities) of the Planning Scheme.
Mobile Signs	Must - (a) be limited to one advertisement displayed on the premises or land to which the advertisement relates; and (b) have a maximum height of 2.0m and a maximum width of 1.2m; and (c) be secured to prevent danger to pedestrians and traffic in high wind situations; and (d) not be located on a footpath or in a park or a local government controlled area unless - (i) the site is subject to a lease and the sign is displayed in accordance with the provisions of the lease; or (ii) the sign relates to an approved use in a park.
Real Estate Signs	Must - (a) be displayed on the site to which the advertisement relates; and

Column 1 Temporary Advertising Device	Column 2 Standards
	(b) be limited to one (1) sign per selling agent per road frontage; and (c) have a maximum area of 1.5m² for premises in residential areas and 3.0 m² for commercial, industrial, rural or open space and special use / other areas.
Vertical Banner Event Signs	Must - (a) be erected on the site; and (b) be limited to one temporary advertisement displayed on the premises to which the advertisement relates; and (c) be displayed for not more than 14 days in any 90 day period; and (d) have a maximum width of 0.6m and a maximum area of 2m²; and (e) have a height which does not project above the gutter line of the building.
For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed	The proposed advertising device must— (a) be structurally sound; (b) not obstruct or distract traffic in an unsafe manner; (c) not unreasonably obstruct views; (d) not have a detrimental effect on amenity; (e) be consistent with— (i) surrounding buildings; (ii) relevant submissions made by interested person; (iii) public interest; and (iv) relevant Commonwealth, State, or local government places, proposals or agreements effecting the part of the area in which the advertisement is to be situated. (f) not cause significant obstruction of or distraction to vehicular or pedestrian traffic; (g) be consistent with applicable environmental protection policies; (h) be of a dimension that there is a reasonable relationship to the dimensions of surrounding buildings and allotments so that— (i) its presence is not unduly dominating or oppressive; (ii) it does not unreasonably obstruct existing views; (i) be consistent, in colour and appearance, with buildings and natural features of the environment in which it is to be situated; (j) in all other respects be consistent with the character and values of the environment in which it is to be

Column 1 Temporary Advertising Device	Column 2 Standards
	situated; (k) relate directly to the site where it is displayed; (l) not result in alteration to the silhouette of a building by extending vertically beyond or above walls, parapets or roofs; (m) not cover or obscure architectural features of a building; (n) where possible, reduce visual clutter of the streetscape by providing fewer, more effective signs and where appropriate maintain a balance by removing other existing advertisements.; (o) be designed and situated so as not to expose an unsightly rear view or the sign; (p) not detract from the streetscape of the locality where it is erected; (q) be designed to provide a clear message to those in close proximity; (r) not flash, revolve or involve the production of sound or smell; (s) not distract motorist's or pedestrian's view of traffic; (t) not protrude in a manner that could interfere with the access of pedestrians or that could damage vehicles; and (u) be constructed of quality materials which are able to be maintained in a neat, clean and tidy manner at all times.

Part 2 General minimum standards

- (a) the temporary advertising device must be kept in good order and repair;
- (b) the temporary advertising device must not have flashing lights, revolve or contain any apparatus that produces sound;
- (c) the temporary advertising device must be positioned on the premises so as not to resulting a loss of amenity in the neighbourhood;
- (d) the temporary advertising device sign must be positioned on the premises so as not to constitute a risk to road safety.

