

**Brisbane City Council**

**Local Law Policy**

**(Entertainment Venues**

**and Events) 1999**

Date Resolved: 1999

To be read with:

LOCAL LAW (ENTERTAINMENT VENUES AND EVENTS) 1999

TABLE OF PROVISIONS

PART 1: PRELIMINARY

1. Citation

2. Object

3. Definitions

PART 2: CONTROL OF ENTERTAINMENT VENUES & EVENTS

4. Application for Permit

PART 3: CONDITIONS WHICH MUST BE IMPOSED

5. Lighting

6. Air Conditioning Units

7. Water Supply

8. Sanitary Conveniences

9. Cleaning and Maintenance

10. Pest Control

11. Animals

12. Means of Escape

13. Safety

14. Noise

15. Waste Management

16. Signs and Advertising

17. Hours of Operation

18. Use of Premises for Specified Purpose

19. Display of Permit

20. Traffic Management

21. Smoking

22. First Aid Treatment Facilities

PART 4: CONDITIONS WHICH WILL ORDINARILY BE IMPOSED

23. General Construction

24. Water Supply

25. Safety

26. Records to be Kept

27. Noise

28. Accommodation of Persons

29. Waste Management

30. Pedestrian Traffic Management

31. Performance Bond

32. Consultation

PART 5: EXEMPTIONS FROM POLICY REQUIREMENTS

33. Exemption from the Requirement to Hold a Permit

SCHEDULE 1

Special Fire Services

SCHEDULE 2

Sanitation Assessment Guide

SCHEDULE 3

Public Liability Insurance Assessment Guide

PART 1: PRELIMINARY

Citation

1. This local law policy may be cited as Local Law Policy (Entertainment Venues and Events) 1999.

Object

1. The object of this local law policy is to assist in the implementation of Local Law (Entertainment Venues and Events) 1999.

Definitions

1. "Amusement arcade" means a use of premises by the public for playing of automatic or electronic amusement machines for a fee.

"Aquatic leisure park" means a commercially run enclosed ground where amusements are practised on or in water.

"Basic life support" means the preservation of life by the establishment and/or maintenance of airway, breathing and circulation and related emergency care without the use of equipment.

"Cinema" means a use of premises for the public to view picture films and includes ancillary light refreshments.

"Commercial Swimming Pool or Spa" includes any pool or spa:

(a) open to the general public; and

(b) where an admission charge per visit is made; or

(c) where training or instruction is provided for a fee;

but does not include a pool within school premises if access is allowed only to students and staff, clubs and members.

"Drive‑in Theatre" means a cinema so designed that patrons drive in to a large area in front of an outdoor screen and view the film while seated in their cars.

"Entertainment Hall" means a large building or room used for community entertainment purposes.

"Indoor Sport and Recreation" means a use of premises for playing a game, recreation, instruction, athletics, sport or entertainment, where these activities take place primarily in a building, e.g. sports centre, gymnasium, amusement and leisure centre, dance club, theatre restaurant or convention centre.

"Major Event" means an entertainment event with 2,000 or more people expected to attend.

"Major Sporting Stadium" means a use of premises for major sporting events and occasional entertainment, including ancillary catering, light refreshments and sale of merchandise.

"Noise Sensitive Place" means any of the following places:

(a) a dwelling;

(b) a library, child care centre, kindergarten, school, college, university or other educational institution;

(c) a hospital, surgery or other medical institution;

(d) a protected area, or an area identified under a conservation plan as a critical habitat, or an area of major interest under the Nature Conservation Act 1992;

(e) a marine park under the Marine Parks Act 1982;

(f) a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment.

"Nuisance" includes any:

(a) noise, dust, odour, light; or

(b) unhealthy, offensive or unsightly condition;

that in the opinion Council unreasonably disrupts or inhibits:

(1) the use or enjoyment of the premises by the residents; or

(2) a lawful activity ordinarily carried out on premises in the vicinity of those to which the permit applies.

"Outdoor Sport and Recreation" means a use of premises for playing of a game, recreation, instruction, athletics, sport, or entertainment, where these activities take place primarily outdoors.

"Riding School" means a use of premises for horses to be kept and let out on hire to the public for riding or for riding instruction.

"Theatre" means a building or room expressly designed to house dramatic presentations, stage entertainment or the like.

PART 2: CONTROL OF ENTERTAINMENT VENUES & EVENTS

(To be read with section 6(1) of the Local Law)

Application for Permit

1. (1) For all entertainment venues and events:‑

(a) application for a permit under this policy must be lodged with Council at least six weeks prior to the proposed date of commencement of the activity.[[1]](#footnote-1)

(2) The permit applicant for all entertainment venues and events at which consumption of liquor is to be permitted must have a current licence or permit for the venue or event under the Liquor Act 1992 and provide to Council a copy of any conditions attached to that licence or permit.

(3) The permit applicant for all entertainment venues or events at which firework displays occur must have a current approval by the Queensland Department of Mines and Energy and provide to Council a copy of any conditions attached to that approval, with all displays being conducted by a licensed fireworks technician.

(4) The permit applicant for all entertainment venues and events equipped with "Special Fire Services" [[2]](#footnote-2) in accordance with the Standard Building Regulation Appendix 3, must make available to an officer of Council a Certificate of Maintenance completed by a registered fire protection contractor in accordance with the Building Fire Safety Regulation 1999.

(5) The permit applicant for all entertainment venues or events which require Development Approval under the Integrated Planning Act 1997 must provide a copy of the approval and any conditions attached.

