

AGENDA

REGULATION ADVISORY COMMITTEE

Thursday, 21 August 2025 10:30 AM

Council Chambers, Level 8 1 Nicholas Street, Ipswich

MEMBERS OF THE REGULATION ADVISORY COMMITTEE		
Councillor Paul Tully (Chairperson)	Councillor Marnie Doyle	
Councillor Jim Madden (Deputy Chairperson)	Councillor Andrew Antoniolli	

REGULATION ADVISORY COMMITTEE AGENDA

Item No.	Item Title	Page No.
	Declarations of Interest	
	Business Outstanding	
	Confirmation of Minutes	
1	Confirmation of Minutes of the Regulation Advisory Committee No. 2025(02) of 5 June 2025	7
	Officers' Reports	
2	Strategic Regulation Project - Step 1 Policy (Consultation Outcomes)	10
3	Strategic Regulation Project - Step 2 - Local Law Making Process	22
4	Strategic Regulation Project - Step 3 Local Law Review Estimated Timeframes	50
5	Strategic Regulation Project - Step 3 Local Law Review Survey Outcomes (Internal)	59
6	Next Meeting	-
7	General Discussion (within the purpose and scope of the committee)	-

^{**} Item includes confidential papers

REGULATION ADVISORY COMMITTEE NO. 2025(03)

21 AUGUST 2025

AGENDA

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

BUSINESS OUTSTANDING

CONFIRMATION OF MINUTES

1. <u>CONFIRMATION OF MINUTES OF THE REGULATION ADVISORY COMMITTEE</u> NO. 2025(02) OF 5 JUNE 2025

RECOMMENDATION

That the minutes of the Regulation Advisory Committee held on 5 June 2025 be confirmed.

OFFICERS' REPORTS

2. <u>STRATEGIC REGULATION PROJECT - STEP 1 POLICY (CONSULTATION OUTCOMES)</u>

This is a report concerning the Strategic Regulation Project, specifically Step 1 which involves updating Council's current Compliance and Enforcement Policy to be more holistic on what Council's position on regulation is. Targeted consultation has been undertaken, and this report provides the outcomes of that consultation and next steps.

RECOMMENDATION

- A. That the report be received and the contents noted.
- B. That the current Compliance and Enforcement Policy (Attachment 1) be amended to be more holistic about regulation with a risk-based approach and renamed to 'Regulation Policy'.
- C. That in respect of Recommendation B, the draft 'Regulation Policy' be forwarded to all Councillors and key staff for feedback, and a final draft be forwarded to a future Regulation Advisory Committee meeting for consideration.

3. STRATEGIC REGULATION PROJECT - STEP 2 - LOCAL LAW MAKING PROCESS

This is a report concerning Step 2 of the Strategic Regulation Project the process for making local laws in line with the requirements of the *Local Government Act 2009*. The report highlights that the current policy can be repealed as it is not legislatively required and is set out like a process. An improved draft process is provided for feedback so that it can be finalised and commence on 1 December 2025.

RECOMMENDATION

- A. That Council repeal the "Local Law-Making Policy" effective as of 30 November 2025 (Attachment 1 of this report).
- B. That Council provide feedback on the draft process (Attachment 2 of this report) by 1 November 2025 so that the draft process can be finalised and approved by the Chief Executive Officer for commencement on 1 December 2025.

4. <u>STRATEGIC REGULATION PROJECT - STEP 3 LOCAL LAW REVIEW ESTIMATED TIMEFRAMES</u>

This is a report concerning a request from the Regulation Advisory Committee to review the timeline of the local law review with a view to compressing the estimated completion time. Negotiable and not negotiable tasks have been identified with three options provided for discussion, along with the recommendation of Council officers preferred option, Option 2, which comprises of:

- Reduction of 2 weeks for community consultation in phase 3 (from 6 weeks down to 4 weeks)
- Reduction of Phase 5 (Drafting) from 6 months down to 5 months.
- Total reduction of one month and 2 weeks
- Estimated completion date of March 2027.
- This would result in the final report for consideration of the final laws occurring early March at a Regulation Advisory Committee meeting and subsequent Finance and Governance Committee and Ordinary Council meetings.
- Acknowledgement of the risks identified in this report for reducing drafting time.

<u>RECOMMENDATION</u>

- A. That the report be received and the contents noted.
- B. That Option 2 of the report be approved as the preferred option for compressing the estimated completion time for the Local Law Review.

5. <u>STRATEGIC REGULATION PROJECT - STEP 3 LOCAL LAW REVIEW SURVEY OUTCOMES</u> (INTERNAL)

This is a report providing an update on a recent internal survey of staff and Councillors for the *Strategic Regulation Project: Step 3 Local Law Review*. The report documents the high-level key themes that have been derived from the submissions received. Further meetings/workshops will be held to progress outcomes of the survey.

