

HINCHINBROOK SHIRE COUNCIL

Amending Local Law No. 1 (Community and Environmental Management) 2022

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Part 1 Preliminary

1 Short title

This local law may be cited as *Amending Local Law No. 1 (Community and Environmental Management) 2022*.

2 Commencement

This subordinate local law commences on 2 January 2023.

Part 2 Amendment of Local Law No. 3 (Community and Environmental Management) 2012

3 Local law amended

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

4 Amendment of Part 3 Overgrown and unsightly allotments

(1) Part 3—

Insert

14B Maintenance of premises

- (1) A person must not allow an allotment or any structure upon an allotment to fall into a state of disrepair or dilapidation such that it becomes a risk to property or people in the neighbourhood.
- (2) A person must not cause or allow any structure on an allotment to remain in a state where it becomes a visual blight on the neighbourhood.

Maximum Penalty under subsections (1) or (2) - 50 penalty units

- (3) In determining whether there is a visual blight on the neighbourhood the following factors will be considered:
 - (a) whether the local government has received any complaints;
 - (b) the content of the complaints;
 - (c) the number of the complaints;
 - (d) the visual impact of the structure including:
 - (i) whether the building is in a dirty condition;
 - (ii) whether the building is in a state of disrepair or dilapidation; and
 - (iii) whether the building is in need of repainting; and
 - (e) the prominence of the structure for those living in the neighbourhood and those passing by the premises.

Maximum penalty for subsection (3) - 50 penalty units.

- (4) If any building or other structure is marked with graffiti the owner or responsible person for the place must remove the graffiti within a reasonable time.
- (5) An authorised person may give a compliance notice to the owner and responsible

person requiring them to remove graffiti or to repair, clean or paint the building or structure so that it is not dilapidated or in a state of disrepair, or no longer a visual blight, within a reasonable timeframe.