



Subordinate Local Law No. 9.8

(Events) 1999

Reprinted as in force on 24 May 2019

Reprint No. 7

This law is a reprint copy that shows the law as made and amended by all amendments that commenced on or before the date of the reprint.

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Chief Executive Officer



Subordinate Local Law No. 9.8 (Events) 1999

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Logan City Council

Subordinate Local Law No. 9.8

(Events) 1999

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 9.8 (Events) 1999*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 9 (Licensing) 1999*.

3 Object

The object of this subordinate local law is to assist in the implementation of Local Law No. 9 (Licensing) 1999—

- (a) to ensure that events comply with appropriate standards of health and safety; and
- (b) to protect the amenity of areas in which events are situated.

4 Definitions—the dictionary

The dictionary in Schedule 2 (Dictionary) of this subordinate local law defines particular words used in this subordinate local law.

Part 2 Licensing

5 Exemption criteria

For the purposes of section 5(4) (Requirement for a licence) of *Local Law No. 9 (Licensing) 1999*, an event that is an exempt event cannot be carried out unless—

- (a) the following exemption criteria are complied with—
 - (i) The operation of the exempt event must not detrimentally affect the amenity of neighbouring premises; and
 - (ii) The hours of operation of the exempt event must not detrimentally affect the amenity of neighbouring premises; and

- (iii) The operation of the exempt event including all premises, buildings, structures, vehicles, facilities or equipment must be maintained at all times—
 - (A) in a good working order; and
 - (B) in a good state of repair; and
 - (C) in a clean and sanitary condition; and
- (iv) The operation of the exempt event must not constitute a nuisance under *Local Law No. 10 (Public Health) 1999*; and
- (v) The grounds of the exempt event must be maintained in a safe and tidy condition at all times; and
- (vi) All access ways and other areas to which the public has access within the exempt event must be maintained in a clean, tidy and sanitary condition at all times; and
- (vii) A spillage of a waste, contaminant or other material must—
 - (A) be cleaned up immediately; and
 - (B) not be cleaned up by hosing, sweeping or otherwise releasing such waste, contaminant or material to any stormwater system or waters; and
- (viii) Overcrowding must not be permitted to occur as part of the operation of the exempt event; and
- (ix) Adequate means of evacuation must be maintained as part of the operation of the exempt event; and
- (x) Adequate space must be provided for all persons and the public involved in the operation of the exempt event; and
- (xi) All public access areas that are part of the operation of the exempt event must be maintained at all times in a clean, tidy, sanitary and hygienic condition; and
- (xii) The exempt event (including all fixtures, fittings, equipment, furniture and facilities) must be maintained in a clean, tidy, sanitary and hygienic condition; and
- (xiii) Water intended for use for domestic purposes as part of the operation of the exempt event must be from an approved water source; and

- (xiv) The water to be used in the operation of the exempt event must be of an appropriate quality to be used for that purpose; and
- (xv) 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 operation of the exempt event; and
- (xvi) 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 exempt event; and
- (xvii) The water supply for drinking purposes must be potable water; and
- (xviii) Adequate fire safety installations and means of access from the exempt event must be maintained at all times; and
- (xix) Adequate sanitary conveniences and sanitary facilities must be provided to service the operation of the exempt event; and
- (xx) All hazardous materials must be stored and used in a safe manner as part of the operation of the exempt event; and
- (xxi) Adequate storage must be provided for all hazardous materials stored or used as part of the operation of the exempt event; and
- (xxii) Waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the exempt event must be provided; and
- (xxiii) Waste containers that are provided as part of the operation of the exempt event must at all times be regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition; and
- (xxiv) Waste containers that are provided as part of the operation of the exempt event must be designed and constructed to prevent access to pests and to be easily and effectively cleaned and disinfected; and
- (xxv) All waste (including waste water) generated as part of the operation of the exempt event must be disposed of in a safe and sanitary manner; and
- (xxvi) All waste generated as part of the operation of the exempt event must be disposed of in a manner which maintains the operation of the exempt event and its surrounds in a clean, tidy, sanitary and hygienic condition; and

- (xxvii) All waste water generated during or from the operation of the exempt event must be discharged safely to the sewerage system or an on-site sewerage facility; and
- (xxviii) Human wastes from the operation of the exempt event must be disposed of at a dedicated sanitary facility, a sanitary convenience, the sewerage system or an on-site sewerage facility; and
- (xxix) Waste from the operation of the exempt event must not be disposed of into the stormwater system, waters or a watercourse; and
- (xxx) For an event that is an exempt event only because less than 2,000 people are expected to attend over the duration of the event the person operating the event must—
 - (A) give to the local government the following details of the event at least two business days before the commencement of the event—
 - (aa) the street address and real property address of the premises where the operation of the event is to be undertaken;
 - (ab) the name of and contact details of the person operating the event;
 - (ac) the type of event;
 - (ad) the dates and hours of the event; and
 - (ae) the number of people expected to attend over the duration of the event; and
 - (B) keep a reasonably accurate count of the total number of people expected to attend; and

Example—

Keep track of number of tickets sold.