Schedule 3

Matters affecting certain licences

Chapter 2

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
Election signs	(a) the purpose for which the signs are proposed to be used; and (b) the location at which it is proposed to erect each sign.	(a) the sign must— (i) be structurally sound; (ii) not obstruct or distract traffic in an unsafe manner; (iii) not unreasonably obstruct views; (iv) not have a detrimental effect on amenity; (v) not be erected on any road, park or reserve or land under the control of the local government except on an approved advertising device; (vi) not detract from the streetscape of the locality where it is erected; (vii) not flash, revolve or involve the production of sound or smell; (viii) not distract motorist's or pedestrian's view of traffic; (ix) not protrude in a manner that could interfere with the access of pedestrians or that could damage vehicles; (x) be constructed of quality materials which are able to be maintained in a

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		neat, clean and tidy manner at all times. (xii) in the case of an election, not be erected until an election has been called and the writ has been issued (in the case of State or Commonwealth elections), or a notice of election has been published (in the case of local government elections). (xiii) in the case of a referendum or poll, not be erected before the writ for the referendum is issued or, in the case of a poll, before a date determined by the local government. (b) that all signs must be removed within 14 days after the day of the election. (c) that a prescribed bond in a form acceptable to the local government be lodged. (d) that in the event that obligation to remove the signs imposed by condition (b) is not complied with the local government may remove the signs and deduct from the bond a fee for each sign removed. (e) that upon the receipt of a statutory declaration from the licence holder that all signs have been removed and the

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		conclusion of any inspections the local government may elect to make, the bond, less any deductions of the fee, will be refunded to the licence holder. In these conditions— prescribed bond means a bond in an amount determined by the local government. fee means the fee applicable to the removal of an election sign fixed by the local government.
Camping grounds	(a) Address of where the camping ground is situated. (b) A layout plan showing the boundaries of the camping ground, any building situated or proposed to be situated within the camping ground and the division of the camping ground into camping sites. (c) 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. (d) Details of water quality, reticulation and drainage. (e) Details of the facilities for sanitation, washing, laundry, cooking and recreation to be provided for	1. The licensee must ensure that— (a) all buildings, structures and facilities on the camping ground are kept and maintained in good and serviceable condition; (b) adequate water supply, toilets, showers and waste facilities are provided; (c) any supplied bedding is kept in a clean and sanitary condition and changed whenever the occupier changes; (d) a register is kept containing- (i) the name and address of each person

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
	campers. (f) If permits or approvals under another law are required to construct install or operate the buildings, structures or facilities necessary for the establishment or operation of the camping ground, a copy of the permits or approvals.	who hires a camping site; and (ii) an identifying number for the site; and (iii) if a vehicle is brought onto the site, the registration number of the vehicle; and (iv) the dates when the hiring of the site begins and ends. (e) a copy of the register referred in minimum standard (d) is provided to an authorised person upon request; (f) occupation of a camping site by more persons than the limit fixed for the relevant site under the conditions of the licence is not permitted; (g) a person is not permitted to bring onto a camping site a tent or other type of accommodation that is not fit for human habitation; (h) the position of the building structures and fixtures allowed within the camping ground in the position specified in the licence or if not as specified, as specified in the application for the licence is not changed; (i) there is no change to the camping sites in the camping ground by:-

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		(i) adding to the existing sites; (ii) changing the position or boundaries of a site; unless the local government approves a change to the conditions of the licence. (j) there is no change to the structures or facilities in the camping ground by:- (i) adding new building structures or facilities; or (ii) removing building structures or facilities; or (iii) changing the position of building structures or facilities, unless the local government approves a change to the conditions of the licence. (k) standard condition (j) does not apply if the proposed change constitutes development under the Planning Scheme or Planning Act.
Caravan parks	(a) The address of the proposed caravan park. (b) If the applicant is not the owner of the land on which the caravan park is situated the written consent of the owner to the application. (c) A layout plan of the proposed caravan park showing the boundaries of the caravan park, any existing or	1. The licensee must ensure that— (a) no part of the caravan park is hired out or leased for separate occupation; (b) all buildings, structures and facilities provided for the operation of the caravan park are kept and maintained in good and