RECOMMENDATION

That the report be received and the contents noted.

6. NEXT MEETING

The next meeting is to be advised.

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

REGULATION ADVISORY COMMITTEE NO. 2025(02)

5 JUNE 2025

MINUTES

COUNCILLORS' ATTENDANCE:

Councillor Paul Tully (Chairperson); Councillors Jim Madden (Deputy Chairperson), Marnie Doyle, Andrew Antoniolli and David Martin (observer) and Jacob Madsen (observer - via audio link)

APOLOGIES:

Nil

OFFICERS' ATTENDANCE:

Madeline Orwin (Senior Project Officer), Allison Ferres-MacDonald (Acting Manager, Legal and Governance), Matt Smith (General Manager, Corporate Services), Brett Davey (General Manager, Planning and Regulatory Services), Wade Wilson – via audio link (Executive Services Manager)

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. <u>CONFIRMATION OF MINUTES OF THE REGULATION ADVISORY COMMITTEE</u> NO. 2025(01) OF 5 FEBRUARY 2025

RECOMMENDATION

That the minutes of the Regulation Advisory Committee held on 5 February 2025 be confirmed.

OFFICERS' REPORTS

2. <u>STRATEGIC REGULATION PROJECT - TARGETED AND WHOLE OF COMMUNITY CONSULTATION</u>

This is a report providing further detail on the Strategic Regulation Project, specifically, Phase 3 of Step 1 (being the undertaking of targeted community consultation to inform the drafting of the Strategic Regulation Policy), and Phase 3 of Step 3 (being the undertaking of whole community consultation to inform the drafting of the Local Laws).

RECOMMENDATION

- A. That the report be received and contents noted.
- B. That the Regulatory Advisory Committee provide further advice to the Strategic Regulation Project Team regarding the ongoing requirement for conduct of targeted community consultation at Phase 3 of Step 1 of the Strategic Regulation Project.

RECOMMENDATION

- A. That the report be received and contents noted.
- B. That community consultation via Shape your Ipswich proceed for Step 1 of the Strategic Regulation Project.

DISCUSSION

The committee discussed the steps in the process for the Strategic Regulation Project including timelines and agreed the following:

- To go live with the consultation for Step 1 of the Project which will be a community survey on Shape Your Ipswich for a period of 4 weeks.
- To schedule another meeting of the Regulation Advisory Committee after the survey closes to discuss the results of the survey.
- The General Manager, Corporate Services to review the timeline of the project with a view to compressing the estimated completion time.
- The Regulation Advisory Committee to receive briefings on the progress of the local laws

3. NEXT WEETING	3.	NEXT	MEETING
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The next meeting is to be advised.

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

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 1.02 pm.

The meeting closed at 1.55 pm.

Doc ID No: A11810401

ITEM: 2

SUBJECT: STRATEGIC REGULATION PROJECT - STEP 1 POLICY (CONSULTATION

OUTCOMES)

AUTHOR: PRINCIPAL OFFICER (GOVERNANCE)

DATE: 18 JULY 2025

EXECUTIVE SUMMARY

This is a report concerning the Strategic Regulation Project, specifically Step 1 which involves updating Council's current Compliance and Enforcement Policy to be more holistic on what Council's position on regulation is. Targeted consultation has been undertaken, and this report provides the outcomes of that consultation and next steps.

RECOMMENDATION

- A. That the report be received and the contents noted.
- B. That the current Compliance and Enforcement Policy (Attachment 1) be amended to be more holistic about regulation with a risk-based approach and renamed to 'Regulation Policy'.
- C. That in respect of Recommendation B, the draft 'Regulation Policy' be forwarded to all Councillors and key staff for feedback, and a final draft be forwarded to a future Regulation Advisory Committee meeting for consideration.

RELATED PARTIES

There are no known conflicts of interest at time of writing.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The Strategic Regulation Project aims to provide a strategic framework for Council to manage regulation in a contemporary and flexible way but also ensure it is prudent in terms of risk and financially for how it delivers that service to the community. A three-step approach is being undertaken.

• Step 1 POLICY - involves updating our Compliance and Enforcement Policy to be more holistic on what council's position on regulation is.

- Step 2 PROCESS involves council focusing internally to update our process for making local laws ensuring a more contemporary approach.
- Step 3 LOCAL LAW REVIEW- involves undertaking a comprehensive local law review and creating a new suite of local laws to replace our existing ones.

This report relates to STEP 1 POLICY.

The Regulation Advisory Committee sought further detail to inform its understanding of the intent and benefit of the targeted community consultation to be undertaken to assist with drafting of amendments to the current Compliance and Enforcement Policy (**Attachment 1**) to make it a broader Strategic Regulation Policy.