Examples—

Use a turnstile or handheld click-counter.

- (D) at any point before, during or after the event, give an authorised person a reasonably accurate total of the number of people who are expected to attend over the duration of the event and have attended and the basis for coming to that total if requested by the authorised person; and
 - (E) if the number of people attending the event is going to or does surpass 2,000 people over the duration, not allow any more than 2,000 people access to the event regardless of whether they have paid to attend the event, hold a valid ticket to attend the event or are otherwise permitted to attend the event; or
- (b) if the exemption criteria in section 5(a) (Exemption criteria) cannot be complied with, the written approval of the local government is obtained.

6 Requirement for a licence

For the purposes of section 5(3) (Requirement for a licence) of *Local Law No. 9 (Licensing) 1999*, a licence is not required under *Local Law No. 9 (Licensing) 1999* for the operation of an event that is an exempt event.

7 Application for a licence

For the purposes of section 6(1)(c)(iv) (Application for a licence) of *Local Law No. 9 (Licensing) 1999*, an application for a licence for the operation of the event must (unless otherwise required by the local government) be accompanied by—

- (a) the street address, real property description and details of the owner of the premises where the operation of the event is to be undertaken; and
- (b) the name, street address, telephone number, facsimile number and email address of the person who will be undertaking the operation of the event; and
- (c) the trading name, street address, telephone number, facsimile number, email address, registered business name and Australian Company Name of the business under which the operation of the event is to be undertaken; and
- (d) details of the operation of the event including—
 - (i) the type of entertainment or activity involved in the operation of the event; and
 - (ii) a noise impact assessment which identifies the amplified and other noise sources and impacts on surrounding premises; and

- (iii) the arrangements for attenuating amplified noise levels and managing amplified and other noise sources; and
- (iv) the number of employees and their categories regularly engaged in the operation of the event; and
- (v) the dates and hours of operation of the event; and
- (vi) any associated activity such as the supply of liquor or food; and
- (vii) the management of waste and wastewater including the collection and disposal of waste and wastewater; and
- (viii) the estimated number of attendees at the event; and
- (ix) arrangements for security and crowd control; and
- (x) pest control procedures; and
- (xi) in respect of the operation of an event being a market, details of the—
 - (A) nature of goods to be supplied at each stall operating within the market; and
 - (B) cleaning of the premises; and
 - (C) proposed term of the licence; and
- (e) a plan to scale and specifications of the operation of the event showing—
 - (i) a floor plan; and
 - (ii) a site plan; and
 - (iii) each constituent section; and
 - (iv) the means of access to and egress from the event and adjoining buildings including for emergency services and people with disabilities; and
 - (v) the accommodating capacity in each section of the event; and
 - (vi) assembly areas and the arrangement of the seating accommodation (if any); and
 - (vii) the location and area of all accessways; and
 - (viii) the method of ventilation proposed; and

- (ix) the location, type and specifications for fire fighting installations; and
- (x) the location of sanitary facilities and sanitary conveniences and their type; and
- (xi) the location of—
 - (A) an emergency electricity or gas supply; and
 - (B) a potable or recreational water supply; and
 - (C) any animals to be kept as part of the operation of the event; and
 - (D) any vehicle parking area and pick up and set down area; and
 - (E) any signage; and
 - (F) any temporary building or structure; and
 - (G) a first aid facility; and
 - (H) a camp site; and
 - (I) any specific hazard; and
- (xii) the topography and other physical characteristics of the site; and
- (xiii) in respect of the operation of an event being a market—
 - (A) the location and numbering of all stalls as part of the operation of the market; and
 - (B) the location of waste containers; and
 - (C) the location and specifications of all amusement rides; and
- (f) in the case of a swimming pool plans and specifications detailing its circulation and filtration systems, construction and layout; and
- (g) details of the proposed inspection, monitoring and management programs; and
- (h) details of site restoration and clean up arrangements; and
- (i) details of consultation with emergency services; and

- (j) in respect of the operation of an event being a market—
 - (i) all public liability insurance policies relating to the operation of the market; and
 - (ii) a current certificate of compliance issued by the Division of Workplace Health & Safety for all amusement rides; and
 - (iii) a cash bond as specified by the local government to secure compliance with the conditions of the licence.

