

Subordinate Local Law No. 16.1

(Rental Accommodation) 2008

Consolidated version

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This and the following 20 pages is a certified copy of the CONSOLIDATED VERSION of
Subordinate Local Law No. 16.1 (Rental Accommodation) 2008
made in accordance with the provisions of the *Local Government Act 2009*,
by the Council of the City of Gold Coast by resolution dated 4 April 2014

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Council of the City of Gold Coast Subordinate Local Law No. 16.1 (Rental Accommodation) 2008

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Council of the City of Gold Coast Subordinate Local Law No. 16.1 (Rental Accommodation) 2008

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 16.1 (Rental Accommodation) 2008*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 16 (Licensing) 2008*.

3 Object

The object of this subordinate local law is to assist in the implementation of *Local Law No. 16 (Licensing) 2008* by ensuring that the operation of rental accommodation—

- (a) does not result in harm to human health; and
- (b) complies with adequate standards of hygiene, sanitation and safety; and
- (c) does not give rise to a risk of spread of communicable diseases among people living in the rental accommodation;
- (d) used for short term accommodation, does not detrimentally affect the residential amenity of premises in the vicinity of the rental accommodation.

4 Definitions—the dictionary

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

Part 2 Licensing

5 Requirement for a licence

For the purposes of section 5(3) of *Local Law No. 16 (Licensing) 2008*, a licence is not required under *Local Law No. 16 (Licensing) 2008* for the operation of rental accommodation which is—

- (a) the provision of accommodation for immediate family members in exchange for a board payment; or

- (b) the provision of accommodation at premises if professional health, welfare care or education is provided, or when community organisations provide sports training or recreation facilities; or
- (c) the provision of home-stay accommodation at premises used as a residential dwelling (other than a bed and breakfast) which—
 - (i) is occupied and continues to be occupied as the principal place of residence of at least one person; and
 - (ii) provides accommodation for up to four guests; or
- (d) the provision of accommodation at premises in a camping ground or a caravan park.

Example of paragraph (a)—

Teenage or young adult children paying board to parents, aged parents living with their adult children and paying board to them.

Example of paragraph (b)—

Hospital, aged persons accommodation, community care centre, educational establishment, special accommodation, community purposes.

6 Application for a licence

- (1) For the purposes of section 6(1)(c)(iv) of *Local Law No. 16 (Licensing) 2008*, an application for a licence for the operation of rental accommodation must, if required by the local government, be accompanied by—
 - (a) the street address, real property description and details of the owner at which the rental accommodation will be operated; and
 - (b) the name, street address, telephone number, facsimile number and email address of the person to be operating the rental accommodation; and
 - (c) the name, street address, telephone number, facsimile number and email address of the person to be managing the rental accommodation; and
 - (d) the trading name, street address, telephone number, facsimile number, email address, registered business name and Australian Company Name of the business under which the rental accommodation will be operated; and
 - (e) if the applicant is not the owner of the premises at which the rental accommodation will be operated, the consent of the owner; and
 - (f) details of the operation of rental accommodation including—
 - (i) the management of wastes and waste water including the collection and disposal of waste and waste water; and
 - (ii) the storage of all hazardous materials; and

- (iii) for rental accommodation other than a budget accommodation building, fire evacuation procedures; and
- (g) a plan to scale and specifications of the operation of the rental accommodation including—
 - (i) a site plan; and
 - (ii) a floor plan; and
 - (iii) the means of access to and egress from the rental accommodation; and
 - (iv) the location and area of all accessways; and
 - (v) the method of lighting and ventilation; and
 - (vi) the location of sanitary facilities and their type; and
 - (vii) the location, type and specification of fire fighting installations; and
 - (viii) the proposed use of each room and the maximum number of persons to be accommodated in each bedroom; and
 - (ix) the facilities that are to be shared by persons for whom accommodation is provided; and
 - (x) the source of the water supply to the rental accommodation; and
 - (xi) the location and type of on-site sewerage facilities; and
- (h) for rental accommodation other than a budget accommodation building, a current certificate of compliance issued by the Queensland Fire and Rescue Service; and
- (i) an electrical safety certificate of compliance; and
- (j) a statement that—
 - (i) the premises have not been altered since the carrying out of the most recent final building inspection together with a copy of the most recent certificate of classification; and
 - (ii) the operation of the premises complies with any development approval and the local government's planning scheme; and
 - (iii) the premises is structurally sound and in good repair; and
 - (iv) the premises is free of vermin; and

