

Subordinate Local Law No. 7.3

(Use of Vehicles on Council Facilities) 2008

Consolidated version

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This and the following 5 pages is a certified copy of the CONSOLIDATED VERSION of
Subordinate Local Law No. 7.3 (Use of Vehicles on Council Facilities) 2008
made in accordance with the provisions of the *Local Government Act 2009*,
by the Council of the City of Gold Coast by resolution dated 4 April 2014

Dale Dickson
Chief Executive Officer

**Council of the City of Gold Coast
Subordinate Local Law No. 7.3
(Use of Vehicles on Council Facilities) 2008**

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Council of the City of Gold Coast

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 7.3 (Use of Vehicles on Council Facilities) 2008*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 7 (Council Property) 2008*.

3 Object

The object of this subordinate local law is to assist in the implementation of *Local Law No. 7 (Council Property) 2008* by—

- (a) specifying a vehicle as a regulated vehicle; and
- (b) ensuring that the use of a vehicle on council facilities—
 - (i) does not result in harm to human health or safety; and
 - (ii) provides for the protection of council facilities.

4 Definitions—the dictionary

The dictionary in the Schedule (Dictionary) of this subordinate local law defines particular words used in this subordinate local law.

Part 2 Regulation of Council property

5 Regulated vehicle

For the purposes of section 9(1)(e) of *Local Law No. 7 (Council Property) 2008*, a person must not drive, park or use a regulated vehicle on a council facility other than in an area set aside for such use without a permit.

Part 3 Permits

6 Application for a permit

For the purposes of section 16(1)(c)(iv) of *Local Law No. 7 (Council Property) 2008*, an application for a permit for the use of a vehicle on a council facility must, unless otherwise required by the local government, be accompanied by—

- (a) the name, street address, telephone number, facsimile number and email address of the person using the vehicle; and
- (b) the name, street address, telephone number, facsimile number and email address of the owner of the vehicle, if not the applicant; and
- (c) the trading name, street address, telephone number, facsimile number and email address, registered business name and Australian Company name of the business under which the use of the vehicle is to be undertaken; and
- (d) a description of the vehicle, including the type, make and colour of the vehicle; and
- (e) a copy of the current registration certificate of the vehicle; and
- (f) details of the use of the vehicle, including a site plan showing the area in which the vehicle is proposed to be used.

7 Grant of a permit

For the purposes of section 17(1)(g) of *Local Law No. 7 (Council Property) 2008*, the local government may grant a permit for the use of a vehicle if satisfied that—

- (a) the use of the vehicle will not cause obstruction of vehicular or pedestrian traffic; and
- (b) the use of the vehicle will not adversely affect the amenity of the area in which it is to be carried out; and
- (c) the use of the vehicle will not result in damage to council property; and
- (d) the use of the vehicle will not adversely impact on the use of the council facility; and
- (e) the matters which are the subject of the conditions specified in section 9 (Conditions of a permit) of this subordinate local law which are relevant to the operation of the use of the vehicle can be adequately addressed by the imposition of those conditions.

8 Term of a permit

For the purposes of section 18 (Term of a permit) of *Local Law No. 7 (Council Property) 2008*, the term of a permit is to be from the date of issue until the thirty first day of the following August, unless otherwise specified in the permit.

9 Conditions of a permit

For the purposes of section 19(3) of *Local Law No. 7 (Council Property) 2008*,

the local government may impose all or any of the following conditions on a permit for the use of a vehicle¹—

- (a) The vehicle must be registered under the *Transport Operations (Road Use Management) Act 1995*.
- (b) The use of the vehicle must not constitute a nuisance under *Local Law No. 8 (Public Health, Safety and Amenity) 2008*.
- (c) The use of the vehicle must not constitute a noise nuisance to neighbouring premises.
- (d) A contaminant must not be released to the environment as part of the use of the vehicle if the release may cause environmental harm unless such release is specifically authorised by the *Environmental Protection Act 1994*.
- (e) All objects (including vehicles and machinery) which are dismantled as part of the use of the vehicle must be dismantled on a paved impervious surface which is unaffected by stormwater runoff.
- (f) Any spillage of a waste, contaminant or other material must—
 - (i) be cleaned up immediately; and
 - (ii) not be cleaned up by hosing, sweeping or otherwise releasing the waste, contaminant or material to any stormwater systems or waters.

¹ This section prescribes, for the purposes of section 19(3) of *Local Law No. 7 (Council Property) 2008*, the conditions that will ordinarily be imposed in a permit. However, the local government may, pursuant to section 19(1) of *Local Law No. 7 (Council Property) 2008*, grant a permit on any conditions the local government considers appropriate.

Schedule Dictionary

section 4

essential services vehicle means a vehicle driven by an essential services officer during the course of their employment.

regulated vehicle means a vehicle other than an essential services vehicle.