

# Ipswich

City Council

Draft

Subordinate Local Law (Amending) Subordinate  
Local Law No. 3.1 (Commercial Licensing) 2019

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law (Amending) Subordinate Local Law No. 3.1 (Commercial Licensing) 2019*.

### 2 Commencement

This subordinate local law commences on the date notice of the making of the subordinate local law is published in the gazette.

### 3 Subordinate local laws amended

This subordinate local law amends *Subordinate Local Law No. 3.1 (Commercial Licensing) 2013*.

## Part 2 Amendment of Subordinate Local Law No. 3.1 (Commercial Licensing) 2013

### 4 Amendment of s 4 (Definitions - dictionary)

Section 4 –

*omit, insert –*

Particular words used in this subordinate local law are defined in –

- (1) Schedule 1 (Dictionary) of this subordinate local law;
- (2) *Local Law No. 3 (Commercial Licensing) 2013*; and
- (3) *Local Law No. 1 (Administration) 2013*.

**5 Amendment of ch 2, pt 1, hdg (Temporary advertising devices including election signs)**

Chapter 2, Part 1, heading, 'including election signs' –

*omit.*

**6 Amendment of s 5 (Operation of part 1)**

(1) Section 5, subsection (1), 'or an election sign' –

*omit.*

(2) Section 5(2), subsection (d), 'requires development approval'

*omit, insert –*

is assessable development under the Planning Act

**7 Amendment of s 6 (Temporary advertising device)**

(1) Section 6, subsection (1), '(Requirement for a licence)' –

*omit, insert –*

(Offence to operate licence regulated activity without a licence)

(2) Section 6, subsection (2), 'section 5(4) (Requirement for a licence)' –

*omit, insert –*

section 5A (Minimum standards for licence regulated activity)

**8 Replacement of s 7 (Election signs)**

Section 7 –

*omit, insert –*

**7 Election signs**

For the purposes of section 5A (Minimum standards for licence regulated activity) of the authorising law –

- (a) an election sign must comply with the particular minimum standards specified in part 1 of schedule 2; and
- (b) an election sign must comply with the general minimum standards specified in part 2 of schedule 2.

**9 Amendment of s 12 (Requirement for a licence)**

Section 12, '(Requirement for a licence)' –

*omit, insert –*

(Offence to operate licence regulated activity without a licence)

**10 Amendment of s 16 (Conditions of a licence)**

Section 16, 'unless, specifies' –

*omit, insert –*

unless specified

**11 Amendment of s 17 (Application for a licence)**

- (1) Section 17, before 'the authorising' –

*insert –*

of

- (2) Section 17, before 'be' –

*insert –*

must

**12 Amendment of s 18 (Conditions of a licence)**

Section 18, 'unless,' –

*omit, insert –*

unless

**13 Amendment of s 19 (Application for a licence)**

- (1) Section 19, before 'the authorising' –

*insert –*

of

- (2) Section 19, after 'local government' –

*insert –*

)

**14 Amendment of s 20 (Conditions of a licence)**

Section 20, 'unless,' –

*omit, insert –*

unless

**15 Amendment of s 21 (Exempt licence regulated activity)**

Section 21, '(Requirement for a licence)' –

*omit, insert* –

(Offence to operate licence regulated activity without a licence)

**16 Amendment of s 22 (Minimum standards)**

(1) Section 22, 'section 5(4) (Requirements for a licence)' –

*omit, insert* –

section 5A (Minimum standards for licence regulated activity)

(2) Section 22, before 'schedule 5' –

*insert* –

in

**17 Amendment of pt 9, hdg (Commercial activities on local government controlled roads and areas)**

Section 9, heading, 'roads and areas' –

*omit, insert* –

areas and roads

**18 Amendment of s 23 (Requirements for a licence)**

(1) Section 23, '(Requirements for a licence)' –

*omit, insert* –

(Offence to operate licence regulated activity without a licence)



- (2) Section 23, 'schedule 5' –

*omit, insert* –

schedule 4

**19 Amendment of s 24 (Application for a licence)**

Section 24, before 'be accompanied' –

*insert* –

must

**20 Amendment of s 25 (Conditions of a licence)**

Section 25, 'unless,' –

*omit, insert* –

unless

**21 Amendment of s 26 (Application for a licence)**

- (1) Section 26, before 'commercial activity' –

*insert* –

a

- (2) Section 26, before 'be accompanied' –

*insert* –

must

**22 Amendment of s 27 (Conditions of a licence)**

(1) Section 27, before 'the authorising law' –

*insert –*

of

(2) Section 27, before 'commercial activity' –

*insert –*

a

(3) Section 27, 'unless,' –

*omit, insert –*

unless

**23 Amendment of s 28 (Application for a licence)**

Section 28, before 'be accompanied' –

*insert –*

must

**24 Amendment of s 29 (Conditions of a licence)**

Section 29, 'unless,' –

*omit, insert –*

unless

**25 Insertion of new s 29A**

Before section 30 –

*insert –*

**29A Requirement for a licence**

For the purposes of Schedule 1, definition *temporary entertainment event*, of the authorising local law, the events listed in part 1 of schedule 6 require a licence.

**26 Replacement of s 30 (Application for a licence)**

Section 30 –

*omit, insert –*

- (1) For the purposes of section 5(3) (Offence to operate licence regulated activity without a licence) of the authorising law, a licence is not required for a temporary entertainment event of the category specified in column 1 of schedule 4 in the circumstances specified in column 2 of schedule 4.
- (2) For the purposes of section 6(1)(c)(iv) (Application for a licence) of the authorising local law, an application for a licence for the operation of a temporary entertainment event (unless otherwise required by the local government) must:
  - (a) be made to the local government within the time specified in column 2 of schedule 6, part 2, relevant to the impact of the event specified in column 1 of schedule 6, part 2; and
  - (b) be accompanied by the information, material and documents set out in:
    - (i) column 2 of schedule 6, part 2; and

- (ii) column 3 of schedule 6, part 3, relevant to the impact of the event specified in column 1 of schedule 6, part 3.

**27 Amendment of s 31 (Conditions of a licence)**

- (1) Section 31, 'schedule 3' –

*omit, insert –*

schedule 6, part 2

- (2) Section 31, 'unless,' –

*omit, insert –*

unless

**28 Insertion of new s 31A**

Before section 32 –

*insert –*

**31A Requirement for a licence**

- (1) For the purposes of section 5(3) (Offence to operate licence regulated activity without a licence) of the authorising law, a licence is not required for entertainment venue of the category specified in column 1 of schedule 4 in the circumstances specified in column 2 of schedule 4.
- (2) For the purposes of Schedule 1, definition *entertainment venue*, of the authorising local law, the venues listed in part 1 of schedule 7 require a licence.

**29 Amendment of s 32 (Application for a licence)**

Section 32, 'of schedule 3' –

*omit, insert* –

of schedule 7, part 2

**30 Amendment of s 33 (Conditions of a licence)**

(1) Section 33, 'schedule 3' –

*omit, insert* –

schedule 7, part 2

(2) Section 33, 'unless,' –

*omit, insert* –

unless

**31 Amendment of sch 1 (Dictionary)**

(1) Schedule 1 –

*insert* –

***Planning Act*** means the *Planning Act 2016* (Qld) and includes the predecessor legislation to that Act.

***Guide dog*** has the meaning given to that term under the *Guide, Hearing and Assistance Dogs Act 2009* (Qld), Schedule 4.

***Low risk*** means, for the purposes of an entertainment venue, a venue where amplified music is not the primary activity inside the building or other

circumstances where an authorised person believes there is no risk to the surrounding environment as a result of the venue.

*Examples –*

- A small band playing while guests eat dinner at the venue.
  
- A band playing irregularly in a licensed bar area at the venue where dining does not occur in the same area when the band is playing (e.g. a hotel that has bands/entertainment on weekends).

***street pole banners*** means a light weight, vertical, promotional sign attached to a rate 3 light pole located in a local government area or road.

***temporary advertising device*** means a device listed in column 1 of schedule 2, part 1.

(2) Schedule 1, definition *approved advertising device* –

*omit.*

(3) Schedule 1, definition *business*, after 'advertisement; and' –

*omit, insert –*

(i) the exhibition of a sign; and

(j) film production.

(3) Schedule 1, definition *commercial basis*, 'an business .' –

*omit, insert –*

a business.

