

Local Law Amendments – Administration 2016

The City of Gold Coast (City) is responsible for protecting the safety and amenity of city residents and visitors from the adverse effects of behaviours that contravene local laws in public places (other than roads) and provide for an efficient and effective response to breaches of the local laws.

The following local law amendments have recently been proposed to:

- 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 LL3 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.

For further information on the local law amendments, review the following documents:

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- *Administration (Amendment) Local Law (No. 1) 2016* (the proposed local law)
 - Copy of existing *Local Law No. 3 (Administration) 2008* (with the proposed amendments tracked)
 - Consultation notification.

To have your say about the proposed amendments:

- Complete the attached submission form which can be:
 - Scanned and emailed to gchaveyoursay@goldcoast.qld.gov.au,
 - Posted to Chief Executive Officer, City of Gold Coast, PO Box 5042 QLD 9729
 - Delivered in person to a Customer Service Counter at:
 - Nerang - [833 Southport Nerang Road, Nerang](#)
 - Bundall – [8 Karp Court, Bundall](#)
- Complete the online submission at gchaveyoursay.com.au/1admin2016

Hard copies of submission forms and associated documents are also available at City of Gold Coast Customer Service Centres at the above locations:

Community engagement runs from **Friday 29 July 2016 to Thursday 18 August 2016.**

We look forward to receiving your comments and feedback.

