

# GOLD COAST CITY COUNCIL



LOCAL LAW NO. 36

(DISCARDED OR DISUSED MACHINERY, SECOND-HAND MATERIAL  
AND THE LIKE)

REPEALED (GAZETTE 19/12/08)

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MATERIAL AND THE LIKE)**

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**Citation**

1. This local law may be cited as Gold Coast City Council Local Law No. 36 (Discarded or Disused Machinery, Second-Hand Material and the Like)

**Objects**

2. The objects of this local law are to:-
  - (a) protect the environment and public health and safety and convenience; and
  - (b) to prevent visual pollution resulting from unsightly aggregations or accumulations of discarded or disused machinery, second-hand material and the like.

**Definitions**

3. In this local law

“Authorised Person” – means a person authorised by the Council to exercise the powers and undertake the duties of an authorised person under this local law.

“machinery” includes motor vehicles,

“motor vehicle” shall have the meaning assigned to it by the *Traffic Act 1949* and includes any part of a motor vehicle.

**Unsightly aggregation or accumulation**

4. When upon land within the Area there is an aggregation or accumulation of:-
  - (a) Discarded or disused machinery, goods, or wares whether permanently or temporarily disused;
  - (b) Parts of machinery, goods or wares derived in the course of breaking up or dismantling of machinery, goods, or wares, whether or not discarded or intended so to be, or intended for use in assembling or re-assembling or repairing machinery or for sale or other disposal; or
  - (c) Scrap, bottles, or second-hand materials of any description, which, in the opinion of the Council, is unsightly, the Council may by notice in writing require the occupier of such land or if there is no occupier the owner to show cause in such manner and at

such time and place as specified in such notice why an order should not be made by the Council provided by Section 5 of this local law.

### **Order by Authorised Person**

5. If cause is not shown or an Authorised Person opinions that insufficient cause has been shown, the Authorised Person may make an order and serve the order on the owner or occupier of the land directing the owner or occupier with the time specified in the order:
- (a) to remove the things from the land or appropriately deal with the things concerned in a manner specified in the order; or
  - (b) effectively screen the things to the satisfaction of the authorised person, such that the things are no longer unsightly and cannot be seen by any person standing at ground level on any part of land used for residential purposes.

### **Failure to comply with order**

6. If the occupier of land or the owner as the case may be fails to comply with an order made by the Council as provided by Section 5 of this local law, such occupier or owner shall be guilty of a breach of the provisions of this local law.

### **Penalty**

7. A person guilty of a breach of the provisions of this local law shall be guilty of an offence.

Maximum Penalty Units: 10 Penalty Units

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