(4) Schedule 1, definition *entertainment*, after 'amusement' –

*insert –*

- (5) Schedule 1, definition *film production*, 'residential' –

*omit.*

- (6) Schedule 1, definition *planning scheme* –

*omit, insert –*

***planning scheme*** means the planning scheme made or amended from time-to-time under the Planning Act.

- (7) Schedule 1, definition *residential area*, subparagraph (a), 'Locality' –

*omit, insert –*

Area

- (8) Schedule 1, definition *residential area*, subparagraph (b), 'Locality' –

*omit, insert –*

Area

- (9) Schedule 1, definition *residential area*, '(iv) Special Uses Zone;' –

*omit, insert –*

(v) Special Uses Zone;

- (10) Schedule 1, definition *residential area*, subparagraph (c), 'Locality' –

*omit, insert –*

Area

- (11) Schedule 1, definition *residential area*, subparagraph (d), 'Locality' –

*omit, insert –*

Area

- (12) Schedule 1, definition *residential area*, subparagraph (d)(iv) –

*omit.*

- (13) Schedule 1, definition *residential area*, subparagraph (v) –

*renumber as (iv).*

- (14) Schedule 1, definition *residential area*, subparagraph (f), 'Locality' –

*omit, insert –*

Area

- (15) Schedule 1, definition *residential area*, subparagraph (f)(i) –

*omit, insert –*

(f) Rural C (Rural Living) Zone.

- (16) Schedule 1, definition *residential area*, after '1997' –

*omit, insert –*

*, section 391 of the Sustainable Planning Act 2009 or section 89 of the Planning Act 2016.*

- (17) Schedule 1, definition *swimming pool*, ';' –



*omit, insert –*

**32 Amendment of sch 2 (Minimum standards for temporary advertising devices and election signs)**

(1) Schedule 2, Part 1, item 4 (Horizontal Banner Signs), column 2, subparagraph (a), after 'the site' –

*insert –*

to which the advertisement relates

(2) Schedule 2, Part 1, item 7 (Real Estate Signs), subparagraph (c), '' –

*omit, insert –*

; and

(3) Schedule 2, Part 1, item 7 (Real Estate Signs), after subparagraph (c) –

*insert –*

(d) be removed from the site within 14 days of the property reaching settlement or being leased.

(4) Schedule 2, Part 1, after item 7 (Real Estate Signs) –

*insert –*

<b>Street Pole Banner</b>	Must –  (a) be located in a local government controlled area or road;
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	<ul style="list-style-type: none"><li>(b) support the local government's strategic direction for events, branding, place-making and urban design;</li><li>(c) be structurally sound and capable of withholding any weather;</li><li>(d) not have a detrimental effect on the amenity of the surrounding area;</li><li>(e) not cause significant obstruction or distraction to vehicular or pedestrian traffic;</li><li>(f) be of a size approved by the local government;</li><li>(g) not be erected for longer than 30 days in a 90 day period.</li></ul>
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(5) Schedule 2, Part 1, item 8 (Vertical Banner Event Signs), column 2, subparagraph (a), after 'the site' –

*insert –*

to which the advertisement relates

(6) Schedule 2, Part 1, item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed), column 2, subparagraph (e)(i) –

*omit, insert –*

(i) its surroundings, including buildings, allotments and natural features of the environment, including in relation to size, dimension, colour and appearance, so that –

- (A) its presence is not unduly dominating or oppressive; or
- (B) it does not unreasonably obstruct existing views;
- (7) Schedule 2, Part 1, item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed), column 2, subparagraph (e)(ii) –  
*omit.*
- (8) Schedule 2, Part 1, item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed), column 2, subparagraphs (e)(iii) to (iv) –  
*renumber* as subparagraphs (i) to (ii), respectively
- (9) Schedule 2, Part 1, item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed), column 2, subparagraph (h) to (i) –  
*omit.*
- (10) Schedule 2, Part 1, item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed), column 2, subparagraph (o), 'or' –  
*omit, insert* –
- of
- (11) Schedule 2, Part 1, item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed), column 2, subparagraph (r) –

*omit.*

- (12) Schedule 2, Part 1, item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed), column 2, subparagraph (s) –

*omit.*

- (13) Schedule 2, Part 1 item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed), column 2, subparagraphs (j) to (u) –

*renumber* as subparagraphs (h) to (q), respectively.

- (14) Schedule 2, Part 1, after item 9 (For temporary advertising devices other than those temporary advertising devices for which a specific category above is prescribed) –

*insert* –

<p><b>Election signs</b></p>	<p>Must –</p> <p>(a) not be erected or displayed until the election has been officially announced;</p> <p>(b) be removed within 7 days of the election polling day (or less if required by the relevant local government);</p> <p>(c) be no greater than 0.6m<sup>2</sup> in size;</p> <p>(d) be made of a material that is designed to be easily broken;</p> <p>(e) in relation to the timber stake or frame on which the sign is fastened, be made of a material that is</p>
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	<p>designed to be easily broken, and have a cross section measurement of not more than 55mm x 25mm;</p> <p>(f) not rotate or be illuminated;</p> <p>(g) not use reflective or fluorescent materials;</p> <p>(h) be located so as not to distract motorists, restrict sight distances on approaches to intersections, obstruct the view of road traffic signs, or otherwise impact on safety;</p> <p>(i) not be located on a motorway, freeway or roads of a similar standard;</p> <p>(j) be located at least three and a half metres from the edge of the nearest traffic lane on roads where the speed limit is 80km/hr or less;</p> <p>(k) be located at least six metres from the edge of the nearest traffic lane on roads where the speed limit is over 80km/hr;</p> <p>(l) not be located on centre medians or roundabouts;</p> <p>(m) not be attached to trees/vegetation or local government infrastructure (for example, road signs, guard rails, etc);</p> <p>(n) be located as close as practicable to the property boundary;</p>
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	<p>(o) not hinder the flow of traffic, protrude over the road or interfere with the road's operation (this includes a person holding or waving an election sign);</p> <p>(p) not obstruct pedestrians and cyclists (including people using a mobility device).</p>
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(15) Schedule 2, Part 2, subparagraph (b) –

*omit.*

(16) Schedule 2, Part 2, subparagraphs (c) to (d) –

*renumber* as subparagraphs (b) to (c), respectively

### 33 Amendment of sch 3 (Matters affecting certain licences)

(1) Schedule 3, item 1 (Election signs) –

*omit.*

(2) Schedule 3, item 2 (Camping grounds), column 2, subparagraph (a), 'Address' –

*omit, insert* –

The location and real property description

(3) Schedule 3, item 2 (Camping grounds), column 3, subparagraph (h) –

*omit, insert* –

(h) all buildings, structures and fixtures allowed within the camping ground are located in accordance with the licence or if no provision for their location is included in the licence, in accordance with the layout plan that accompanied the application for a licence;

- (4) Schedule 3, item 2 (Camping grounds), column 3, after subparagraph (k) –

*insert –*

- (l) all related licence fees are paid within stipulated timeframes.

- (5) Schedule 3, item 3 (Caravan parks), column 2, subparagraph (a), 'address' –

*omit, insert –*

location and real property description

- (6) Schedule 3, item 3 (Caravan parks), column 2, after subparagraph (f) –

*insert –*

- (g) Details of water quality, reticulation and drainage;

- (h) Details of the facilities for sanitation, washing, laundry, cooking and recreation to be provided for occupants.

- (7) Schedule 3, item 3 (Caravan parks), column 3 –

*omit, insert –*

**1 Sites**

- (a) site sizes and locations must be maintained in accordance with the approved plan of the caravan park.
- (b) site numbers must be clearly displayed at each site in accordance with the approved plan of the caravan park.
- (c) a person must not camp or sleep in a place within the caravan park that is not a site nominated in the approved plan of the caravan park.

## 2 Caravan Park Maintenance

- (a) the caravan park (including all sites) are kept clean and tidy.
- (b) all buildings, structures and facilities provided for the operation of the caravan park are kept and maintained in good and serviceable condition.
- (c) the caravan park (including all fixtures, fittings, equipment and furniture) must be maintained –
  - (i) in good working order; and
  - (ii) in a good state of repair; and
  - (iii) in a clean, tidy, sanitary and hygienic condition.

## 3 Waste

- (a) waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the caravan park must be provided and maintained in good order.
- (b) each site that is part of the operation of the caravan park must be approved and maintained in good order.
- (c) all waste generated as part of the operation of the caravan park must be removed and disposed of in a sanitary manner.
- (d) waste containers that are provided as part of the operation of the caravan park must be –
  - (i) provided with close fitting lids; and



- (ii) regularly serviced and maintained in a clean, tidy, sanitary and hygienic condition; and
  - (iii) designed and constructed to prevent access to pests; and
  - (iv) designed and constructed to be easily and effectively cleaned and disinfected; and
  - (v) kept closed when not in use.
- (e) all waste generated as part of the operation of the caravan park must be –
- (i) kept so as not to attract pests; and
  - (ii) disposed of in a manner which maintains the caravan park in a clean, tidy, sanitary and hygienic condition.