8 Deciding application for a licence

For the purposes of Schedule 2 (Dictionary) and section 7(2)(f) (Deciding application for a licence) of *Local Law No. 9 (Licensing) 1999*, the local government must grant a licence for the operation of the event if satisfied that the operation of the event complies with the following assessment criteria—

- (a) The operation of an event can be lawfully conducted on the premises; and
- (b) The matters which are the subject of the conditions specified in section 9 (Conditions of a licence) of this subordinate local law which are relevant to the operation of the event can be adequately addressed by the imposition of those conditions; and
- (c) In respect of the operation of an event being a market, the market will not result in an overall adverse effect upon the extent and adequacy of businesses available to the local community if the market proceeds.

Note—

The threshold of when a market will result in an overall adverse effect is high and this test is to be understood and applied in the same way as Stephen J in *Kentucky Fried Chicken Pty Ltd v Gantidis* (1979) 140 CLR 675.

9 Conditions of a licence

- (1) For the purposes of section 9(3) (Conditions of a licence) of *Local Law No. 9 (Licensing) 1999*, the local government may impose all or any of the following conditions on a licence for the operation of the event¹—
 - (a) The operation of the event must not detrimentally affect the amenity of neighbouring premises.

¹ Section 9 (Conditions of a licence) of this subordinate local law sets out examples of conditions that may be imposed on a licence by a local government. These conditions are not mandatory, and the conditions imposed on a licence may vary depending on the specific circumstances of the operation of the event in each case.

- (b) The hours of operation of the event must not detrimentally affect the amenity of neighbouring premises.
- (c) The operation of the event including all premises, buildings, structures, vehicles, facilities or equipment must be maintained at all times—
 - (i) in a good working order; and
 - (ii) in a good state of repair; and
 - (iii) in a clean and sanitary condition.
- (d) The operation of the event must not constitute a nuisance under *Local Law No. 10 (Public Health) 1999*.
- (e) The grounds of the event must be maintained in a safe and tidy condition at all times.
- (f) All access ways and other areas to which the public has access within the event must be maintained in a clean, tidy and sanitary condition at all times.
- (g) All objects (including vehicles and machinery) which are dismantled as part of the operation of the event must be dismantled undercover on a paved impervious surface which is unaffected by stormwater runoff.
- (h) A spillage of a waste, contaminant or other material must—
 - (i) be cleaned up immediately; and
 - (ii) not be cleaned up by hosing, sweeping or otherwise releasing such waste, contaminant or material to any stormwater system or waters.
- (i) Overcrowding must not be permitted to occur as part of the operation of the event.
- (j) Adequate crowd control measures must be provided in respect of the operation of the event.
- (k) Adequate first aid and medical facilities must be provided for persons attending the event.
- (l) No animal is allowed within the operation of the event unless—
 - (i) approved by an authorised person and the holder of the licence has not prohibited the animal from being within the operation of the event; or

- (ii) the animal is a dog, it is under effective control and the holder of the licence has not prohibited the animal from being within the operation of the event; or
- (iii) the animal is an assistance animal.
- (m) Adequate space must be provided for all persons and the public involved in the operation of the event.
- (n) All public access areas that are part of the operation of the event must be maintained at all times in a clean, tidy, sanitary and hygienic condition.
- (o) The event (including all fixtures, fittings, equipment, furniture and facilities) must be maintained in a clean, tidy, sanitary and hygienic condition.
- (p) Water intended for use for domestic purposes as part of the operation of the event must be from an approved water source.
- (q) The water to be used in the operation of the event must be of an appropriate quality to be used for that purpose.
- (r) 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 operation of the event.
- (s) 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 event.
- (t) The water supply for drinking purposes must be potable water.
- (u) The holder of the licence must not change the water supply system without the prior notification to the local government and approval of an authorised person.
- (v) Adequate water and electricity must be provided as part of the operation of the event.
- (w) Adequate shower, toilet and ablution facilities specified by the local government must be provided as part of the operation of the event.
- (x) Adequate sanitary conveniences as authorised by the local government and sanitary facilities must be provided to service the operation of the event.
- (y) Sanitary conveniences as authorised by the local government and sanitary facilities must be kept open during the hours of operation of the event and signs must be erected indicating the location of the sanitary facilities.

