



**City of
Ipswich**

ATTACHMENTS UNDER SEPARATE COVER

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6 Consistency Review: Local Laws and the New Planning Scheme

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Proposed Amending Local Laws & Subordinate Local Laws:

Local Law (Amending) Local Law No.1 (Administration) 2024

Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024

Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024

Local Law (Amending) Local Law No. 5 (Parking) 2024

Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024

Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024

Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024



Ipswich City Council

Anti-Competitive Provisions Report

In accordance with the *Local Government Act 2009*, the *Local Government Regulation 2012*, and the *National Competition Policy: Guidelines for conducting reviews on anti-competitive provisions in local laws (the 'NCP Guideline')*, a review of the proposed amending local laws and amending subordinate local laws was conducted. The review, in summary, found there are **no significant anti-competitive provisions** requiring consultation.

The purpose and general effect of the proposed amending local laws and amending subordinate local laws are to:

- a) Make the required amendments in the local laws to align and be consistent with Ipswich City Council's draft Ipswich Plan 2024 (the draft planning scheme) that will commence later in 2024 with the changes relating to:
 - i. New zone and precinct names in the draft planning scheme; and
 - ii. Changes with definitions or terminology used in the draft planning scheme; and
 - iii. Transition of a guideline from the current planning scheme (that will not be included in the draft planning scheme) and including it, and references to it, in *Local Law (Amending) Local Law No.5 (Parking) 2024* and *Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024*.
 - iv. Ensure there is clarity and no conflict between the local laws and the draft planning scheme when it commences so that regulatory functions are not impacted.



For the following amending laws:

Local Law (Amending) Local Law No.1 (Administration) 2024, Local Law (Amending) Local Law No. 5 (Parking) 2024, Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024, Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024, Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024

Likely Anti-competitive Provisions	Relevant Criteria	Explanatory Comments
No anti-competitive provisions are identified in the proposed amending laws	N/A	N/A

For the following amending laws:

*Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024
Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024*

Likely Anti-competitive Provisions	Relevant Criteria	Explanatory Comments
It was identified that changing the requirement to obtain a permit to operate a ‘camping ground’ and ‘caravan park’ to ‘tourist park’ to align with the draft planning scheme (and amalgamation of standard conditions for approval) is possibly anti-competitive. The NCP Guideline provides further steps to undertake an assessment to determine if a significant impact exists that would require further consultation. In undertaking the assessment, it has been determined that there are no significant anti-competitive provisions .	<p>The NCP Guideline states an anti-competitive provision may exist if the amendment relates to the requirement to obtain a permit (incl conditions imposed on a permit); and where the amendments don’t clearly fall within any of the exclusions mentioned in the NCP Guideline.</p> <p>Under Section 3 of the NCP Guideline, it recommends to undertake a preliminary assessment and provides factors to consider in determining if the amendment is a significant impact that requires a public interest test plan.</p>	<p>In undertaking the preliminary assessment, the amendments proposed do not have an impact on businesses entering or staying in the market as it is just changing the name of the licence and where the conditions, although amalgamated, also provide for camping grounds and caravan parks to have unique conditions as needed.</p> <p>There are no substantial licence increases. In considering all the factors, no significant impacts have been identified.</p>

