

# Toowoomba Regional Council

## Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2020

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2020*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2020* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
  - (a) various matters regarding the granting of approvals for prescribed activities; and
  - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2020* (the **authorising local law**).

### 4 Subordinate local law repealed

This subordinate local law repeals *Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011*.

### 5 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 5 defines particular words used in this subordinate local law.

## Part 2 Approval for prescribed activity

### 6 Matters regarding the prescribed activity—Authorising local law, sections 6(3), (4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
  - (a) names a prescribed activity in section 1; and
  - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the

authorising local law does not apply to the particular activities stated in section 2 of schedule 1.

- (3) For section 6(4) of the authorising local law, it is declared that the prescribed activity named in section 1 of schedule 1 is a category 1 activity.
- (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
- (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.
- (10) For section 12 of the authorising local law, in Table 1 of schedule 1—
  - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
  - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
  - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

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

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

## **Part 3 Application to State-controlled roads**

### **8 State-controlled roads to which the local law applies—Authorising local law, schedule 1**

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 3 are roads to which the authorising local law applies unless otherwise provided in the local law.

## Schedule 1      Operation of temporary entertainment events

### Section 6

#### 1.      Prescribed activity

Operation of temporary entertainment events.<sup>1</sup>

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

- (1)      Section 6(2) of the authorising local law does not apply to the opening to the public, or the preparation for opening to the public, of an entertainment event if—
  - (a)      the entertainment event is, or is to be, undertaken on a public place other than a local government controlled area or a road; or
  - (b)      the prescribed activity—
    - (i)      is, or is to be, undertaken on a local government controlled area and the anticipated, or actual, attendance of the public at the entertainment event is less than 50 persons; and
    - (ii)     is undertaken in compliance with the minimum standards prescribed in subsection (2); or
  - (c)      the prescribed activity—
    - (i)      is, or is to be, undertaken on a local government controlled area and the anticipated, or actual, attendance of the public at the entertainment event is 50 or more, but not more than 200, persons; and
    - (ii)     is undertaken in compliance with the minimum standards prescribed in subsection (3).
- (2)      The undertaking of the activity specified in subsection (1)(b) must comply with the following minimum standards —
  - (a)      equipment and infrastructure or the like used must be removable or provided by the local government; and
  - (b)      the activity must not be undertaken on a local government controlled area or road if—
    - (i)      weather/ground conditions will result in damage to the area or prove unsafe for the user; or
    - (ii)     the activity will interfere with emergency or scheduled works; or
    - (iii)    any emergency or scheduled works will prove unsafe for event participants; and

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<sup>1</sup> See *Local Law No. 1 (Administration) 2020*, schedule 2, part 2, *operation of temporary entertainment events* means the opening to the public, or the preparation for opening to the public, of an entertainment event and for which the opening to the public does not constitute development under the Planning Act.

- (c) the site of the entertainment event needs to be safe and appropriate for the type of event and the number of people attending; and
- (d) the person undertaking the activity must maintain within the event location and off-street parking areas—
  - (i) an unrestricted path of at least 2m wide for pedestrian movement; and
  - (ii) clear access of at least 3.5m for vehicle movement; and
- (e) the person undertaking the activity must maintain access to any existing services, including but not limited to water valves, fire hydrants, manholes and access pits; and
- (f) no part of the event will result in a complete or partial road closure; and
- (g) noise from the event including set-up, pack-up and people leaving and arriving must—
  - (i) between 12:00am and 7:00am, not be audible; and
  - (ii) between 7:00am and 10:00pm, not exceed 70dB(A) at the nearest noise sensitive location; and
  - (iii) between 10:00pm and 12:00am, not exceed 50dB(A) or 10dB(A) above the background level, whichever is the lesser; and
- (h) as far as practicable, amplified sound must be directed away from neighbouring noise sensitive locations; and
- (i) as far as practicable, light must be directed into the event location and away from neighbouring properties; and
- (j) the event must not generate significant annoyance from dust on areas surrounding the event location by ensuring—
  - (i) potential dust sources are identified; and
  - (ii) contingency plans to deal with foreseeable risks and hazards, including corrective responses to prevent and minimise dust, are implemented during the event; and
- (k) waste water generated by the event must not be released to stormwater drains, water supply systems or any other water bodies; and
- (l) waste generated by the event including glass, plastic, paper, food scraps and cigarette butts is to be cleared and disposed of—
  - (i) from the grounds, paved areas, car parks, garden beds and any other areas used in the operation of the event; and
  - (ii) in a safe and sanitary manner; and