- (z) All hazardous materials must be stored and used in a safe manner as part of the operation of the event.
- (aa) Adequate storage must be provided for all hazardous materials stored or used as part of the operation of the event.
- (ab) All maintenance of the event must be performed safely in accordance with all relevant laws.
- (ac) Waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the event must be provided in the manner and locations specified by the local government.
- (ad) Waste containers that are provided as part of the operation of the event must at all times be regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition.
- (ae) Waste containers that are provided as part of the operation of the event must be designed and constructed to prevent access to pests and to be easily and effectively cleaned and disinfected.
- (af) All waste (including waste water) generated as part of the operation of the event must be disposed of in a safe and sanitary manner.
- (ag) All waste generated as part of the operation of the event must be disposed of in a manner which maintains the operation of the entertainment event and its surrounds in a clean, tidy, sanitary and hygienic condition.
- (ah) All waste water generated during or from the operation of the event must be discharged safely to the sewerage system or an on-site sewerage facility.
- (ai) Human wastes from the operation of the event must be disposed of at a dedicated sanitary facility, a sanitary convenience as authorised by the local government, the sewerage system or an on-site sewerage facility.
- (aj) Waste from the operation of the event must not be disposed of into the stormwater system, waters or a watercourse.
- (ak) The licence issued by the local government must be prominently and permanently displayed to enable it to be viewed by members of the public.
- (al) The trading name and telephone number of the holder of the licence must be prominently and permanently displayed in letters and numbers not less than 75mm in height at locations specified by the local government to enable it to be viewed by members of the public.

- (am) Adequate signage must be exhibited as part of the operation of the event in the manner and locations specified by the local government.
 - (an) Emergency contact numbers must be displayed in the manner and locations as specified by the local government or otherwise so that it can be viewed by members of the public.
 - (ao) The evacuation plan and procedures for the operation of the event 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.
 - (ap) A copy of a current electrical safety certificate of compliance issued under the applicable law in respect of electrical safety must be provided to the local government on an annual basis with the application for the renewal of the licence or as required by an authorised person.
 - (aq) Any structure, facility or equipment which is part of the operation of the event the subject of the licence must not be changed in any respect without the prior notification to the local government and approval of an authorised person.
 - (ar) The operation of a swimming pool as part of the operation of the event must comply with one or more of the prescribed water quality standards in Schedule 1 (Prescribed water quality standards) of this subordinate local law.
 - (as) The operation of any prescribed activities as part of the event the subject of this licence must be the subject of separate licences under *Local Law No. 9 (Licensing) 1999*.
 - (at) The operation of the event must comply with—
 - (i) any relevant development approval; and
 - (ii) the provisions of the planning scheme and any relevant planning scheme policy.
- (2) For the purposes of section 9(3) (Conditions of a licence) of *Local Law No. 9 (Licensing) 1999*, the local government may also impose all or any of the following conditions on a licence for the operation of the event being a market—
- (a) the operation of the market must not—
 - (i) create a traffic problem; or
 - (ii) increase an existing traffic problem; or
 - (iii) detrimentally affect the efficiency of the existing road network.

- (b) The operation of the market must not constitute a risk to road safety;
- (c) The holder of the licence, or an authorised representative of the holder of the licence, must be on the premises of the operation of the market during the operation of the market.
- (d) A person must not camp in a place that is part of the operation of a market.
- (e) A person must not keep or sell as part of the operation of the market clothing, bedding, upholstery and the like which is not in a clean and sanitary condition.
- (f) An amusement ride must not be used as part of the operation of the market without prior approval of an authorised person.
- (g) Only rainwater from uncontaminated areas shall drain directly into the stormwater system.
- (h) Stormwater must be diverted away from hazardous material storage and contained work areas.
- (i) Sanitary facilities and sanitary conveniences as authorised by the local government must be adequately illuminated.
- (j) The management rules governing the operation of the market 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.
- (k) The operation of the market must be limited to the locations specified in the licence.

