

REDLAND SHIRE COUNCIL

Consolidated Copy of Local Law Policy No. 18 (Control of Nuisances) adopted 23/09/98, incorporating Amendment Local Law Policy No. 18 (Control of Nuisances) adopted 08/09/99.

This Local Law Policy is to be read with Local Law No. 18 (Control of Nuisances).

Made by Council resolution on 08/09/99.

Citation

1. This local law policy may be cited as Local Law Policy No. 18 (Control of Nuisances).

Objects

2. The objects of this local law policy are to provide detailed information called upon by Local Law No. 18 (Control of Nuisances) to protect the environment and public health, safety and convenience, by eliminating or reducing nuisances resulting from -
 - (a) excessive noise; and
 - (b) smoke and other atmospheric pollutants; and
 - (c) fire hazards; and
 - (d) light spillage; and
 - (e) vegetation overgrowth; and
 - (f) visual pollution resulting from unsightly accumulations of objects and materials.

Fire hazards - local law - section 3

This is not a legally binding document. Refer to the original Local Law and the Amendment Local Law documents for legal proceedings.

3. For the purposes of section 3 of the Local Law the definition of “**fire hazard**” includes the following:-

- (a) Live cinders or hot ash not contained in a receptacle constructed of fire resistant material;
- (b) Vegetation including any grass, weeds, herbage, trees or undergrowth or an accumulation of deadwood, debris, felled trees or other combustible materials, whether of natural origin or otherwise, lying or stacked, that is an actual or potential danger to property in the event of its catching fire and is:-
 - (i) within at least 6 metres of the boundary of a premises; or
 - (ii) more than 6 metres from the boundary of a premises if, in the opinion of an authorised person, it nevertheless constitutes a risk to the health or safety of any person on occupied land.

However, this paragraph does not apply to vegetation:-

- (i) if it is on land which is subject to an approved Fire Risk Management Plan; or
- (ii) if the interference with the vegetation would contravene the provisions of Council’s local law dealing with the preservation of vegetation.

Emission of noise - local law - section 5

4. Pursuant to section 5 of the Local Law the emission of noise is regulated as follows:-

Noise emitted from the use of equipment or from the activities specified in Column 1 of the following Schedule, when emitted from residential premises or a residential construction site, is excessive noise if it is audible within a residential premise within the specified hours corresponding in Column 2 of the schedule.

SCHEDULE

Column 1	Column 2
<i>Equipment or Activity</i>	<i>Specified Hours</i>

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	Monday to Saturday	Sunday & Public Holiday
<i>Conducted at</i> <i>Part A - Residential Premises</i>		
Lawnmowers, edge/weed cutters	7pm - 7 am	7 pm - 8 am

Power Tools (including saws, drills, jackhammers, riveters, sanders grinders, air compressors) Hammer Outboard Engine, boat motor) 7pm - 7am))) 7pm - 8am))
<i>Conducted at</i> <i>Part B - Residential Construction Site</i>		
Air Compressors Concreting Equipment Powered Tools (including saws, drills, jackhammers, riveters, sanders, grinders, edge/weed cutters) Vibratory Equipment Hammer Earthmoving Equipment Delivery of Goods and Equipment))) 6pm - 7am)))))))) All times))))

Note: The above noise schedule does not negate an occupiers responsibility to comply with other Local Laws of Council, including Council's Town Planning Scheme.

Prohibition of certain fires - local law - section 10(1)

5. Pursuant to section 10(1) of the Local Law, the lighting and maintaining of fire is prohibited in the following circumstances:-

- (a) In the open air on land or in an incinerator upon land included in any residential zone or public open space zone under the Town Planning Scheme for the Shire of Redland.

This provision relating to land on Coochiemudlo Island, Russell Island, Karragarra Island, Lamb Island, Macleay Island and North Stradbroke Island will commence on 1 July 2000 and as such will remain exempt from this provision until 30 June 2000.

- (b) In the open air on land or in an incinerator upon land within 500m of land included in any residential zone or public open space zone under the

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Town Planning Scheme for the Shire of Redland.

This provision relating to land on Coochiemudlo Island, Russell Island, Karragarra Island, Lamb Island, Macleay Island and North Stradbroke Island will commence on 1 July 2000 and as such shall remain exempt from this provision until 30 June 2000.

Note: Any barbeque being used for the purpose of cooking food for consumption or any fire place, stove or heater used for the purpose of cooking or heating and located inside a building, are exempt from this Section.

Prescribed distance - local law - section 16(2)

6. For the purposes of section 16(2) of the Local Law, the “**the prescribed distance**” is 6 metres.

Required material - local law - section 20(e)

7. For the purposes of section 20(e) of the Local Law, an application for a permit for lighting and maintaining a fire in the open air for the purpose of disposing of vegetation¹ must be accompanied by details showing that all alternative methods of disposal of felled trees, logs and other vegetation have been exhausted including a statement setting out the result of the applicant’s consideration of the practicability of the use or further use of following alternate methods of disposal and the applicant’s reasons why no such alternative is practicable or viable:-
 - (a) removal of millable logs for use by Saw millers or other approved organisations;.
 - (b) chipping or mulching of all suitable vegetation - chipped or mulched material may be sold or given away by the applicant or used on site for site erosion control or future landscaping;
 - (c) isolation of suitable domestic firewood which may cut into a maximum of 30cm lengths and sold or given away.

This and the preceding (3) pages bearing my initials is a certified copy of Local Law Policy No.18 (Control of Nuisances) made, in accordance with the provisions of the Local

¹If it is proposed to dispose of vegetation using a pit burner, an approval is required under the Environmental Protection Act 1994 and associated regulations, and regulatory requirements will be imposed under that legislation.

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Government Act 1993, by the Redland Shire Council by resolution dated 23/09/98.

Chief Executive Officer

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