- (iii) in a manner which maintains the location of the event and its surrounds in a clean, tidy, sanitary and hygienic condition; and
  - (iv) in a manner that does not attract pests; and
  - (m) any animals associated with the event must be controlled so they do not cause a nuisance, inconvenience or annoyance to any occupier of adjoining land, vehicular traffic, pedestrians or other park users not attending the event.
- (3) The undertaking of the activity specified in subsection (1)(c) must comply with the following minimum standards —
  - (a) the activity must not be undertaken on a local government controlled area or road if—
    - (i) weather/ground conditions will result in damage to the area or prove unsafe for the user; or
    - (ii) the activity will interfere with emergency or scheduled works; or
    - (iii) any emergency or scheduled works will prove unsafe for event participants; and
  - (b) the site of the entertainment event needs to be safe and appropriate for the type of event and the number of people attending; and
  - (c) policies of insurance applicable to the event, including, without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$10,000,000.00 must be taken out and maintained; and
  - (d) at least 7 days prior to the event, notify in writing residents within a 1km radius of the event location and the notification must include, as a minimum, the following—
    - (i) date of the event;
    - (ii) nature of the event;
    - (iii) the times and length of the event (including set-up and pack-up);
    - (iv) details of the procedures for making a complaint during the event;
    - (v) contact number (s) for complaints relating to the event;
    - (vi) proposed traffic and transport arrangements;
    - (vii) proposed security measures for areas surrounding the event;
    - (viii) details of any fireworks or pyrotechnics, including times of release; and
  - (e) contact number(s) for complaints must be answered by a person familiar with the event, including any restrictions on the event, and with the

- authority to instruct people to action complaints received; and
- (f) the complaint procedures must ensure that activities do not impede the efficient and effective processing of complaints; and
  - (g) the person undertaking the activity must maintain within the event location and off-street parking areas—
    - (i) an unrestricted path of at least 2m wide for pedestrian movement; and
    - (ii) clear access of at least 3.5m for vehicle movement; and
  - (h) the person undertaking the activity must maintain access to any existing services, including but not limited to water valves, fire hydrants, manholes and access pits; and
  - (i) no part of the event will result in a complete or partial road closure; and
  - (j) noise from the event including set-up, pack-up and people leaving and arriving must—
    - (i) between 12:00am and 7:00am, not be audible; and
    - (ii) between 7:00am and 10:00pm, not exceed 70dB(A) at the nearest noise sensitive location; and
    - (iii) between 10:00pm and 12:00am, not exceed 50dB(A) or 10dB(A) above the background level, whichever is the lesser; and
  - (k) as far as practicable, amplified sound must be directed away from neighbouring noise sensitive locations; and
  - (l) as far as practicable, light must be directed into the event location and away from neighbouring properties; and
  - (m) any light spillage from the event must not exceed—
    - (i) 10lx at the nearest affected location between 6:00pm and 10.00 pm on any day; and
    - (ii) 1x at the nearest affected location after 10.00 pm on any day; and
  - (n) the event must not generate significant annoyance from dust on areas surrounding the event location by ensuring—
    - (i) potential dust sources are identified; and
    - (ii) contingency plans to deal with foreseeable risks and hazards, including corrective responses to prevent and minimise dust, are implemented during the event; and
  - (o) a continuous supply of potable water must be maintained to all toilet, bathroom, kitchen and laundry facilities and at a volume, pressure and

