

## Consultation Notice – Council of the City of Gold Coast

### LOCAL GOVERNMENT ACT 2009

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Council of the City of Gold Coast (the “Council”) has proposed to make *Administration (Amendment) Local Law (No 1) 2016* (the “proposed local law”).

The proposed local law amends *Local Law No. 3 (Administration) 2008*.

The following local law amendments have recently been proposed:

- a Exclusion of a person from a public place (other than a road) for contravening a local law for periods of: for an adult, 3 days to 12 months; for a child 3 days to 3 months.

This provision relates to both serious and repetitious inappropriate behaviour from a person: towards other members of the public utilising the public place; City staff (e.g. library staff); and damage to City property. For minor inappropriate behaviour exclusion will be for a period of up to 2 days. For serious offences, exclusion is for an initial period of 20 days. Prior to excluding a person for greater than 20 days the person has the opportunity to defend their actions and the intended exclusion period.

- b Changes to enforcement provisions relating to notices and seizure powers whilst maintaining natural justice principles.

Changes to the stop order provisions:

A stop order allows an authorised person to stop an activity regulated under a local law from continuing until compliance with permit conditions or local law requirements are achieved. The proposed changes:

- includes ability for an authorised person to issue a verbal stop order for urgent and serious threats to human health, safety, personal injury, property damage, environmental harm or loss of amenity.
- ensures consistency with the structure of other local law notices

Changes to performance of work provisions:

The performance of work section provides the ability for an authorised person to enter private property and public land to undertake work when a person has failed to comply with a notice and to recoup costs associated with the work. The proposed changes ensure that compliance notices and stop orders are provided for in the performance of work section and that the requirements of the LG Act are met in order to effectively serve notice, undertake the works and recoup costs. The section also clarifies that the work undertaken can include “seizing, confiscating, removing and impounding a thing”.

- c Clarify links with the *Transport Operations (Road Use Management) Act 1995* (TORUM) as it pertains to seizure and impounding of abandoned vehicles.

Section 38 of the local law provides instructions on how Council deals with unclaimed goods. To provide clarity in relation to unclaimed abandoned vehicles, this section is to be amended to make specific reference to using Section 100 of TORUM where the vehicle was impounded using TORUM.

- d Minor administrative matters such as updating references to State legislation, renumbering where necessary and aligning definitions to amendments conducted under this and other local laws for consistency.

### Public Inspection and Written Submissions

Written submissions by any person in support of or objecting to the proposed local law are invited for a 21 day period commencing on Friday 29 July 2016 and ends at close of business on Thursday 18 August 2016 (the “consultation period”).

During the consultation period Council will make copies of the proposed local law available for inspection at the Bundall Customer Service Centre at 8 Karp Court, Bundall, and at any of our other centres. Copies of documentation, an online submission form and a downloadable submission form are available free of charge from our website: [gchaveyoursay.com.au/1admin2016](http://gchaveyoursay.com.au/1admin2016)

Written submissions must be received on or before Thursday 18 August 2016 stating—

- a the grounds of the submission; and
- b the facts and circumstances relied on in support of the grounds.

Any enquiries please contact our **Health Regulatory and Lifeguard Services Branch** on **07 5667 5988**

Address your written submissions (quoting File No: LG222/365/16) to—

Chief Executive Officer  
City of Gold Coast  
PO Box 5042 GCMC QLD 9729

or email: [gchaveyoursay@goldcoast.qld.gov.au](mailto:gchaveyoursay@goldcoast.qld.gov.au)

*Unless otherwise authorised or required under a law any personal information contained in any submission made will only be utilised by Council for the purposes of conducting the Local Government Act 2009 prescribed consultation stage of the Council's local law making process.*

Dale Dickson, City of Gold Coast

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