



City of
Ipswich

AGENDA

REGULATION ADVISORY COMMITTEE

Wednesday, 5 February 2025
9:00 AM

Council Chambers, Level 8
1 Nicholas Street, Ipswich

MEMBERS OF THE REGULATION ADVISORY COMMITTEE

Councillor Paul Tully (**Chairperson**)

Councillor Jim Madden (**Deputy Chairperson**)

Councillor Marnie Doyle

Councillor Andrew Antonioli

REGULATION ADVISORY COMMITTEE AGENDA

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** Item includes confidential papers

REGULATION ADVISORY COMMITTEE NO. 2025(01)

5 FEBRUARY 2025

AGENDA

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

BUSINESS OUTSTANDING

CONFIRMATION OF MINUTES

1. **CONFIRMATION OF MINUTES OF THE REGULATION ADVISORY COMMITTEE
NO. 2024(02) OF 1 OCTOBER 2024**

RECOMMENDATION

That the minutes of the Regulation Advisory Committee held on 1 October 2024 be confirmed.

OFFICERS' REPORTS

2. **STRATEGIC REGULATION PROJECT UPDATE**

This is a report providing an update on the Strategic Regulation Project. A three (3) step approach was adopted by Council at its August 2024 meeting. The three (3) steps are a Strategic Regulation Policy, updating Council's local law-making process and a comprehensive local law review with a new suite of laws to be developed.

This update provides information on:

- what is proposed to be in and out of scope for the project
- the project methodology for each of the three steps in the project
- next steps including a Shape Your Ipswich project page

Project summaries are attached that highlight for each step

- the phases and timeframes
- where stakeholder and community engagement will occur and how
- when reports to committees and council will be submitted for consideration.

RECOMMENDATION

That the report and its contents be noted.

3. CONSISTENCY REVIEW: LOCAL LAWS AND THE NEW PLANNING SCHEME

NOTE: At the Finance & Governance Committee of 14 November 2024, this report was referred to the Regulation Advisory Committee for consideration. Since then, the recommendations of the report have been changed from a number of procedural recommendations to make local laws to ‘That the report be received, and the contents noted’ due to:

- ***The Local Government Act Section 29B requirement for council to let the public know that a local law has been made by publishing a notice in the gazette and on its website within 1 month after the day when the council made the resolution to make the local law (meaning the laws commence then).***
- ***The commencement date of the new planning scheme is not yet confirmed, and council needs to wait to align the commencement of these laws to that of the scheme.***

Wording within the report has only been amended to reflect that the new scheme will commence in 2025 (not late 2024) and to move the recommendations of the 14 November 2024 report into proposed recommendations in the section titled “Next Steps: Requirements of a Future Report”. Once the commencement of the new planning scheme is known a future report will be sent with the proposed recommendations.

Council is preparing to implement a new planning scheme (the draft scheme) in 2025. As a result of this, a project has been undertaken comparing the draft scheme with Council’s current local laws to determine any critical gaps or inconsistencies that could impede regulatory functions once the draft scheme commences.

Out of Council’s 14 Local Laws and Subordinate Local Laws only seven (7) require changes – with 18 key changes identified. In July 2024, Council resolved to commence the formal local law-making process to enable those key changes to the identified local laws to be made in a timely manner and coincide with the commencement of the draft scheme. The local law-making process has now been completed and this report provides outcomes of the public consultation, anti-competitive provisions review and State interest check process with the amending laws now presented for adoption.

If adopted by resolution, commencement of the amended laws occurs within one month with a notice to be published in the Queensland Government Gazette and on council’s website. This will all occur to coincide with the commencement of the new planning scheme 2025.

RECOMMENDATION

That the report be received, and the contents noted.

4. NEXT MEETING

The next meeting is to be advised.

5. GENERAL DISCUSSION (within the purpose and scope of the committee)

REGULATION ADVISORY COMMITTEE NO. 2024(02)

1 OCTOBER 2024

MINUTES

COUNCILLORS' ATTENDANCE:

Councillor Paul Tully (Chairperson); Councillors Jim Madden (Deputy Chairperson), Marnie Doyle, Andrew Antonioli and Pye Augustine (Observer)

COUNCILLOR'S APOLOGIES:

Nil

OFFICERS' ATTENDANCE:

Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt Smith), General Manager Planning and Regulatory Services (Brett Davey), Manager Compliance (Alisha Connaughton), Executive Services Manager (Wade Wilson) and Corporate Governance Manager (Shasha Ingbritsen) (via audio-link)

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. **CONFIRMATION OF MINUTES OF THE REGULATION ADVISORY COMMITTEE NO. 2024(01) OF 5 AUGUST 2024**

RECOMMENDATION

That the minutes of the Regulation Advisory Committee held on 5 August 2024 be confirmed.

OFFICERS' REPORTS

Nil

2. NEXT MEETING

The next meeting date is to be advised.

3. GENERAL DISCUSSION (within the purpose and scope of the committee)

The committee discussed with regards to the previous agenda item (Strategic Regulation and Local Law Review – 3 Step Approach) the next stage which is a Strategic Regulation Policy as well as new drafting techniques and the general approach in relation to the Local Laws Review.

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 2.02 pm.

The meeting closed at 2.25 pm.

Doc ID No: A11148460

ITEM: 2

SUBJECT: STRATEGIC REGULATION PROJECT UPDATE

AUTHOR: SENIOR PROJECT MANAGER (CORPORATE SERVICES)

DATE: 31 JANUARY 2025

EXECUTIVE SUMMARY

This is a report providing an update on the Strategic Regulation Project. A three (3) step approach was adopted by Council at its August 2024 meeting. The three (3) steps are a Strategic Regulation Policy, updating Council's local law-making process and a comprehensive local law review with a new suite of laws to be developed.

This update provides information on:

- what is proposed to be in and out of scope for the project
- the project methodology for each of the three steps in the project
- next steps including a Shape Your Ipswich project page

Project summaries are attached that highlight for each step

- the phases and timeframes
- where stakeholder and community engagement will occur and how
- when reports to committees and council will be submitted for consideration.

RECOMMENDATION

That the report and its contents be noted.

RELATED PARTIES

There are no known related parties or conflicts of interests at the time of writing.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

In 2024 Council adopted a three-step approach for Strategic Regulation as per the below:

Item 1 of the Regulation Advisory Committee held on 5 August 2024 (endorsed by the Finance & Governance Committee on 13 August 2024, and adopted by Council at its meeting on 22 August 2024 [[Resolution C2024/06/191\(FAGCC\)](#)]).