A report was considered by the Regulation Advisory Committee on 5 June and subsequently at the Finance and Governance Committee of 10 June about the targeted consultation proposed to assist with drafting of the policy. The below recommendation and related discussion notes (as part of the Finance & Governance Committee meeting minutes) were endorsed and subsequently adopted by Council.

Recommendation

- A. That the report be received and contents noted.
- B. That community consultation via Shape your Ipswich proceed for Step 1 of the Strategic Regulation Project.

DISCUSSION

The committee discussed the steps in the process for the Strategic Regulation Project including timelines and agreed the following:

- To go live with the consultation for Step 1 of the Project which will be a community survey on Shape Your Ipswich for a period of 4 weeks.
- To schedule another meeting of the Regulation Advisory Committee after the survey closes to discuss the results of the survey.

This report now provides the targeted consultation outcomes for discussion by the Regulation Advisory Committee and recommendations for next steps.

STEP 1 (POLICY) – TARGETED CONSULTATION

Expectations about consultation

It has been highlighted on various occasions that it is not anticipated that there will be a lot of submissions for this targeted consultation. Generally, policies, given their strategic nature, do not evoke high consultation rates given it can be hard to understand how the policies will be applied or implemented. Additionally, this consultation did not involve providing a draft policy for feedback but rather a strategic concept to consider. It is expected that there will

be high submission rates for when we consult with the broader community on the local law review as these will have a more direct impact on the day to day lives of people who live and work in Ipswich.

Purpose of the consultation

The intent of the targeted community consultation was to assess community stakeholder views about Council taking a more holistic "risk-based" approach to compliance and enforcement. A closed Shape Your Ipswich page facilitated the consultation that was made available to key stakeholders (see below).

Who was consulted in the survey?

- Yuggara Ugarapul People (9 members)
- Ipswich Region Chamber of Commerce (10 board members)
- Greater Springfield Region Chamber of Commerce (7 board members)
- Community Panel (274 people)

It should be noted that the project team met with the *Ipswich Youth Advisory Council (IYAC)* in April 2025 as they were wanting to know more about the strategic regulation project and local laws generally. Forty (40) members attended the session, and the top suggestions put forward by members when thinking about what they would like to see with regulation were as follows:

- 1. Explore ways council could support the local economy by making it easier for food trucks to advertise their businesses.
- 2. Introduce or amend laws to address the housing crisis, aiming to reduce homelessness in the community.
- 3. Simplify the process for obtaining permits and provide clearer guidance on where specific activities (e.g., street performances, jumping castles etc.) are legally permitted within the city.

IYAC were supportive of a risk-based approach when this was discussed broadly.

What did we ask in the survey?

The following questions were asked in the targeted consultation:

- 1. **For yes or no response** Do you agree that the policy needs to be updated to provide Council's position on its approach to all aspects of regulation, not just how it responds to alleged unlawful activity/non-compliance?
 - 1.1. **For free text response up to 500 characters** Please provide a brief reason as to why you chose this answer.
- 2. **For yes or no response** Do you agree that Council should take a risk-based approach because of all the benefits it will provide the community and council?

2.1. **For free text response up to 500 characters** – Please provide a brief reason as to why you chose this answer.

How many submissions were received.

The consultation period was 24 June to 14 July 2025. Sixteen (16) submissions were received. This represents approximately 5% of those who were sent the survey (300). While this number is not high it is above what was anticipated given the expectations about consultation mentioned previously.

Some information about the 16 submitters:

- 16 said they live in Ipswich
- What group do you identify with?:
 - o 8 said Community Panel
 - o 1 said Ipswich Region Chamber of Commerce
 - o 7 answered Other
- Do you identify as ATSI:
 - o 3 said yes
 - o 11 said no
 - 2 preferred not to say
- Ages represented:
 - o 35-44 = 3
 - o 45-54 = 4
 - o 55-64 = 4
 - o 65-74 = 5
 - noting that IYAC age group (13-18yrs) were supportive of risk-based approach when discussed broadly in April

Closed Shape Your Ipswich Page traffic

Peaks highlight when emails/reminders were sent out.



CONSULTATION OUTCOMES

Of the 16 submissions made:

QUESTIONS	YES	NO
1. Do you agree that the policy needs to be updated to provide Council's position on its approach to all aspects of regulation, not just how it responds to alleged unlawful activity/non-compliance?	13	3

General sentiment about the above:

From the Yes

An approach that just focuses on non-compliance seems quite limited. Whereas an overall strategic approach could be aligned to overall desired outcomes and therefore have more chance of being proactive in achieving these outcomes. Policies should be updated to reflect changing times and technology.

