
Hoarders, junkyards, unsightly and derelict properties – Part 2

Non-compliance with 'clean-up' notices and orders – where to next?

So you have issued a notice or order requiring a land owner or occupier to 'clean up' their property. Is that the end of the matter?

The practical reality for councils is that more often than not, the recipients of notices and orders to address unsightly conditions and/or hoarding on land fail (or are unable) to take the action(s) required of them.

The question then is what next?

Part 1 of this Seminar Series focused on the various legislative enforcement options available to councils to address unsightly conditions and hoarding on land (including under the *Development Act, Local Nuisance and Litter Control Act*, and the *South Australian Public Health Act*). In doing so, we considered the circumstances in which each of these options is best utilised. In particular, we examined the issuing a statutory notice or order to compel a person to take specified action to remedy unsightly conditions on land.

Part 2 of the Seminar Series addresses the evidentiary and other considerations relevant when determining whether to progress a council clean up (i.e. action in default). We will consider the process for doing so in a manner that mitigates risks to the council and ensures that the council is not left out of pocket. The Seminar will also explore the options available to councils to elevate enforcement action and strategies for dealing with appeals and complaints.

This seminar will cover:

- > the terms of notices and orders and the related implications for default action;
- > assessing non-compliance and gathering evidence to support further action, including:
 - site visits and the use of drones;
 - dealings with deceased estates;
 - appropriate use of warnings;
- > practicalities of council clean-ups, including:
 - when a warrant is required, the process and template documents;
 - procuring contractors to carry out required works;
 - dealings with third-party property;
 - cost recovery options, recommended strategies and steps involved;
- > options to elevate enforcement action and dealings with complaints and appeals

This Seminar is designed for compliance officers, development compliance officers, general inspectors, team leaders and managers of development and environmental services teams. Other officers and/or elected member who have an interest in knowing more about the various mechanisms available to ensure that junkyards and unsightly properties are cleaned-up, are also encouraged to register.

Dates and Venues

Friday 12 April 2019

10:00am - 2:00pm

**Mitcham Memorial Library
154 Belair Road
Hawthorn**

Morning tea will be provided

Wednesday 8 May 2019

1:00pm - 5:00pm

**Copper Coast Council
51 Taylor Street
Kadina**

Afternoon tea will be provided

Friday 10 May 2019

12:30pm - 4:30pm

**Hewett Centre
28 Kingfisher Drive
Hewett**

Afternoon tea will be provided

Pricing

\$210 + GST per person for attendees who did not attend Part 1

\$195 + GST per person for attendees who attended Part 1.

Registration

To register, please email Jane Horlin-Smith at **Kelley Jones Lawyers** at jhorlinsmith@kelledyjones.com.au