The Regulatory Advisory Committee agreed to vary the recommendations slightly as outlined below:

Recommendation

- A. *That Council adopt the three-step approach as generally outlined in the report.*
- B. *That the Mayor and Councillors be given a briefing on the three-step approach as generally outlined in the report.*

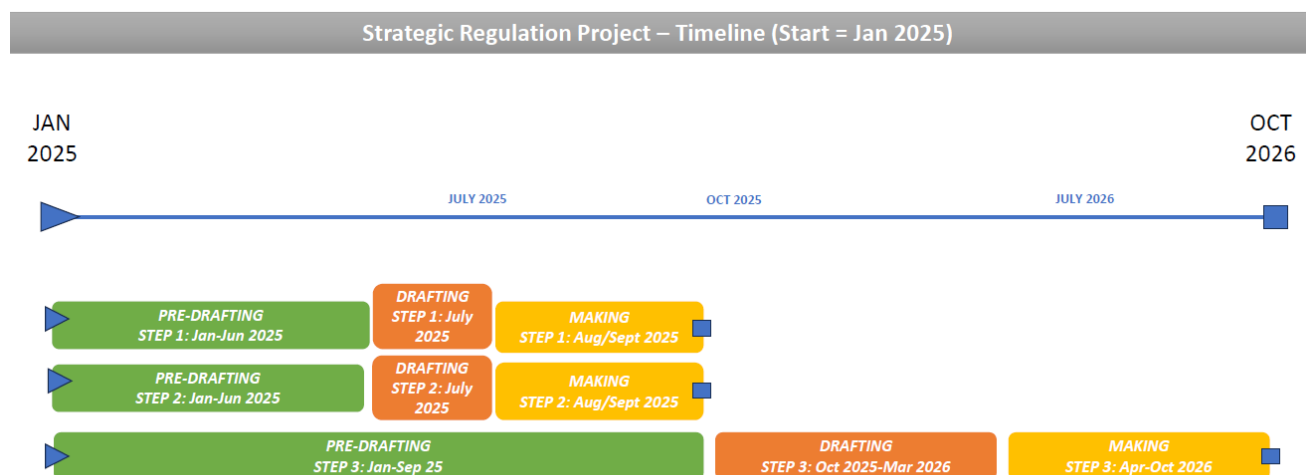
The briefing in recommendation B was held on 19 September 2024.

The objective of the Strategic Regulation Project (3 step approach) is to provide a strategic framework to ensure how Council manages regulation is contemporary and flexible but also to ensure it is prudent in terms of risk and financially for how it delivers that service to the community. Where appropriate it will aim to reduce red tape for the community and council.

An overview of the project is provided (**Attachment 1**) which includes summaries on a page (SOAPs) for each of the three steps. The SOAPs provide:

- the phases and timeframes
- where stakeholder and community engagement will occur and how; and
- when reports to committees and council will be submitted for consideration.

Work has been underway on Phase 1 of each of the three steps including work with other Southeast Queensland councils on understanding their local law reviews and any lessons learnt. It is anticipated that Steps 1 and 2 will be completed by September this year and Step 3 completed by the end of 2026. **Timeframes for Step 3 are conservative** and while all efforts will be to ensure no constraints are realised, if they do occur it may mean **completion occurs in early 2027**.



Below is what is proposed for each of the 3 steps in terms of in/out of scope and project methodology.

3 STEP APPROACH – WHAT IS IN SCOPE

Step 1 – Development of a Strategic Regulation Policy

- Identification, drafting and approval of changes to current Compliance and Enforcement Policy to create a new ‘Strategic Regulation Policy’ that supports Council’s Strategy’s and long-term plans/visions and provides a clear risk management approach.
- Engagement and communication with Councillors, internal stakeholders and targeted consultation with the community (via Council’s Community Panel and key interest groups)
- Identification of any tasks that need to be implemented because of a new Strategic Regulation Policy (replacing current Compliance & Enforcement Policy) and delivery of those tasks.

Step 2 – Development of a contemporary Local Law-Making Process

- Identification, drafting and approval of changes to create a new local law-making process for publishing on Council’s website (similar to Gold Coast City Council) and repeal the current Local Law-Making Policy. The new process will be underpinned by an organizational procedure/work instruction for staff. A schedule will also be created as to when reviews of local laws will be undertaken.
- Engagement and communication with Councillors and internal stakeholders.
- Publication of process on Council’s website.
- Identification of any tasks that need to be implemented because of a new process and delivery of those tasks.

Step 3 – Comprehensive Local Law Review

- Engagement and communication with Councillors, internal stakeholders and the whole community.
- Identification, drafting and approval of new local laws and subordinate local laws.
- Formal local law-making steps and processes which includes proposals to make laws (resolution), anti-competitive checks; public consultation, state interest checks, final law-making resolutions, Minister notification and gazettal.
- Identify any tasks that need to be implemented because of changes to the local laws (ie website; scripting; systems; fact sheets; procedures, training/awareness) (the ‘implementation plan’) and coordination of the implementation plan to be delivered with relevant business areas being responsible for the execution of their assigned actions/tasks.

3 STEP APPROACH – WHAT IS NOT IN SCOPE

While the project may result in ancillary discoveries (outside of what is required to implement a new policy, process and laws), such as business improvement opportunities, these items may be captured for concurrent/future action by the related business area but are not the primary objective of this project and therefore not in scope.

PROJECT METHODOLOGY APPROACH

Step 1 – Development of a Strategic Regulation Policy

- A. Council currently has a Compliance and Enforcement Policy.
- B. Its focus is on what Council's position is once non-compliance has occurred and applies to State Legislation and Local Laws.
- C. The focus, and council position, needs to be broader on how regulation can be managed proactively according to risk, reducing red tape and not be at cross purposes with our strategic plans for the short, medium and long term (e.g event friendly city).
- D. The policy will be a strategic position statement (not a process).
- E. This updated policy will guide Step 3.