- (k) details of the proposed inspection, monitoring and management programs.
- (2) For the purposes of section (6)(3)(c) of *Local Law No. 16 (Licensing) 2008*, an application for a licence is not required where—
- (a) the premises on which the rental accommodation is to be operated is a class 1a or 2 building as identified in the *Building Code of Australia*; and
 - (b) the applicant is also the owner of the premises on which the rental accommodation is to be operated.

7 Deciding application for a licence

For the purposes of Schedule 2 (Dictionary) and section 7(2)(f) of *Local Law No. 16 (Licensing) 2008*, the local government must grant a licence for the operation of rental accommodation if satisfied that the operation of the rental accommodation complies with the following assessment criteria—

- (a) The applicant is, or will be, the operator of the rental accommodation.
- (b) The operation of the rental accommodation can be lawfully conducted on the premises.
- (c) The operation of the rental accommodation will comply with the prescribed criteria specified in section 9 (Prescribed criteria) of this subordinate local law.
- (d) The matters which are the subject of the conditions specified in section 10 (Conditions of a licence) of this subordinate local law which are relevant to the operation of the rental accommodation can be adequately addressed by the imposition of those conditions.
- (e) The applicant has not within the last two years held a licence pursuant to *Local Law No. 16 (Licensing) 2008* in respect of rental accommodation which has been cancelled pursuant to section 13(1), (b), (c), (d) or (e) of *Local Law No. 16 (Licensing) 2008*.
- (f) The applicant has not, within the last two years, been convicted of three or more offences against *Local Law No. 16 (Licensing) 2008* in respect of the operation of rental accommodation.

8 Term of a licence

For the purposes of section 8(1) of *Local Law No. 16 (Licensing) 2008*, the term of the licence expires on the earlier of—

- (a) 31 August of each year; or
- (b) the date when the holder of the licence ceases to be the operator of the rental accommodation.

9 Prescribed criteria

For the purposes of Schedule 2 (Dictionary) and section 14(2)(e) of *Local Law No. 16 (Licensing) 2008*, the operation of rental accommodation must comply with the following prescribed criteria—

- (a) The premises, including any building, structure, vehicle, facility or equipment must be—
 - (i) in good working order; and
 - (ii) in a good state of repair; and
 - (iii) in a clean and sanitary condition.
- (b) The grounds of the premises must be in a safe and tidy condition.
- (c) The premises must be free of pests and conditions offering harborage for pests.
- (d) The premises, including any fixtures, fittings, equipment, furniture and facilities, must be in a clean, tidy, sanitary and hygienic condition.
- (e) The premises, including internal and external paintwork, must be regularly maintained.
- (f) Any maintenance of the premises must be performed safely in accordance with all relevant laws.
- (g) Any premises, building, structure, vehicle, facility or equipment which is part of the rental accommodation must not be changed in any respect without the prior notification to the local government and approval of an authorised person.
- (h) Any building or structure that forms part of the rental accommodation must comply with the *Building Act 1975* and the *Building Regulation 2006*.
- (i) The rental accommodation must comply with—
 - (i) any relevant development approval; and
 - (ii) the provisions of the planning scheme and any relevant planning scheme policy.
- (j) Any room used as a bedroom in the rental accommodation must—
 - (i) be accessible without passing through any other bedroom or room used for the private occupation of another person, except when folding beds are used for sleeping on a temporary or short term basis; and