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
	proposed buildings and each caravan or camping site. (d) The name and address of the proposed resident manager of the caravan park and the proposed resident manager's written agreement accepting the responsibilities of resident manager of the caravan park. (f) If permits or approvals under another law are required to construct install or operate the buildings, structures or facilities necessary for the establishment or operation of the caravan park, a copy of the permits or approvals.	serviceable condition; (c) the caravan park (including all sites) are kept clean and tidy; (d) adequate water supply, toilets, showers and waste facilities are provided; (e) any supplied bedding is kept in a clean and sanitary conditions and changed whenever the occupier changes; (f) the sites or structures or facilities in the caravan park are not changed without agreement of the local government; (g) a person is not permitted to bring onto a site a caravan or other type of accommodation that is not fit for human habitation; (h) the caravan park is managed and supervised by an individual (the "resident manager") who is resident on or near the caravan park; (i) the resident manager, or a representative of the resident manager, is present or available at all reasonable times to ensure the proper operation of the caravan park; (j) a register is kept containing:- (i) the name and address of each person who hires complementary

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		accommodation or a site on the caravan park; (ii) an identifying number for the accommodation or site; (iii) if a caravan is brought onto the site the registered number of the caravan and (if applicable) the vehicle towing it; and (iv) the dates when the hiring of the accommodation or site begins and ends; (k) if an authorised person requests it, the register is provided for inspection; (l) no part of the caravan park is hired out for separate occupation unless it is a site approved in the licence for separate occupation by the local government; (m) unless the licence holder requests a change in the conditions of the permit and the local government grants the request, there is no change to the sites in a caravan park by:- (i) adding to the existing sites; or (ii) changing the position or boundaries of a site. (n) unless the licence holder requests a change in conditions of the permit and the local

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		government grants the request, there is no change to the structures or facilities in a caravan park by:- (i) adding new structures or facilities; or (ii) removing existing structures or facilities; or (iii) changing the position of structures or facilities in the caravan park; (o) the standard condition in (m) and (n) do not apply if the proposed change constitutes development under the Planning Scheme or Planning Act. 2. If the licence holder is an individual the licence holder may be the manager of the caravan park. 3. If the local government is not satisfied that a person nominated to be resident manager of a caravan park is a suitable person to be the resident manager: (a) the local government may, by notice given to the licence holder, require the licence holder to nominate a resident manager acceptable to the local government within a time stated in the notice, and;

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		(b) the licence holder must comply with the notice given under standard 3(a) within the time specified in the notice.
Public swimming pool	(a) The address of the proposed public swimming pool. (b) A layout plan of the proposed swimming pool complex showing boundaries of the property, existing or proposed buildings, fencing and the location of the pool or pools. (c) Proposed hours that the pool will be open to the public. (d) Details of the nature and extent of the public use that is proposed by the applicant, including any training programs intended to be conducted. (e) Details of the proposed management and supervision of the swimming pool (including the qualifications and experience of proposed managers and supervisors). (f) If the applicant is not the owner of the land on which the swimming pool is situated - (i) the name, address and contact details of the owner; and (ii) the owner's written consent to the application; and (g) Details of the disinfection, filtration and recirculation	(a) The fence must be a permanent structure and maintained in a good condition. (b) Any gate or door giving access to the swimming pool is to be kept securely closed at all times when the gate or door is not in use. (c) Public pool water chemical parameters, bacterial standards and frequency of water testing and method of recording must comply with the Queensland Health Swimming & Spa Pool Water Quality and Operational Guidelines. (d) The records of results required by condition (c) plus any backwashing, chemical adjustments or dose settings are to be kept for a minimum period of 12 months at the premises and be available for inspection by an authorised person at all times. (e) An authorised person may require the testing of public pool water for compliance with bacteriological criteria as detailed in the Queensland Health Swimming & Pool