(6) The permit applicant for all entertainment venues and events must ensure compliance with the Food Hygiene Regulation 1989, including requirements for Mobile Food Vehicles and Council's Policy for Temporary Food Stalls.

(7) Any entertainment event to be held in any Council park must have approval from Council in regard to location of event, preventing damage to the park, movement of vehicles, any structures to be built or erected, preventing disturbance to soil, plants and trees, parking of vehicles and security.

(8) The permit applicant for any circuses conducted as regular events at different locations must submit an annual plan detailing all site locations and subsequent operational dates for approval. This plan must also include approval from the property owner or lessee, if the permit applicant does not own or lease the site.

(9) The permit applicant for any outdoor concerts, one‑off, annual and major events must submit to Council for approval:

(a) a Noise Management Plan containing strategies for:

(i) compliance with the Environmental Protection (Noise) Policy 1997;

(ii) satisfying the relevant Australian Standards and Codes;

(iii) keeping noise levels within the following parameters: [[3]](#footnote-3)

|  |  |  |
| --- | --- | --- |
| **Location** | **Permissible Level** | **Maximum Level** |
| Rear of venue | 85 dBA Leq (15 min) | 100 dBA LA10 |
| Nearest residence or other noise sensitive place[[4]](#footnote-4) | 55 dBA Leq (15 min) | 70 dBA LA10 |
| 30 metres from the stage (mixer position) or noise source | 95 dBA Leq (15 min) | 100 d BA LA10.5minand105 dBA LA10.5min at 63 Hz |

(iv) and encompassing:-

(A) location and height of the stage;

(B) location and height of the speakers;

(C) direction of speakers;

(D) specific sound barriers used and their location;

(E) atmospheric conditions used in calculations;

(F) proposed measures for low frequency sound control ( ie. Bass);

(G) topography of the land;

(H) details of the sound system;

(I) measurement procedures;

(J) hours of operations; and

(K) all calculations.

(b) a Traffic and Parking Management Plan which has been formally approved (signed) by the Queensland Police Service and Council's Transport and Traffic Branch containing provisions for:

(i) bus parking and servicing;

(ii) adequate parking for patrons and staff; and

(iii) conditions associated with road closures.

(10) The permit applicant for any outdoor concerts, one‑off, annual and major events, venues and events where alcohol is available and/or permitted to be consumed must submit:

(a) an Alcohol Management Plan addressing:-

(i) the provision of separate wet and dry areas including:

(A) bar or wet areas must be clearly identified and defined, adequate in size, close to toilet facilities, and separate from areas for children and families. This may include a limited number of access points, esky and bag checks, locker facilities and a process to identify and respond to intoxicated people. Where possible, adults who are consuming alcohol should not be required to move through family or dry areas in order to access other facilities and entertainment;

(ii) the provision of adequate drinking water facilities; and

(iii) emergency response and the provision of first‑aid.

(b) a Security Management Plan addressing:

(i) cash security;

(ii) asset protection;

(iii) crowd management;

(iv) public safety;

(v) communications, and ensuring that security personnel have efficient communication equipment and processes to maintain direct liaison with police, emergency services and the event manager;

(vi) the number, qualifications and locations within the venue or event of security personnel[[5]](#footnote-5).

(11) The permit applicant for any entertainment venues and events which involve commercial swimming pools must provide for approval a Pool Management Plan addressing:

(a) compliance with recognised operational and water quality guidelines or standards nominated by Council (including all parameters and frequency of testing);

(b) contingency plans in the event of poor water quality (including notification system) and the procedures in the event of closure and the subsequent treatment of the facility;

(c) safety for all patrons in and around the pool and associated

facilities;

(d) equipment to be used in and around the pool;

(e) noise management;

(f) cleaning and maintenance of the pool and associated facilities

(including sanitary conveniences).

(12) All permit applicants must supply upon request by Council a:

(a) current Fire Safety Certificate from the Queensland Fire and Rescue Authority or a registered fire protection contractor, detailing compliance with minimum fire safety standards.

(b) Fire and Emergency Evacuation Plan certified or approved by the Queensland Fire and Rescue Authority.

(c) Fire Safety Management Plan certified or approved by the Queensland Fire and Rescue Authority.

(d) Certified Electrical Safety Report provided by a qualified electrician within the last 12 months.

(e) Certificate of Currency for Public Liability Insurance indemnifying Council for all claims for personal injury and damage to property arising out of the event:

(i) the amount of cover for Public Liability must be determined on certain activities and provisions as prescribed in Schedule 3; and

(ii) the permit applicant must ensure that all sub‑contractors also have the appropriate Public Liability Insurance.

PART 3: CONDITIONS WHICH MUST BE IMPOSED

(To be read with section 10(1)(a) of the Local Law)

Lighting

1. (1) For all entertainment venues and events, the permit holder must ensure that:

(a) lighting provided is adequate to ensure the safety and security of all patrons;

(b) lighting provided does not create a nuisance [[6]](#footnote-6) or intrude on the privacy of occupiers of adjoining lands;

(c) the light parameters, design, installation, operation and maintenance of outdoor lighting must comply with the requirements of AS 4282 ‑ Control of the Obtrusive Effects of Outdoor Lighting or such standard as may replace it;

(d) patrons of a venue or event are notified (via advertising, erection of signs and/or announcements) of the use of strobe lighting prior to such use; and

(e) lighting provided does not create a nuisance for traffic.

(2) For all drive‑in theatres, the permit holder must ensure that driveways are illuminated in accordance with the requirements of AS 4282 ‑ Control of the Obtrusive Effects of Outdoor Lighting or such standard as may replace it.