- (ii) ensure the privacy of the occupants of the room.
- (k) Any room used for common use or sanitary facilities by occupants must be accessible without passing through any bedroom or other room which is not used for common use.
- (l) Each bedroom must not contain any more beds than the maximum number of occupants for that bedroom.
- (m) The rental accommodation must be connected to the local government's water supply system and sewerage system, when possible.
- (n) If the rental accommodation does not include a shared laundry facility, the premises must contain—
 - (i) electrical and drainage facilities to accommodate a washing machine; and
 - (ii) either—
 - (A) a clothes line or hoist with a minimum of 10 metres of line; or
 - (B) an electrical or gas heat operated clothes dryer.
- (o) When rental accommodation provides for a shared laundry facility, the premises must include—
 - (i) a laundry of adequate size containing—
 - (A) a laundry tub with reticulated hot and cold water; and
 - (B) a washing machine for each four dwellings; and
 - (ii) either—
 - (A) an external clothes line or hoist with 7.5 metres of line for each four dwellings; or
 - (B) one electrical or gas heat operated clothes dryer for each four dwellings.
- (p) Rental accommodation that is a budget accommodation building must comply with the provisions of the *Building Act 1975* with respect to fire safety.
- (q) Rental accommodation that provides accommodation mainly to tourists, other than a budget accommodation building, must—
 - (i) have a clear and effective means of escape from every room at all times; and

- (ii) have a fire and evacuation plan clearly displayed in each bedroom and all occupants must be made aware of the plan upon arrival; and
 - (iii) have properly maintained fire installations by appropriately qualified persons.
- (r) Rental accommodation which is hostel accommodation must either ensure—
 - (i) that the operator resides on the premises; or
 - (ii) that the operator appoints a fit and proper person to reside on the premises either continuously, or on behalf of the operator during the operator's absence from the premises overnight or for more than two consecutive calendar days.
- (s) Rental accommodation that is hostel accommodation must have a clearly designated and adequately signed office.
- (t) Rental accommodation that is hostel accommodation must, in addition to the requirements under the *Building Act 1975* ensure that—
 - (i) the room number of each room and the maximum number of persons that may be accommodated in the room is displayed on the exterior, of or immediately adjacent to the door to the room; and
 - (ii) each bedroom is provided with the following minimum equipment and furniture or equipment, as approved in writing by an authorised person—
 - (A) one shelf per bed; and
 - (B) one hanging rail per bed; and
 - (C) one double robe hook per bed; and
 - (D) direct electric lighting for reading purposes for each bed and upper and lower bunk; and
 - (E) one litter container; and
 - (F) one chair for each double bunk; and
 - (G) one mirror; and
 - (iii) each bath, shower and water closet is in a separate cubicle that can be locked for privacy; and
 - (iv) each shower is in a separate cubicle from the water closet; and

- (v) any laundry is equipped with—
 - (A) two power outlets; and
 - (B) an ironing board; and
- (vi) smoking is not permitted in any bedroom, dining room or kitchen; and
- (vii) animals are not kept in any area used or occupied by guests.
- (u) The operation of the rental accommodation for short term accommodation must not detrimentally affect the residential amenity of premises in the vicinity of the rental accommodation.
- (v) The operation of the rental accommodation must not breach a provision of a local law or a subordinate local law.

10 Conditions of a licence

For the purposes of section 9(3) of *Local Law No. 16 (Licensing) 2008* but without limiting section 9(1) of *Local Law No. 16 (Licensing) 2008*, the local government may impose all or any of the following conditions on a licence for the operation of rental accommodation¹—

- (a) The operation of the rental accommodation for short term accommodation must not detrimentally affect the residential amenity of premises in the vicinity of the rental accommodation.
- (b) The hours of operation of the rental accommodation must not detrimentally affect the amenity of neighbouring premises.
- (c) The operation of the rental accommodation including any premises, building, structure, vehicle, facility or equipment must 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.
- (d) A person must not sleep or camp in a place that is part of the operation of rental accommodation if that place is not nominated for that purpose in the licence.

¹ This section prescribes, for the purposes of section 9(3) of *Local Law No. 16 (Licensing) 2008*, the conditions that will ordinarily be imposed in a licence. However, the local government may, pursuant to section 9(1) of *Local Law No. 16 (Licensing) 2008*, grant a licence on any conditions the local government considers appropriate.