Part 3 Enforcement

10 Records to be kept

For the purpose of section 16(2)(b) (Inspection of a prescribed activity) of *Local Law No. 9 (Licensing) 1999*—

- (a) records must be kept by the person operating the event; and
- (b) the records must contain details of—
 - (i) any service providers; and
 - (ii) the date, time and manner in which the fire safety installation and ventilation systems of the event have been serviced; and

- (iii) the date, time and manner in which the on-site sewerage facilities, sanitary conveniences and waste containers have been serviced; and
- (iv) any maintenance and monitoring programs undertaken; and
- (v) any public liability insurance policies held; and
- (vi) in respect of the operation of an event being a market—
 - (A) the name, address and phone number of each person operating a stall within the market; and
 - (B) the goods supplied at each stall operating within the market; and
 - (C) the waste transporter and evidence of the contractual arrangement with all waste disposal contractors; and
- (c) the records must be kept for a period of seven (7) years.

11 Inspection monitoring or management program

- (1) For the purpose of section 16(4)(b) (Inspection of a prescribed activity) of *Local Law No. 9 (Licensing) 1999*, the person operating an event must (unless otherwise required by the local government) maintain—
 - (a) a fire safety maintenance program; and
 - (b) a cleaning and sanitation management program; and
 - (c) a management program to ensure that the water quality of any swimming pool that is part of the operation of the event is maintained at all times at safe levels and fit for use by the public under normal conditions of use; and
 - (d) a ventilation system maintenance program; and
 - (e) a drinking water quality monitoring program; and
 - (f) a crowd management program; and
 - (g) a traffic management plan; and
 - (h) an animal management program; and
 - (i) a waste management program; and
 - (j) a site restoration and clean up program; and

- (k) a management program for on-site sewerage facilities; and
 - (l) a monitoring and management program for hazards; and
 - (m) a pest control program; and
 - (n) a noise monitoring and management program; and
 - (o) a management program in respect of any maintenance carried out.
- (2) For the purpose of section 16(4)(b) (Inspection of a prescribed activity) of *Local Law No. 9 (Licensing) 1999*, the person operating an event being a market must (unless otherwise required by the local government) maintain a management program demonstrating that the operation of the market complies with the licence.

Schedule 1 Prescribed water quality standards

Section 9

For the purposes of section 9(ar) (Conditions of a licence) of this subordinate local law, the prescribed water quality standards for swimming pools are those specified in the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines (as amended from time to time and however so called) published by Queensland Health (however known).

Schedule 2 Dictionary

section 4

accommodating capacity means the number of persons that can be accommodated in a section of an event in accordance with the *Building Act 1975*.

animal has the meaning given in the local government's animal management local laws.

approved water source means a potable water source approved by the local government and may include a nominated reticulated water delivery point and a recognised water source.

assistance animal has the meaning given in the local government's animal management local law.

associated activity means an activity which is carried out in conjunction with the event.

concert means a public performance involving a musical performance and other entertainment.

contaminant has the meaning given in the *Environmental Protection Act 1994*.

dangerous good has the meaning given to ***dangerous goods*** in the *Work Health and Safety Act 2011*.

development approval has the meaning given in the *Planning Act 2016*.

dog has the meaning given in the local government's animal management local law.

domestic purposes means the purposes of—

- (a) human consumption; or
- (b) food preparation; or
- (c) washing; or
- (d) other normal domestic duties.

educational establishment has the meaning given in the planning scheme.

effective control has the meaning given in the local government's animal management local law as it relates to dogs.

environment has the meaning given in the *Environmental Protection Act 1994*.

exempt event means—

- (a) temporary entertainment that is outdoor and which is carried out for a limited period not exceeding 14 days per calendar year being a—
 - (i) carnival, show or exposition subject to a lease or tenancy agreement with the local government; and
 - (ii) concert subject to a lease or tenancy agreement with the local government; and
 - (iii) festival subject to a lease or tenancy agreement with the local government; and
 - (iv) fete subject to a lease or tenancy agreement with the local government; and
 - (v) fireworks event that is not a fireworks event associated with another exempt event; and
- (b) temporary entertainment that is indoor and which is carried out for a limited period not exceeding 14 days per calendar year being a—
 - (i) carnival, show or exposition; and
 - (ii) concert; and
 - (iii) festival; and
 - (iv) fete; and
- (c) a temporary place of worship; and
- (d) an event that less than 2,000 people are expected to attend over the duration of the event; and
- (e) a one-off event that is subject to a licence or permit under the *Liquor Act 1992* that covers the entire area to be used for the event; and
- (f) a market subject to a lease agreement or tenancy agreement with the local government.

exposition means an exhibition of products for public display by a number of persons and may involve other forms of public entertainment.

festival means a public festivity with performances of music, processions, exhibitions and other public entertainment.

fire safety installation has the meaning given in the *Building Act 1975*.