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	system to be used in the public pool. (h) Details of fencing to be provided to the public pool. (i) Details of facilities provided at the public pool such as number of change rooms and toilets.	Water Quality and Operational Guidelines. If testing is required it is to be carried out by a National Association of Testing Authorities or equivalent registered analyst. (f) All facilities provided at a public pool, such as toilets and change rooms, are to be maintained in a clean and sanitary condition at all times. (g) The surrounds of the public pool are to be maintained in good repair at all times. (h) A notice explaining mouth to mouth resuscitation shall be prominently displayed. (i) The licence holder must not operate a public pool that is classified as a high usage pool as defined in the Queensland Health Swimming & Spa Pool Water Quality and Operational Guidelines unless there is a person in attendance at the public pool who has obtained and kept current the qualification of pool lifeguard (Royal Life Saving Society Australia) or other qualification to the satisfaction of an authorised person. (j) The licence holder must ensure that equipment, to the satisfaction of an authorised person, for the purpose of rescue

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		and/or resuscitation and/or first aid treatment is readily available for use. (k) The licence holder must not allow a person who appears to be suffering from any type of infectious or contagious disease or skin complaint to enter the water. (l) If applicable, a notice advising of the dangers of immersion in hot spas is to be prominently displayed near the spa pool. (m) An authorised person may inspect a swimming pool and associated equipment at any reasonable time. (n) The licence holder must manage and supervise the swimming pool to protect public safety and prevent nuisance.
Catteries	a) the address of where the cats will be kept; (b) if the applicant is not the owner of the land on which the activity is to occur- - o the name, postal address and contact phone number of the owner; and - o the written consent of the owner or their authorised agent to the application;	The licensee must ensure that— (a) all necessary approvals must be obtained from Council; (b) all pet food to be stored in vermin proof containers; (c) full details must be kept of methods of disposal of cats including sale and “give aways”. This information will include a copy

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
	(c) the maximum number of cats proposed to be kept; (d) the type and location of proposed cat accommodation giving consideration to the type and number of cats it is to accommodate; (e) confirmation in writing that the property where the cats are to be kept has appropriate fencing sufficient to keep the cats contained; and (f) a sketch plan to scale showing the design of the accommodation for the adequate housing of the cats and it's location in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties	- of the vaccination certificate and new owners name and address; (d) records must be kept of all cats kept at the premises or sold or given away from the premises; such records must include will a copy of the vaccination certificate, microchipping information (all animals must be microchipped at point of sale or “give away”) and new owners name and address (e) any cat that is found to be suffering from a transmissible or communicable disease must be placed in isolation. The holder of the licence must have facilities to effectively isolate diseased cats when necessary; (f) no cat is to be kept at the premises, sold, or given away from the premises unless vaccinated appropriate to the age of the animal; (g) all waste and refuse generated from the keeping of cats under this licence must be disposed of in a manner so as not to cause a nuisance; (h) all cages or enclosures to be thoroughly cleansed and disinfected on a daily basis to avoid the spread of disease;

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		(i) the provision of adequate enclosures to prevent the egress of housed cats and the ingress of other cats; (j) all cats must be kept in a manner so as not to cause a nuisance; (k) all cats to be confined to the premises at all times. (l) the maximum number of cats to be kept on the premises shall be determined by Council giving regard to all relevant circumstances.
Kennels	(a) the address of where the dogs will be kept; and (b) if the applicant is not the owner of the land on which the activity is to occur- o the name, postal address and contact phone number of the owner; and o the written consent of the owner or their authorised agent to the application; (c) the maximum number of dogs proposed to be kept; (d) the type and location of proposed kennel accommodation giving consideration to the number and breed of dogs that it is to accommodate; (e) confirmation in writing that the property where the dogs are to be kept has appropriate fencing	The licensee must ensure that— (a) all necessary approvals must be obtained from Council; (b) all pet food to be stored in vermin proof containers; (c) full details must be kept of methods of disposal of dogs including sale and “give aways”. This information will include a copy of the vaccination certificate and new owners name and address; (d) records must be kept of all dogs kept at the premises or sold or given away from the premises; such records must include will a copy of the vaccination certificate, microchipping information (all animals must