- (e) The operation of the rental accommodation must not constitute a nuisance under *Local Law No. 8 (Public Health, Safety and Amenity) 2008*.
- (f) Adequate provision must exist for people to safely enter and leave the rental accommodation.
- (g) The grounds of the rental accommodation must be maintained in a safe and tidy condition at all times.
- (h) A vehicle used in the rental accommodation must—
 - (i) be kept in accordance with the local government’s planning scheme; and
 - (ii) not be repaired or maintained on any premises other than in accordance with the planning scheme; and
 - (iii) be stored in a manner that does not cause a nuisance to adjoining premises.
- (i) All accessways and other areas to which the public has access within the rental accommodation must be maintained in a clean, tidy and sanitary condition at all times.
- (j) A contaminant must not be released to the environment as part of the operation of the rental accommodation if the release may cause environmental harm unless such release is specifically authorised by the *Environmental Protection Act 1994*.
- (k) An extension telephone bell, open air address system or similar device must not be used as part of the operation of the rental accommodation.
- (l) All objects, including vehicles and machinery, which are dismantled as part of the operation of the rental accommodation must be dismantled undercover on a paved impervious surface which is unaffected by stormwater runoff.
- (m) Only rainwater from uncontaminated areas may drain directly into the stormwater system.
- (n) All spillages 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.

- (o) Lighting used to illuminate any area of the operation of the rental accommodation must be angled or shaded in such a manner that the light does not cause a nuisance.
- (p) The operation of the rental accommodation must not attract fly breeding or vermin infestation.
- (q) No access must be provided to the ingress of vermin as part of the operation of the rental accommodation.
- (r) The operation of the rental accommodation must be kept free of pests and conditions offering harborage for pests.
- (s) Pest fumigation or other treatment of the rental accommodation must be carried out at least once a year.
- (t) No animal other than a guide dog is allowed within a dwelling forming part of the operation of the rental accommodation unless approved by an authorised person.
- (u) All public access areas that are part of the operation of the rental accommodation must be maintained at all times in a clean, tidy, sanitary and hygienic condition.
- (v) The holder of the licence or a representative of the holder of the licence must reside on the premises involved in the operation of the rental accommodation.
- (w) The holder of the licence must notify the local government in writing within seven days of the operation of the rental accommodation ceasing or the transfer of the rental accommodation to a new owner or manager.
- (x) The rental accommodation, including all fixtures, fittings, equipment, furniture and facilities, must be maintained in a clean, tidy, sanitary and hygienic condition.
- (y) All shared facilities that are a part of the operation of the rental accommodation must be thoroughly cleaned after the rental accommodation is vacated and before its use by another occupier.
- (z) All bed linen and towels provided within the rental accommodation must be changed with clean linen and towels—
 - (i) at least weekly; and
 - (ii) after the rental accommodation is vacated and before its reuse by another occupier.
- (aa) All building work related to the rental accommodation must be carried out within the time specified by the local government.

- (ab) The rental accommodation, including internal and external paintwork, must be regularly maintained.
- (ac) The shared facilities that form part of the operation of the rental accommodation must be regularly maintained.
- (ad) The rental accommodation must be regularly cleaned.
- (ae) Water intended for use for domestic purposes as part of the operation of the rental accommodation must be from an approved water source.
- (af) The water to be used in the operation of the rental accommodation must be of an appropriate quality to be used for that purpose.
- (ag) An adequate and continuous supply of hot and cold water must be maintained to all toilet, bathroom, kitchen, laundry and drinking water facilities that form part of the operation of the rental accommodation.
- (ah) The water supply for drinking purposes must be potable water.
- (ai) All water supply connections must be maintained in accordance with the *Water Act 2000*.
- (aj) 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.
- (ak) Adequate water and electricity must be provided as part of the operation of the rental accommodation.
- (al) Rental accommodation other than a budget accommodation building must provide adequate fire safety installations and means of access from the rental accommodation at all times.
- (am) All stairways, landings, fire escapes, passageways and exits must be kept free of all furniture, fittings or other matter.
- (an) Adequate shower, toilet and ablution facilities and other facilities, such as safe custody facilities and clothes drying facilities, and furniture specified by the local government must be provided as part of the operation of the rental accommodation.
- (ao) Adequate sanitary facilities must be provided to service the operation of the rental accommodation.
- (ap) Sanitary facilities must be kept open during the hours of operation of the rental accommodation and signs must be erected indicating the location of the sanitary facilities.
- (aq) All hazardous material must be stored and used in a safe manner as part of the operation of the rental accommodation.

