Managing Brisbane's Health, Safety and Amenity

Dedicated to a better Brisbane

Why a Health, Safety and Amenity Local Law?

Brisbane City Council is the largest local government in Australia, and our Vision for 2031 is for Brisbane to continue to be a safe, vibrant, green and prosperous city. A city valued by all for its friendly, energetic and optimistic character and subtropical outdoor lifestyle, respected for its strong international relationships, innovation and growing economic prosperity.

As we continue towards becoming a new world city, Council takes its responsibilities to provide leadership and manage our resources to create a vibrant, successful and livable city for the future very seriously. Brisbane is regarded as a top ten lifestyle city worldwide. Students, businesses, researchers, innovators and entrepreneurs from all over the world want to live, study and work here. Community, business and political leaders continue to work together to seek economic, social, infrastructure and environmental opportunities for the city and the region, both at home and internationally.

The *Health, Safety and Amenity Local Law 2021* (the Local Law) was created to address the key health, safety and amenity issues identified in the community and to ensure we continue to maintain the quality of life all Brisbane residents and visitors enjoy.

While some of the provisions included in the Local Law have been carried over from previous legislation, others are new. Both the new and existing provisions are designed to help Council protect standards of community health and safety and enhance the local amenity by:

a) regulating activities which will or may unreasonably interfere with standards of community health, safety and local amenity;
b) minimising the adverse impact of those activities on standards of community health, safety and local amenity.

What does the Local Law cover?

The Local Law helps to address the following:

- Fires
  - Prohibition of burning waste
  - Regulation of lighting and maintaining fires in the open
- Waste Management
  - Waste control
  - Standards for bins
  - Management of flies and odour
  - Restrictions on use of Council waste facilities
- Access to and Amenity on Roads
  - Vehicle maintenance
  - Camping on public roads
  - Unregistered, hazardous, unsightly or abandoned vehicles on Council roads or road related areas
- Management of Abandoned Shopping Trolleys
- Amenity
  - Unsolicited advertising material and community newspapers
  - Unsightly objects, materials and vegetation on private property
  - Graffiti on private property
- Safety
  - Hazardous and electric fencing
  - Maintenance of swimming pools, portable wading pools and ponds
- Maintenance of building appearances

Fires

Smoke from all sources, including fires, can have an impact on health, especially amongst more vulnerable members of the community. Smoke can also impact the use and enjoyment of both indoor and outdoor areas. Under the Local Law, any residents who light or maintain a fire on land must ensure that they use a brazier or firepit, do not cause a smoke impact on surrounding neighbours and are not creating a fire hazard or safety risk. Exemptions do exist for certain activities on rural land.

Waste Management

Both residential and commercial properties have a responsibility to ensure their waste is managed in a way that does not produce an odour nuisance and does not attract vermin and flies. Waste containers must be kept clean and in good repair and not be left on the footpath for too long as this can detract from the amenity of the area whilst also creating a safety hazard for traffic and pedestrians.

Access to and Amenity on Roads

Safety for drivers and pedestrians on Council controlled roads and road related areas (such as footpaths, dividing strips, and cycle paths) and the health of our stormwater systems and waterways is a key focus of the Local Law. Vehicle maintenance including painting, dismantling, repairing or maintaining a vehicle or any item placed on a vehicle is prohibited on any Council road or road related area, excluding emergency repairs such as changing a flat tyre or charging a flat battery.

Camping or sleeping overnight on a road or road related area is also prohibited unless for fatigue management, for personal safety or otherwise in emergent circumstances.

Unregistered, abandoned, hazardous, dilapidated or unsightly (e.g. neglected car body, missing car parts or incapable of operation without significant mechanical or other intervention) vehicles are not allowed to be left on Council roads or road related areas and may be towed in the instance that they are not immediately removed by the owner of the vehicle.

Management of Abandoned Shopping Trolleys

Shopping trolleys taken outside of shopping precincts are both a safety hazard and an amenity concern. Often they end up left on the side of the road or the footpath where they obstruct movement or create a traffic hazard. They may also end up in waterways, where they trap debris and contribute to localised flooding. The Local Law requires both shop owners and customers to be responsible for ensuring that shopping trolleys are not taken out of shopping precincts and left abandoned on streets or in parks. It also requires shop owners to collect all of their trolleys taken outside of the shopping centre precinct within a reasonable timeframe.

Amenity

Unsolicited newspapers and advertising material must be delivered to the letterbox or within the property boundary of the premises in a manner that will not cause a litter issue (e.g. bound within a bag or rubber band that will prevent it being carried by wind, rain, etc).

Occupiers of domestic premises must ensure unsightly objects, materials and vegetation do not accumulate on their premises to prevent impacts on the amenity of the area and potential harbourage for declared pests.

Graffiti can make an area look run down and unattractive. The presence of graffiti can make residents and visitors feel less safe. The Local Law provides provisions to ensure graffiti is removed from private property within a reasonable timeframe, with any offensive graffiti removed or covered immediately.

Safety

Community safety is a key priority for Brisbane City Council. The requirements relating to the use of hazardous materials or electric fencing on fences that adjoin public areas are important in ensuring our citizens' safety.

Keeping swimming pools, portable wading pools and ponds free from stagnant water, mosquito breeding and build-up of organic matter maintains community health and reduces the risk of children drowning in private pools.

Maintenance of Building Appearances

Council has designated an area of Fortitude Valley in which buildings must be maintained so as not to detract from the appearance of other buildings in the area. It is considered likely that a building will detract from other buildings if it is in a dirty condition, in a state of disrepair, in need of repainting or otherwise in a dilapidated condition. A map of the designated area is available in the subordinate local law.

How will Council enforce the Local Law?

The Local Law is about keeping Brisbane a safe, vibrant, green and prosperous city. Wherever possible, an educational approach will be taken to ensure that residents understand the requirements of the Local Law and have the opportunity to voluntarily comply. In circumstances where it is necessary however, further enforcement actions may be taken to ensure the health, safety and amenity of the city.

To find out more, contact Council on (07) 3403 8888 or search the term 'Health, Safety and Amenity Local Law' on our website at www.brisbane.qld.gov.au.