(3) For all amusement arcades, the permit holder must ensure that:-

(a) internal areas are lit to a minimum of 200 lux; and

(b) external areas are lit to a minimum of 20 lux at footpath level and must comply with the requirement of AS 4282 ‑ Control of the Obtrusive Effects of Outdoor Lighting or such standard as may replace it.

Air Conditioning Units

1. For all entertainment venues and events, the permit holder must ensure that:-

(a) all air conditioning units, cooling towers and heating units are regularly serviced and maintained in accordance with relevant Australian Standards.;

(b) all air conditioning units are located in such a position as not to create a nuisance to adjacent premises;

(c) noise from the air conditioning unit complies with the criteria in section 3(8)(A)(iii); and

(d) all air conditioning units or mechanical ventilating systems are capable of providing the amount of outside air that complies with Australian Standard AS1668, or such standard as may replace it, with regard to the standards of indoor air quality.

Water Supply

1. The permit holder for all entertainment venues and events must ensure that:-

(a) an adequate and continuous supply of water is maintained at all times to all toilet, bathroom, kitchen, laundry and drinking water facilities that form part of the operation of the entertainment venue or event;

(b) any water supply intended for drinking as part of the operation of the entertainment venue or event is potable water; and

(c) readily accessible and adequate water supply is available for fire fighting and first‑aid posts.

Sanitary Conveniences

1. (1) At all permanent entertainment venues or events, the permit holder must maintain sanitary conveniences as follows:‑

(a) in accordance with the requirements of the Building Code of Australia;

(b) in good working order and condition and in convenient positions on the premises;

(c) connected to sewer or complying with Council's Code for on‑site

waste water treatment;

(d) so situated, separated and screened as to ensure privacy;

(e) apportioned to each sex with a distinct sign displayed in a prominent position denoting the sex for which the toilet is provided;

(f) provided with adequate hand washing facilities equipped with

potable water;

(g) provided with adequate electric lighting installed by a licensed electrician; and

(h) large enough to permit an unconscious occupant to be removed

from the compartment.

(2) At all temporary entertainment venues or events, the permit holder must ensure that sanitary conveniences are:‑

(a) provided in numbers determined using the formula outlined in Schedule 2 ‑ Sanitation Assessment Guide;

(b) situated, separated and screened so as to ensure privacy;

(c) apportioned to each sex and have a distinct sign displayed in a prominent position denoting the sex for which the toilet is provided;

(d) provided with adequate hand washing facilities equipped with potable water;

(e) provided with adequate electric lighting installed by a licensed electrician; and

(f) are large enough to permit an unconscious occupant to be removed from the compartment.

Cleaning and Maintenance

1. (1) For all entertainment venues and events with the exception of riding schools [[7]](#footnote-7) and circuses[[8]](#footnote-8), the permit holder must ensure that every part of the venue is kept properly cleaned as follows:

(a) where the building is used on any one or more nights of any week, the floors, furniture and fittings must be cleaned and disinfected at least once per week by washing or spraying them with a solution of approved disinfectant;

(b) where the building is used occasionally, it must be cleaned and disinfected prior to each use;

(2) The permit holder must ensure that all rubbish and litter left on the premises after any entertainment event must be removed from the premises and appropriately disposed of the next day or before the next event takes place whichever is sooner.

(3) For all entertainment venues and events, the permit holder must:-

(a) maintain in a sound and undamaged condition:­

(i) the floors, walls, ceilings, roof, stairs, railings;

(ii) the floor coverings and window treatments; and

(iii) internal and external structures, woodwork and painted surfaces.

(b) maintain in a sound and secure condition and in good working order:

(i) all fixtures and fittings; and

(ii) windows and doors.

(c) maintain in a clean and nuisance free condition any outbuilding, garage, structure or yard.

Pest Control

1. (1) For all entertainment venues and events, the permit holder must ensure that the premises are:­

(a) kept free of vermin and insects with, so far as it is practical, no access provided for the ingress of vermin as part of the operation of the entertainment venue or event; and

(b) treated for vermin and insects annually by a licensed pest control operator or more frequently if required by Council.

Animals

1. (1) For all entertainment venues and events, the permit holder must not allow any animal to be kept in or on an entertainment venue or event that creates a nuisance to patrons or occupiers of adjoining properties.

(2) For all entertainment venues and events involving animals in their operations, the permit holder must ensure that:-

(a) all animals undergo regular veterinary inspections on at least an annual basis regardless of their state of health and more frequently upon veterinary advice;

(b) records of all relevant details of veterinary treatment and the animals history are kept and maintained for a minimum period of three years and presented to Council upon request;

(c) Council is notified within two days if an animal involved in the operations of the entertainment venue or event contracts a zoonotic disease;

(d) the premises are completely cleaned and all manure and offensive matter is collected and removed at least once per day from buildings or structures in which animals are housed, public walkways and areas in their immediate surroundings, and at least three times per week from all other areas.

(3) For all riding schools, the permit holder must ensure:

(a) compliance with relevant State Government Guidelines and Codes of Practice as nominated by Council;

(b) that any horse which is used for the purpose of being let out on hire for riding or providing instruction in riding is not kept, or caused, suffered or permitted to be kept, in such a manner or in such conditions as to be a nuisance, injurious or prejudicial to public health and safety;

(c) that no horse suffering from a zoonotic disease is allowed to be let out on hire for riding or providing instruction in riding;

(d) that impervious vermin‑proof receptacles are provided and used for the storage of grain horse feed; and

(e) that the premises are maintained in a clean and sanitary condition, in good repair and appearance and free of offensive odours.