- (ar) Adequate storage must be provided for all hazardous material stored or used as part of the operation of the rental accommodation.
- (as) All maintenance of the rental accommodation must be performed safely in accordance with all relevant laws.
- (at) Waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the rental accommodation must be provided in the manner and locations specified by the local government.
- (au) Waste containers that are provided as part of the operation of the rental accommodation must at all times be regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition.
- (av) Waste containers that are provided as part of the operation of the rental accommodation must be designed and constructed to prevent access to pests and to be easily and effectively cleaned and disinfected.
- (aw) All waste, including waste water, generated as part of the operation of the rental accommodation must be disposed of in a safe and sanitary manner and in accordance with the *Environmental Protection Act 1994* and the *Water Supply (Safety and Reliability) Act 2008*.
- (ax) All waste generated as part of the operation of the rental accommodation must be disposed of in a manner which maintains the operation of the rental accommodation and its surrounds in a clean, tidy, sanitary and hygienic condition.
- (ay) All waste water generated during or from the operation of the rental accommodation must be discharged safely to the sewerage system or an on-site sewerage facility.
- (az) Human wastes from the operation of the rental accommodation must be disposed of at a dedicated sanitary facility, the sewerage system or an on-site sewerage facility.
- (ba) Waste generated as part of the operation of the rental accommodation must be kept so as not to attract pests.
- (bb) Waste from the operation of the rental accommodation must not be disposed of into the stormwater system, waters or a watercourse.
- (bc) The licence issued by the local government, the local government issuing the licence and the description of the prescribed activity must be prominently and permanently displayed in letters and numbers not less than 100mm in height at locations specified by the local government to enable it to be viewed by members of the public, e.g. *GCCC – Rental Accommodation [insert licence number]*.

- (bd) 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.
- (be) Adequate illuminated exit signage must be exhibited as part of the operation of the rental accommodation in the manner and locations specified by the local government or the *Building Act 1975*.
- (bf) The evacuation plan and procedures for the operation of the rental accommodation must be displayed in the manner and locations specified by the local government or under the *Building Act 1975* or otherwise so that it can be viewed by members of the public.
- (bg) The management rules governing the operation of the rental accommodation 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.
- (bh) 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.
- (bi) A copy of a current certificate of inspection issued under the *Fire and Rescue Service Act 1990* must be provided to the local government on an annual basis with the application for renewal of the licence or as required by the authorised person.
- (bj) Any premises, building, structure, vehicle, facility or equipment which is part of the operation of the rental accommodation must not be changed in any respect without the prior notification to the local government and approval of an authorised person.
- (bk) The operation of the rental accommodation must comply with the *Building Act 1975* and the *Building Regulation 2006*.
- (bl) The operation of rental accommodation must comply with all relevant laws, including—
 - (i) the *Environmental Protection Act 1994*; and
 - (ii) *Environmental Protection (Water) Policy 2009*; and
 - (iii) *Environmental Protection (Noise) Policy 2008*; and
 - (iv) *Environmental Protection (Air) Policy 2008*; and
 - (v) the *Environmental Protection (Waste Management) Regulation 2000*.

- (bm) The operation of any prescribed activity as part of the rental accommodation the subject of this licence must be the subject of a separate license under *Local Law No. 16 (Licensing) 2008*.
- (bn) the operation of the rental accommodation must comply with the prescribed criteria specified in section 9 of this subordinate local law.
- (bo) The operation of the rental accommodation must comply with—
 - (i) any relevant development approval; and
 - (ii) the provisions of the planning scheme and any relevant planning scheme policy.

Examples of paragraph (bk)—

- Adequate levels of fresh air must be maintained for the public in accordance with the *Building Act 1975*.
- Adequate lighting levels must be maintained in accordance with the *Building Act 1975*.
- The number of persons for whom accommodation is provided in the premises must not exceed that permitted under the *Building Act 1975*.

11 Renewal of a licence

For the purposes of section 12(6) of *Local Law No. 16 (Licensing) 2008*, where the owner of premises on which the operation of rental accommodation is operated has paid the rates for the premises in full, the local government is deemed to have renewed a licence subject to—

- (a) the rental accommodation being operated in compliance with the prescribed criteria specified in section 9 of this subordinate local law; and
- (b) where there have been any conditions imposed on licence being renewed, the conditions of that licence that were in force immediately before the expiry of that licence.