From the No

The intent of matching regulation and effort to risk is positive provide the assessment of risk is appropriate. Nothing would be gained if risk is over estimated and there can be significant consequences of risk is underestimated. So, while the intention is good, the benefit or cost of the proposal hinges on the assessment of risk and that is not addressed in the supporting documents. I am not opposed to the proposed change itself and would have liked a "don't know" or "neutral" option.

2. Do you agree that Council should take a risk-based approach because of all the benefits it will provide the community and council?	12	4

General sentiment about the above

From the Yes

Yes, a risk-based approach by the council would optimize resource allocation, enhance community safety, and improve regulatory efficiency, benefiting both the community and the council. Its common sense.

From the No

I've said no because I don't feel like I have enough information to make a reasonable judgment. In particular, how are 'risks' to be defined? Having worked in risk assessment, I'm aware that the danger with this approach is that, depending on the risk criteria, certain risks always get priority (usually because they're economically focused) whereas other risks continually get deprioritised (usually environment, arts)

The feedback from submitters about there being nothing to gain if risk is overestimated or underestimated is pertinent as we undertake the local law review and look at a risk-based approach, for example, what activities may justify being minimum standards (low risk) compared to a permit or licence (higher risk). This is where evidence (what's been the experience to date?) and consequence need to be considered. Internal and community consultation will be pivotal to ensure we get it right.

The feedback about not having enough information to make a reasonable judgement is fair. A policy, in its nature, is a set of principles to guide actions and decisions at an operational level. The policy will guide more complex projects such as a local law review, but the principles will be an overarching guide as council goes about its day-to-day business. Overall, the feedback has been supportive of the policy concepts provided.

NEXT STEPS

Based on the consultation outcomes, amendments will now be made to the current Compliance and Enforcement Policy to make it a more holistic in its approach to regulation. The draft, once done, will be distributed to Councillors and key staff via email for feedback over a 3-week period. Following this feedback the final draft will be forwarded to a future Regulation Advisory Committee for consideration and progression to the Finance and Governance Committee and Council.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

The recommendations are about making amendments to a current policy and relate to establishing council's position on regulation holistically with a risk-based approach, not just how it responds to alleged unlawful activity. Policy implications will be addressed when the draft Regulation Policy is presented to Council for consideration at a later date.

RISK MANAGEMENT IMPLICATIONS

Risks for Step 1 POLICY will be managed and mitigated through the Strategic Regulation Project's governance arrangements.

FINANCIAL/RESOURCE IMPLICATIONS

There are no known financial or resource implications at the time of writing as a result of the recommendations of this report. For the Strategic Regulation Project, 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 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

Community consultation outcomes are presented in this report. Internal consultation will be undertaken with Councillors and key staff across Council on the draft Regulation Policy before a final draft is presented back to Council for consideration.

CONCLUSION

Targeted consultation has been undertaken on amending the current Compliance and Enforcement Policy to be more holistic and take a risk-based approach. This report provides the outcomes of that consultation and next steps in the development of a draft Regulation Policy which involves internal consultation with Councillors and staff.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS		
OTHER DECISION		
(a) What is the Act/Decision being made?	 A. That the report be received and contents noted, and B. That the current Compliance and Enforcement Policy be amended to be more holistic about regulation with a risk-based approach and renamed to 'Regulation Policy', and That following the above the draft 'Regulation Policy' be forwarded to all Councillors and key staff for feedback, 	

	and a final draft be forwarded to a future Regulation Advisory Committee meeting for consideration
(b) What human rights are affected?	None
(c) How are the human rights limited?	N/A
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	N/A
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1. Compliance and Enforcement Policy 🗓 🖺

Barbara Dart

PRINCIPAL OFFICER (GOVERNANCE)

I concur with the recommendations contained in this report.

Allison Ferres-MacDonald

ACTING MANAGER, GENERAL COUNSEL

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"



Compliance and Enforcement Policy



Collaboration









Version Control and Objective ID	Version No: 2	Objective ID: A6142436
Adopted at Council Ordinary Meeting on	19 September 2020	
Date of Review	19 September 2022	2

Statement

This is an overarching policy that outlines Council's broad approach to enforcement and provides a framework that promotes understanding of the manner in which compliance and enforcement activities are undertaken. The Policy is supported by detailed procedures that provide further guidance to staff. It establishes clear guidelines for the exercise of Council's powers in dealing with potential unlawful activity within Council's jurisdiction. It provides practical guidance on how Council staff are to assess potential unlawful activity to determine if it requires further investigation, the courses of action available to Council for dealing with unlawful activity, how to decide whether enforcement action is warranted and, if so, the process to be used in deciding which type of enforcement action is appropriate in the circumstances.