Means of Escape

1. (1) For all entertainment venues and events, the permit holder must ensure that:

(a) at all times any means of escape is kept free from obstruction;

(b) all carpets, matting or other floor or stair coverings are securely fixed to the floor or stairs and maintained in a sound condition to avoid the possibility of accidents occurring;

(c) all curtains covering doors, or in passages, are hung so as not to trail on the floor;

(d) all doors used by the public as exit doors are:-

(i) hung in two folds and made to open outwards and fitted with "crash" latches, except where otherwise approved by Council; or

(ii) when opening inwards, fitted so that they can be locked back against the wall such that they require a key to release them.

(e) all internal doors are hung so as not to obstruct, when open, any gangway, passage, staircase or landing;

(f) no door opens immediately upon a flight of steps;

(g) all doors leading from exits, passages, staircases or corridors to the other parts of the building are fitted with spring hinges and hung so they can be opened by the stream of persons passing from the entertainment venue or event to the street;

(h) all areas in the immediate vicinity of an exit from the entertainment venue or event are well lit and not obscured from the street;

(i) no object is placed or allowed to remain in the path of travel to an exit, having regard to:-

(i) whether an object could be displaced or knocked over; and

(ii) the number of persons that could be in that part of the facility in the event of fire or other emergency.

(j) no lock or other device which prevents a door being opened from within the entertainment venue or event is fitted to an exit door.

(2) For all cinemas and theatres, the permit holder must not make any seating layout changes which may affect the escape from the premises in the event of an emergency without Council's written approval.

Safety

1. (1) For all entertainment venues and events, the permit holder must ensure that:

(a) suitably qualified staff in adequate numbers to ensure the safety of the public and to supervise the type of activity carried on are employed at all times when the premises are open; and

(b) appropriate communication systems and equipment are provided to manage in the event of an emergency situation, e.g. failure of electrical power supply.

(2) For all amusement arcades, the permit holder must ensure that:-

(a) the premises are supervised at all times by an adult;

(b) school children are denied entry during the hours which they are legally required to be at school; and

(c) consumption of illicit drugs and alcohol is prohibited on the premises.

(3) For all commercial swimming pools and aquatic leisure parks, the permit holder must ensure that, in addition to the measures specified in any Pool Management Plan, an adequate number of staff, with Pool Life Guard qualifications issued by the Royal Life Saving Society, are on duty at all times when the premises are open to the public.

(4) For all riding schools, the permit holder must ensure that no person is permitted to hire a horse for riding or the provision of instruction in riding unless that person is properly attired with safety equipment, including a riding hat.

Noise

1. (1) For all entertainment venues and events, the permit holder must ensure that activities carried out at the venue do not create a nuisance or intrude on the privacy of occupiers of adjacent properties.

(2) For all outdoor concerts, one‑off, annual and major events, the permit holder must ensure that:-

(a) noise levels do not exceed the levels outlined in section 4(9)(a)(iii);

(b) amplification equipment used at the event is erected so as to

(c) minimize the noise impact on residential premises;

(d) walls, fences, grandstands and other large barriers are used in conjunction with the location of the stage and direction of the speakers to minimize the direct transmission of noise to those outside the venue.

(3) For all amusement arcades, the permit holder must ensure that no amplified music is played such that it causes a nuisance to any adjacent noise sensitive place.

Waste Management

1. (1) For all entertainment venues and events, the permit holder must:
2. provide and maintain an adequate number of refuse receptacles on the premises; and

(b) ensure that any area used to accommodate and clean refuse receptacles is kept clean and tidy at all times and that any solid and liquid waste does not contaminate any storm water drain.

(2) For all outdoor concerts and one‑off, annual and major events, the permit holder must provide and maintain an adequate number of refuse receptacles on the premises using the formula outlined in Schedule 2.

Signs and Advertising

1. (1) For all entertainment venues and events, the permit holder must ensure that all signs and advertising used comply with Council's Local Law No. 1 (Control of Advertisements).

(2) For all drive‑in theatres, the permit holder must ensure that there are:-

(a) erected in, or in the precinct of, every drive‑in theatre notices concerning:

(i) the speed limit of vehicles in, out and through the theatre;

(ii) the position of entrances and exits;

(iii) the general directions for traffic;

(iv) prohibiting the consumption of alcoholic drink on the premises; and

(v) any other matters to which in the opinion of the Council patrons must have their attention drawn in accordance with the terms of the permit.

Hours of Operation[[9]](#footnote-9)

1. (1) For all one‑off, annual and major events and outdoor concerts and performances, the permit holder must ensure that no event finishes later than 10.00pm and the crowd is dispersed by 11.00pm, unless specifically authorised by Council.

(2) The hours of operation for drive‑in theatres shall be from 6.00pm until 12.00 midnight unless otherwise approved by Council.

(3) The maximum hours for operation for all amusement arcades are:­

(i) Monday to Thursday 9.00am to 10.30pm;

(ii) Friday and Saturday 9.00am to midnight; and

(iii) Sunday 10.00am to 8.00pm.

(4) The hours of operation for all activities being conducted in entertainment halls are limited to 8.00am to 12.00pm with all patrons to be dispersed by 12.30pm.

(5) The hours of operation for all cinemas and theatres are limited to 7.30am to 1.00am with all patrons to be dispersed by 1.30am.