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
	sufficient to keep the dogs contained; (f) a sketch plan to scale showing the design of the accommodation for the adequate housing of the dogs, and its location in relation to other buildings on the land, the property boundaries and all building on adjoining properties.	be microchipped at point of sale or “give away”) and new owners name and address (e) any dog that is found to be suffering from a transmissible or communicable disease must be placed in isolation. The holder of the licence must have facilities to effectively isolate diseased cats when necessary; (f) no dog is to be kept at the premises, sold, or given away from the premises unless vaccinated appropriate to the age of the animal; (g) all waste and refuse generated from the keeping of dogs under this licence must be disposed of in a manner so as not to cause a nuisance; (h) all cages or enclosures to be thoroughly cleansed and disinfected on a daily basis to avoid the spread of disease; (i) the provision of adequate enclosures to prevent the egress of housed dogs and the ingress of other dogs; (j) all dogs must be kept in a manner so as not to cause a nuisance; (k) all dogs to be confined to the premises at all times.

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		(l) the maximum number of dogs to be kept on the premises shall be determined by Council giving regard to all relevant circumstances.
Pet shops	a) the address of the pet shop; (b) if the applicant is not the owner of the land on which the activity is to occur- - o the name, postal address and contact phone number of the owner; and - o the written consent of the owner or their authorised agent to the application; (c) the number and type of animals proposed to be kept and sold; (d) the type of proposed animal housing giving consideration to the type, breed and number of animals it is to contain and if not yet constructed proof of all relevant approvals for construction; and (e) confirmation in writing that the premises where the animals are to be kept has appropriate fencing or structures to keep the animals contained, taking into account their breed and nature.	The licensee must ensure that— (a) operation of the pet shop is carried out so as not to cause a nuisance or disturbance to adjoining properties or properties in the vicinity. (b) all animals are provided with appropriate accommodation and equipment suitable for the physical and behavioural requirements of the animals having regard to their species and breed; (c) all animals are protected from the adverse impacts of natural and artificial origin, environmental conditions, other animals and interference from humans; (d) sufficient space is provided for the animals to prevent overcrowding and to allow them to stand and move around freely; (e) sufficient quantities of appropriate food and water are provided to maintain the animals in good health;

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		(f) the animals are protected from disease, distress, injury and excess heat; (g) the animals are provided with prompt veterinary or other appropriate treatment in the event of disease, distress or injury; (h) the premises are kept clean and hygienic, including vermin and pest control of the premises; (i) the keeping of the animals on the premises does not cause a public health nuisance; (j) the animals are adequately fed, watered and inspected daily to ensure their wellbeing; (k) all structures and enclosures for the animals are maintained so as to: (i) prevent the escape of any animal from the premises; (ii) allow for regular cleaning of all internal and external surfaces and regular checking of animals; (iii) be impervious and able to be easily and readily cleaned and effectively disinfected; (iv) ensure the comfort of the animals and prevent the spread of disease; and (v) maintain the health of the animals and limit

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		the spread of disease; (l) all structures and enclosures are treated, sprayed or dusted with insecticide or disinfectant, to the manufacturer's instructions, for the purpose of fly, insect and disease control; (m) all animals are removed from any structure or enclosure before the structure or enclosure, as the case may be, is treated sprayed or dusted in accordance with Minimum Standards; (n) all cages or enclosures for animals are thoroughly cleaned and disinfected on a daily basis; (o) all waste waters from the washing down of floors, surfaces and enclosures and drain waste waters are disposed of in an industrial type grease trap or into adequate subsurface disposal trenches or such other method for the disposal of waste waters as is approved by an authorised person; (p) all manure and offensive matter is cleaned up at least daily, wrapped in newspaper and then placed into a fly proof covered