#### **4 Toilets and Ablution Facilities**

- (a) the licensee must ensure that the toilets and ablution facilities are provided for the use of residents in accordance with the approved plan of the caravan park, unless written approval to vary the toilets and ablution facilities has been granted by the local government.
- (b) an adequate number of laundry tubs, washing machines, mechanical clothes driers, ironing boards and clothes lines of a suitable length must be provided for the use of occupants.

#### **5 Water Supply**

- (a) an adequate and continuous supply of water must be maintained to all toilet, bathroom, kitchen, laundry and drinking water facilities that form part of the caravan park.
- (b) an adequate and continuous supply of hot water must be maintained to all bathroom, kitchen and laundry facilities that form part of the operation of the caravan park.
- (c) the water supply for drinking and ablutionary purposes must be potable water.
- (d) the licensee must notify the local government of any modifications to the water supply system.
- (e) any water supply outlet for non-potable water must be clearly labelled with the words, "Unsuitable For Drinking".

## **6 Sewage and Wastewater**

- (a) all sewage and waste water must be discharged safely to the sewerage system or an on-site sewerage facility.
- (b) waste water must not be discharged on the ground.

## **7 Pest Control**

- (a) the caravan park –
  - (i) must be kept free of pests; and
  - (ii) must be kept free of conditions offering harbourage for pests; and
  - (iii) must not attract fly breeding

- (b) the licensee must ensure that a documented pest control program is in place to control and eliminate pests within the premises.

## **8 Residential Park Operation**

- (a) the licensee must ensure that a cleaning and maintenance schedule is in place, which specifies the frequency with which caravan park facilities are to be cleaned and maintained.
- (b) the licensee must keep a register, available for inspection at any time by an authorised person, containing –
  - (i) the names and addresses of each person who hires a relocatable home, caravan, tent, or a site in the caravan park; and
  - (ii) an identifying number for the accommodation or site; and
  - (iii) if a caravan is brought onto the site, the registration 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.
- (c) the caravan park is managed and supervised by an individual (the “resident manager”) who is resident on or near the caravan park.

- (d) the resident manager, or a representative of the resident manager, is present or available at all reasonable times to ensure the property operation of the caravan park.
- (e) no part of the caravan park is hired out or leased for separate occupation, unless permitted by the licence.
- (f) a person is not permitted to bring onto a site a caravan or other type of accommodation that is not fit for human habitation.
- (g) any supplied bedding is kept in a clean and sanitary condition and changed whenever the occupier changes.
- (h) adequate telephone and postal services must be provided within the caravan park.
- (i) the operation of the caravan park must not detrimentally affect the amenity of neighbouring premises.
- (j) adequate water and electricity must be available for use of residents of the caravan park.
- (k) swimming pools must be fenced to meet the standards imposed by the *Building Act 1975* and the *Building Regulations 2006* as if the swimming pool were an outdoor swimming pool on residential land for the purposes of the Act or Regulation.
- (l) unless the licence holder requests a change in the conditions of the licence 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.
  
- (m) unless the licence holder requests a change in conditions of the licence and the local 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.
  
- (n) the standard condition referred to in subparagraphs (l) and (m) do not apply if the proposed change constitutes development under the Planning Scheme or Planning Act.
  
- (o) if the licence holder is an individual the licence holder may be the manager of the caravan park.
  
- (p) 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 –
  - (i) 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
  - (ii) the licence holder must comply with the notice given under standard (a) above within the time specified in the notice.

- 9 The licensee must ensure that all related licence fees are paid within stipulated timeframes.

- (8) Schedule 3, item 4 (Public swimming pool), column 2, subparagraph (a), 'address' –

*omit, insert –*

location and real property description

- (9) Schedule 3, item 4 (Public swimming pool), column 3 –

*omit, insert –*

- 1 Ensure that the water in the public swimming pool is at all times maintained in accordance with the chemical parameters and microbiological criteria specified below.

**Chemical Parameters Table**

	Indoor Pool	Heated Indoor Pool	Outdoor Pool	Heated Outdoor Pool	Spa
Water temperature		>26°C		>26°C	35° - 37°C ideal 40°C max
Free chlorine (mg/l, ppm) minimum	1.5	2	1.5	3	3
Free chlorine (mg/l ppm) with cyanuric acid	N/A	N/A	3	4	N/A
Total chlorine (mg/l ppm)	Free chlorine level +1 (10 max)	Free chlorine level +1 (10 max)	Free chlorine level +1 (10 max)	Free chlorine level +1 (10 max)	10.0
Bromine (mg/l ppm) minimum	3.0	4.0	3.0	4.0	4.6
Ozone (for chlorine level see above)	0 residual	0 residual	0 residual	0 residual	0 residual
pH	7.2 – 7.8	7.2 – 7.8	7.2 – 7.8	7.2 – 7.8	7.2 – 7.8
Total alkalinity mg/l ppm	80 - 200	80 - 200	80 - 200	80 - 200	80 - 200
Cyanuric Acid	0*	0*	30 - 50	30 - 50	0*

\*As indoor pools are protected from direct sunlight, cyaruric acid must not be used as the effectiveness of chlorine is reduced.

2 Combined chlorine shall not exceed half the total chlorine concentration with a maximum of 1.0 parts per million ("ppm").

**Note:** The level of one chemical parameter can adversely affect another, for example, if the pH is too high or too low the disinfectant properties of chlorine are decreased.

3 Unless otherwise directed by an authorised person, ensure pool water quality is regularly monitored and recorded in accordance with the levels as specified in condition 1.

4 Public swimming pool water chemical parameters, bacterial standards and frequency of water testing and methods of recording must comply with the *Queensland Health Swimming & Spa Pool Water Quality and Operational Guidelines*.

5 The records of results required by condition 1, above, plus any backwashing, chemical adjustments or dose setting 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.

6 An authorised person may require the testing of public swimming pool water for compliance with bacteriological criteria as detailed in the *Queensland Health Swimming & Pool Water Quality and Operational Guidelines*. If testing is required, it is to be carried out by a National Association Testing Authorities or equivalent registered analyst.

7 An animal, other than a guide dog, must not be allowed within the enclosed area of premises on which the public swimming pool is situated.

- 8 The licensee must not operate a public swimming pool that is classified as a high usage pool as defined in the *Queensland Health Swimming & Pool Water Quality and Operational Guidelines* unless there is a person in attendance at the public swimming pool who has obtained and kept current the qualifications of pool lifeguard (as per the *Guidelines for Safe Pool Operations – Aquatic Supervision* by Royal Life Saving Society Australia) or other qualification to the satisfaction of an authorised person.
- 9 The licensee must manage and supervise the swimming pool to protect public safety and prevent nuisances.
- 10 The holder of this licence must provide specified equipment for –
- (a) Rescue;
  - (b) First aid and safety; and
  - (c) Other aspects of public health and safety (as per the *Guidelines for Safe Pool Operations – Safety Equipment* by Royal Life Saving Society).
- 11 The licensee must ensure that equipment, to the satisfaction of an authorised person, for the purposes stated in condition 10 are readily available for use. Equipment includes but is not limited to: Rescue Boards, Throw Ropes, Reach Poles, Rescue Tubes, Radios, Helmets and medical equipment including Oxygen Resuscitation units, resuscitation devices (airways, masks etc.) and Defibrillation units.
- 12 The licensee 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.



- 13 Ensure that all facilities provided at the public swimming pool, such as toilets and change rooms, are maintained in a clean and sanitary condition at all times.
- 14 The public swimming pool must be fenced and the fence must be a permanent structure and maintained in a good condition.
- 15 Any gate or door giving access to the public swimming pool is to be kept securely closed at all times when the gate or door is not in use.
- 16 Facilities, fittings and equipment provided at the public swimming pool are to be maintained in a good state of repair and working order and condition.
- 17 If applicable, a notice advising of the dangers of immersion in hot spas is to be prominently displayed near the spa pool.
- 18 The surrounds of the public pool are to be maintained in good repair at all times.
- 19 A notice explaining mouth-to-mouth resuscitation must be prominently displayed.
- 20 If the licensee intends to empty the pool, written notification must be given to the local government at least 24 hours prior. The licensee must comply with directions given by an authorised person about when and how the swimming pool is to be emptied.
- 21 The licensee must ensure that all related licence fees are paid within stipulated timeframes.