Step 2 – Development of a contemporary Local Law-Making Process

- A. Council currently has a Local Law-Making Policy.
- B. This policy doesn't provide a strategic policy position. It is procedural in nature and is no longer contemporary. The *Local Government Act 2009* states a local government may decide its own process for making a local law. The Act states it should be a process, it does not require it to be a policy.
- C. While many other Councils in QLD still have policies in place, Councils are moving to just having a process (not having a policy). Many councils in SEQ do not publish anything on their websites regarding a local law-making process and there is no legislative obligation to do so. Council will publish its process for good governance and transparency principles.
- D. Throughout Step 2 a work instruction for staff will be developed based on the process.
- E. To reduce the workload and costs on council, and to meet community needs in the future a schedule of local law reviews will be compiled, for example a review every year.
- F. The roles and responsibilities of the various areas in Council in relation to the creation, review and amendment of local laws will also be made clear.
- G. The above will be developed at the same time as the policy (Step 1 & 2) and utilised for Step 3.

Step 3 – Comprehensive Local Law Review

- A. Council currently has 8 local laws and 6 subordinate local laws (14 laws in total).
- B. It has been agreed to create a new local law framework and laws (a new suite of laws).
- C. The review will be guided by the Strategic Regulation Policy (developed in Step 1), with the local law-making process to be determined in completion of Step 2. Key areas to be explored between Councillors and internal stakeholders before going out to the community are:
 - i. What are we currently regulating that perhaps we shouldn't?
 - ii. what are we not currently regulating that perhaps we should be?
 - iii. What issues are we experiencing with the current laws?
- D. Whilst it might be tempting to commence the review by interrogating each existing local law or subordinate local law as a distinct and separate document, this will be difficult given the impact that local laws have on subordinate local laws and the impact that certain local laws (e.g. Local Law No. 1 Administration and Local Law No. 4 Permits) has on all the other laws.
- E. Accordingly, it is proposed that the review be broken down into **four categories of matters** (list provided further below)
- F. This is considered especially appropriate given the complexity, size and various stakeholder interests involved.
- G. The proposed approach also means that there will be scope to create distinct and separate local laws for specific issues (e.g. events.). This is likely to result in the local laws being easier to navigate when people are searching for the relevant regulatory requirements for a particular issue (as opposed to having to wade through different provisions and schedules in different local laws/subordinate local laws).
- H. To assist with understanding the difference between planning scheme and local law authority, the review is an opportunity to ensure that there is a clear understanding of the purpose of each tool i.e. land use (scheme) versus the operation of an activity (local law). Opportunities to make the demarcation clearer between scheme and local laws will be identified and actioned through this process.
- I. As categories are reviewed, we will be asking the question 'is a local law the best way to regulate this matter'. Where matters may be better regulated by, for example, the planning scheme or other tools, then those recommendations will be put forward.
- J. It is recommended that each of these categories are reviewed at a similar time as this should create efficiencies by going through the same process as the same time (e.g. consultation).
- K. The topics currently regulated under Council's local laws can generally be grouped together into the following **4 categories**:

Community standards for commercial (incl not-for-profit) activities in public areas

- Roadside and itinerant vending
- Outdoor dining

- Events, markets and festivals
- Busking
- Displaying temporary advertising devices and election signage
- Other commercial/not-for-profit activities on public land.

Community standards for behaviour and non-commercial activities in public areas

- Animal control
- Camping and fires
- Driveways, landscaping of nature strips and other alterations/works
- Smoke free areas
- Shopping trolleys
- Graffiti
- Removing vegetation or materials
- Non-commercial gatherings and alcohol
- Dangerous recreational activities
- Parking
- Personal tributes and memorials
- Depositing goods or materials
- Behaviour in council facilities generally (eg public gallery of council chambers, council admin building, libraries) and behaviour towards council staff

Community standards for private property

- Keeping animals
- Temporary homes
- Local annoyances and hazards (e.g overgrown yards; wheelie bins/waste containers)
- Kennels/Catteries/Pet Shops/Pet Day Care
- Heavy Vehicle Parking

Community standards for specialist public facilities or activities

- Tourist Park operations (caravan parks and camping grounds)
- Swimming pool operations
- Cemetery operations include disturbance of human remains.
- Vegetation Protection Orders and vegetation management plans

WHAT IS COMING UP NEXT

STEP 1 (POLICY) and STEP 2 (PROCESS)

By mid-March information packs will be sent to all Councillors for pre-reading to assist in discussion at a Councillor Briefing/Workshop session on 2 April relating to STEP 1 (Policy) and STEP 2 (Process). This session will be critical to provide input into the next phase which is targeted consultation with the Shape Your Ipswich Community Panel and key interest groups via a closed survey link in May. *(Note: While there will be a closed Shape Your Ipswich page utilised for this consultation, we will promote that if people want to be involved then they should join the community panel. A Councillor Support Kit will be developed for this consultation to assist in knowing what is happening when, key FAQs and messages to assist in any community queries that may be received)*

STEP 3 (LOCAL LAWS)

In coming months, an electronic survey will be distributed to all Councillors and key staff to provide feedback on key questions such as:

- what are we currently regulating by local law that perhaps we shouldn't and why?
- what are we not currently regulating by local law that perhaps we should be and why? and
- what issues are there with the current laws?

Survey outcomes along with other comprehensive data and research from Phase 1 will then be presented at a Councillor Briefing and Workshop Session (date to be advised) in Phase 2 to aid in quality discussions between Councillors and staff. This information and discussion is important to assist in understanding what input we need from the community in Phase 3.

COUNCILLOR PORTAL PROJECT PAGE

A project page will go live in late February on the Councillor Portal to provide councillors with key information, FAQs, dates and relevant links to information they may need.

STAFF PROJECT PAGE

A project page will go live in late February on the staff intranet to provide staff with key information, dates and relevant links to information they may need.

SHAPE YOUR IPSWICH PROJECT PAGE

A Strategic Regulation Project page will go live in late February that provides a broad overview of the project (why, what, when) and some key FAQs. It will be just key information at first and will be built on over the life of the project as needed and updated throughout the phases of each step.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012

POLICY IMPLICATIONS

The three (3) step approach will have policy implications related to developing a new regulation policy and a new suite of laws. The specific implications will not be known until a later date.

RISK MANAGEMENT IMPLICATIONS

Risks will be managed and mitigated within the project's governance arrangements.

FINANCIAL/RESOURCE IMPLICATIONS

Most of the project will be undertaken 'in house' with two dedicated full-time equivalents (FTE). Anticipated whole of life costs for the Strategic Regulation Project are \$350k plus two (2) FTEs. The \$350k is for Step 3 (Local Law Review) and involves costs for external legal services, along with some advertising and promotion costs for draft law consultation. The majority of the costs will be incurred during the 2025-2026 year with some phasing to occur into the 2026-2027 year.