Part 3 Enforcement

12 Records to be kept

For the purposes of section 15 (Records to be kept) of *Local Law No. 16 (Licensing) 2008*—

- (a) records must be kept by a person operating hostel accommodation; and
- (b) the records must contain details of—
 - (i) the name, usual place of abode and passport number or current driver's licence number of each person occupying the rental accommodation; and

- (ii) the numbers and names of persons accommodated in each bedroom within the rental accommodation; and
 - (iii) the times and dates of the arrival and departure of persons occupying the rental accommodation; and
 - (iv) the number of the room or bed allocated to each person occupying the rental accommodation; and
 - (v) copies of service records relating to fire safety installations, electrical facilities and equipment and on-site sewerage facilities; and
 - (vi) material data safety sheets for all hazardous materials stored in the premises; and
- (c) the records must be kept for a period of seven years.

13 Inspection, monitoring or management program

For the purposes of section 16 of *Local Law No. 16 (Licensing) 2008* the person operating the rental accommodation may be required to maintain—

- (a) a cleaning and sanitation management program; and
- (b) a fire safety maintenance program, unless the rental accommodation is a budget accommodation building; and
- (c) an electrical safety maintenance program; and
- (d) a pest control management program; and
- (e) a maintenance management program; and
- (f) a ventilation system maintenance program; and
- (g) a drinking water quality monitoring program.

Schedule Dictionary

section 4

animal has the meaning given in *Local Law No. 12 (Keeping and Control of Animals) Law*.

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.

bed and breakfast has the meaning given in the local government's planning scheme.

bedroom means a room or dormitory intended for the primary purpose of sleeping but does not include a room or place to which persons occupying the rental accommodation may have access as part of the ordinary shared living in the rental accommodation.

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

building unit scheme means premises which is the subject of a building units plan under the *Building Units and Group Titles Act 1980*.

building work has the meaning given in the *Sustainable Planning Act 2009*.

camp has the meaning given in *Local Law No. 9 (Parks and Reserves) 2008*.

camping ground has the meaning given in the local government's planning scheme.

caravan park has the meaning given in the local government's planning scheme.

community titles scheme has the meaning given in the *Body Corporate and Community Management Act 1997*.

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

dangerous good has the meaning given in the *Dangerous Goods Safety Management Act 2001*.

development approval has the meaning given in the *Sustainable Planning Act 2009*.

domestic purposes means the purposes of—

- (a) human consumption; or
- (b) food preparation; or

- (c) washing; or
- (d) other normal domestic duties.

dwelling has the meaning given in the local government's planning scheme.

environment has the meaning given in the *Sustainable Planning Act 2009*.

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

floor area includes in relation to a bedroom the area occupied by any furniture, structure, fitting or cupboard, other than a built in cupboard permanently attached to a wall, but does not include the area occupied by any bathroom in or attached to the bedroom.

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

group titles scheme means premises which is the subject of a group titles plan under the *Building Units and Group Titles Act 1980*.

guide dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

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 *Workplace Health and Safety Regulation 2008*.

hostel accommodation has the meaning given in the local government's planning scheme.

human waste means urine and faeces from human beings.

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

pest includes vermin and insects.

planning scheme policy has the meaning given in the *Sustainable Planning Act 2009*.

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.

residential service has the meaning given in the *Residential Services (Accreditation) Act 2002*.

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

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 Medicines and Poisons*.

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

short term accommodation means renting, letting, hiring or the like (however described) of rental accommodation premises for a period of occupation of less than forty two days at any one time.

stormwater system means—

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

surface water means water other than groundwater.

vermin means rats, mice, guinea pigs and other rodents capable of carrying or transmitting a notifiable disease, but does not include a protected animal within the meaning of the *Nature Conservation Act 1992*.

waste has the meaning given in *Local Law No. 8 (Public Health, Safety and Amenity) 2008*.

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 water means a liquid waste.

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

waters has the meaning given in *Local Law No. 8 (Public Health, Safety and Amenity) 2008*.

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*.