fireworks event means a pyrotechnical display which is not carried out in association with another event.

ground water means water occurring in a geological structure or formation under the surface of the ground.

hazardous material means a substance which—

- (a) because of its chemical, biochemical, microbiological or radiological properties, temperature or state of compression could in sufficient concentration cause—
 - (i) harm to human health and safety or personal injury; or
 - (ii) property damage; or
 - (iii) environmental harm or environmental nuisance; and
- (b) includes—
 - (i) a hazardous substance; and
 - (ii) a dangerous good; and
 - (iii) a scheduled poison.

hazardous substance has the meaning given in the *Coal Mining Safety and Health Regulation 2017*.

human waste means urine and faeces from human beings.

market means the operation of an activity defined as a market in the planning scheme³.

NATA means the National Association of Testing Authorities.

on-site sewerage facility has the meaning given in the *Plumbing and Drainage Act 2002*.

one-off event, for an exempt event, means an event that meets all of the following—

- (a) of no more than 4 days in duration; and
- (b) held on consecutive, uninterrupted days; and
- (c) does not start less than 6 months from the last day of a preceding one-off event.

overcrowding means an excess of persons per square metre above that permitted under the *Building Act 1975*.

³ **Market** is defined in Schedule 1 (Definitions) of the planning scheme as ‘premises used for the sale of goods to the public on a regular basis, where goods are primarily sold from temporary structures such as stalls, booths or trestle tables. The use may include entertainment provided for the enjoyment of customers.’

pest includes vermin and insects.

planning scheme means the Logan Planning Scheme 2015.

planning scheme policy has the meaning given in the Planning Act 2016.

potable water means water that is acceptable for human consumption.

recognised water source means a source of water recognised in writing by the local government as—

- (a) complying with the Australian Drinking Water Guidelines prepared by the National Health and Medical Research Council and the Agricultural Resources Management Council of Australia and New Zealand; or
- (b) being suitable for domestic purposes.

sale in relation to the prescribed activity being a market includes—

- (a) barter; or
- (b) exchange; or
- (c) offering or exposing for sale; or
- (d) receiving or having in possession for sale; or
- (e) sending, forwarding or delivering for sale.

sanitary convenience has the meaning given in the *Environmental Protection Act 1994* but does not include a cesspit or cesspool.

sanitary facility includes the matters (such as shower, toilet and ablution facilities) specified in the *Building Code of Australia*.

scheduled poison has the meaning given in the *Standard for the Uniform Scheduling of Drugs and Poisons*.

sewerage system has the meaning given in the *Plumbing and Drainage Act 2002*.

show means a theatrical performance.

spa pool means a swimming pool that is a structure containing an artificial body of water (whether or not in combination with any other structure) which—

- (a) has facilities for heating the water contained in the structure; and
- (b) has facilities for injecting air bubbles or jets of turbulent water into that water; and
- (c) is used or intended for use for recreational or therapeutic bathing.

stormwater system means—

- (a) a roadside gutter; or
- (b) a stormwater drain; or
- (c) surface water (being water other than ground water); or
- (d) any other land or structure that is used to convey or store stormwater.

surface waters means water other than ground water.

swimming pool has the meaning given in *Local Law No. 10 (Public Health) 1999*.

temporary place of worship means the operation of an activity—

- (a) defined as a place of worship in the planning scheme; and
- (b) that complies with Table 1.7.1.1—Temporary uses in the planning scheme; and
- (c) where more than 500 persons are involved in the activity.

vermin has the meaning given in *Local Law No. 10 (Public Health) 1999*.

waste has the meaning given in the *Environmental Protection Act 1994*.

waste container means a weatherproof container for the storage of waste that—

- (a) is vermin proof; and
- (b) can be readily cleaned; and
- (c) is constructed of durable material; and
- (d) is non-reactive with the intended contents; and
- (e) is leakproof; and
- (f) minimises the loss of material into the environment.

waste transporter in relation to the prescribed activity being a market means a vehicle used for transporting waste approved by the local government.

waste water means a liquid waste.

watercourse has the meaning given in the *Water Act 2000*.

waters includes—

- (a) surface waters (including water flowing in a watercourse); and

- (b) ground waters; and
- (c) the bed and banks of waters.

water source means the source from which water is obtained.

water supply system has the meaning given in the *Standard Plumbing and Drainage Regulation 2003*.

work has the meaning given to **building work**, **drainage work**, **operational work** or **plumbing work** in the *Planning Act 2016*.