*omit, insert –*

location and real property description

- (11) Schedule 3, item 5 (Catteries), column 2, subparagraph (e), from 'confirmation' to 'be kept has' –

*omit, insert –*

details of

- (12) Schedule 3, item 5 (Catteries), column 3 –

*omit, insert –*

- 1 The licensee must ensure that all necessary approvals are obtained from the local government.
- 2 The licensee must ensure that the local government is advised of any amendments to the premises and licence details. Amendments must be applied for by submitting to the local government the completed approved forms with design plans if required and any relevant fees if required.
- 3 The cats are adequately identified so that the keeper's name, address and telephone number is readily ascertainable.
- 4 An adequate supply of food and water is provided.
- 5 Water containers are kept free from mosquitoes and flies.
- 6 All faeces, urine, food scrapes, and other waste are disposed of so as not to cause a nuisance.

- 7 Cats are kept in a manner so as not to be injurious to the health of a person.
- 8 Cats are kept in a manner so as not to cause a nuisance including to the occupiers of adjoining premises or premises in the immediate vicinity of the place where the animal is kept.
- 9 All pet food to be stored in vermin proof containers.
- 10 The cats have adequate freedom to exercise having due regard to the species, breed, size and nature of the animal.
- 11 all cats kept on the premises, sold, given away or otherwise disposed of must be microchipped and vaccinated appropriate to the age of the animal.
- 12 Any cat suffering from a transmissible or communicable disease is prevented from interacting with other vector animals.
- 13 The cats do not create excessive noise. Cat noise is considered excessive if –
- (a) it is made or can be heard within a residential area for more than a total of 6 minutes whether continually or intermittently in an hour from 7.00 am to 10.00 pm on any day; or
  - (b) it is made or can be heard in a residential area for more than a total of 3 minutes whether continually or intermittently in any 30 minute period on any day after 10.00 pm but before 7.00 am; and
  - (c) in the opinion of an authorised person it unreasonably disrupts or inhibits an activity ordinarily carried out on residential premises.

- 14 The cats are provided with a suitable shelter from the elements having regards to the breed, size and nature of the animals.
- 15 Any shelter is –
- (a) constructed and maintained so as to prevent the harbourage of vermin; and
  - (b) maintained and kept at all times in a clean and sanitary condition.
- 16 Records of all cats kept on the premises, sold, given away or otherwise disposed of must be kept, including vaccination certificates, microchipping information and the new owner's name and address.
- 17 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.
- 18 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.
- 19 All cages or enclosures to be thoroughly cleansed and disinfected on a daily basis to avoid the spread of disease.
- 20 adequate enclosures must be provided to prevent the egress of housed cats and the ingress of other cats.
- 21 All cats must be kept in a manner so as not to cause a nuisance.
- 22 All cats are to be confined to the premises at all times.

- 23 The maximum number of cats to be kept on the premises shall be determined by the local government giving regards to all relevant circumstances.
- 24 The licensee must ensure that all related licence fees are paid within stipulated timeframes.
- (13) Schedule 3, item 6 (Kennels), column 2, subparagraph (a), 'address' –  
*omit, insert –*  
location and real property description
- (14) Schedule 3, item 6 (Kennels), column 2, subparagraph (e), from 'confirmation' to 'be kept has' –  
*omit, insert –*  
details of
- (15) Schedule 3, item 6 (Kennels), column 3 –  
*omit, insert –*
- 1 The licensee must ensure that all necessary approvals are obtained from the local government.
  - 2 The licensee must ensure that the local government is advised of any amendments to the premises and licence details. Amendments must be applied for by submitting to the local government the completed approved forms with design plans if required and any relevant fees if required.

- 3 The dogs are adequately identified so that the keeper's name, address and telephone number is readily ascertainable.
- 4 An adequate supply of food and water is provided.
- 5 Water containers are kept free from mosquitoes and flies.
- 6 All faeces, urine, food scrapes, and other waste are disposed of so as not to cause a nuisance.
- 7 Dogs are kept in a manner so as not to be injurious to the health of a person.
- 8 Dogs are kept in a manner so as not to cause a nuisance including to the occupiers of adjoining premises or premises in the immediate vicinity of the place where the animal is kept.
- 9 All pet food to be stored in vermin proof containers.
- 10 The dogs have adequate freedom to exercise having due regard to the species, breed, size and nature of the animal.
- 11 all dogs kept on the premises, sold, given away or otherwise disposed of must be microchipped and vaccinated appropriate to the age of the animal.
- 12 Any dog suffering from a transmissible or communicable disease is prevented from interacting with other vector animals.
- 13 The dogs do not create excessive noise. Dog noise is considered excessive if –

- (a) it is made or can be heard within a residential area for more than a total of 6 minutes whether continually or intermittently in an hour from 7.00 am to 10.00 pm on any day; or
  - (b) it is made or can be heard in a residential area for more than a total of 3 minutes whether continually or intermittently in any 30 minute period on any day after 10.00 pm but before 7.00 am; and
  - (c) in the opinion of an authorised person it unreasonably disrupts or inhibits an activity ordinarily carried out on residential premises.
- 14 The dogs are provided with a suitable shelter from the elements having regards to the breed, size and nature of the animals.
- 15 Any shelter is –
- (a) constructed and maintained so as to prevent the harbourage of vermin; and
  - (b) is maintained and kept at all times in a clean and sanitary condition.
- 16 Records of all dogs kept on the premises, sold, given away or otherwise disposed of must be kept, including vaccination certificates, microchipping information and the new owner's name and address.
- 17 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 dogs when necessary.

- 18 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.
- 19 All cages or enclosures to be thoroughly cleansed and disinfected on a daily basis to avoid the spread of disease.
- 20 adequate enclosure are provided to prevent the egress of housed dogs and the ingress of other dogs.
- 21 All dogs must be kept in a manner so as not to cause a nuisance.
- 22 All dogs to be confined to the premises at all times.
- 23 The maximum number of dogs to be kept on the premises shall be determined by the local government giving regards to all relevant circumstances.
- 24 The licensee must ensure that all related licence fees are paid within stipulated timeframes.
- (16) Schedule 3, item 7 (Pet shops), column 2, subparagraph (a), 'address' –  
*omit, insert –*  
location and real property description
- (17) Schedule 3, item 7 (Pet shops), column 2, subparagraph (p), after 'receptacle' –  
*insert –*  
and
- (18) Schedule 3, item 7 (Pet shops), column 3 –  
*omit, insert –*



- 1 The licensee must ensure that all necessary approvals are obtained from the local government.
- 2 The licensee must ensure that the local government is advised of any amendments to the premises and licence details. Amendments must be applied for by submitting to the local government the completed approved forms with design plans if required and any relevant fees if required.
- 3 Operation of the pet shop is carried out so as not to cause a nuisance or disturbance to adjoining properties or properties in the immediate vicinity of the pet shop.
- 4 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.
- 5 All animals are protected from the adverse impacts of natural and artificial origins, environmental conditions, other animals and interference from humans.
- 6 Sufficient space is provided for the animal to prevent overcrowding and to allow them to stand and move around freely.
- 7 Sufficient quantities of appropriate food and water are provided to maintain the animals in good health.
- 8 The animals are protected from disease, distress, injury and excess heat or cold.
- 9 The animals are provided with prompt veterinary or other appropriate treatment in the event of disease, distress or injury.

- 10 The premises are kept clean and hygienic, including vermin and pest control of the premises.
- 11 The keeping of the animals on the premises does not cause a public health nuisance.
- 12 The animals are adequately fed, watered and inspected daily to ensure their wellbeing.
- 13 All structures and enclosures for the animals must –
- (a) prevent the escape of any animal from the premises;
  - (b) allow for regular cleaning of all internal and external surfaces and regular checking of the animals;
  - (c) be impervious and able to be easily and readily cleaned and effectively disinfected;
  - (d) ensure the comfort of the animals and prevent the spread of disease; and
  - (e) maintain the health of the animals and limit the spread of disease
- 14 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.
- 15 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.
- 16 All cases or enclosures for animals are thoroughly cleaned and disinfected on a daily basis.