- temperature sufficient for the purpose for which the water is used (e.g. flushing, washing hands); and
- (p) water made available for drinking, food preparation and the cleaning of food contact surfaces must be potable; and
  - (q) waste water generated by the event must not be released to stormwater drains, water supply systems or any other water bodies; and
  - (r) waste generated by the event including glass, plastic, paper, food scraps and cigarette butts is to be cleared and disposed of—
    - (i) from the grounds, paved areas, car parks, garden beds and any other areas used in the operation of the event; and
    - (ii) in a safe and sanitary manner; and
    - (iii) in a manner which maintains the location of the event and its surrounds in a clean, tidy, sanitary and hygienic condition; and
    - (iv) in a manner that does not attract pests; and
  - (s) waste containers are to be provided for the event at a ratio of—
    - (i) 1x240L bin/100 patrons (where no food is served or consumed); or
    - (ii) 2x240L bins/100 patrons (where food is served or consumed); and
  - (t) off-street parking must be provided for vehicles attending the event and the parking facilities must be controlled by attendants engaged for that purpose; and
  - (u) the number of toilet, sanitary convenience and hand basin facilities available at the event must be in an amount not less than the amount calculated by reference to the table in schedule 4; and
  - (v) all toilet, sanitary convenience and hand basin facilities including public facilities used at the event must be—
    - (i) situated, separated and screened to ensure privacy; and
    - (ii) located away from food service and food storage areas; and
    - (iii) apportioned to each gender and have a distinctive sign displayed in a prominent position denoting the gender for which the toilet is provided; and
    - (iv) provided with lighting sufficient to allow for their proper and safe use; and
    - (v) large enough to permit an unconscious occupant to be removed from the compartment; and
    - (vi) cleaned and restocked regularly; and



- (vii) if the toilet is a portable toilet—
  - (A) of a chemical type approved by the local government with no nightsoil service permitted; and
  - (B) adequately serviced; and
- (w) any animals associated with the event must be controlled so they do not cause a nuisance, inconvenience or annoyance to any occupier of adjoining land, vehicular traffic, pedestrians or other park users not attending the event.

### **3. Documents and materials that must accompany an application for an approval**

- (1) The application must contain the following details—
  - (a) the name and contact details of the applicant; and
  - (b) the name and details of the nominated responsible person(s) for—
    - (i) ensuring compliance with the authorising local law before, during and after the event; and
    - (ii) handling general complaints which may be received; and
    - (iii) liaising and communicating with the local government or an authorised person; and
  - (c) a brief explanation of the event that includes—
    - (i) activity name (if applicable); and
    - (ii) activity location; and
    - (iii) activity start and finish dates and times (including setup and packup); and
    - (iv) number of expected participants/spectators.
- (2) An activity management plan detailing each of the following—
  - (a) event overview—
    - (i) event details; and
    - (ii) insurance details; and
    - (iii) management staff; and
    - (iv) key stakeholder consultation; and
    - (v) vendor/performer contact list; and

- (vi) equipment; and
- (vii) event timeline; and
- (b) event requirements—
  - (i) consents; and
  - (ii) coordination and communication; and
  - (iii) event promotion; and
- (c) emergency/incident management—
  - (i) incident/accident management; and
  - (ii) emergency incident personnel; and
  - (iii) emergency/incident management processes; and
- (d) public health—
  - (i) supply of alcohol details (if applicable); and
  - (ii) supply of food details (if applicable); and
  - (iii) toilet and amenity details; and
  - (iv) camping/accommodation details (if applicable); and
  - (v) water supply; and
  - (vi) waste management; and
  - (vii) nuisances (noise, dust, light, odour); and
  - (viii) fireworks and pyrotechnics; and
- (e) public safety—
  - (i) lighting and power; and
  - (ii) temporary structures; and
  - (iii) security and crowd management; and
- (f) traffic management—
- (g) contingencies; and
- (h) site layout showing detail applicable to the event from each of the following—
  - (i) event boundaries, location(s), fenced areas (including entrance and exit points); and

- (ii) parking and disabled parking; and
  - (iii) location of marquees, tents, stages and seating structures; and
  - (iv) activity stalls and vendor locations; and
  - (v) bar and alcohol consumption areas; and
  - (vi) rubbish bin locations; and
  - (vii) toilet facilities; and
  - (viii) registration and marshalling areas; and
  - (ix) amplified noise (including direction speakers are facing); and
  - (x) inflatable entertainment and amusement rides; and
  - (xi) animal nursery and activity areas; and
  - (xii) camping areas, and
  - (xiii) security, crowd control, information booth and lost children meeting points; and
  - (xiv) emergency exits and emergency meeting points; and
  - (xv) emergency vehicle access routes; and
  - (xvi) first aid/incident control points; and
  - (xvii) water hydrant and static supply locations; and
  - (xviii) fire extinguisher locations; and
  - (xix) restricted areas and smoking areas; and
  - (xx) main power, water and gas access points; and
  - (xxi) lighting locations; and
  - (xxii) drinking water locations; and
- (i) hazard identification and risk assessment.