(6) The hours of operation for all squash courts and any other sport being conducted in enclosed premises or grounds are between 8.00am and 12.00pm

(8) The hours of operation for all commercial swimming pools being conducted in enclosed premises or grounds are between 5.00am and 12.00pm

(9) The hours of operation for all other entertainment venues and events including night tennis courts are between 8.00am and 10.00pm or as specified by Council

Use of Premises for Specified Purpose

1. The premises must not be used for any amusement, entertainment or purpose other than the purpose(s) specified in the Council permit.

Display of Permit

1. For all entertainment venues and events, the permit holder must:-

(a) display a copy of the permit, including conditions imposed by Council, in a prominent position within the premises; and

(b) ensure that a copy of the permit certificate, including conditions imposed by Council, is available for perusal by an authorised person of Council or another regulatory body upon request.

Traffic Management

1. (1) For all drive‑in theatres, the permit holder must ensure that:‑

(a) every path, roadway, vehicular ramp area, holding or servicing area must be kept free from obstructions of any kind and maintained in good condition; and

(b) the box office is situated between the holding area and the theatre proper so that cars will have free access to the holding area.

(2) For all outdoor concerts, one‑off, annual and major events, the permit holder must ensure that:‑

(a) pedestrian and vehicular circulation, adjoining businesses and nearby residential areas must not be inconvenienced or disrupted;

(b) any existing access to parkland or buildings (including parking bays) for people with disabilities is not restricted or diminished;

(c) all practicable steps are taken to facilitate access to the event for all members of the public;

(d) adequate access to and from the premises and within the premises for emergency services vehicles is provided and maintained at all times;

(e) gates for emergency vehicles are kept free of obstruction and staffed at all times; and

(f) fire hydrants are not covered or obstructed at any time.

Smoking

1. (1) For all cinemas, theatres, entertainment halls and amusement arcades, the permit holder must ensure that no person is permitted to smoke on the premises and suitable signs with the words "NO SMOKING" or similar must be displayed prominently within the premises.

(2) For all drive‑in theatres, the permit holder must ensure that no person may smoke within the projection room at any time.

First Aid Treatment Facilities

1. (1) For all outdoor concerts, one‑off, annual and major events, the permit holder must:

(a) provide adequate first aid facilities for specified events nominated by Council;

(b) ensure the provision of first aid points in appropriate positions and from which any serious casualties can be dispatched immediately to the nearest hospital;

(c) ensure that first aid posts are clearly marked and identified by an illuminated sign at night;

(d) ensure that a secured road access to the first aid post is available to enable an ambulance vehicle access, turn around and egress.

(2) For all commercial swimming pools and aquatic leisure parks, the permit holder must ensure the onsite provision and maintenance of ventilation equipment, which should desirably be a positive pressure oxygen ventilator, and as a minimum, a bag‑valve‑mask unit, preferably with an oxygen assist (oropharyngeal airways and suction should also be included);

(3) For all entertainment venues and events involving activities on water courses (eg. sporting activities), the permit holder must ensure:-

(a) landing locations appropriate for the transfer of stretcher patients from boats to land ambulances are provided and clearly identified;

(b) all boats intended for rescue or medical attention are clearly marked and have some form of hazard lighting to warn other participants;

(c) any vessels used for participant or spectator control are staffed with personnel with appropriate lifesaving and basic life support training;

(d) any vessel intended for medical assistance and/or water rescue contains sufficient clear space to resuscitate the prone human form, and be equipped as a minimum with:-

(i) a two‑way radio linking to the rescue boat and ambulance/medical service;

(ii) a suitable device designed specifically for the removal of an injured person from the water, and spinal immobilisation devices (including cervical collars);

(iii) ventilation equipment, which should desirably be a positive pressure oxygen ventilator, and as a minimum, a bag‑valve mask unit, preferably with an oxygen assist (oropharyngeal airways and suction should also be included);

(iv) a supply of large pressure dressings;

(v) personnel trained and experienced in the use of the equipment identified above; and

(vi) personnel trained and attired to enter the water to effect a rescue and removal.

PART 4: CONDITIONS WHICH WILL ORDINARILY BE IMPOSED

**(To be read with section 10 (1) (b) of the Local Law)**

General Construction

1. (1) For all cinemas and theatres, the permit holder must ensure that:

(a) no dressing room is located under the stage of any building, unless otherwise consented to by Council;

(b) every dressing room is ventilated to the satisfaction of Council;

(c) where in any part of a theatre of cinema the general lighting is dimmed or extinguished during public occupation, aisle lights are provided to illuminate the full length of the aisle and tread of each step.

(2) For all drive‑in theatres, the permit holder must ensure that:-

(a) all entrances to and exits from the drive‑in theatre are not less than nine metres in width unless otherwise indicated in the permit;

(b) the width of all roadways within the drive‑in theatre is not less than ten metres unless otherwise specified in the permit;

(c) speaker posts are at not less than six metre centres in one direction and twelve metre centres in the other direction unless otherwise approved in the permit. All such speaker posts are illuminated in such a manner as will make the posts easily distinguished at night.

(3) For all outdoor venues, one‑off, annual and major events where there is a stage used, the permit holder, must ensure that a minimum five (5) metre buffer zone between the stage and seating is established and maintained at all times for the provision of access in the case of emergency unless otherwise approved by Council.

Water Supply

1. (1) For all entertainment venues and events, the permit holder must ensure that adequate drinking water facilities are provided separate to sanitary conveniences.

(2) For all entertainment venues and events where mosh pits are provided, the permit holder must ensure that drinking water is provided at the crash barrier in mosh pits.

Safety

1. (1) For all entertainment venues and events, the permit holder must ensure that all temporary structures, including stages, are approved and certified by a registered engineer and a certificate provided to Council.