- 17 All waste water 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.
- 18 All manure and offensive matter is cleaned up at least daily, wrapped in newspaper and then placed into a fly proof covered receptacle, collected from the premises daily and the contents disposed of so as not to adversely affect public health or safety.
- 19 The premises are kept free of flies and vermin at all times and all feed is stored in fly and vermin proof receptacles.
- 20 All animals offered for sale must be vaccinated as appropriate to the age of the animal prior to the completion of any sale.
- 21 All provisions contained in any other local law concerning the keeping or sale of animals are complied with.
- 22 The licensee must ensure that all related licence fees are paid within stipulated timeframes.
- (19) Schedule 3, item 8 (Cemeteries) –  
*omit.*
- (20) Schedule 3, item 9 (Stables), column 2, subparagraph (a), 'address' –  
*omit, insert –*  
  
location and real property description
- (21) Schedule 3, item 9 (Stables), column 2, subparagraph (b), 'or their authorised agent' –

*omit.*

- (22) Schedule 3, item 9 (Stables), column 2, subparagraph (e), from 'confirmation' to 'be kept has' –

*omit, insert –*

details of

- (23) Schedule 3, item 9 (Stables), column 3 –

*insert –*

- 1 The licensee must ensure that all necessary approvals are obtained from the local government.
- 2 The licensee must ensure that the local government is advised of any amendments to the premises and licence details. Amendments must be applied for by submitting to the local government the completed approved forms with design plans if required and any relevant fees if required.
- 3 It is prohibited to keep a horse on an allotment less than 2000m<sup>2</sup> other than in the Bundamba Racecourse Stables Zone in the Planning Scheme.
- 4 The animal is adequately identified so that the keeper's name, address and telephone number are readily ascertainable.
- 5 An adequate supply of food and water is provided.
- 6 Water containers are kept free from mosquitoes and flies.
- 7 All faeces, urine, food scraps, and other waste are disposed of so as not to cause a nuisance.

- 8 Animals are kept in a manner so as not to be injurious to the health of a person.
- 9 Animals are kept in a manner so as not to cause a nuisance including to the occupiers of adjoining premises or premises in the immediate vicinity of the place where the animal is kept.
- 10 All feed is kept in a vermin and fly proof container or facility.
- 11 The owner or responsible person must ensure that –
- (a) A minimum of 800m<sup>2</sup> of open land, unencumbered by buildings, is available for each horse kept on the premises, other than in the Bundamba Racecourse Stables Zone in the Planning Scheme; and
  - (b) Where the grazing behaviour of horses kept on land is causing or is likely to cause damage to neighbouring property, the keeper must take all reasonable measures to effectively isolate the horses from the property at risk, to the satisfaction of an authorised person. "Reasonable measures" may include the construction of a fence to the satisfaction of an authorised person to achieve 3 metre set-back from affected property boundaries.
- 12 The animal has adequate freedom to exercise having due regard to the species, breed, size and nature of the animal.
- 13 Any animal kept, sold, given away or otherwise disposed of is vaccinated and inoculated having regard to the age of the animal.

- 14 Any animal suffering from a transmissible or communicable disease is prevented from interacting with other vector animals.
- 15 An animal does not create excessive noise. Horse noise is considered excessive if –
- (a) it is made or can be heard within a residential area for more than a total of 6 minutes whether continually or intermittently in an hour from 7.00 am to 10.00 pm on any day; or
  - (b) it is made or can be heard in a residential area for more than a total of 3 minutes whether continually or intermittently in any 30 minute period on any day after 10.00 pm but before 7.00 am; and
  - (c) in the opinion of an authorised person it unreasonably disrupts or inhibits an activity ordinarily carried out on residential premises.
- 16 The animal is provided with a suitable shelter from the elements having regard to the breed, size and nature of the animal
- 17 Any shelter is –
- (a) constructed and maintained so as to prevent the harbourage of vermin; and
  - (b) is maintained and kept at all times in a clean and sanitary condition.
- 18 If a law requires registration of an animal then the person selling the animal must register the animal offering it for sale or alternatively keep a register giving full details of –

- (a) all horses sold or otherwise disposed of including the name and address of the new keeper of the horse; and
- (b) a full description of each horse sold or otherwise disposed of; and
- (c) the date of sale or disposal of each horse.

19 A person who offers for sale any animal suffering from a transmissible or communicable disease must provide a person intending to buy the horse with a report from a qualified veterinarian indicating the horse's present condition.

20 The licensee must ensure that all other relevant State and Federal Legislation regarding keeping of and/or moving horses and be able to provide proof of compliance to an authorised officer upon request.

21 The licensee must ensure that all related licence fees are paid within stipulated timeframes.

(24) Schedule 3, item 10 (Commercial activity on local government controlled area or roads other than footpath dining), column 3 –

*omit, insert –*

#### **Roadside Vending**

1 The approved activity is for a suitably equipped and registered mobile premises to be situated out the front of <<Insert Street>> from <<insert day/s and times>>.

2 This licence may be suspended, cancelled or varied at any time in accordance with *Local Law No. 3 (Commercial Licensing) 2013* should any matter arise at any time which warrants, in the opinion of the local

government, the suspension, cancellation or variation of the permit or conditions including a legitimate complaint from the public.

- 3 This licence does not give the permit holder or operator any rights to erect a permanent structure or sign on or over the road reserve or to make any structural changes to the road reserve including the footpath and verge areas.
- 4 This licence shall be kept on site at all times and must be produced when required.
- 5 The licence holder shall take all necessary actions to protect the public from injury or loss and reasonable direction given by a police officer or an authorised person shall be followed.
- 6 Whilst acting under the authority of this licence, the licence holder and operator is to hold public liability insurance for a minimum of \$20 million for the period of the permit to the satisfaction of the local government. Proof of such insurance is to be provided to the local government prior to exercising this licence and must be renewed prior to its expiry.
- 7 The licence holder agrees to indemnify and save harmless the local government from any loss, damage, injury or death, or any claim for any loss, damage, injury or death, whatsoever or howsoever arising, either directly or indirectly, from the exercise of the powers and rights granted by this licence.
- 8 No compensation shall be payable by the local government if the licence is not renewed for a further period of time, or in the event of this permit being suspended, cancelled or varied during the term of this licence.



- 9 The licence holder will be responsible for the payment of reasonable costs incurred by the local government in repairing and maintaining the road, including the footpath, nature strip or shoulder of the road, to a safe condition if the Chief Operating Officer (Health, Security and Regulatory Services) determines the damage to be attributable to the exercise of the permit by the licence holder. Such payment will be under reasonable terms set by the local government and shall be a debt due and owing.
- 10 The applicant is to keep aware via the local government's website of any upcoming events or proposed roadworks/maintenance that may result in the activity being suspended for the duration of that event.
- 11 The licensee must ensure that all related licence fees are paid within stipulated timeframes.
- 12 The goods or services to be sold, displayed, offered or solicited are limited to those generally described in the application for the licence.
- 13 Exercise of the licence must not cause nuisance to motorists, pedestrians or residents.
- 14 Adequate rubbish receptacles must be provided and the area must be kept clean at all times.
- 15 All goods must be displayed and stored within a vehicle or stall.
- 16 The licence holder is to prevent any obstruction or nuisance to motorists and pedestrians, motorists, residents and businesses.
- 17 The exercise of the licence must not impede pedestrians such that tables, chairs, goods or other items or structures must be kept clear of any exits

or doorways to buildings, and a minimum unobstructed envelope 1.5 m wide and 2.1 m high, or other appropriate distances depending on location or circumstances, must be maintained.

- 18 No tables, chairs, structures or goods are to be placed on the footway within 1m of the kerb.

#### Touting/Hawking

- 1 The approved activity is for <<insert type of activity>> to be conducted on <<insert street>> <<insert day and time activity approved>>.
- 2 The activity is limited to <<insert times>>.
- 3 This licence may be suspended, cancelled or varied at any time in accordance with *Local Law No. 3 (Commercial Licensing) 2013* should any matter arise at any time which warrants, in the opinion of the local government, the suspension, cancellation or variation of the licence or conditions including a legitimate complaint from the public.
- 4 This approval licence shall be kept on site at all times and must be produced when required.
- 5 Whilst acting under the authority of this licence, the licence holder and operator is to hold public liability insurance for a minimum of \$20 million for the period of the licence to the satisfaction of the local government.
- 6 Proof of such insurance is to be provided to the local government prior to exercising this licence and must be renewed prior to its expiry.
- 7 The licence holder shall take all necessary actions to protect the public from injury or loss and reasonable direction given by a police officer or an authorised person shall be followed.