#### **4. Additional criteria for the granting of an approval**

- (1) The design and construction of the place of the temporary entertainment event must be safe and appropriate to the nature of the entertainment proposed and the number of people expected to attend the place.
- (2) Entertainment of the kind proposed must not unreasonably detract from the amenity of the area in which the entertainment is, or is proposed to be, situated.
- (3) Adequate provision must exist for the disposal of waste (including recyclable

waste) generated by the use of the place for the temporary entertainment event.

- (4) Adequate provision must exist for people and (if relevant) vehicles to enter and leave the place of the temporary entertainment event.
- (5) The applicant for the approval must nominate a person who is responsible for—
  - (a) ensuring compliance with the authorising local law before, during and after the event; and
  - (b) handling general complaints which may be received; and
  - (c) liaising and communicating with the local government or an authorised person.
- (6) The operation of the temporary entertainment event must be lawfully conducted on the place identified in the application.

## **5. Conditions that must be imposed on an approval**

- (1) The approval may be cancelled at any time if—
  - (a) if it is believed weather/ground conditions will result in damage to the area or prove unsafe for the user; or
  - (b) the activity is believed to interfere with emergency works; or
  - (c) it is believed that any emergency works will prove unsafe for the user.
- (2) The approval holder must—
  - (a) display the approval in the manner, and at the locations, specified by the local government; and
  - (b) produce the approval for inspection by an authorised person on demand; and
  - (c) ensure that an authorised person may enter the place where the temporary entertainment event is, or is to be, undertaken at any reasonable time, including any reasonable time during the undertaking of the event; and
  - (d) ensure that insurance policies applicable to the activity remain current, including public liability insurance of no less than \$10,000,000.00 and insurance against property damage resulting from the activity.

## **6. Conditions that will ordinarily be imposed on an approval**

- (1) The conditions of an approval may —
  - (a) require specified action to maintain or improve the place of the temporary entertainment event; and
  - (b) if the approval relates to an activity on a road – require the approval holder

- to indemnify the State; and
  - (c) prescribe requirements for the collection and disposal of waste (including recyclable waste) generated by the temporary entertainment event; and
  - (d) prescribe requirements for people and (if applicable) vehicles to enter and leave the place of the temporary entertainment event; and
  - (e) require that any premises, building, structure, vehicle, facility or equipment used in the operation of the temporary entertainment event be maintained at all times—
    - (i) in good working order; and
    - (ii) in a good state of repair; and
    - (iii) in a clean and sanitary condition; and
  - (f) prescribe requirements about—
    - (i) crowd, traffic and parking control; and
    - (ii) security measures to be implemented; and
    - (iii) evacuation procedures to be implemented as part of the operation of the temporary entertainment event; and
    - (iv) the public display of evacuation plans and procedures as part of the operation of the temporary entertainment event; and
    - (v) the exhibition of signage as part of the operation of the temporary entertainment event; and
    - (vi) the removal of structures erected, and equipment used, as part of the operation of the temporary entertainment event at the conclusion of the event.
- (2) The conditions of an approval may require the approval holder to—
- (a) provide specified equipment, and take specified measures—
    - (i) for the safety of the public; and
    - (ii) to reduce adverse effects of activities at the temporary entertainment event on the surrounding neighbourhood to acceptable levels; and
  - (b) provide specified facilities and amenities; and
  - (c) regulate the hours of operation of the temporary entertainment event; and
  - (d) take out and maintain public liability insurance in an amount not less than \$10,000,000.00 per occurrence and produce documentary evidence of the insurance to the local government before the event commences; and
  - (e) provide, at every front of house location—
    - (i) a sound engineer (or equivalent) who has know how sufficient to be able to properly operate, a sound level meter; and
    - (ii) a sound level meter which is calibrated and capable of accurately displaying both dB(A) and dB(C) weightings; and
  - (f) minimise annoyance from noise at any sensitive area external to the place of the temporary entertainment event by ensuring that amplified sounds at

each place is directed downward and aligned to maintain acoustic qualities for that place only; and

