

**Ipswich City Council
Interim Local Law No. 1
(Smoke Free Areas) 2013
Made under the
Local Government Act 2009**

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Part 1 Preliminary

1 Short title

This local law may be cited as *Interim Local Law No.1 (Smoke Free Areas) 2012*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to protect the community and environment by eliminating or reducing nuisances and risks to the community's health and safety.
- (2) The purpose is to be achieved by providing for the elimination or reduction of risks and threats to the environment and public health, safety and amenity resulting from smoking in public places.

3 Definitions - the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Commencement date

This interim law is to commence on 1 February 2013 and ceases to have effect 6 months from commencement.

Part 2 Smoke free areas

5 Definitions for this part—

(1) In this part—

smoke free area means

(a) the pedestrian malls—

- (i) in Nicholas Street, Ipswich between Limestone Street and Brisbane Street;
- (ii) in Nicholas Street, Ipswich between Brisbane Street and the north end of Nicholas Street; and
- (iii) in Union Street, Ipswich.

(b) at all bus stops on local government controlled roads or State-controlled or other roads as agreed to by the chief executive:

- (i) within 4 metres from any bus stop sign erected at the bus stop; or
- (ii) within 4 metres of any bus zone; or
- (iii) within 4 metres of any seat or shelter associated with a bus stop or bus zone.

- (c) at all taxi ranks on local government controlled roads or State-controlled or other roads as agreed to by the chief executive:
- (i) within 4 metres of any taxi rank sign erected at a taxi rank; or
 - (ii) within 4 metres of any taxi zone; or
 - (iii) within 4 metres of any seat or shelter associated with a taxi rank or taxi zone.

smoke has the meaning in the *Tobacco and Other Smoking Products Act 1998*.

chief executive has the same meaning as in the *Transport Operations (Road Use Management) Act 1995*

6 No smoking in a smoke free area

- (1) A person must not smoke in a smoke free area.
Maximum penalty - 10 penalty units

7 Direction

- (1) A person must comply with a verbal direction of an authorised person not to contravene section 6.
Maximum penalty - 20 penalty units
- (2) Any direction given under section 7(1) is in addition to any other action that may be taken by the local government or authorised person under this or any other local law.¹

¹ For example the *Environmental Protection Act*, section 440D provides the general offence of littering which would apply to the disposal of cigarette butts.

Schedule Dictionary

Section 3

authorised person for this local law means a person appointed by the local government to be an authorised person for this local law.

bus zone has the same meaning as bus zone in the *Transport Operations (Road Use Management) Regulation 2006*

public place see the Act section 125 (5)

local law has the meaning in the Act, section 26, and includes a subordinate local law.

taxi zone has the same meaning as taxi zone in the *Transport Operations (Road Use Management) Regulation 2006*

the Act means the *Local Government Act 2009*.