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		receptacle is collected from the premises daily and the contents disposed of so as not to adversely affect public health or safety; (q) the premises are kept free of flies and vermin at all times; and (r) all feed is stored in fly and vermin proof receptacles (s) all animals offered for sale must be vaccinated as appropriate to the age of the animal prior to the completion of any sale. (t) all provisions contained on any other local law concerning the keeping or sale of animals are complied with.
Cemeteries	(a) The address of the proposed cemetery. (b) A layout plan of the proposed cemetery showing all proposed buildings, roads and burial and cremation sites. (c) Details of the proposed administration and management of the cemetery; and (d) If the Applicant is not the owner of the land on which the cemetery is situated, the owner's (i) name address and contact details; and (ii) written consent to the application.	The licensee must ensure that - (a) records are kept of - (i) the names of all persons whose remains have been buried, cremated or placed in the cemetery; and (ii) the date of the disposal, and the form of the disposal of the remains; and (iii) the place where the remains of each person have been buried or placed including any cremated remains that may

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		be scattered in the cemetery; and (iv) any dealing with the remains after they have been buried or placed in the cemetery. (b) The records are kept at an office on the grounds of the cemetery or another place approved by the local government; (c) The records may available for inspection by members of the public at reasonable times; (d) The records are provided on request of an authorised person.
Stables	(a) the address where the stables will be located; (b) if the applicant is not the owner of the land on which the activity is to occur- - o the name, postal address and contact phone number of the owner; - o the written consent of the owner or their authorised agent to the application; (c) the maximum number of horses proposed to be stabled; (d) the type of proposed accommodation for the horses and if it is not yet constructed proof of all required approvals for construction;	

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	(e) confirmation in writing that the property where the horses are to be kept has appropriate fencing sufficient to keep the horses contained; and (f) a sketch plan to scale showing the design of the stables for the adequate housing of horses, the location of the stables in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties.	
Commercial activity on local government controlled area or road other than footpath dining		The Licensee must (a) limit licensed activities to a location, locations or area specified on the licence; (b) produce the licence for inspection by an authorised person or police officer on demand; (c) take all necessary precautions to protect the public from injury or loss, and requiring that all directions by an authorised person in that regard are to be carried out; (d) indemnify the Council and take out public liability insurance for the sum of \$10,000,000.00 or such other sum as the Council may deem appropriate, against personal injury or property damage whilst

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		acting under the authority of this licence; (e) provide proof of public liability insurance prior to the exercise of the licence; (f) limit the goods or services to be sold, displayed, offered or solicited to those generally described in the application for the licence; (g) prevent the exercise of the licence from causing nuisance to motorists, pedestrians or residents; (h) provide for adequate rubbish receptacles and that the area be kept clean at all times, (i) ensure all goods are displayed and stored within a vehicle or stall, (j) limiting the permit to daylight hours only or others times as specified, (k) provide for the free flow of pedestrians on footways such that tables, chairs, goods or other items or structures must be kept clear of any exits or doorways to buildings, and must leave a minimum unobstructed envelope 1.5 m wide and 2.1 m high, or other appropriate

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		distances depending on location or circumstances, (l) ensure that that no tables, chairs, structures or goods be placed on the footway within 1m of the kerb
Commercial activity on a local government controlled area or road - Footpath dining		The licence holder must ensure that— (a) the activity does not cause, in the opinion of an authorised person or the local government, an obstruction, nuisance or danger to pedestrians, motorists, residents or businesses; (b) the activity does not result in the obstruction of pedestrian access on the footpath to less than a minimum unobstructed envelope of 1.8 metres wide and 2.1 metres high or such other distance, depending on the location or circumstances, as is determined by the local government; (c) public liability insurance for an amount not less than \$10 million against personal injury or property damage is obtained; (d) a copy of each insurance policy referred to in minimum standard (c) is provided to an