- (g) ensure that, whilst the event is in progress, there is continuous monitoring of amplified music noise levels at front of house, for all stages, for the complete hours of operation of all stages; and
- (h) ensure that an appropriately qualified person is available to undertake noise monitoring at the event to so as to ensure compliance with the conditions of the approval; and
- (i) ensure that the appropriately qualified person is able to be contacted directly by an authorised person at any time during the event; and
- (j) ensure that the contact details of the appropriately qualified person are provided to the local government prior to the commencement of the event; and
- (k) ensure that the appropriately qualified person has the authority to instruct each sound engineer (or equivalent) responsible for the emission of noise at the event to reduce the sound pressure levels associated with the operation of the event if the noise emitted from the event exceeds the maximum noise level (if any) specified in the approval; and
- (l) have an event noise assessment report prepared by an appropriately qualified person with the assistance of the holder of the approval and deliver the report to the local government within 30 days after the conclusion of the event; and
- (m) ensure that the event noise assessment report addresses each of the following—
  - (i) the aims and objectives for noise management resulting from the event; and
  - (ii) details of the brand and model of any noise monitoring equipment used to monitor noise at the event including a copy of the latest calibration certificate for the equipment; and
  - (iii) reference the approval conditions and the standard used to measure all noise levels; and
  - (iv) a clearly defined and labelled site layout which includes stage locations, location of monitoring equipment, including distance from front of stage and direction of speakers; and
  - (v) a schedule of the actual start and finishing times including breaks for each of the stages; and
  - (vi) all noise level recordings based on dB(A)  $L_{Aeq,5min}$  and dB(C)  $L_{Ceq5min}$  occurring during the event; and
  - (vii) any exceedences of the noise level limits detailed in the approval (if any) with the times and details of why the exceedences occurred, what measures were implemented to ensure that the exceedences were immediately reduced, and the time taken to reduce the exceedence to an acceptable level; and
  - (viii) the complaint's response procedure, recording of complaints, details of the corrective action taken, feedback provided to the complainant, locations of monitoring and noise levels recorded; and

- (n) ensure that the event noise assessment report submitted to the local government is accompanied by a statutory declaration of each of—
  - (i) the holder of the approval; and
  - (ii) the appropriately qualified person who prepared the noise assessment report; and
- (o) ensure that the holder of the approval's declaration is made —
  - (i) if the holder of the approval is an individual — by the holder; or
  - (ii) if the holder of the approval is a corporation — by a director of the corporation; and
- (p) ensure that the holder of the approval's declaration states that the holder of the approval —
  - (i) has not knowingly given any false or misleading information to the person who prepared the noise assessment report; and
  - (ii) has given all relevant information to the person who prepared the noise assessment report; and
- (q) ensure that the declaration of the appropriately qualified person who prepared the noise assessment report—
  - (i) states his or her qualifications and experience relevant to the noise assessment; and
  - (ii) states that he or she has not knowingly included any false, misleading or incomplete information in the report; and
  - (iii) states that he or she has not knowingly failed to reveal any relevant information or document to the local government; and
  - (iv) certifies that—
    - (A) the report addresses all relevant matters about the noise assessment and is factually correct; and
    - (B) the opinions expressed in the report are honestly and reasonably held; and
    - (C) portable electricity generators audible at noise sensitive locations adjacent to the place were only operated between 8.00 a.m. and 7.00 p.m. daily, and
    - (D) for the duration of the event involving compaction vehicles, the noise from these vehicles was inaudible at all sensitive locations prior to 7.00 a.m. and after 10.00 p.m.; and
- (r) ensure that the design and construction of the place of the temporary entertainment event is safe and appropriate having regard to the nature of the entertainment proposed and the number of people expected to attend the place; and
- (s) ensure that the place of the temporary entertainment event and its operation do not unreasonably detract from the amenity of the area in which the place is located; and
- (t) provide toilet, sanitary convenience, and handbasin facilities for the use of members of the public attending the temporary entertainment event in an