Endnotes

1 Index to Endnotes

- 2 Date to which amendments incorporated
- 3 Key
- 4 Table of reprints
- 5 List of legislation
- 6 List of annotations

2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before 24 May 2019.

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 subordinate local law

Reprint No.	Amendments included	Reprint date
1	<i>Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws) 2001</i>	12 September 2001
2	<i>Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005</i>	29 June 2005
3	<i>Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005</i>	17 March 2006
4	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2010</i>	14 January 2011
5	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2011</i>	22 July 2011
6	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2014</i>	18 May 2015
7	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2019</i>	24 May 2019

5 List of legislation

Amending Subordinate Local Laws

Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws) 2001
date of public notice 12 September 2001

- Amending Subordinate Local Law No. 5 (Subordinate Local Law No. 9.11 (Advertisement) 1999)
2001
date of public notice 19 December 2001
- Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 9.2 (Election Signs) 1999)
2003
date of public notice 17 December 2003
- Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005
date of public notice 29 June 2005
- Amending Subordinate Local Law No. 3 (Subordinate Local Law No. 9.2 (Election Signs) 1999)
2005
date of public notice 14 September 2005
- Amending Subordinate Local Law No. 1 (Miscellaneous Local Laws) 2007
date of public notice 19 October 2007
- Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2010
date of public notice 14 January 2011
- Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2011
date of public notice 22 July 2011
- Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2014
date of public notice 18 May 2015
- Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2019
date of public notice 24 May 2019

6 List of annotations

PREAMBLE

- om Amending Subordinate Local Law No. 2
(Licensing Subordinate Local Laws) 2005
s 38

PART 1—PRELIMINARY

Short title

- s 1 amd Amending Subordinate Local Law No. 3
(Miscellaneous Subordinate Local Laws)
2001 s 97
- amd Amending Subordinate Local Law No. 2
(Licensing Subordinate Local Laws) 2005
s 39
- amd Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 149
- amd Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2010 s 30

Authorising local law

- s 2 ins/renum Amending Subordinate Local Law No. 3
(Miscellaneous Subordinate Local Laws)
2001 ss 99, 100

Object

- s 3 amd/renum Amending Subordinate Local Law No. 3

- (Miscellaneous Subordinate Local Laws)
2001 ss 98, 100
- amd Amending Subordinate Local Law No. 2
(Licensing Subordinate Local Laws) 2005
ss 40, 7 sch
- amd Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 161
- amd Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2010 s 31

Definitions—the dictionary

- s 4** amd/renum Amending Subordinate Local Law No. 3
(Miscellaneous Subordinate Local Laws)
2001 ss 98, 100
- amd def **“animal”** Amending Subordinate
Local Law No. 2 (Licensing Subordinate
Local Laws) 2005 s 41(1)
- amd def **“dangerous good”** Amending
Subordinate Local Law No. 2 (Licensing
Subordinate Local Laws) 2005 s 41(2)
- amd def **“entertainment event”** Amending
Subordinate Local Law No. 2 (Licensing
Subordinate Local Laws) 2005 s 7 sch
- ins def **“ground water”** Amending Subordinate
Local Law No. 2 (Licensing Subordinate
Local Laws) 2005 s 41(11)
- amd def **“hazardous substance”** Amending
Subordinate Local Law No. 2 (Licensing
Subordinate Local Laws) 2005 s 41(3)
- amd def **“on-site sewerage facility”** Amending
Subordinate Local Law No. 2 (Licensing
Subordinate Local Laws) 2005 s 41(4)
- amd def **“sewerage system”** Amending
Subordinate Local Law No. 2 (Licensing
Subordinate Local Laws) 2005 s 41(5)
- amd def **“stormwater system”** Amending
Subordinate Local Law No. 2 (Licensing
Subordinate Local Laws) 2005 s 41(6)
- ins def **“surface waters”** Amending Subordinate
Local Law No. 2 (Licensing Subordinate
Local Laws) 2005 s 41(12)
- amd def **“swimming pool”** Amending Subordinate
Local Law No. 2 (Licensing Subordinate
Local Laws) 2005 s 7 sch
- amd def **“vermin”** Amending Subordinate Local
Law No. 2 (Licensing Subordinate Local
Laws) 2005 s 7 sch

- amd def “**waste**” Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005 s 41(7)
- amd def “**watercourse**” Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005 s 41(8)
- amd def “**waters**” Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005 s 41(9)
- amd def “**water supply system**” Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005 s 41(10)
- amd hdg Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 150
- amd Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 150
- amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2010 s 32

