Gympie Regional Council
Subordinate Local Law No. 3 (Community and Environmental Management) 2011

CONSOLIDATED VERSION NO. 3

Incorporating amendments up to 2 October 2026

adopted by Gympie Regional Council on 28 October 2026 pursuant to section 32 of the *Local Government Act 2009*

Gympie Regional Council

Subordinate Local Law No. 3 (Community and Environmental Management) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 3 (Community and Environmental Management) 2011.*

2 Purpose and how it is to be achieved

(1) The purpose of this subordinate local law is to supplement *Local Law No.3 (Community and Environmental Management) 2011*, which provides for protecting the environment and public health, safety and amenity within the local government's area.

(2) The purpose is to be achieved by providing for—

(a) declaration of local pests; and

(b) prohibition of lighting or maintaining certain fires; and

(c) declaration of fire hazards; and

(d) declaration of community safety hazards; and

(e) prescribed requirements for responsible persons for land containing community safety hazards; and

(f) declaration of noise standards.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No.3 (Community and Environmental Management) 2011* (the ***authorising local law***).

4 Definitions

(1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

(2) In this subordinate local law—

lot has the meaning given in the *Planning Act 2016,* schedule 2.

property means—

(a) a lot; or

(b) if a person owns and occupies 2 or more adjoining lots—the parcel of land comprising all of the lots owned by the person.

rural property means a property that is entirely or mostly within the boundaries of the Rural zone, as defined in the local government's planning scheme.

urban property means a property that is entirely or mostly within the boundaries of a zone, other than the Rural zone or Industry Investigation zone, defined in the local government's planning scheme.

Part 2 Pest management

5 Declarations—Authorising local law, s 6(1)

For section 6(1) of the authorising local law, the animal or plant prescribed in column 2 of schedule 1 is a declared locally significant invasive species in the corresponding part of the local government's area mentioned in column 1 of schedule 1.

6 Persons exempted from dealing with a declared pest—Authorising local law, s 12(2)

For section 12(2) of the authorising local law, a person mentioned in column 1 of schedule 2 is exempt from section 12(1) of the authorising local law in relation to dealing with a declared pest mentioned in the corresponding part of column 2 of schedule 2.

Part 3 Overgrown and unsightly allotments

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Part 4 Fires and fire hazards

7 Prohibition on lighting or maintaining fires—Authorising local law, s 15(2)

(1) Subsection (2) applies to fires that may ordinarily be lit without a Permit to Light a Fire under the *Fire Services Act 1990*, which are the following[1]—

(a) a fire in which neither the height, width nor length of the material to be consumed exceeds 2 metres;

(b) a fire lit for the purpose of burning the carcass of a beast;

(c) a fire lit at a sawmill for the purpose of burning sawdust or other residue resulting from the operation of a sawmill;

(d) a fire lit out-doors, if enclosed in a fireplace so constructed as to prevent the escape of fire or any burning material therefrom.

(2) For section 15(2) of the authorising local law, lighting or maintaining a fire described in column 2 of schedule 3 is declared to be prohibited in the

[1] Pursuant to a notification by the Fire and Rescue Services Commissioner published in the gazette on 6 August 2004 under section 145A of the *Fire Services Act 1990*, the listed fires can generally be lit without a permit issued by a fire warden, provided adequate precautions are taken to prevent the spread of fire and the fire conforms with any local law. Local laws can therefore regulate these types of fire, which is the purpose of this provision.

corresponding part of the local government's area mentioned in column 1 of schedule 3.

8 Fire hazards—Authorising local law, s 16(3)(b)

For section 16(3)(b) of the authorising local law, each of the following is declared to be a fire hazard if it is located on an urban property—

(a) live cinders of hot ash that are not effectively contained in an approved receptacle;

(b) a substantial accumulation of grass clippings that is liable to spontaneous combustion;

(c) vegetation or other material that, if ignited, could not be readily controlled and would pose an unacceptable risk to neighbouring properties.