2. **Purpose and Principles**

The purpose of this policy is to assist Council staff to act promptly, consistently and effectively in response to allegations of unlawful activity. This is to ensure that:

- Council responds quickly and effectively to allegations of unlawful activity
- Council exercises its regulatory functions consistently and without bias
- Council regulatory functions are exercised proactively
- The rules of procedural fairness are applied when making decisions that concern regulatory matters
- Enforcement action is proportionate to the offence in each case
- There is widespread understanding of the Council's approach to enforcement,
- including the circumstances which will be taken into account when assessing different enforcement options; and
- Council allocates its limited resources in the most appropriate manner consistent with the public interest, its policy objectives and current regulatory issues

Our compliance and enforcement activities will be guided by the following principles:

- Our decisions will be fair, reasonable, respectful and reliable
- Our regulatory responses will be consistent, efficient and proportionate to the risk
- Our decisions and actions will be informed by evidence
- We will be transparent, and accountable for our decisions and actions
- We will monitor, review and report on our effectiveness
- We will continue to improve the way we regulate
- We will engage to listen, learn and respond.

IPSWICH CITY COUNCIL | Compliance and Enforcement of Policy

3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan themes:

- Safe, Inclusive and Creative
- Natural and Sustainable
- A Trusted and Leading Organisation

4. Regulatory Authority

Section 28 of the *Local Government Act 2009* provides the power for local governments to make and enforce local laws that are necessary or convenient for the good rule and government of their local government area. In addition, Council has the responsibility of administering a range of State legislation.

- Local Government Regulations 2012
- Public Sector Ethics Act 1994
- Employee Code of Conduct
- Councillor Code of Conduct
- Meeting Conduct Policy
- Meeting Conduct Procedure
- Conflicts of Interest for Employees Policy
- Conflicts of Interest for Employees Procedure Identifying, Disclosing, Managing and Monitoring

5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

6. Scope

The Policy applies to all areas of Council operations that have a compliance and enforcement component. This Policy applies a risk-based approach to compliance and enforcement management to ensure resources are focussed on those matters posing the most significant risk to the community and environment. This approach is used for both proactive compliance activities and also in response to reports alleging unlawful activity (reactive compliance). Council will undertake compliance and enforcement action where appropriate in accordance with this Policy document.

7. Roles and Responsibilities

General

This policy applies to all Councillors and Council officers and is directly relevant to officers involved in the compliance and enforcement of Legislation and Local Laws.

Delegations from the Chief Executive Officer are required to officers to enable them to undertake investigation or compliance and enforcement action.

IPSWICH CITY COUNCIL | Compliance and Enforcement of Policy

Councillors and Officers have significant responsibilities and must ensure that they comply with the relevant Codes of Conduct and Council Policies and Procedures in the execution of their duties. In particular, they must manage any conflicts of interest.

The Chief Executive Officer shall have overall responsibility for Council's legislative compliance framework.

Role of Officers

All council officers have a responsibility to ensure that they remain abreast of Legislation and Local Laws which affect their area of work.

The Executive Leadership Team are to ensure that adequate training and instruction is given to staff to ensure that legal obligations regarding their responsibilities are identified and met.

Managers must ensure that procedures and systems are established to support compliance and enforcement actions in accordance with this Policy.

Role of Councillors

Compliance and enforcement matters are sensitive and easily susceptible to allegations of impropriety, bias or inconsistency. In order to manage those risks, and be consistent with the Councillors' Code of Conduct and the Councillor – Staff Interaction Policy, Councillors are:

- Not to attend on-site meetings with Council staff, the complainants, or persons the subject of an investigation or enforcement action, or;
- Not to direct staff in relation to particular outcomes relating to investigations, enforcement options or actions.

Councillors can assist individuals who raise concerns with them by referring them to the relevant functional area so that the appropriate action can take place.

8. Key Stakeholders

The following Council Departments and Branches will be consulted during the review process:

- Planning and Regulatory Services Department
- Legal and Governance Branch

9. Monitoring and Evaluation

This policy is to be reviewed at least every two (2) years or sooner if necessary to accommodate changes in legislation.

10. Definitions

The following are the definitions of key terms in this Policy:

Council means the Ipswich City Council.

Councillor means a duly elected person of the Ipswich City Council.

Conflicts of Interest for Employees

<u>Actual conflict of interest</u> means there is a real conflict between the Council employee's official duties and their personal interests.

IPSWICH CITY COUNCIL | Compliance and Enforcement of Policy

<u>Potential conflict of interest</u> means personal interests that could conflict with a Council employee's official duty. This refers to circumstances where it is foreseeable, that a conflict may arise in the future and steps should be taken now to mitigate that future risk.