(2) For all outdoor concerts, one‑off, annual and major events, the permit holder must ensure that:‑

(a) all structures for temporary events, including stages, are approved and certified by a registered engineer and a certificate provided to Council;

(b) audience crush barriers are erected for specific events as required by Council; and

(c) (in addition to the measures specified in any Waste Management Plan, if required by Council) caterers use non‑returnable (disposable/plastic) utensils, do not serve food in glass containers.

(3) The permit holder for all entertainment venues and events where music is the primary form of entertainment must ensure that "Chill Out" areas are provided and readily accessible to patrons. These areas should be cool, quiet areas where drinking water is readily available.

(4) For all entertainment events along creeks, rivers or Moreton Bay, the permit holder must ensure that:‑

(a) appropriate buffer walls or ‘run off’ areas are in place to separate out‑of control vessels from entering spectator and pit areas;

(b) where spectators are permitted to line piers and breakwaters along areas of deep water:-

(i) a line is marked to warn spectators from the edges fronting on deep water; and

(ii) a dedicated boat is in attendance to constantly patrol the area, equipped with a loud hailer to direct spectators who venture too close to the edge and equipped to provide a water removal and resuscitation capability. This vessel must be separate from, and in addition to, any vessel committed to the event participants.

Records to be Kept

1. (1) For all entertainment venues and events, the permit holder must ensure that:

(a) records are kept of all qualifications required for any position held by all staff employed at the premises with the exception of outside contract staff, eg. first aid certificates, physiotherapy etc. These records are to be kept during their employment and for a period of three years after they cease employment. The records are to be maintained up‑to‑date and stored in a manner that will preserve them in the event of a fire;

(b) records are kept of all pest control treatments including:-

(i) the date;

(ii) the name and address of the person who conducted the treatment;

(iii) where the treatment was conducted;

(iv) the chemicals used; and

(v) the pests targeted;

for a period of three years and are maintained up‑to‑date and stored in a manner that will preserve them in the event of a fire.

(2) The permit holder for all commercial swimming pools, spas and aquatic leisure parks must ensure that adequate records are kept of water quality testing undertaken on a regular basis, in accordance with Council's requirements or the requirements of a recognised Code nominated by Council, for a period of three years and are maintained up‑to‑date and stored in a manner that will preserve them in the event of a fire.

(3) (a) The permit holder for all riding schools must ensure that adequate records are kept detailing:

(i) the full name and address of each person who uses a horse let out on hire for riding or used in providing instruction in riding in return for payment;

(ii) the date and time the horse is used; and

(iii) particulars to identify the horse.

(b) The records indicated in subsection (3)(a) above are to be kept for a period of:

(i) twelve months after a horse dies or otherwise ceases to be used in connection with the conduct or use of the relevant premises as a riding school; or

(ii) three years in any other case.

Noise

1. (1) For all outdoor concerts, one‑off, annual and major events, the permit holder must ensure that:

(a) no rehearsals are undertaken on site before the event unless otherwise approved by Council;[[10]](#footnote-10)

(b) if required by Council, a qualified noise consultant is employed to supply a Noise Management Plan detailing the above requirements and submit a report to Council for approval;

(c) the stage and speaker(s) face away from nearby residential areas;

(d) all speakers are directed downward;

(e) fold‑back speakers are elevated and directed downward, where practicable; and

(f) bass loud speakers are located within 500 millimetres of the ground.

Accommodation of Persons

1. (1) At all entertainment venues and events:‑

(a) the maximum number of persons who may be seated;

(b) the maximum number of persons who may be accommodated therein otherwise than on seats, and the respective areas where such persons may be accommodated; and

(c) the total number of persons who may be admitted;

will be determined by Council in consultation with the Queensland Fire and Rescue Authority and documented on any permit issued. These maximum numbers must not be exceeded unless prior approval in writing is obtained from Council.

(2) At all drive‑in theatres the maximum number of vehicles to be admitted at any one performance and the number of fixed seats, if any, which may be provided by the theatre will be determined by Council and documented on any permit issued. These maximum numbers must not be exceeded unless prior approval in writing is obtained from Council.

Waste Management

1. (1) For all entertainment venues and events, the permit holder must:‑

(a) develop and implement a Waste Management Plan identifying the types and quantity of waste generated and methods of collection and disposal, including provisions to ensure the safe containment and disposal of all sharps found on the premises. Consideration where practical and reasonable should be given to waste minimisation in accordance with the Waste Management Hierarchy.

(b) provide separate receptacles for the recycling of gas (bottles) and aluminum cans.

Pedestrian Traffic Management

1. For all outdoor concerts, one‑off, annual and major events, the permit holder must ensure that a clear passage of a minimum unobstructed width of 1.8 metres is maintained for pedestrian traffic.

Performance Bond

1. (1) For all outdoor concerts, one‑off, annual and major events:

(a) a performance bond must be lodged with Council prior to the event to ensure that all restoration and cleansing work is completed and all permit conditions are complied with. The amount of bond required is calculated using the table below:

|  |  |
| --- | --- |
| **SIZE OF EVENT** | **AMOUNT OF BOND** |
| 2000 ‑ 5000 | $0 ‑ $5000.00 |
| 5001 ‑ 20000 | $10000.00 |
| 20001 ‑ 30000 | $25000.00 |
| >30000 | $50000.00 |

(b) without prejudice to any other remedy which Council may have, Council may deduct from any deposited performance bond an amount determined by Council as a result of non‑compliance with permit conditions by the permit holder;

(c) upon, in the case of a permit in force for the date or dates specified therein, the revocation of the permit or the expiration of that date or those dates whichever shall occur first; and

(d) the Council shall refund to the person who deposited such performance bond the total amount of moneys lodged in respect of the permit less any amount deducted pursuant to paragraph (1)(b) of this section.