COMMUNITY AND OTHER CONSULTATION

Preparation of this report's contents and attachments has included consultation with key staff in Corporate Services; Planning and Regulatory Services and Community Cultural and Economic Development Departments. Proposed consultation for the project is included in the attachment of this report.



CONCLUSION

This is a report providing an update on the Strategic Regulation Project. A three-step approach was supported by Council at its September 2024 meeting. The three steps are a Strategic Regulation Policy, updating Council's local law-making process and a comprehensive local law review with a new suite of laws to be developed. This update provides summaries on phases for each of the three steps, the methodology for each step and information on what happens next.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS
RECEIVE AND NOTE REPORT
The Recommendation states that the report be received, and the contents noted. The decision to receive and note the report does not limit human rights. Therefore, the decision is compatible with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Project Summaries On A Page  
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Barbara Dart
SENIOR PROJECT MANAGER (CORPORATE SERVICES)

I concur with the recommendations contained in this report.

Shasha Ingbritsen
CORPORATE GOVERNANCE MANAGER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

“Together, we proudly enhance the quality of life for our community”

Strategic Regulation Project – Overall Project Plan Summary

WHY & WHAT

With the need to undertake a comprehensive review of our current local laws comes the opportunity to take a holistic view of regulation and how, as a Council, we can truly strive for the community vision of **a city of opportunity for all**. This is about finding the balance between compliance and furthering our strategic goals. A strategic regulation policy is much needed to set the strategic position of Council before new local laws are finalised. This also provides an opportunity to update our local law-making process to make it more contemporary. This **three step approach** of a **1. policy, 2. process** and **3. review/new laws** will set the foundation for regulation to achieve social, environmental and economic objectives for the city and council.

WHEN

STEP 1 & 2 – Estimated completion Sept 2025

STEP 3 – Estimated completion Oct 2026

See further info on steps in table below-left

Note: Step 1 (policy) and Step 2 (Process) drafting needs to be finalised to inform the pre-drafting of Step 3

Step 1 – Creation of Strategic Regulation Policy (estimated duration: 7-8 months)



Step 2 – Contemporary Local Law-Making Process (estimated duration: included in step 1)

Step 2 phases will be conducted at the same time as Step 1

Step 3 – Comprehensive Local Law Review (estimated duration: 19-21 months)



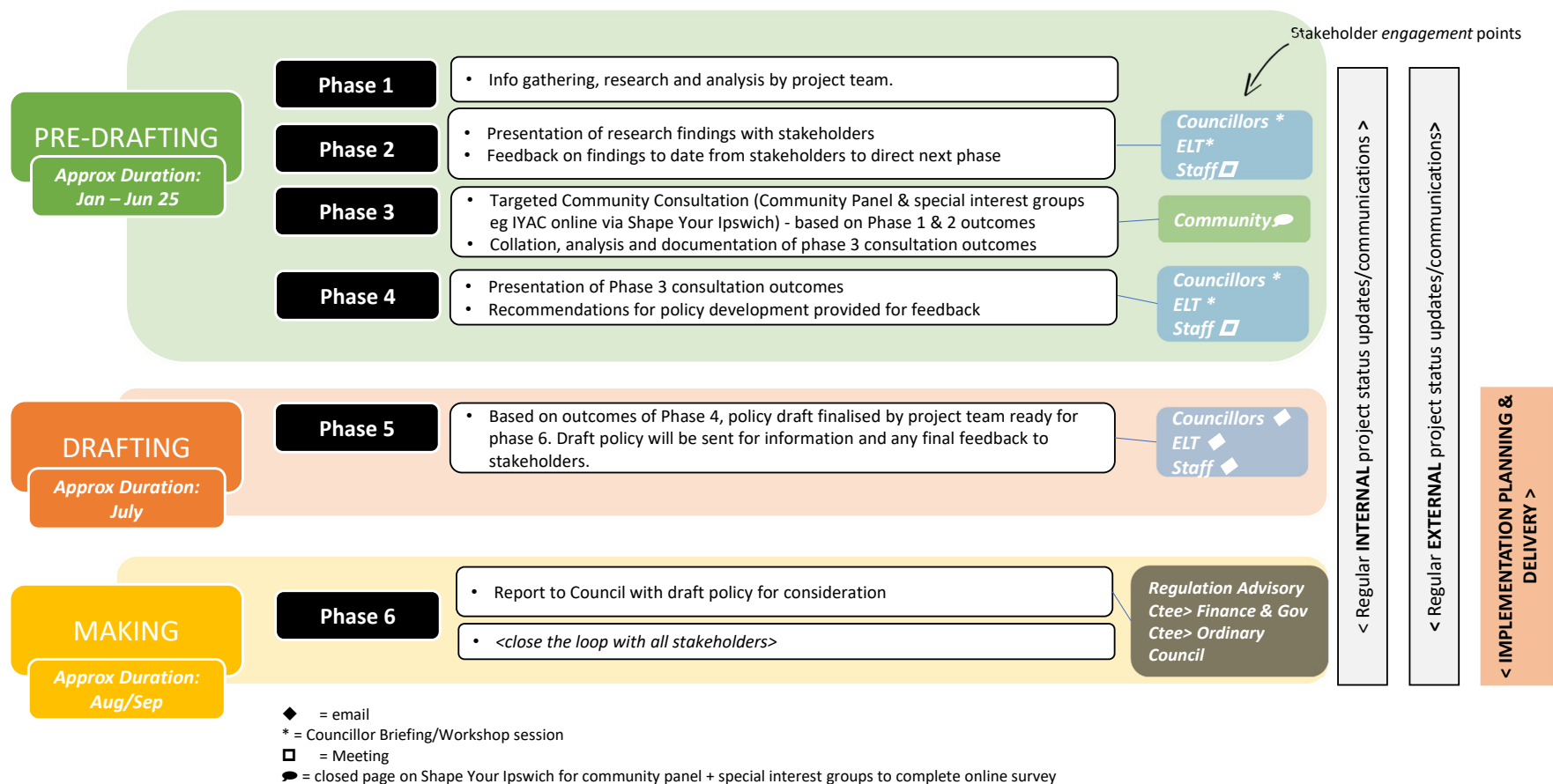
WHO

Key internal and external stakeholder groups for consultation in the project are identified for each phase in the step summaries, as well as identifying when reports go to committees and council meetings for consideration like below.