<u>Perceived conflict of interest</u> means the public or a third party could form the view that personal interests could improperly influence an employee's decision or action, now or in the future. Whilst it may or may not eventuate as an actual conflict, it is important to disclose a perceived conflict of interest, for transparency purposes.

Enforcement means a range of procedures and actions taken by Council to ensure that a person or organisation comply with their statutory obligations.

Public Interest means the interests of the community as a whole or a group within the community or individuals.

Risk means a potential impact that may cause physical, financial, environmental or other harm resulting in loss of value of goods, loss of life or loss of amenity.

11. Policy Owner

The General Manager (Planning and Regulatory Services) is the policy owner and is responsible for the authoring and reviewing this policy.

Doc ID No: A11806536

ITEM: 3

SUBJECT: STRATEGIC REGULATION PROJECT - STEP 2 - LOCAL LAW MAKING PROCESS

AUTHOR: PRINCIPAL OFFICER (GOVERNANCE)

DATE: 16 JULY 2025

EXECUTIVE SUMMARY

This is a report concerning Step 2 of the Strategic Regulation Project the process for making local laws in line with the requirements of the *Local Government Act 2009*. The report highlights that the current policy can be repealed as it is not legislatively required and is set out like a process. An improved draft process is provided for feedback so that it can be finalised and commence on 1 December 2025.

RECOMMENDATIONS

- A. That Council repeal the "Local Law-Making Policy" effective as of 30 November 2025 (Attachment 1 of this report).
- B. That Council provide feedback on the draft process (Attachment 2 of this report) by 1 November 2025 so that the draft process can be finalised and approved by the Chief Executive Officer for commencement on 1 December 2025.

RELATED PARTIES

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

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The Strategic Regulation Project aims to provide a strategic framework for Council to manage regulation in a contemporary and flexible way but also ensure it is prudent in terms of risk and financially for how it delivers that service to the community. A three-step approach is being undertaken

- Step 1 POLICY involves updating our Compliance and Enforcement Policy to be more holistic on what council's position on regulation is.
- Step 2 PROCESS involves council focusing internally to update our process for making local laws ensuring a simplified, more contemporary approach.

 Step 3 LOCAL LAW REVIEW- involves undertaking a comprehensive local law review and creating a new suite of local laws to replace our existing ones.

This report relates to STEP 2 PROCESS.

Section 29(1) of the Local Government Act 2009 states that "A local government may decide its own process for making a local law to the extent that the process is not inconsistent with this part." (Chapter 3, Part 1 Local Laws). There is no legislative requirement to make the process publicly available.

Council has delegated Section 29(1) to the Chief Executive Officer.

Council currently has a Local Law-Making Policy (**Attachment 1**) that is written like a process on how to make local laws, subordinate local laws, interim local laws and local laws incorporating a model local law.

In reviewing the current policy, a number of issues and possible improvements have been identified:

- There is no legislative requirement for Council to adopt a policy on how to make local laws.
- The current "policy" is not a policy; it's written as a step-by-step process.
- It is hard to read/navigate and understand clearly with no awareness on how long the process may take.
- The State Government interest checks currently occur after public consultation. There is often feedback from the State Government during this process and it may result in draft laws being amended, meaning there is a risk that public consultation may need to occur again. Having to go out again for public consultation can confuse the public. It would be neater to do the State Government interest check first then do the public consultation.
- An antiquated consultation requirement of publishing a notice during the
 consultation period about a proposed local law at least once in a newspaper
 circulating generally in the Ipswich local government area. How people receive and
 digest community information has changed due to technology and business
 practices. Additionally, each local law when being made/amended may require
 different/bespoke consultation planning to ensure consultation outcomes are met.
 For example, consultation on adding an additional off-street regulated parking area
 in one suburb to one local law will be different to consultation that occurs on a whole
 new suite of local laws.
- No ability to make minor administrative changes to local laws as this has not been included in the process. Administrative changes are those that wouldn't change any policy intent, result in any anticompetitive provisions, and don't make the law inconsistent with other laws.

A draft Local Law-Making Process (**Attachment 2**) has been developed that aims to address the above by:

- providing a format that is easy to read and understand
- providing estimated timeframes for making local laws
- undertaking the State Government interest checks (if required) before any public
 consultation occurs. While there may be some back and forth between Council and
 the State Government, it means these issues can be resolved before going out to do
 public consultation. Should public consultation result in significant changes then
 these issues can be managed in isolation with the relevant State Government
 department.
- Making the promotion of consultation more contemporary and bespoke. Council will
 promote the consultation through one or more of the various channels such as, but
 not limited to, social media, print media, media statements, displays and copies at
 other council facilities. Each local law when being made/amended may require a
 different/bespoke consultation plan to ensure consultation outcomes are met and
 this will facilitate that process.
- Inclusion of a process for making administrative changes to local laws where Council would be satisfied that the amendment only corrects or changes:
 - a) an explanatory matter about the local law or subordinate local law;
 - b) the format or presentation of the local law or subordinate local law;
 - c) a spelling, grammatical or mapping error in the instrument that does not materially affect the remainder of the local law or subordinate local law;
 - d) a factual matter incorrectly stated in the local law or subordinate local law;
 - e) a redundant or outdated term in the local law or subordinate local law;
 - f) inconsistent numbering of provisions in the local law or subordinate local law; or
 - g) cross-references in the local law or subordinate local law.