- 8 The licence holder agrees to indemnify and save harmless the local government from any loss, damage, injury or death, or any claim for any loss, damage, injury or death, whatsoever or howsoever arising, either directly or indirectly, from the exercise of the powers and rights granted by this licence.
- 9 Limit the goods or services to be sold, displayed, offered or solicited to those generally described in the application for the licence.
- 10 This licence does not give the licence holder or operator any rights to erect a permanent structure or sign on or over the road reserve or to make any structural changes to the road reserve including the footpath and verge areas.
- 11 Provide for adequate rubbish receptacles and that the area be kept clean at all times.
- 12 The licence holder is to prevent any obstruction or nuisance to motorists and pedestrians, motorists, residents and businesses.
- 13 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 metre wide and 2.1 metre high, or other appropriate distance depending on location or circumstances.
- 14 Ensure that no tables, chairs, structures or goods be placed on the footway within 1 metre from the kerb.
- 15 No compensation shall be payable by the local government if the licence is not renewed for a further period of time, or in the event of this licence being suspended, cancelled or varied during the term of this licence.

- 16 The licence holder will be responsible for the payment of reasonable costs incurred by the local government in repairing and maintaining the road, including the footpath, nature strip or shoulder of the road, to a safe condition if the Chief Operating Officer (Health, Security and Regulatory Services) determines the damage to be attributable to the exercise of the licence by the licence holder. Such payment will be under reasonable terms set by the local government and shall be a debt due and owing.
- 17 Compliance with all State Acts, Local Laws and Subordinate Locals Laws of the local government.
- 19 The licence holder is to keep aware via the local government's website of any upcoming events or road maintenance works that may result in this activity being suspended for a period of time.

### **Busking**

- 1 Performers will not be able to perform within 30 metres of another performer and will be restricted to zones having regard to the appropriateness for the area.
- 2 Busking will only occur between the hours of 9.00am and 5.00pm Saturday to Wednesday and 9.00am to 9.00pm Thursday and Friday.
- 3 Performances must not contain nudity or offensive, derogatory, sexual, racist, or generally discriminatory material or inference;.
- 4 Performers are prohibited from using animals, amplification, dangerous materials or implements (unless otherwise approved by the local government).
- 5 Group acts must not have more than four artists. Holders of a 'group licence' are not permitted to perform as individual acts.

- 6 If a performer(s) fails to comply with terms of the licence or the local laws the local government may withdraw, amend or cancel a permit as determined by the Chief Operating Officer (Health, Security and Regulatory Services).
- 7 A designated street performance location may be unavailable owing to, but not limited to –
- (a) Landscaping or other works in the area;
  - (b) A special event which is approved by the local government taking place at or around the location;
  - (c) Complaints that are being investigated;
  - (d) Health and safety concerns; or
  - (e) The site has been withdrawn due to unsuitability.
- 8 The licence must be displayed in a prominent, highly visible position so it can be seen at all times during performance.
- 9 The performer(s) must perform in a safe manner so that the artist does not endanger themselves, the community, or any property in the area including vehicles, street furniture etc.
- 10 The performer(s) can accept voluntary donations from the audience, but may not harass or intimidate spectators and passers-by by overt solicitation or touting for contributions.
- 11 The performer(s) must reinstate the site to original conditions after the performance.
- 12 Performers are not to sell or offer products and are not to advertise any product service or sponsorship.

- 13 The performer(s) must not interfere with another approved entertainment or activity.
- 14 The performer(s) must hold a valid certificate of Public Liability Insurance.
- (25) Schedule 3, item 11 (Commercial activity on a local government controlled area or road – footpath dining), column 3 –
- omit, insert –*
- 1 The approved activity is for footpath dining outside of <<insert premises name and address>> on <<insert day and time activity approved>>
- 2 The licence is limited to the road (including the nature strip or footpath) out the front of << Insert business address>>. The area that may be used is limited to the area depicted on the plan submitted with the application. The total area to be used is <<insert area m<sup>2</sup>>>.
- 3 This licence may be suspended, cancelled or varied at any time in accordance with *Local Law No. 3 (Commercial Licensing) 2013* should any matter arise at any time which warrants, in the opinion of the local government, the suspension, cancellation or variation of the licence or conditions including a legitimate complaint from the public
- 4 This approval licence shall be kept on site at all times and must be produced when required.
- 5 Whilst acting under the authority of this licence, the licence holder and operator is to hold public liability insurance for a minimum of \$20 million for the period of the permit to the satisfaction of the local government.

Proof of such insurance is to be provided to the local government prior to exercising this licence and must be renewed prior to its expiry.

- 6 The licence holder shall take all necessary actions to protect the public from injury or loss and reasonable direction given by a police officer or an authorised person shall be followed.
- 7 The licence holder agrees to indemnify and save harmless the local government from any loss, damage, injury or death, or any claim for any loss, damage, injury or death, whatsoever or howsoever arising, either directly or indirectly, from the exercise of the powers and rights granted by this licence.
- 8 This licence does not give the licence holder or operator any rights to erect a permanent structure or sign on or over the road reserve or to make any structural changes to the road reserve including the footpath and verge areas.
- 9 The licence holder must keep the area clean and tidy at all times.
- 10 The licence holder is to prevent any obstruction or nuisance to motorists and pedestrians, motorists, residents and businesses.
- 11 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.
- 12 The activity and any goods placed in performance of the activity occurs no closer than 1 metre of the kerb of the road.

- 13 Any goods, such as tables and chairs, placed in the area are to be temporary only and capable of being removed. All goods are to be removed from the area outside of the approved operating hours.
- 14 Any goods placed in the area must be capable of withstanding any weather, including wind.
- 15 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.
- 16 No compensation shall be payable by the local government if the permit is not renewed for a further period of time, or in the event of this permit being suspended, cancelled or varied during the term of this permit.
- 17 The licence holder will be responsible for the payment of reasonable costs incurred by the local government in repairing and maintaining the road, including the footpath, nature strip or shoulder of the road, to a safe condition if the Chief Operating Officer (Health, Security and Regulatory Services) determines the damage to be attributable to the exercise of the licence by the licence holder. Such payment will be under reasonable terms set by the local government and shall be a debt due and owing.
- 18 Compliance with all State Acts, Local Laws and Subordinate Locals Laws of the local government.
- 19 The licence is subject to the applicant holding a current licence under the *Food Act 2006*.
- 20 Liquor may not be consumed on the footpath without first obtaining an appropriate authority under the *Liquor Act 1992*.



21 The licence holder is to keep aware via the local government's website of any upcoming events or road maintenance works that may result in this activity being suspended for a period of time.

22 The licensee must ensure that all related licence fees are paid within stipulated timeframes.

(26) Schedule 3, item 12 (temporary entertainment events) –

*omit.*

(27) Schedule 3, item 13 (Entertainment venues) –

*omit.*

(28) Schedule 3, after item 13 (Entertainment venue) –

*insert –*

Pet daycare	<p>(a) The location and real property description of the place where the pets will be minded;</p> <p>(b) The maximum number of pets to be minded at any one time;</p> <p>(c) if the applicant is not the owner of the land on</p>	<p>(a) The activity must be carried out so as not to cause a nuisance or disturbance to adjoining properties or properties in the immediate vicinity.</p> <p>(b) all animals are provided with appropriate accommodation and equipment suitable for the physical and</p>
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	<p>which the activity is to occur –</p> <p>(i) the name, postal address, and contact phone number of the owner; and</p> <p>(ii) the written consent of the owner.</p> <p>(d) details of where the animals will be kept, including the type of accommodation if being used;</p> <p>(e) details of appropriate fencing to keep the animals contained;</p> <p>(f) a sketch plan to scale showing where the animals will be kept and detail of any accommodation for the animals, including its location in relation to</p>	<p>behavioural requirements of the animals having regards to their species and breed.</p> <p>(c) all animals are protected from adverse impacts of natural and artificial origin, environmental conditions, other animals and interference from humans (other than those minding the animals).</p> <p>(d) sufficient space is provided for the animals to prevent overcrowding and to allow them to stand and move around freely.</p> <p>(e) sufficient quantities of appropriate food and water are provided to maintain the animals in good health.</p>
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	<p>other buildings on the land, the property boundaries and all buildings on adjoining properties.</p>	<p>(f) no more than 10 animals are to be minded at any one time.</p> <p>(g) different breeds or species or animals are to be kept separately as appropriate.</p> <p>(h) the animals are protected from disease, distress, injury and excess heat or cold.</p> <p>(i) the animals are provided with prompt veterinary or other appropriate treatment in the event of disease, distress or injury, depending on the terms or conditions of the pet sitting.</p> <p>(j) the premises are kept clean and hygienic, including vermin and pest control of the premises.</p>
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		<p>(k) the minding of the animals on the premises does not cause a public health nuisance.</p> <p>(l) the animals are adequately fed, watered and inspected to ensure their wellbeing.</p> <p>(m) all structures, enclosures or other accommodation for the animals is maintained to –</p> <p>(i) prevent the escape of any animal from the premises;</p> <p>(ii) allow for regular cleaning of all internal and external surfaces and regular checking of animals;</p> <p>(iii) be impervious and able to be</p>
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		<p>easily and readily cleaned and effectively disinfected;</p> <p>(iv) ensure the comfort of the animals and prevent the spread of disease;</p> <p>(v) maintain the health of the animals and limit the spread of disease.</p> <p>(n) all structure, enclosure or other accommodation are treated, sprayed and dusted with insecticide or disinfectant for the purpose of fly, insect and disease control.</p> <p>(o) all animals are removed from any structure, enclosure or other accommodation before</p>
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		<p>the structure, enclosure or accommodation is treated, sprayed or dusted.</p> <p>(p) all enclosures, structures or other accommodation for animals are thoroughly cleaned and disinfected on a daily basis.</p> <p>(q) all waste waters from the washing down of floors, surfaces and enclosures and drain waste waters are disposed of into adequate subsurface disposal trenches or such other method for disposal of waste waters as is approved by an authorised person.</p> <p>(r) all effluent or other offensive material is cleaned up at least twice daily, wrapped and</p>
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		<p>placed into a fly proof covered receptacle, and is collected from the premises daily and the contents disposed of so as not to adversely affect public health or safety.</p> <p>(s) the premises are kept free of flies and vermin at all times.</p> <p>(t) all feed is stored in fly and vermin proof receptacles.</p> <p>(u) any animals that have not been vaccinated appropriate to their age must not be minded.</p> <p>(v) all provisions contained in any other local law concerning the keeping of animals are complied with, as applicable.</p>
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#### 34 Amendment of sch 4 (Exceptions)

