

HINCHINBROOK SHIRE COUNCIL

Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2022

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Part 1 Preliminary

1 Short title

This local law may be cited as *Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2022*.

2 Commencement

This subordinate local law commences on 2 January 2023.

Part 2 Amendment of Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2012

3 Subordinate local law amended

This part amends *Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2012*.

4 Amendment of schedule 1 (Establishment or occupation of a temporary home)

(1) Schedule 1, section 4—

Insert

(3A) The disposal of sewage must be by means of:

- (a) connection to reticulated sewerage infrastructure; or
- (b) an approved and installed on-site sewerage disposal system (where reticulated sewerage infrastructure is not available).

(3B) All sewage disposal must not be through connection to a stormwater drain in accordance with section 78 of the *Local Government Act 2009*.

Part 3 Amendment of Subordinate Local Law No. 3 (Community and Environmental Management) 2012

5 Subordinate local law amended

This part amends *Subordinate Local Law No. 3 (Community and Environmental Management) 2012*.

6 Amendment of schedule 3 (Prohibited fires)

(1) Schedule 3, —

Omit

Column 1 Applicable part of local government's area	Column 2 Prohibited fire
No part of the local government area mentioned.	No fire described.

Insert

Column 1 Applicable part of local government's area	Column 2 Prohibited fire
Land contained in the General Residential Zone (identified in the <i>Hinchinbrook Planning Scheme 2017</i>)	A person must not light or maintain a fire in the open air or use an incinerator so that it: <ul style="list-style-type: none"> (a) causes environmental nuisance at a sensitive place, as defined under the <i>Environmental Protection Act 1994</i>; (b) causes an unreasonable annoyance or distress; (c) is injurious or prejudicial to health; (d) persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or social well-being of a reasonable person; or (e) disrupts or inhibits an activity ordinarily carried out on adjoining or nearby residential premises.
All local government controlled areas	A fire that is not in a fireplace or barbecue constructed by the local government, or other place specifically provided or set apart by the local government for fires.
All other land not described in Column 1	No fire described.

Part 4 Amendment of Subordinate Local Law No. 5 (Parking) 2012

7 Subordinate local law amended

This part amends *Subordinate Local Law No. 5 (Parking) 2012*.

8 Amendment of schedule 1 (Declaration of traffic area)

(1) Schedule 1, section 5—

Omit

No traffic area declared.

Insert

1. The whole local government area is declared to be a traffic area.
2. The boundaries of the traffic area are the boundaries of the local government area.