While there is no legislative requirement to make the local law-making process publicly available, it is recommended that the process be added to the Local Laws webpage on Council's website for the following reasons:

- It aligns with our iFuture theme "A Trusted and Leading Organisation" outcomes
- A more user-friendly process may assist with community awareness of local laws generally as well as understanding the process Council must go through as emerging community and council needs arise and change

This report now seeks that the current Local Law-Making Policy (Attachment 1) be repealed and that Council provides feedback on the draft process (Attachment 2) by 1 November

2025 so that the draft process can be finalised and approved by the Chief Executive Officer for commencement on 1 December 2025. An email with the draft process will be forwarded to all Councillors on how to provide their feedback following Council's consideration of this report. The new process will be used for the comprehensive local law review (Step 3 Local Law Review) that is currently in the preliminary stage for all of our local laws and subordinate local laws.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

This report is seeking for the current Local Law-Making Policy to be repealed. It will not be replaced with a policy but rather a process. The current policy, in its nature, is not a policy but set out like a process.

RISK MANAGEMENT IMPLICATIONS

There are no known identified risks for repealing the current local law-making policy (Attachment 1) and the creation of a process (Attachment 2). Risks for the Strategic Regulation Project will be managed and mitigated within the project's governance arrangements.

FINANCIAL/RESOURCE IMPLICATIONS

Step 2 Local Law-Making Process is being completed as part of the Strategic Regulation Project. 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 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

Consultation of the draft process has occurred with Legal Services and the Department of Local Government, Water and Volunteers.

CONCLUSION

The report highlights that the current local law-making policy can be repealed as it is not legislatively required and is set out like a process. An improved draft process is provided for feedback so that it can be finalised and commence on 1 December 2025

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	 A. That Council repeal the "Local Law-Making Policy" effective as of 30 November 2025 (Attachment 1 of this report). B. That Council provide feedback on the draft process (Attachment 2 of this report) by 1 November 2025 so that
	the draft process can be finalised and approved by the Chief Executive Officer for commencement on 1 December 2025.
(b) What human rights are affected?	None – there are no limitations or express exemptions as a result of the recommendations proposed.
(c) How are the human rights limited?	N/A
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Current Local Law Making Policy 🗓 🛗
2.	Draft Local Law Making Process 🗓 🖺

Barbara Dart

PRINCIPAL OFFICER (GOVERNANCE)

I concur with the recommendations contained in this report.

Allison Ferres-MacDonald

ACTING MANAGER, GENERAL COUNSEL

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"



Local Law-Making Policy





Communication







Version Control and Objective ID	Version No: 1	Objective ID: A5974497
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Table of Contents

Ι.	Statement	2
2.	Purpose and Principles	2
3.	Strategic Plan Links	2
4.	Regulatory Authority	2
5.	Human Rights Commitment	2
6.	Scope	2
7.	Roles and Responsibilities	3
8.	Key Stakeholders	3
9.	Making a local law that incorporates a model local law	3
10.	Making a local law ("other local law-making process")	3
11.	Making an interim local law	5
12.	Making a subordinate local law	6
13.	Monitoring and Evaluation	8
14.	Definitions	9
15.	Policy Owner	9

IPSWICH CITY COUNCIL | Local Law-Making Policy

1. Statement

Council commits to making local laws that align with State Government legislation, are relevant and contemporary, and provide the community with transparency on how local laws are reviewed and made.

2. Purpose and Principles

Section 29(1) of the *Local Government Act 2009*, states that a local government may decide its own process for making a local law. The purpose of this policy is to define the process publicly for making a local law. The Local Government Principles from the *Local Government Act 2009* are applied.

- a) transparent and effective processes, and decision-making in the public interest; and
- b) sustainable development and management of assets and infrastructure, and delivery of effective services; and
- c) democratic representation, social inclusion and meaningful community engagement; and
- d) good governance of, and by, local government; and
- e) ethical and legal behaviour of councillors and local government employees.

There are four types of local laws that a Local Government can make:

- a local law that incorporates a model local law; and
- an "other" local law; and
- an interim local law; and
- a local law that is a subordinate local law.