(1) Schedule 4, after item 2 (Footpath dining) –

insert –

<b>Entertainment venue</b>	Where the entertainment venue is determined by an authorised person to be <i>Low risk</i> .
<b>Temporary entertainment event</b>	Where the proposed number of attendees is less than 500 people.

(2) Schedule 4, subparagraph (a), after 'authorised' –

*insert –*

person,

(3) Schedule 4, subparagraph (a), 'cause,' –

*omit, insert –*

cause

(4) Schedule 4, subparagraph (b), 'officer' –

*omit, insert –*

person

### 35 Insertion of new sch 6

After schedule 5 –

*insert –*

#### Schedule 6 Temporary entertainment events



Event impact	Attendees per day	Other impact criteria	Examples
Low	500 – 1,000 people	<p>(a) event is to be held between 8:00am – 10:00pm;</p> <p>(b) event is to be for a maximum of 1 day;</p> <p>(c) a maximum 2 food stalls and/or amusement devices are to be provided at the event;</p> <p>(d) minimum/low level sound amplification (under 500 watts RMS);</p> <p>(e) the event is to have a maximum infrastructure footprint of 100m<sup>2</sup>;</p> <p>(f) footpaths are to be used;</p> <p>(g) parking lanes are to be used;</p> <p>(h) minor roads that are easily detoured with no intersections or commercial activity are to be affected.</p>	<ul style="list-style-type: none"> <li>· small charity events;</li> <li>· small commercial activities;</li> <li>· community gatherings;</li> <li>· sporting events.</li> </ul>
Medium	1,001 – 6,000 people	<p>(a) event is to be held between 8:00am – 10:00pm;</p>	<ul style="list-style-type: none"> <li>· sports events;</li> <li>· markets;</li> </ul>

		<p>(b) event is to be for a maximum of 3 days;</p> <p>(c) a maximum 10 food stalls and/or amusement devices are to be provided at the event;</p> <p>(d) the event will involve the sale or supply of alcoholic beverages;</p> <p>(e) medium level sound amplification (500 – 5,000 watts RMS);</p> <p>(f) the event is to have a maximum infrastructure footprint of 300m<sup>2</sup>;</p> <p>(g) the event will impact on one or more of the following:</p> <p style="padding-left: 40px;">(i) roads with bus routes;</p> <p style="padding-left: 40px;">(ii) multiple streets/roads and intersections (non-signalised);</p> <p style="padding-left: 40px;">(iii) adjacent commercial or traffic generating properties; or</p>	<ul style="list-style-type: none"> <li>· small carnivals;</li> <li>· pet shows/events;</li> <li>· motor vehicle displays.</li> </ul>
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		(iv) roads carrying over 5,000 vehicles per day.	
High	Over 6,000 people	<p>(a) event may operate outside 8:00am – 10:00pm;</p> <p>(b) event is to be for 5 or more days, including Saturday and Sunday;</p> <p>(c) more than 10 food stalls and/or amusement devices are to be provided at the event;</p> <p>(d) the event will involve the sale or supply of alcoholic beverages;</p> <p>(e) high level sound amplification (over 5,000 watts RMS);</p> <p>(f) the event will have an infrastructure footprint that exceeds 300m<sup>2</sup>;</p> <p>(g) the event will impact on one or more State-controlled roads.</p>	<ul style="list-style-type: none"> <li>· major sporting events such as triathlons and grand finals;</li> <li>· music festivals;</li> <li>· public events such as Christmas and Ney Years Eve events.</li> </ul>

**Part 2 General matters affecting licence for temporary entertainment event**

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
Temporary entertainment event	<p>(a) the location and real property description of where the temporary entertainment event is to take place;</p> <p>(b) a layout plan of the temporary entertainment event's venue showing boundaries and all buildings, structures and facilities;</p> <p>(c) details of the type and number of ablution facilities to be provided;</p> <p>(d) details of all structure and facilities to be erected;</p> <p>(e) a detailed statement of the nature of the entertainment to be provided at the</p>	<p>(a) the operation of the temporary event must not detrimentally affect the amenity of neighbouring premises.</p> <p>(b) the hours of operation of the temporary event must not detrimentally affect the amenity of neighbouring premises.</p> <p>(c) the operation of the temporary event must, unless otherwise varied by an authorised person, be limited to the hours stated in the licence.</p> <p>(d) the operation of the temporary event must not –</p>

	<p>temporary entertainment event, when the event is to be open to the public and the expected maximum number of attendees;</p> <p>(f) if the applicant is not the owner of the venue where the temporary entertainment event is to be held – the written consent of the owner.</p>	<p>(i) create a traffic problem or risk; or</p> <p>(ii) increase an existing traffic problem or risk;</p> <p>(iii) detrimentally affect the efficiency of the existing road network.</p> <p>(e) the operation of the temporary entertainment event must comply with any relevant local or State legislation requirements and approvals.</p>
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### Part 3 Matters affecting licence for particular temporary entertainment events

Column 1	Column 2	Column 3
Temporary entertainment event – event impact based on part 1, column 1	Minimum time for making application for a licence	Documents to be provided with application
Low	At least 1 month prior to the event.	(a) a layout plan confirming:

		<p>(i) a maximum of 2 food stalls and/or amusement devices will be provided;</p> <p>(ii) the infrastructure footprint for the event; and</p> <p>(b) details of the footpaths, parking lanes and/or roads that will be impacted by the event and a traffic management plan;</p> <p>(c) details of any sound amplification to be used, confirming a maximum amplification of 500 watts RMS and a noise management plan.</p>
Medium	At least 4 months prior to the event.	<p>(a) a layout plan confirming:</p> <p>(i) a maximum of 10 food stalls and/or amusement devices will be provided;</p>

		<p>(ii) the infrastructure footprint for the event;</p> <p>(b) details of the roads, streets and/or intersections that will be impacted by the event and a traffic management plan;</p> <p>(c) details of any adjacent commercial or traffic-generating properties that will be impacted by the event;</p> <p>(d) Evidence of consultation with nearby residents, landowners and tenants, including of commercial properties;</p> <p>(e) Evidence of consultation or approval from all relevant government agencies, such as the Queensland Police Service and Office of Liquor and Gaming Regulation;</p> <p>(f) details of any sound amplification to be used,</p>
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		confirming a maximum amplification of 5,000 watts RMS and a noise management plan.
High	At least 8 months prior to the event.	<p>(a) a layout plan confirming:</p> <p>(i) the number and location of all food stalls and/or amusement devices to be provided;</p> <p>(ii) the infrastructure footprint for the event;</p> <p>(b) details of the roads, streets and/or intersections that will be impacted by the event and a traffic management plan;</p> <p>(c) details of any adjacent commercial or traffic-generating properties that will be impacted by the event;</p> <p>(d) Evidence of consultation with nearby residents, landowners and tenants, including of commercial</p>