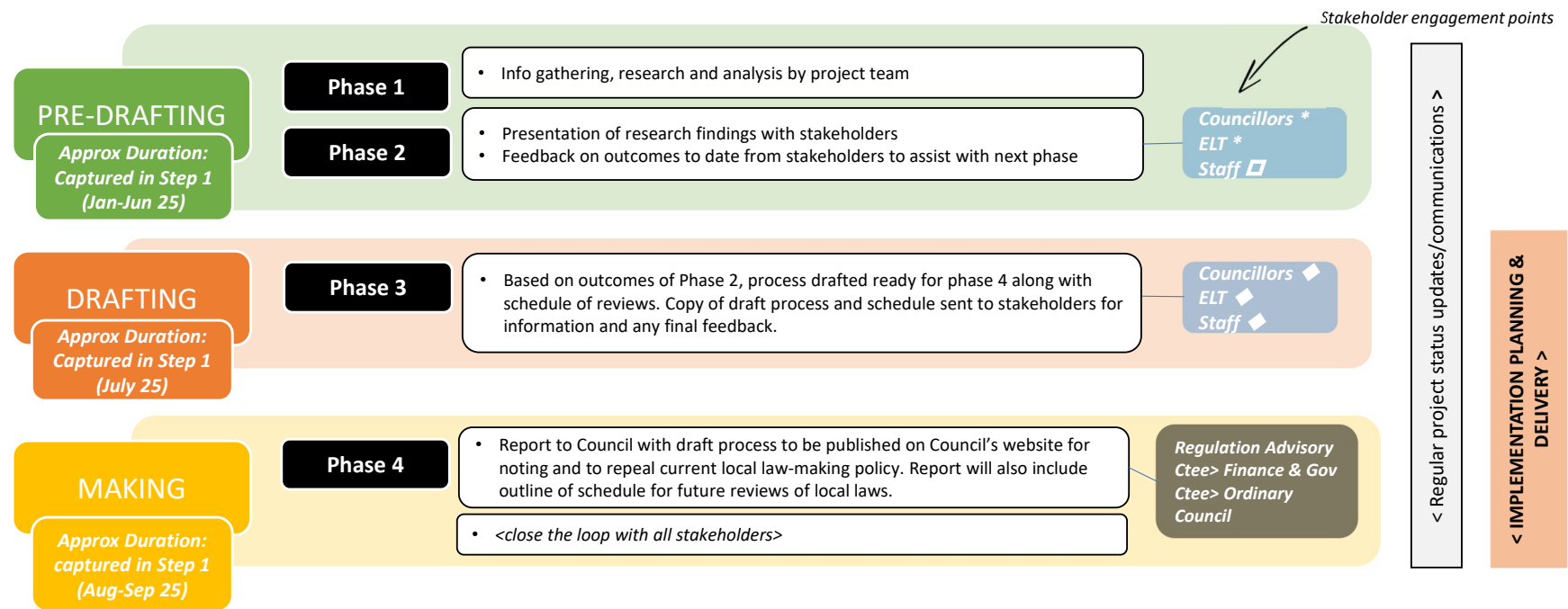


Version as at 31/1/25

Step 1 SUMMARY – Creation of Strategic Regulation Policy Project Plan

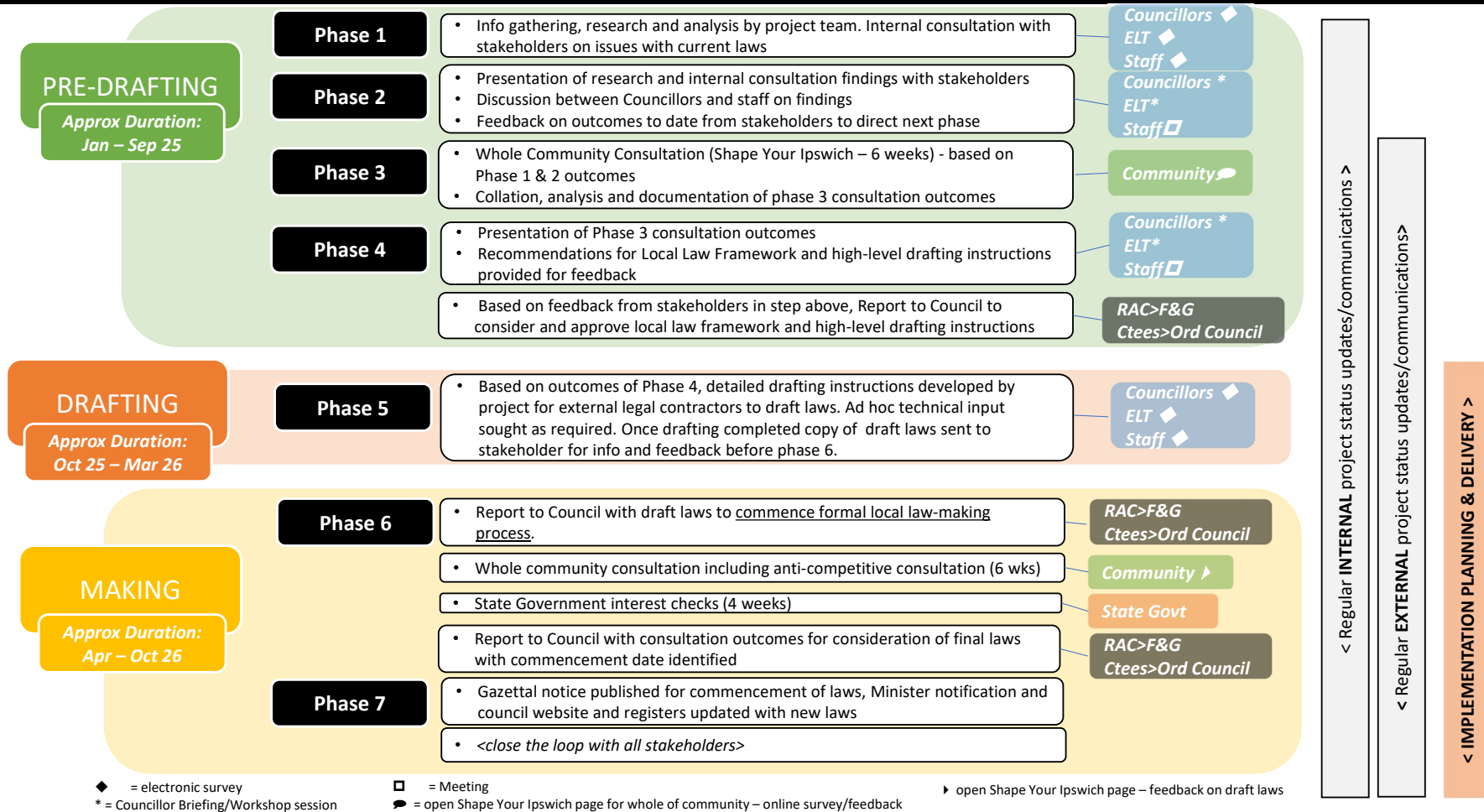


Step 2 SUMMARY – Contemporary Local Law-Making Process Project Plan



* = Councillor Briefing/Workshop session
□ = Meeting
◆ = email

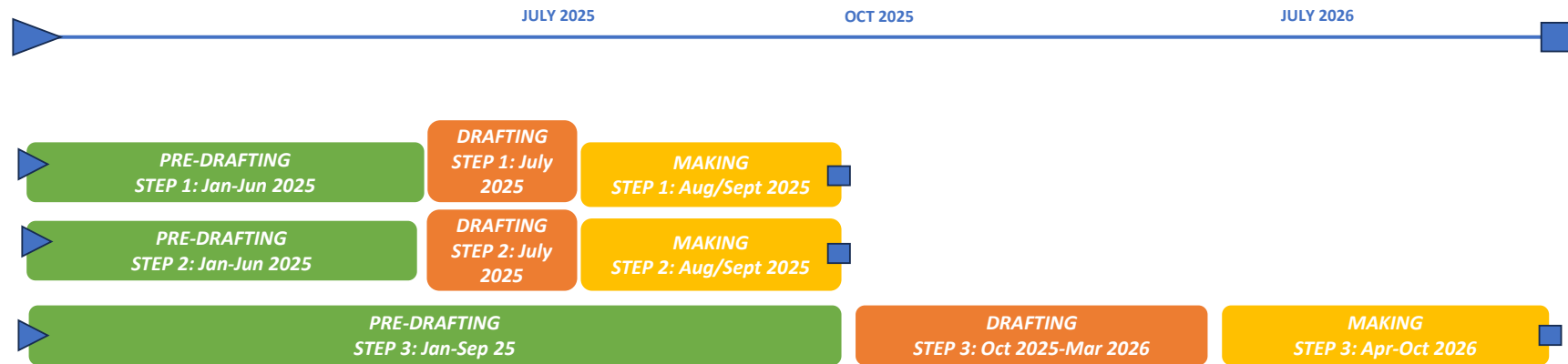
Step 3 SUMMARY – Comprehensive Local Law Review Project Plan



Strategic Regulation Project – Timeline (Start = Jan 2025)

JAN
2025

OCT
2026



Doc ID No: A11002360

ITEM: 3
SUBJECT: CONSISTENCY REVIEW: LOCAL LAWS AND THE NEW PLANNING SCHEME
AUTHOR: SENIOR PROJECT MANAGER (CORPORATE SERVICES)
DATE: 4 DECEMBER 2024

EXECUTIVE SUMMARY

NOTE: At the Finance & Governance Committee of 14 November 2024, this report was referred to the Regulation Advisory Committee for consideration. Since then, the recommendations of the report have been changed from a number of procedural recommendations to make local laws to 'That the report be received, and the contents noted' due to:

- ***The Local Government Act Section 29B requirement for council to let the public know that a local law has been made by publishing a notice in the gazette and on its website within 1 month after the day when the council made the resolution to make the local law (meaning the laws commence then).***
- ***The commencement date of the new planning scheme is not yet confirmed, and council needs to wait to align the commencement of these laws to that of the scheme.***

Wording within the report has only been amended to reflect that the new scheme will commence in 2025 (not late 2024) and to move the recommendations of the 14 November 2024 report into proposed recommendations in the section titled "Next Steps: Requirements of a Future Report". Once the commencement of the new planning scheme is known a future report will be sent with the proposed recommendations.

Council is preparing to implement a new planning scheme (the draft scheme) in 2025. As a result of this, a project has been undertaken comparing the draft scheme with Council's current local laws to determine any critical gaps or inconsistencies that could impede regulatory functions once the draft scheme commences.

Out of Council's 14 Local Laws and Subordinate Local Laws only seven (7) require changes – with 18 key changes identified. In July 2024, Council resolved to commence the formal local law-making process to enable those key changes to the identified local laws to be made in a timely manner and coincide with the commencement of the draft scheme. The local law-making process has now been completed and this report provides outcomes of the public consultation, anti-competitive provisions review and State interest check process with the amending laws now presented for adoption.