Consultation

1. (1) For all outdoor concerts, one‑off events, annual events and major events:

(a) at least six weeks prior to the event, the following stakeholders must be informed of the nature of the event, its location and duration:-

(i) The Lord Mayor, the local Councillor and the Chairman of the Community Policy Committee;

(ii) Queensland Police Service;

(iii) Queensland Ambulance Service;

(iv) Queensland Fire and Rescue Authority;

(v) Other Emergency Services;

(vi) Liquor Licensing Division of Department of Tourism, Sport and Racing (at events where alcohol will be served and/or consumed);

(vii) Queensland Transport Department (at events which incorporate road closures); and

(viii) the lessee or tenant of the park if the event is being conducted in a park.

(b) a venue telephone hotline for receiving complaints in relation to the event must be established and the hotline number must be widely publicised in the community;

(c) (i) if local residents could be affected by noise, traffic road closures or by any other impacts, a letter drop must be carried out to every residence within a one kilometre radius of the event location;

the letter must specify:‑

(A) the nature of the event/activity;

(B) the hours of operation;

(C) the relevant hotline phone number to the permit holder/promoter;

(D) that Council Officers will be monitoring noise levels; and

(E) the transport and parking arrangements.

PART 5 : EXEMPTIONS

(To be read with section 10(3) of the Local Law)

Exemption from the Requirement to Hold a Permit

1. (1) The owner of premises is not required to hold an amusement arcade permit if:‑

(a) there are fewer than six electronic amusement machines on the premises;

(b) there are fewer than ten electronic amusement machines on premises comprising a broader recreational complex, for example a cinema; or

(c) there are more than ten electronic amusement machines but the machines are scattered separately and independently about a centre or complex (for example 12 machines located independently throughout a multi‑purpose centre).

(2) The owner of premises the subject of a current liquor licence under the Liquor Act 1992 which covers the whole of the premises is not required to hold a permit.

(3) To remove any doubt, the owner of premises the subject of a liquor licence which does not cover the whole of the premises (ie, where there are unlicensed areas used to conduct entertainment and which are accessed by the public) is not exempt from the requirement to hold a permit.

(3) Persons conducting one‑off events with less than 2,000 people attending do not need a permit but should follow this policy to protect public health and safety.

SCHEDULE 1

SPECIAL FIRE SERVICES

Special Fire Services include:

(1) Fire Mains;

(2) Fire Hydrant Installations;

(3) Fire Sprinkler Installations;

(4) Special Automatic Fire Suppression Systems;

(5) Fire Detection and Alarm Systems (single, stand‑alone smoke detectors not included);

(6) Fire Control Centres;

(7) Stairwell Pressurisation Systems;

(8) Air‑Handling Systems Used for Smoke Control;

(9) Smoke Exhaust Systems;

(10) Smoke and Heat Venting Systems;

(11) Emergency Warning and Intercommunications Systems; and

(12) Emergency Lifts.

SCHEDULE 2

SANITATION ASSESSMENT GUIDE

The following is a step‑by‑step procedure for determining the number of conveniences and refuse containers required for outdoor events, using the formula:

Sanitation Index (1.2) = A + B + C

Assess the appropriate number of sanitary conveniences and refuse containers required for your event by working step‑by‑step through each table, finally coming to a total that can be derived from Table D (sanitary conveniences) or Table E (refuse containers).

Step 1: Determine Activity Factor (refer Table A)

1. Determine core activity.

2. Determine whether public or commercial function (not private).

3. Estimate expected number of attendees.

4. Assign rating for A (maximum values used for public/commercial functions).

# TABLE A

|  |  |
| --- | --- |
|  | Number of Persons |
|  | <20 | 20 ‑ 100 | 100 ‑ 1000 | 1000 ‑ 5000 | >5000 |
| Core Activity | Rating Number |
| Band Recital | 4 | 6 | 8 | 10 | 12 |
| Food Exhibition | 5 | 7 | 9 | 11 | 13 |
| Charity DayPet ShowProductLaunchVehicleDisplay | 6 | 8 | 10 | 12 | 14 |
| Rally / Fete | 7 | 9 | 11 | 13 | 15 |
| Sports Day | 8 | 10 | 12 | 14 | 16 |
| Ball / PartyFestivalConcerts | 9 | 11 | 13 | 15 | 17 |

Step 2 : Determine Standard Provisions Factor (refer Table B)

5. Determine what provisions will be on site.

6. Assign rating for B for each provision.

TABLE B

|  |  |
| --- | --- |
| **Standard Provisions** | **Rating Number** |
| Food | 2 |
| Drinks (Soft Drink, Juice etc) | 2 |
| Alcohol | 6 |
| Length of Event | <3hrs | 2 |
|  | 3‑6hrs | 4 |
|  | > 6hrs | 6 |
| TOTAL (B) |

Step 3: Determine Group Characteristics Factor (refer Table C)

7. Determine the group characteristics.

8. Assign rating for C.

TABLE C

|  |  |
| --- | --- |
| **Group Characteristics** | **Rating Number** |
| Supervised Group | 2 |
| General Public Group(including disabled) | Live Concerts | 6 |
|  | Fairs / Festivals | 4 |
|  | Miscellaneous | 2 |
| Children, aged persons, persons with disabilities | 4 |

Step 4: Determine Sanitation Index (1.2)

9. Calculate index by adding ratings for A, B and C.

Step 5: Determine Number of Sanitary Conveniences (refer to Table D); or Refuse Containers (refer to Table E)

10. Determine the number of conveniences required using the sanitary index and Table D or determine the number of refuse containers required using the sanitary index and Table E.