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		authorised person upon request; (e) if the activity is not associated with the adjoining premises that the agreement of the owner or operator of the adjoining premises has been obtained; and (f) the activity and any goods placed in performance of the activity occurs no closer than one metre of the kerb of the road.
Temporary entertainment events	(a) A layout plan of the temporary entertainment event's venue showing boundaries and all buildings and facilities. (b) Details of the type and number of ablution facilities to be provided. (c) Details of all structures and facilities to be erected. (d) A detailed statement of the nature of the entertainment to be provided at the temporary entertainment event, when the event is to be open to the public and the expected maximum number of attendees. (e) If the applicant is not the owner of the temporary entertainment event's venue the written consent of the owner to the application.	(a) The operation of the temporary event must not detrimentally affect the amenity of neighbouring premises. (b) The hours of operation of the temporary event must not detrimentally affect the amenity of neighbouring premises. (c) The operation of the temporary event must, unless otherwise varied by an authorised person, be limited to the hours stated on the permit. (d) The operation of the temporary event must not: (i) create a traffic problem or risk; or (ii) increase an existing traffic problem or

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
		risk; or (iii) detrimentally affect the efficiency of the existing road network.. (f) The operation of the temporary event must comply with any relevant local or State legislation requirements and approvals.
Entertainment venues	(a) a plan of the entertainment venue; and (b) details and drawings of buildings and other structural elements of the entertainment venue; and (c) a detailed statement of the nature of the entertainment to be provided at the entertainment venue and when the entertainment venue is to be open to the public; and (d) if the applicant is not the owner of the entertainment venue-the written consent of the owner; and (e) if approval of anything to be done under the licence is required under another law-a certified copy or other appropriate evidence of the approval;	

Schedule 4 Exceptions

section 23

Commercial activity	Circumstances where licence not required
Commercial activity other than footpath dining	Where the activity consists of tables and displays provided for the convenience of customers at newsagents and other premises for the purpose of completing or inspecting entry forms or coupons or other forms where the tables and displays do not extend more 600mm from the property alignment.
Footpath dining	Where the footpath dining consists of a maximum of 2 tables with associated chairs, or chairs or benches without a table, outside convenience, take-away and general stores

Provided that any activity shall not be exempt from requiring a licence if:

- (a) the activity or goods displayed, in the opinion of an authorised is likely to cause, obstruction, nuisance or danger to pedestrians, motorists, residents or businesses; or
- (b) the activity would result in pedestrian access on the road of less than a minimum unobstructed envelope 1.8m wide and 2.1m high or other appropriate distance depending on the location or circumstances as determined by the authorised officer; or
- (c) public liability insurance to the sum of \$5 000 000 against personal injury or property damage is not obtained; or
- (d) where the activity is stationary, that activity is not associated with the adjoining premises or does not have the agreement of the owner or operator of the adjoining premises; or
- (e) goods are placed or the activity is conducted within 1 metre of the kerb.

Schedule 5 Minimum standards

section 22

The operator of the cemetery must ensure that—

- (a) records are kept of –
 - (i) the names of all persons whose remains have been buried, cremated or placed in the cemetery; and
 - (ii) the date of the disposal, and the form of the disposal of the remains; and
 - (iii) the place where the remains of each person have been buried or placed including any cremated remains that may be scattered in the cemetery; and
 - (iv) any dealing with the remains after they have been buried or placed in the cemetery.
- (b) The records are kept at an office on the grounds of the cemetery or another place approved by the local government;
- (c) The records may available for inspection by members of the public at reasonable times;
- (d) The records are provided on request of an authorised person.

Endnotes

1 Index to Endnotes

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2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before the

3 Key

Key to abbreviations in list of legislation and annotations

Key Explanation

amd = amended
ch = chapter
def = definition
div = division
hdg = heading
ins = inserted
om = omitted
p = page
pt = part
renum = renumbered
rep = repealed
s = section
sch = schedule
sdiv = subdivision

4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this local law – no amendments

5 List of legislation

Original Local Law

Subordinate Local Law No.3.1 (Commercial Licensing) 2013

date of gazettal 5 July 2013

6 List of annotations