If adopted by resolution, commencement of the amended laws occurs within one month with a notice to be published in the Queensland Government Gazette and on council's website. This will all occur to coincide with the commencement of the new planning scheme 2025.

RECOMMENDATIONS

That the report be received, and the contents noted.

RELATED PARTIES

There are no known related parties or conflicts of interest at the time of writing.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

At its meeting of 25 July 2024, the Council resolved (resolution C2024/05/184) as follows:

- A. That Council propose to make:
 - a. *Local Law (Amending) Local Law No. 1 (Administration) 2024* as set out in Attachment 1 of the report.
 - b. *Local Law (Amending) Local Law No. 3 (Commercial Licensing) 2024* as set out in Attachment 2 of the report.
 - c. *Subordinate Local Law (Amending) Subordinate Local Law No. 3.1 (Commercial Licensing) 2024* as set out in Attachment 3 of the report.
 - d. *Local Law (Amending) Local Law No. 5 (Parking) 2024* as set out in Attachment 4 of the report.
 - e. *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* as set out in Attachment 5 of the report.
 - f. *Subordinate Local Law (Amending) Subordinate Local Law No. 6.1 (Animal Management) 2024* as set out in Attachment 6 of the report.
 - g. *Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024* as set out in Attachment 7 of the report.
- B. That Council undertake a preliminary assessment of any potentially anti-competitive provisions to determine whether the provisions will result in any significant impacts.
- C. If the preliminary assessment undertaken under Recommendation B identifies an anti-competitive provision that will result in a significant impact, Council undertake consultation on the anti-competitive provision as part of the public consultation process outlined in Recommendation D.
- D. That Council approve proceeding to public consultation for the proposed laws in Recommendation A of this report.
- E. That Council approve to proceed to State Government interest check on the below laws in accordance with section 29A of the *Local Government Act 2009*:

- a. *Local Law (Amending) Local Law No. 1 (Administration) 2024* as set out in Attachment 1 of the report.
 - b. *Local Law (Amending) Local Law No. 3 (Commercial Licensing) 2024* as set out in Attachment 2 of the report.
 - c. *Local Law (Amending) Local Law No. 5 (Parking) 2024* as set out in Attachment 4 of the report.
 - d. *Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024* as set out in Attachment 7 of the report.
- F. That, following completion of the actions identified in Recommendations B, C, D, and E, a report be provided to a future Council meeting to progress the proposed local laws and subordinate local laws in Clause A to the final stage of the formal local law-making process, in accordance with the *Local Government Act 2009* and Council's *Local Law-Making Process Policy*.