PART 2—LICENSING

Definition of terms in local law

- s 5 renum Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws) 2001 s 100
- amd Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005 s 7 sch
- om Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 151

Prescribed criteria

- s 5 ins Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 152
- amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2010 s 33
- amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2019 s 6

Requirement for a licence

- s 6 ins Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 153
- amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws)

amd 2010 s 34
Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 7

Application for a licence

s 7 renum Amending Subordinate Local Law No. 3
(Miscellaneous Subordinate Local Laws)
2001 s 100

amd Amending Subordinate Local Law No. 2
(Licensing Subordinate Local Laws) 2005
s 7 sch

renum Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 154

amd Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 155

amd Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 161

amd Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2010 s 35

amd Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2019 s 8

Deciding application for a licence

s 8 amd/renum Amending Subordinate Local Law No. 3
(Miscellaneous Subordinate Local Laws)
2001 ss 98, 100

amd Amending Subordinate Local Law No. 2
(Licensing Subordinate Local Laws) 2005
s 7 sch

renum Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 154

amd hdg Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 156

amd Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 156

amd Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2010 s 36

amd Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2019 s 9

Conditions of a licence

s 9	amd/renum	Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws) 2001 ss 98, 100
	amd	Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005 ss 42, 7 sch
	renum	Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 154
	amd	Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 157
	amd	Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 161
	amd	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2010 s 37
	amd	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2014 s 11
	amd	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2019 s 10

PART 3—ENFORCEMENT

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s 10	renum	Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws) 2001 s 100
	amd	Amending Subordinate Local Law No. 2 (Licensing Subordinate Local Laws) 2005 s 7 sch
	renum	Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 154
	amd	Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 158
	amd	Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005 s 161
	amd	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2010 s 38

Inspection monitoring or management program

s 11	renum	Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws)
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- 2001 s 100
- amd Amending Subordinate Local Law No. 2
(Licensing Subordinate Local Laws) 2005
s 7 sch
- renum Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 154
- amd Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 159
- amd Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 161
- amd Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2010 s 39

SCHEDULE 1—PRESCRIBED WATER QUALITY STANDARDS

- ins Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2010 s 40
- amd Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws)
2019 s 11

SCHEDULE 2—DICTIONARY

- ins Amending Subordinate Local Law No. 4
(Miscellaneous Subordinate Local Laws)
2005 s 160
- sch hdg** renum Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 40
- amd def ***accommodating capacity*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
- amd def ***animal*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
- amd def ***associated activity*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2014 s 12(1)
- amd def ***development approval*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
- amd def ***educational establishment*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2014 s 12(2)
- amd def ***environment*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
- om def ***exempt prescribed venue*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
- ins def ***exempt event*** Amending Subordinate Local Law No. 1

amd (Miscellaneous Subordinate Local Laws) 2010 s 41
def ***festival*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
amd def ***fire safety installation*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
amd def ***fireworks event*** Amending Subordinate Local Law No. 1
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amd def ***hazardous substance*** Amending Subordinate Local Law No. 1
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amd def ***accommodating capacity*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
ins def ***market*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
amd def ***market*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2011 s 15
Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2014 s 12(3)
Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2014 s 12(4)
ins def ***NATA*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
ins def ***planning scheme*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2014 s 12(5)
amd def ***planning scheme policy*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
om def ***prescribed venue*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
ins def ***sale*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
amd def ***sale*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2011 s 15
amd def ***sanitary convenience*** Amending Subordinate Local Law No. 1
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ins def ***spa pool*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
om def ***specified exempt prescribed venue*** Amending Subordinate Local
Law No. 1 (Miscellaneous Subordinate Local Laws) 2010 s 41
ins def ***temporary place of worship*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
amd def ***temporary place of worship*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2014 s 12(6)
ins def ***waste transporter*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
amd def ***work*** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2010 s 41
Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2014 s 12(7)
ins def ***assistance animal*** Amending Subordinate Local Law No. 1

ins (Miscellaneous Subordinate Local Laws) 2019 s 12(1)
def **dog** Amending Subordinate Local Law No. 1 (Miscellaneous
Subordinate Local Laws) 2019 s 12(1)

ins def **effective control** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(1)

ins def **one-off event** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(1)

amd def **dangerous goods** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(2)

amd def **development approval** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(3)

amd def **environment** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(4)

amd def **exempt event** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(5)

amd def **hazardous substance** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(6) amd

def **planning scheme policy** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(7)

amd def **work** Amending Subordinate Local Law No. 1
(Miscellaneous Subordinate Local Laws) 2019 s 12(8)