**TABLE D**

**(Sanitary Conveniences)**

|  |  |
| --- | --- |
| **Where the Sanitation Index (1.2) is** | **Minimum Number of Conveniences** |
| 0 ‑ 10 | NIL |
| 11 ‑20 | 12 |
| 21 ‑ 30 | 20 |
| > 30 | Please contact the Council's Project Manager for further assessment. |

**TABLE E**

(Refuse Containers)

|  |  |
| --- | --- |
| **Where the Sanitation Index (1.2) is** | **Minimum Number of Refuse Containers** |
| 0‑10 | 4 |
| 11 ‑20 | 10 |
| 21 ‑ 30 | 20 |
| > 30 | Please contact the Council's Project Manager for further assessment. |

SCHEDULE 3

PUBLIC LIABILITY INSURANCE ASSESSMENT GUIDE

The following is a step‑by‑step procedure for determining a probable level of public liability for functions in Council venues, including parks, streets and stadiums, using the formula:

Index= 1.1 =(A+B+C+D)

Step 1: Determine Activity Factor

1. Determine the core activity.

2. Determine whether it's a public or commercial function (not private).

3. Estimate expected number of attendees.

4. Assign rating for A ‑ refer Table A (maximum values used for public/commercial functions).

### TABLE A

|  |  |
| --- | --- |
|  | Number of Persons |
| Core Activity | <20 | 20 ‑ 100 | 100 ‑ 1000 | 1000 ‑ 5000 | >5000 |
| RATING NUMBER |
| Band RecitalFamily Reunion | 4 | 6 | 8 | 10 | 12 |
| PicnicBarbeque | 5 | 7 | 9 | 11 | 13 |
| Charity DayPet ShowProductLaunchVehicleDisplayWedding | 6 | 8 | 10 | 12 | 14 |
| RallyFete | 7 | 9 | 11 | 13 | 15 |
| Sports Day | 8 | 0 | 12 | 14 | 16 |
| Ball/PartyFestivalConcerts | 9 | 11 | 13 | 15 | 17 |

Step 2: Determine Standard Provisions Factor

1. Determine what provisions will be on site ‑ refer Table B.

2. Assign rating of 2 for each if applicable.

3. Assign rating for B (maximum of 10).

#### TABLE B

|  |  |
| --- | --- |
| **Standard Provisions** | **Rating** |
| Food/drink stalls | 2 |
| Power ‑ electricity/gas | 2 |
| Lighting, music, amplifier | 2 |
| Rides, stages, structure | 2 |
| Machinery, animals | 2 |
| TOTAL | (B) |

Step 3: Determine Extraordinary Provisions Factor

1. Determine whether any special inclusions are applicable ‑ fireworks, skydiving/parachuting, bungee jumping, water‑related demonstrations or activities.

2. Determine whether function is to operate outside daylight hours.

3. Assign rating of 5 for each of the above, if applicable ‑ refer Table C.

4. Assign total rating for C.

TABLE C

|  |  |
| --- | --- |
| Extraordinary Provisions | Rating |
| Activity other than during daylight hours | 5 |
| Skydiving/parachuting | 5 |
| Bungee jumping or similar | 5 |
| Fireworks | 5 |
| Water related demonstrations or activities | 5 |
| TOTAL | (C) |

Step 4: Determine Group Characteristics Factor

1. Determine the group characteristics ‑ refer Table D.

2. Assign rating for D.

##### TABLE D

|  |  |
| --- | --- |
| **Group Characteristics** | **Rating** |
| Mature, specialised or supervised group | 4 |
| General public group | 5 |
| Children, aged, persons with disabilities or unsupervised group | 6 |
| TOTAL | (D) |

Step 5: Determine Public Liability Insurance Index (1.1)

1. Calculate total value for 1.1 using formula (A + B + C + D)

Step 6: Determine Probable Level of Public Liability Insurance

1. Using the value to 1.1, refer to Table E.

###### TABLE E

|  |  |
| --- | --- |
| **Where the Insurance Index (1.1) is** | **Public Liability Insurance Minimum** |
| 0 ‑ 10 | NIL |
| 11 ‑ 20 | $10,000,000 |
| 21 ‑ 30 | $20,000,000 |
| > 30 | (Please contact Council's authorised officer for further assessment) |

1. As required under section 6 (1)(h) of the Local Law, all applications are to be accompanied by the fee prescribed by Council's Fees and Charges [↑](#footnote-ref-1)
2. "Special Fire Services" is defined in Schedule 1 [↑](#footnote-ref-2)
3. All these measurements to be taken at a height of approximately 1.5 metres from the ground using the fast‑time weighting. [↑](#footnote-ref-3)
4. See definition s. 3 "Noise Sensitive Place". [↑](#footnote-ref-4)
5. Security staff should be qualified in accordance with the Security Providers Act 1995. [↑](#footnote-ref-5)
6. "Nuisance" is defined in s.3. [↑](#footnote-ref-6)
7. See s. 11 [↑](#footnote-ref-7)
8. See s. 11 [↑](#footnote-ref-8)
9. The permit holder may apply to Council for an extension of hours of operation. [↑](#footnote-ref-9)
10. Permit application to conduct rehearsals on the site must be lodged with Council for approval. [↑](#footnote-ref-10)