As a reminder of the amendments that were identified and proposed please see **ATTACHMENT 18** for the explanatory notes that were attached to the previous report to Council and used in public consultation.

ACTION TAKEN ON THE RESOLUTION (C2024/05/184)

Recommendations A, B and C – Anti-Competitive Provisions

Council undertook anti-competitive reviews and assessments as per legislated requirements and found, in summary, that no provisions, including any significant provisions, exist in the amending laws that would require consultation. Further information can be found in **ATTACHMENT 1**.

Recommendation D – Public Consultation

Council undertook public consultation during the period 9 to 30 August 2024 in accordance with legislation and Council's Making Local Laws Policy. In summary, the Shape Your Ipswich page received 1,235 views with 1,072 unique visitors. No submissions were received. As this review is essentially a consistency exercise, it was expected that there may not be extensive feedback given the draft scheme has been subject to a robust public and State Government consultation exercise. Additionally, the messaging was clear in the consultation that this was about alignment with the draft scheme, and that the community will be given the opportunity to comment on the local laws more broadly when the more comprehensive review is undertaken later. Further information on the consultation can be found in **ATTACHMENT 2**.

Recommendation E – State Interest Checks

As per legislated requirements, when making local laws Council must undertake consultation with the State government to determine any interest or feedback with the proposed laws. Relevant State departments were consulted on 4 September asking for feedback by COB Friday 28 September 2024. In summary, four (4) agencies/departments provided feedback. Three advised they have no comments, with one requesting that a change be made to a definition relating to heavy vehicle parking. In reviewing the feedback, it was recognised

that this minor change suggested would provide clarity for the reader of the definition and would not change the policy intent. Given that this was the only feedback received, and whilst it doesn't relate to the draft scheme changes, it is proposed that this minor change be captured as part of this review. **ATTACHMENT 3** provides a report on the State interest checks including the proposed change. The proposed change has been incorporated into the proposed *Local Law (Amending) Local Law No.5 (Parking) 2024* (Attachment 7) and the proposed consolidated *Local Law No. 5(Parking) 2013* (Attachment 14).

Recommendation F – final stage of making local laws and subordinate local laws

Following completion of Recommendations, A -E, this report puts forwards the recommendations for the final stage of making the amending local laws and amending subordinate local laws along with the consolidated versions (where the amendments are consolidated into the previously adopted laws).

PLEASE NOTE: In finalising the amending local laws that were advertised several minor errors were picked up that related to consistency and do not change any intent within the laws as they were advertised and do not require further consultation. The amending laws with the track changes of those minor amendments can be seen in **ATTACHMENTS 4-10**. For completeness and transparency those minor amendments are:

A. <i>Local Law (Amending) Local Law No.1 (Administration) 2024</i>	No further minor amendments
<i>Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024</i>	No further minor amendments
<i>Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024</i>	<ul style="list-style-type: none"> • Correction of section number • Remove old scheme names • Remove 'for' from a sentence • Capital letter removal
<i>Local Law (Amending) Local Law No. 5 (Parking) 2024</i>	<ul style="list-style-type: none"> • Update of terminology not previously picked up relating to residential area and rural zone. • (Note updated definition of <i>parking or storing a heavy vehicle</i> following State Interest Check feedback also shown in track changes)
<i>Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024</i>	No further minor amendments
<i>Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024</i>	No further minor amendments

<i>Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024</i>	A couple of words need capital letters
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The consolidated versions (where the amendments are consolidated into the previously adopted laws) highlight in the Table of Reprints the reprint with the amending law listed – the commencement date will be updated on upon gazettal. The consolidated versions of the laws are **ATTACHMENTS 11-17**.

NEXT STEPS: REQUIREMENTS OF A FUTURE REPORT

Once the commencement date of the new planning scheme is confirmed a report will be sent to Council with the following recommendations which are required to meet the requirements of the legislation. Procedurally, Council needs to:

- Acknowledge the public consultation outcome; the State Interest check outcome and that there are no anti-competitive provisions (**Recommendations A, B and D of future report**); and
- Adopt the amending local laws and amending subordinate local laws as they were advertised during the public consultation period and subject to the amendments made in tracked changes (**Recommendation E of future report**); and
- Adopt the consolidated versions (**Recommendation F of future report**); and
- Acknowledge that the commencement of the laws will coincide with the commencement of the new planning scheme (**Recommendation G of future report**).

FUTURE REPORT RECOMMENDATIONS

- A. That it be noted that no submissions were received during the public consultation period, as detailed in Attachment 2 of the report, for the following:**
- a) Local Law (Amending) Local Law No.1 (Administration) 2024*
 - b) Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024*
 - c) Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024*
 - d) Local Law (Amending) Local Law No. 5 (Parking) 2024*
 - e) Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024*
 - f) Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024*
 - g) Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024*
- B. That it be noted that State interest checks were conducted on the proposed amending local laws with feedback received that resulted in one amendment to**

Local Law (Amending) Local Law No.5 (Parking) 2024 as set out in Attachment 3 of the report.

- C. That it be noted that minor errors were identified following the public consultation period that do not change the intent within the laws as advertised and do not require further public consultation.
- D. That the proposed amending local laws and subordinate local laws listed in Recommendation A do not contain any significant anti-competitive provisions as detailed in Attachment 1 of the report.
- E. That Council make the following local laws and subordinate local laws as advertised and subject to the amendments shown in tracked changes, as set out in Attachments 4 to 10 of the report:
- a) ***Local Law (Amending) Local Law No.1 (Administration) 2024***
 - b) ***Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024***
 - c) ***Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024***
 - d) ***Local Law (Amending) Local Law No. 5 (Parking) 2024***
 - e) ***Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024***
 - f) ***Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024***
 - g) ***Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024***
- F. That pursuant to section 32 of the *Local Government Act 2009*, Council adopt consolidated versions of the following local laws and subordinate local laws, as set out in Attachments 11 to 17 of the report:
- a) ***Local Law No.1 (Administration) 2013***
 - b) ***Local Law No.3 (Commercial Licensing) 2013***
 - c) ***Subordinate Local Law No.3.1 (Commercial Licensing) 2013***
 - d) ***Local Law No. 5 (Parking) 2013***
 - e) ***Subordinate Local Law 5.1 (Parking) 2013***
 - f) ***Subordinate Local Law 6.1 (Animal Management) 2013***
 - g) ***Local Law No. 8 (Nuisances and Community Health and Safety) 2013***
- G. That it be noted that commencement of the laws listed in Recommendation E will not occur until publication of a notice in the Queensland Government Gazette, and that publication of the notice will coincide with the commencement of Council's new planning scheme.