- amount not less than the amount calculated by reference to the table in schedule 4; and
- (u) ensure that sanitary conveniences are—
    - (i) situated, separated and screened so as to ensure privacy; and
    - (ii) apportioned to each sex and have a distinctive sign displayed in a prominent position denoting the sex for which the toilet is provided; and
    - (iii) provided with adequate hand washing facilities and equipped with potable water; and
    - (iv) provided with adequate electric lighting installed by a licensed electrician or natural lighting; and
    - (v) large enough to permit an unconscious occupant to be removed from the compartment of the portable toilet; and
  - (v) ensure that all portable toilets are of a chemical type approved by the local government with no nightsoil service permitted and that each portable toilet is adequately serviced; and
  - (w) ensure that sanitary conveniences are maintained in a clean and sanitary condition during the operation of the temporary entertainment event; and
  - (x) ensure that waste containers that are provided as part of the operation of the temporary entertainment event are regularly emptied and maintained in a clean, tidy, hygienic condition, and in good working order; and
  - (y) ensure that all waste including glass, plastic, paper, foodscraps and cigarette butts are cleared from the grounds, paved areas, car parks, garden beds and any other areas used in the operation of the temporary entertainment event; and
  - (z) deliver a bond or security to the local government to secure compliance with the requirements of each of the approval and the provisions of the authorising local law; and
  - (aa) give notice of the temporary entertainment event by conducting a letter box drop not less than 7 days prior to the commencement of the temporary entertainment event at each premises within a 1km radius of the place of the temporary entertainment event; and
  - (ab) ensure that the notice the subject of the letter box drop includes particulars of the temporary entertainment event as follows—
    - (i) the date of the temporary entertainment event; and
    - (ii) the nature of the temporary entertainment event; and
    - (iii) the proposed hours of operation of the temporary entertainment event; and
    - (iv) a complaints hotline number for the temporary entertainment event; and
    - (v) proposed traffic and transport arrangements for the temporary entertainment event; and
    - (vi) proposed security measures for areas surrounding the place of the temporary entertainment event; and



- (ac) establish and operate a complaints hotline for the duration of the temporary entertainment event to receive all complaints and—
  - (i) ensure that the complaints hotline is manned at a place that does not impede the efficient and effective operation of the processing of complaints; and
  - (ii) ensure that each person operating the complaints hotline—
    - (A) is familiar with each of the place of the temporary entertainment event and the area surrounding the place of the temporary entertainment event; and
    - (B) is aware of any noise restrictions imposed on the operation of the temporary entertainment event; and
    - (C) has authority to instruct sound engineers to reduce the sound pressure levels associated with the operation of the temporary entertainment event if necessary; and
- (ad) ensure that a complaint management report is prepared and delivered to local government within 7 days of the conclusion of the event and that the report details, as a minimum—
  - (i) whether the complainant received notice of the temporary entertainment event from the letter box drop; and
  - (ii) when the notice was received; and
  - (iii) the number of complaints received during the event; and
  - (iv) subsequent actions taken; and
  - (v) advice provided by the approval holder for each complaint; and
  - (vi) communication undertaken with the local government; and
- (ae) minimise annoyance from light, by ensuring that light spillage from the prescribed activity does not exceed 10lx between 7.00 a.m. and 10.00 p.m. on any day and light spillage does not exceed 1lx after 10.00 p.m. on any day at any sensitive area external to the approved area for the temporary entertainment event; and
- (af) minimise annoyance from dust by —
  - (i) employing, at regular intervals, suppression techniques throughout the event so that dust particles do not leave the boundaries of the place; and
  - (ii) eliminating dust nuisance problems for patrons; and
- (ag) ensure that—
  - (i) the operation of the temporary entertainment event is kept free of—
    - (A) pests and vermin; and
    - (B) conditions offering harbourage for pests or vermin; and
  - (ii) if the operation of the temporary entertainment event involves the use of animals—the animals are suitably located and housed so as not to constitute a nuisance; and
  - (iii) the water supply made available for drinking purposes at the place

- of the temporary entertainment event is potable water; and
- (iv) an adequate and continuous supply of potable water is maintained to all permanent toilet, bathroom, kitchen, laundry and drinking water facilities that form part of the operation of the temporary entertainment event; and
  - (v) grounds, access ways and other areas to which the public have access within the place of the temporary entertainment event are maintained in a clean, tidy and sanitary condition at all times; and
  - (vi) waste water is not released to any stormwater drain, water supply system or other body of water on the ground; and
  - (vii) lighting is positioned so that the lighting does not illuminate or cause a nuisance to nearby premises; and
  - (viii) there is sufficient off-street parking for vehicles available, and that the parking facilities are controlled by attendants engaged for that purpose.

#### **7. Term of an approval**

- (1) The term of an approval must be assessed by having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.
- (3) An approval may be granted for a term of up to 12 months.

#### **8. Term of renewal of an approval**

- (1) The term for which an approval may be renewed or extended must be determined by having regard to the information submitted by the approval holder.
- (2) The term of the renewal or extension must be specified in the written notice.