Part 5 Community safety hazards

9 Community safety hazards—Authorising local law, s 17(c)

(1) For section 17(c) of the authorising local law, each of the following are declared to be community safety hazards—

(a) trees or other vegetation which, because of their nature or position, pose a significant risk of causing injury to a person or damage to property;

(b) a reflective surface or light exhibited which, by reason of glare or by causing confusion, is likely to endanger the safety of vehicles or aircraft;

(c) a presence of waste foodstuffs which constitutes, or is likely to constitute, such an attraction to birds as to create a hazard or a potential hazard to aircraft using or operating in the vicinity of an aerodrome;

(d) an electric fence along a boundary with public land;

(e) objects or materials (for example, sheet metal, roof sheeting or similar construction materials) that are likely to be carried from the property by overland flow of water or stormwater in a way that poses a significant risk of causing injury to a person or damage to property;

(f) a well or mineshaft, including a disused well or mineshaft;

(g) works that have restricted or redirected the flow of stormwater over land in a way that is likely to cause the water to collect and to—

(i) become stagnant; or

(ii) cause damage to the environment, property or infrastructure; or

(iii) cause harm or injury to a person or animal; or

(h) works on a drainage easement that that have altered or obstructed the flow of water on the property; or

(i) a drainage channel that, as a result of a failure to maintain the area by the owner of the property on which the relevant part of the channel is located, is

likely to give rise to a risk of—

(i) damage to the environment, property or infrastructure; or

(ii) harm or injury to a person or animal.

(2) In this section—

drainage channel means any structure or place where water may collect or flow, including stormwater installations and stormwater drains.

maintain, in relation to a drainage channel, means—

(a) to keep in sound physical condition and free of damage, obstruction, or deterioration; and

(b) to ensure, by reasonable and practicable means, that the structure does not cause or contribute to—

(i) a material risk of damage to property, infrastructure, or the environment; or

(ii) harm or injury to a person or animal; or

(iii) a nuisance arising from the uncontrolled discharge, pooling, or redirection of stormwater,

having regard to—

(iv) the location and characteristics of the land; and

(v) the impact on adjoining or nearby land; and

(vi) any relevant engineering or stormwater management standards.

public land means a park or reserve that the public is entitled to use, that is open to members of the public or that is used by the public, whether or not on payment of money.

10 Prescribed requirements for community safety hazards—Authorising local law, s 20(1)

For section 20(1) of the authorising local law, a responsible person for land that contains a community safety hazard listed in column 1 of schedule 4 must meet the requirements prescribed in the corresponding part of column 2 of schedule 4.

Part 6 Noise standards

11 Prescribed noise standards—Authorising local law, s 21(2)

(1) For section 21(2) of the authorising local law, the noise standard in column 2 of schedule 5 is prescribed for the section of the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3 stated in column 1 of schedule 5.

(2) For section 21(2) of the authorising local law, the noise standard in column 2 of schedule 5 applies in the corresponding part of the local government's area mentioned in column 3 of schedule 5.

Part 6A Waste management

11A Requirements for storing general waste in waste containers—Authorising local law, s 21E

For section 21E(2)(a)(vii) of the authorising local law, each of the following is declared to be a thing that a person must not place in a waste container—

(a) asbestos-containing material;

(b) gas cylinders, tanks or canisters;

(c) emergency beacons (for example, EPIRBs).

11B Unlawful disposal of waste at waste facility—Authorising local law, s 21L

For section 21L(2)(h) of the authorising local law, the following waste is prescribed as waste that a person must not deposit at a waste facility—

(a) emergency beacons (for example, EPIRBs);

(b) friable asbestos;

(c) agri-vet and industrial chemicals;

(d) timber treated with insecticides or heavy metals;

(e) contaminated soil;

(f) other regulated waste.

Part 7 Miscellaneous

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Schedule 1 Declared locally significant invasive species

section 5

	Column 1 **Applicable part of local government's area**	Column 2 **Declared locally significant invasive species**
1	All of the local government area	All species designated as "locally significant" invasive plants or animals in— (a) the document entitled 'Gympie Regional Council Biosecurity Plan 2023-2028 (Invasive Plants and Animals)' available on the local government's website; or (b) if the document mentioned in paragraph (a) is replaced by an updated Biosecurity Plan—the updated Biosecurity Plan.

Schedule 2 Persons exempted from offence of dealing with declared locally significant invasive species

section 6

This schedule has been intentionally left blank.