		<p>properties for a minimum of 28 days;</p> <p>(e) Evidence of consultation or approval from all relevant government agencies, such as the Queensland Police Service and Office of Liquor and Gaming Regulation;</p> <p>(f) details of any sound amplification to be used, confirming the expected maximum amplification (in watts RMS) and a noise management plan.</p>
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## 36 Insertion of new sch 7

After new sch 6 –

*insert –*

Schedule 7 Entertainment Venues

Chapter 2, Part 12

## Part 1 Circumstances and venues requiring a licence

Any venue that has a liquor licence or intends to hold a liquor licence and has live entertainment with amplified music unless determined to be a *Low risk* by an authorised person

Willowbank precinct – Willowbank Raceway
Queensland Raceway
Halls where entertainment is intended to end after 10:00pm
Ivorys Rock Conference and Event Centre
Ipswich Turf Club
Showgrounds – <ul style="list-style-type: none"> <li>· Ipswich;</li> <li>· Rosewood; and</li> <li>· Marburg</li> </ul>

## Part 2 Matters affecting licence for an entertainment venue

Column 1 Licence regulated activity	Column 2 Documents, material or information required to accompany application for licence	Column 3 Standard Conditions
Entertainment venue	<p>(a) the location and real property description of the entertainment venue;</p> <p>(b) a layout plan of the entertainment venue;</p> <p>(c) details and drawings of buildings and other</p>	<p><b>1 Event notifications</b></p> <p>(1) The licence holder must notify the local government at least 30 days before the commencement of the event if –</p> <p>(a) the licensee is not liable for the event if a third</p>

	<p>structural elements of the entertainment venue;</p> <p>(d) 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;</p> <p>(e) if the applicant is not the owner of the entertainment venue – the written consent of the owner;</p> <p>(f) 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; and</p>	<p>party is organising and/or managing the event; and/or</p> <p>(b) the venue is leased for any ancillary activity besides the primary purpose of the entertainment venue (the primary purpose is defined in the development approval for venue); and/or</p> <p>(c) if the patron numbers exceed what is specified in the development approval and/or design approval for the venue.</p> <p>(2) If an event is to occur that is in any of the three categories listed in section (1) above then a Temporary Entertainment Event Licence application will need to be submitted for approval a minimum of 30 days prior to the event. Please note: if a</p>
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	<p>(g) the expected number of patrons to the entertainment venue.</p>	<p>third party is liable for the event then they must submit the application.</p> <p><b>2 Lighting</b></p> <p>(1) Adequate lighting must be installed/available to ensure the safety and security of all patrons.</p> <p>(2) Lighting must not create a nuisance or intrude on the privacy of the occupiers of adjoining lands.</p> <p>(3) The licence holder must ensure the spillage of light from artificial illumination does not create a nuisance to adjacent residential premises as per Australian Standard 4282 (Control of the obtrusive effects of outdoor lighting).</p> <p>(4) Lighting must not create a nuisance for traffic.</p> <p><b>3 Air-conditioning units</b></p>
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		<p>(1) All air conditioning units, cooling towers and heating units are to be regularly serviced and maintained in accordance with relevant Australian Standards.</p> <p>(2) Units must be located in such a position as not to create a nuisance to adjacent premises.</p> <p>(3) Units must be capable of transporting air outside the entertainment venue (eg via an exhaust) that complies with the Australian Standard AS 1668.</p> <p><b>4 Water supply</b></p> <p>(1) An adequate and continuous supply of water is maintained to all toilets, bathroom, kitchen, laundry and drinking water facilities at all times.</p>
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		<p>(2) Any water supply intended for drinking or cooking is potable water.</p> <p>(3) A readily accessible and adequate water supply must be made available for firefighting and first-aid.</p> <p>(4) An adequate drinking water supply is to be provided separate to sanitary conveniences.</p> <p><b>5 Sanitary convenience</b></p> <p>(1) Sanitary conveniences must be provided –</p> <p>(a) in accordance with Building Code Australia; and</p> <p>(b) in good working order; and</p> <p>(c) connected with sewer or comply with any onsite waste water treatment.</p> <p><b>6 Pest control</b></p>
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		<p>(1) The entertainment venue must be kept free of vermin and insects with, so far as it is practical, no access provided for the ingress of vermin.</p> <p>(2) The entertainment venue must be treated for vermin and insects at least annually by a licensed pest control operator or more frequently if required by the local government.</p> <p>(3) Records are to be kept of all pest control treatments and provided to the local government on request.</p> <p><b>7 Cleaning and maintenance</b></p> <p>(1) Where the venue is used on a regular basis (i.e. one or more times a week, each week) – the floors, furniture and fittings must be cleaned and disinfected at least once</p>
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		<p>a week by washing or spraying them with solution of approved disinfectant.</p> <p>(2) Where building is used occasionally i.e. the venue is not used in consecutive weeks) – the floor, furniture and fittings must be cleaned and disinfected prior to each use.</p> <p>(3) All rubbish and litter must be removed from the premises and appropriately disposed of the next day or before the next event takes place whichever is sooner.</p> <p>(4) All carpets, matting or other flooring (including stair coverings) must be securely fixed to the floor and stairs in a sound condition.</p> <p><b>8 Waste management</b></p> <p>(1) Provide and maintain an adequate number of refuse receptacles on the premises</p>
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		<p>as stipulated by an authorised person.</p> <p>(2) Any area that is used to accommodate and clean refuse receptacles is kept clean and tidy at all times.</p> <p>(3) Any solid and liquid waste produced from the venue must not contaminate any stormwater drain.</p> <p><b>9 Animals</b></p> <p>(1) No animal/s are to be kept at an entertainment venue or on an event site that creates a nuisance to the patrons or occupiers of adjoining properties.</p> <p><b>10 Means of escape</b></p> <p>(1) Any means of escape must be kept free from obstruction; and</p> <p>(2) A copy of a current certificate of inspection issued under the Fire and</p>
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		<p>Emergency Services Act 1990 must be provided to the local government on an annual basis or as required by the authorised person.</p> <p>(3) The evacuation plan and procedures for the operation of the entertainment venue must be displayed in the manner and locations specified by the local government or otherwise so that it can be viewed by members of the public.</p> <p><b>11 Noise</b></p> <p>(1) Entertainment provided must not generate significant noise, dust or light pollution (or other significantly adverse effects) on the surrounding neighbourhood.</p> <p>(2) The use of amplified sound is prohibited between the hours of 10:00 pm and 7:00 am (except extended hours</p>
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		<p>approved in your development approval or temporary events license). Whilst in operation, the use of amplified sound must at all times be kept at a level so that no nuisance or annoyance is caused to any nearby residents. The amplified sound shall be directed away from residents adjacent to the site.</p> <p><b>12 Hazardous materials</b></p> <p>(1) All hazardous materials must be stored and used in a safe manner as part of the operation of the entertainment venue.</p> <p>(2) Adequate storage must be provided for all hazardous materials stored or used as part of the operation of the entertainment venue.</p> <p>(3) All objects (including vehicles and machinery)</p>
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		<p>which are dismantled as part of the operation of the entertainment venue must be dismantled undercover and on a paved impervious surface which is unaffected by storm water runoff and must not create a nuisance.</p> <p>(4) A spillage of a waste, contaminant or other material must –</p> <p>(a) be cleaned up immediately; and</p> <p>(b) must not be cleaned up by hosing, sweeping or otherwise releasing such waste, contaminant or material to any storm water system or waters.</p> <p><b>13 Miscellaneous</b></p> <p>(1) The operation of the entertainment venue including all premises, buildings, structures, vehicles, facilities or</p>
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		<p>equipment must be maintained at all times –</p> <p>(a) in a good working order; and</p> <p>(b) in a good state of repair; and</p> <p>(c) in a clean and sanitary condition.</p> <p>(2) Adequate space and crowd control measures must be provided in respect of the operation of the entertainment venue.</p> <p>(3) Adequate first aid and medical facilities must be provided for persons attending the entertainment venue.</p> <p>(4) The licensee must ensure that all related licence fees are paid within stipulated timeframes.</p> <p><b>14</b>     <b>Advisory information</b></p>
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		<p>(1) Where food is sold, served or produced on site there may be a requirement to hold a licence to do so under the Food Act 2006. Please contact the Health, security and Regulatory Services Department of Ipswich City Council on 07 3810 6666 for further advice and information on this matter.</p> <p>(2) Keeping of animals on the site must be in accordance with <i>Local Law No. 6 (Animal Management) 2013</i>, the <i>Animal Management (Cats and Dogs) Act 2008</i>, the <i>Animal Management (Cats and Dogs) Regulation 2009</i> and the <i>Food Act 2006</i>.</p>
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