Following completion of the above recommendations (within the following month), and pursuant to the *Local Government Act 2009*, the laws will not commence until published in the Queensland Government Gazette and on council's website. This future report and notice will be published to coincide with the commencement of the draft scheme whenever that occurs in 2025.

Following publication of the gazette notice, a copy of the adopted laws and gazette notice will be sent to the Minister, and our website and local laws register updated. Internal and external communications will occur at the same time to announce commencement of the laws. Implementation of changes, for example, internal processes, will occur to coincide with the commencement of the laws and draft scheme.

B. AMENDING LAWS

- C. ATTACHMENT 4** - *Local Law (Amending) Local Law No.1 (Administration) 2024*
ATTACHMENT 5 - *Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024*
ATTACHMENT 6 *Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024*
ATTACHMENT 7 - *Local Law (Amending) Local Law No. 5 (Parking) 2024*
ATTACHMENT 8 - *Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024*
ATTACHMENT 9 - *Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024*
ATTACHMENT 10- *Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024*

CONSOLIDATED LAWS

- D. ATTACHMENT 11** - *Local Law No.1 (Administration) 2013*
ATTACHMENT 12 - *Local Law No.3 (Commercial Licensing) 2013*
ATTACHMENT 13 - *Subordinate Local Law No.3.1 (Commercial Licensing) 2013*
ATTACHMENT 14 - *Local Law No. 5 (Parking) 2013*
ATTACHMENT 15 - *Subordinate Local Law 5.1 (Parking) 2013*
ATTACHMENT 16 - *Subordinate Local Law 6.1 (Animal Management) 2013*
ATTACHMENT 17 - *Local Law No. 8 (Nuisances and Community Health and Safety) 2013*

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:

Local Government Act 2009

Local Government Regulation 2012

ICC Local Law-Making Policy

National Competition Policy: Guidelines for conducting reviews on anti-competitive provisions in local laws

POLICY IMPLICATIONS

The changes identified in the local laws do not change Council's policy intent or current regulation practices. The majority relate to changing definitions to align with the draft scheme, minor word changes to provide clarity and minor changes to adhere with drafting standards for local laws.

RISK MANAGEMENT IMPLICATIONS

Without making changes to the local laws there is a risk that regulatory functions may be impeded due to definitions, zones etc not being in alignment with the draft planning scheme (once adopted). Critical inconsistencies/gaps have been identified.

FINANCIAL/RESOURCE IMPLICATIONS

The changes do not impact current regulation practices. The legal costs to review, analyse, and draft amending local laws and consolidated local laws is \$47,000. There are some minor costs associated with advertising the public consultation notice and gazettal notice. The funding for this project has been split between last financial year's budget and this financial year's budget.

COMMUNITY AND OTHER CONSULTATION

The community and State Government had the opportunity to comment on the proposed local laws as part of the process discussed in the report. As this is essentially a consistency exercise, it was expected that there may not be extensive feedback given the draft scheme has been subject to a robust public and State Government consultation exercise. The community will be given the opportunity to comment on the local laws more broadly when the more comprehensive review is undertaken at a later date.




CONCLUSION

A review has been undertaken to identify key changes to the local laws that are needed because of changes in the planning scheme. This report concludes the formal local law-making process which includes public consultation and State interest checks to enable those key changes to be made in a timely manner. If this report is adopted by Council, commencement of the laws does not occur until a notice is published in the Queensland Government Gazette. This notice will be published to coincide with the commencement of the draft scheme whenever that occurs in 2025.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS
RECEIVE AND NOTE REPORT
The Recommendation states that the report be received, and the contents noted. The decision to receive and note the report does not limit human rights. Therefore, the decision is compatible with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Anti-Competitive Provision Report (<i>under separate cover</i>) 
2.	Public Consultation Report (<i>under separate cover</i>) 
3.	State Interest Check Report (<i>under separate cover</i>) 

4. Local Law (Amending) Local Law No.1 (Administration) 2024 (*under separate cover*) 
5. Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024 (*under separate cover*) 
6. Subordinate Local Law (Amending) Subordinate Local Law No. 3.1 (Commercial Licensing) 2024 (*under separate cover*) 
7. Local Law (Amending) Local Law No. 5 (Parking) 2024 (*under separate cover*) 
8. Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024 (*under separate cover*) 
9. Subordinate Local Law (Amending) Subordinate Local Law No. 6.1 (Animal Management) 2024 (*under separate cover*) 
10. Local Law (Amending) Local Law No.8 (Nuisances and Community Health and Safety) 2024 (*under separate cover*) 
11. Consolidated - Local Law No. 1 (Administration) 2013 (*under separate cover*) 
12. Consolidated - Local Law No. 3 (Commercial Licensing) 2013 (*under separate cover*) 
13. Consolidated - Subordinate Local Law No. 3.1 (Commercial Licensing) 2013 (*under separate cover*) 
14. Consolidated - Local Law No. 5 (Parking) 2013 (*under separate cover*) 
15. Consolidated - Subordinate Local Law No. 5.1 (Parking) 2013 (*under separate cover*) 
16. Consolidated - Subordinate Local Law No. 6.1 (Animal Management) 2013 (*under separate cover*) 
17. Consolidated - Local Law No. 8 (Nuisances and Community Health and Safety) 2013 (*under separate cover*) 
18. Explanatory Notes from previous report (*under separate cover*) 

Barbara Dart

SENIOR PROJECT MANAGER (CORPORATE SERVICES)

I concur with the recommendations contained in this report.

Shasha Ingbritsen

CORPORATE GOVERNANCE MANAGER

I concur with the recommendations contained in this report.

Matt Smith

GENERAL MANAGER (CORPORATE SERVICES)

“Together, we proudly enhance the quality of life for our community”