Schedule 3 Prohibited fires

section 7(2)

	Column 1 Applicable part of local government's area	Column 2 Prohibited fire
1	Any urban property	(1) Any fire, except where— (a) the fire is— (i) directly associated with the bona fide use of any appliance or equipment for cooking or heating purposes; and (ii) all reasonable and practical measures have been taken by the person in control of the fire to minimise smoke creation; or (b) the fire is used as part of a cultural, ceremonial or theatrical performance or similar event, provided it is of a size, nature and duration that does not present a fire hazard. (2) In subsection (1)— ***reasonable and practical measures*** include the selection of a suitable fuel for the burning activity and the maintenance of conditions which promote efficient combustion of that fuel.
2	Any rural property	Any fire that burns waste, except green waste.
3	Local government controlled areas, excluding bathing reserves	Any fire unless contained in a barbeque provided by the local government.
4	Bathing reserves	Any fire.

Schedule 4 Prescribed requirements for community safety hazards

section 10

	Column 1 Community safety hazard	Column 2 Prescribed requirements to be met by responsible person for land containing a hazard
1	Electric fence along a boundary with public land	(1) In the case of an electric fence to contain stock— (a) the fence must not be installed on an urban property; and (b) the fence must be installed, operated and maintained in accordance with AS/NZS 3014:2003. (2) In the case of an electric fence that is part of a security fence— (a) the fence must be installed so either— (i) the electric fence is at least 1.5 metres behind another fence located on or within the boundary with the public place; or (ii) the lowest part of the electric fence capable of imparting an electric shock is at least 2 metres above ground level; and (b) the fence must be installed, operated and maintained in accordance with AS/NZS 016:2002.
2	Objects or materials on land that are likely to become airborne in periods of high wind in a way that poses a significant risk of causing injury to a person or damage to property	The objects or materials must be weighted down, tied down or otherwise secured to prevent them becoming airborne in high winds.
3	Objects or materials (for example, sheet metal, roof sheeting or similar construction materials) that are likely to be carried from the property by overland flow of water or stormwater in a way that poses a significant risk of	The objects or materials must be weighted down, tied down or otherwise secured to prevent them being carried from the property by overland flow of water or stormwater.

	causing injury to a person or damage to property	
4	A well or mineshaft, including a disused well or mineshaft	The well or mineshaft must be— (a) securely covered, fenced or screened to prevent unauthorised entry by a person or animal; and (b) marked with a sign at least 100mm high.

Schedule 5 Prescribed noise standards

section 11

	Column 1 Section of the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3	Column 2 Prescribed noise standard	Column 3 Applicable part of local government's area
1		*This schedule has been intentionally left blank*	

Endnotes

1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before 2 October 2026.

2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	Amendment Subordinate Local Law No.1 (Miscellaneous) 2014	21 February 2014	
2	Amendment Subordinate Local Law No.1 (Community and Environmental Management) 2018	1 July 2018	
3	Amendment Subordinate Local Law No.1 (Miscellaneous) 2026	2 October 2026	

3 List of amending local laws

Amendment Subordinate Local Law No.1 (Miscellaneous) 2014
date of Council resolution 19 February 2014
date of gazettal 21 February 2014
commenced on date of gazettal

Amendment Subordinate Local Law No.1 (Community and Environmental Management) 2018
date of Council resolution 27 June 2018
date of gazettal 29 June 2018
commenced on 1 July 2018

Amendment Subordinate Local Law No.1 (Miscellaneous) 2026
date of Council resolution 23 September 2026
date of gazettal 2 October 2026
commenced on date of gazettal

4 List of annotations

Definitions
s 4 amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2014 s 14; Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 15

Part 2
hdg replaced by Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 16

Declaration of local pests
s 5 amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 17

Persons exempted from dealing with a declared pest
s 6 amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 18

Prohibition on lighting or maintaining fires
s 7 amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 19

Fire hazards
s 8 amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2014 s 15

Community safety hazards
s 9 amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 20

Part 6A Waste Management
ss11A-11B inserted by Amendment Subordinate Local Law No.1 (Community and Environmental Management) 2018 s 4

SCHEDULE 1— DECLARED LOCALLY SIGNIFICANT INVASIVE SPECIES
replaced by Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 21

SCHEDULE 2—PERSONS EXEMPTED FROM DEALING WITH A DECLARED PEST
amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 22

SCHEDULE 3—PROHIBITED FIRES
amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2014 s 16; Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 23

SCHEDULE 4—PRESCRIBED REQUIREMENTS FOR COMMUNITY SAFETY HAZARDS
replaced by Amendment Subordinate Local Law No.1 (Miscellaneous) 2026 s 24