## **Schedule 2      Categories of approval that are non-transferable**

### **Section 7**

Each approval for the prescribed activity named in schedule 1, section 1 is non-transferable.

## **Schedule 3      State-controlled roads to which the local law applies**

### **Section 8**

Subject to the chief executive's written agreement under the *Transport Operations (Road Use Management) Act 1995*, section 66(5)(b), every State-controlled road in the local government area of the local government.

## Schedule 4 Toilet, sanitary convenience and handbasin facilities

Section 5(2)

### Facilities for events where alcohol is not available

Males				Females*	
Patrons	Water-closet	Urinal	Handbasin	Water-closet	Handbasin
< 500	1	2	2	6	2
< 1000	2	4	4	9	4
< 2000	4	8	6	12	6
< 3000	6	15	10	18	10
< 5000	8	25	17	30	17
>5000	1 for each additional 1000	2 for each additional 1000	2 for each additional 1000	4 for each additional 1000	2 for each additional 1000

\* Each female toilet must have 1 sanitary convenience bin that is regularly emptied.

### Facilities for events where alcohol is available

Males				Females*	
Patrons	Water-closet	Urinal	Handbasin	Water-closet	Handbasin
< 500	3	8	2	13	2
< 1000	5	10	4	16	4
< 2000	9	15	7	18	7
< 3000	10	20	14	22	14
< 5000	12	30	20	40	20
>5000	1 for each additional 1000	2 for each additional 1000	2 for each additional 1000	4 for each additional 1000	2 for each additional 1000

\* Each female toilet must have 1 sanitary convenience bin that is regularly emptied.

### Reducing toilet facilities for shorter duration events

Duration of Event	Quantity required
8 Hrs plus	100%
6 to 8 hrs	80%
4 to 6 hrs	75%
Less than 4hrs	70%

Toilets for disabled: At least 1 unisex toilet and a handbasin for the disabled is required.

## Schedule 5 Dictionary

### Section 5

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

**entertainment event**—

- (a) has the meaning given in the authorising local law; but
- (b) includes an activity which has, as its principal purpose, any of the following—
  - (i) live music or entertainment;
  - (ii) a live artist performance;
  - (iii) a music event or concert;
  - (iv) a musical, theatrical performance or other similar production;
  - (v) an organised sporting activity;
  - (vi) a street parade, carnival, fare or festival;
  - (vii) a school fete or event;
  - (viii) a vehicle race including a novelty vehicle race;
  - (ix) a ceremony, dance, party or celebration.

**environmental harm** has the meaning given in the *Environmental Protection Act 1994*.

**land** has the meaning given in the Planning Act.

**local government public health risk** has the meaning given in the *Public Health Act 2005*.

**noise sensitive location** means a location that is affected by noise.

**nuisance**—includes any noise, dust, odour, light or unhealthy, offensive or unsightly condition that, in the opinion of an authorised person, unreasonably disrupts or inhibits—

- (a) the use or enjoyment of premises by a resident of the premises; or
- (b) a lawful activity ordinarily carried out on premises.

**potable water** means water which complies with Australian Drinking Water Guidelines.

**premises** means any land, building or structure and includes any part thereof.

**recyclable waste** has the meaning given in the *Environmental Protection Regulation 2019*.

**road**—

- (a) has the meaning given in the authorising local law; and
- (b) includes—
  - (i) an area of land that—
    - (A) is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles; and
    - (B) is open to, or used by, the public; and
  - (ii) a footpath or bicycle path.

**sanitary convenience** has the meaning given in the *Environmental Protection Act 1994*.

**sewerage system** has the meaning given in the *Plumbing and Drainage Act 2018*.

**stormwater drain** has the meaning given in the *Local Government Act 2009*.

**structure** has the meaning given in the Act.

**vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**vermin** means—

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable disease; but
- (c) does not include—
  - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
  - (ii) a local government public health risk.

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

**waste container** means a container for the storage of waste that is—

- (a) weather proof; and
- (b) readily able to be cleaned; and
- (c) leak proof; and
- (d) constructed of durable material.

**waste water** means liquid waste.

**water supply system** has the meaning given in the *Plumbing and Drainage Act 2018*.

**waters** includes—

- (a) surface waters (including water flowing in a water course); and
- (b) ground waters; and
- (c) the bed and banks of waters.