The process for each type of law is below.

3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan theme:

• A Trusted and Leading Organisation

4. Regulatory Authority

- Local Government Act 2009
- Legislative Standards Act 2002

5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

6. Scope

This policy applies to the making of:

- each local law that incorporates a model local law; and
- each local law that is a subordinate local law; and
- · each other local law; and
- an interim local law.

IPSWICH CITY COUNCIL | Local Law-Making Policy

7. Roles and Responsibilities

Council – Responsible for the making of the local law by resolutions.

Legal Services – Responsible for the coordination of making/amending/repealing a law.

Council Staff – Responsible for input into making/reviewing a law.

Community/External Stakeholders – feedback and input where the process indicates public consultation.

State Government – feedback and input where the process indicates State Government interest checks are to be undertaken.

8. Key Stakeholders

- Staff working in areas across Council that utilise the law requirements as part of their day
 to day operations such as customer service, applications and assessment, service request
 management and enforcement of local law breaches.
- Residents, businesses and visitors to the Ipswich local government area.

9. Making a local law that incorporates a model local law

The process (model local law-making process) stated in this policy must be used to make a local law that incorporates a model local law into the local laws of the local government.

- 9.1 By resolution, propose to incorporate the model local law.
- 9.2 If the model local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.
- 9.3 If there is an existing local law about a matter in the model local law that would be inconsistent with the matter in the model local law:
 - amend or repeal the existing local law so that there is no inconsistency.
- 9.4 By resolution, incorporate the model local law.
- 9.5 Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.
- 9.6 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centres and available on Council's website.
- 9.7 Within 14 days after the notice is published in the gazette, give the Minister:
 - a copy of the notice; and
 - a copy of the local law in electronic form; and
 - if the local law contains 1 or more anti-competitive provisions:
 - advice of each anti-competitive provision; and
 - the reasons for their inclusion.
- 9.8 Update the register of local laws.

Making a local law ("other local law-making process")

The process (other local law-making process) stated in this policy must be used to make a local law (a proposed local law) other than:

IPSWICH CITY COUNCIL | Local Law-Making Policy

- a local law that incorporates a model local law; or
- an interim local law: or
- a subordinate local law.
- 10.1 By resolution, Council proposes to make the proposed local law.
- 10.2 Consult with relevant government entities about the overall State interest in the proposed local law.
- 10.3 Consult with the public about the proposed local law for at least 21 days (the consultation period) by:
 - publishing a notice (a consultation notice) about the proposed local law at least once in a newspaper circulating generally in the local government's area; and
 - displaying the consultation notice in a conspicuous place at the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
 - making a copy of the proposed local law available for inspection at the local government's public office during the consultation period; and
 - making a copy of the proposed local law available on Council's website; and
 - making copies of the proposed local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following:

- the name of the proposed local law; and
- the purpose and general effect of the proposed local law; and
- the length of the consultation period and the first and last days of the period; and
- that written submissions by any person supporting or objecting to the proposed local law may be made and given to the local government on or before the last day of the consultation period stating:
 - the grounds of the submission; and
 - the facts and circumstances relied on in support of the grounds.
- If the local government decides, by resolution, that the proposed local law only amends an existing local law to make a minor change, the local government may proceed to step 10.6 without satisfying step 10.3 or step 10.5.
- 10.4 If the proposed local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 10.3, and this step 10.4, may be undertaken contemporaneously.
- 10.5 Accept and consider every submission properly made to the local government. A submission is properly made to the local government if it:
 - is the written submission of any person about the proposed local law; and
 - states:
 - the grounds of the submission; and
 - the facts and circumstances relied on in support of the grounds; and
 - is given to the local government on or before the last day of the consultation period.

IPSWICH CITY COUNCIL | Local Law-Making Policy

10.6 By resolution, decide whether to:

- proceed with the making of the proposed local law as advertised; or
- proceed with the making of the proposed local law with amendments; or
- make the proposed local law as advertised; or
- make the proposed local law with amendments; or
- not proceed with the making of the proposed local law.

If the local government resolves to proceed with the making of the proposed local law with amendments, and the amendments are substantial, the local government may again:

- consult with the public at step 10.3; and
- accept and consider every submission properly made to the local government at 10.5.

For the avoidance of doubt, if an amendment changes an anticompetitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anticompetitive provisions for the amended anti-competitive provision.

- 10.7 Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.
- 10.8 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centres and available on Council's website.
- 10.9 Within 14 days after the notice is published in the gazette, give the Minister:
 - a copy of the notice; and
 - a copy of the local law in electronic form; and
 - if the local law contains 1 or more anti-competitive provisions:
 - advice of each anti-competitive provision; and
 - the reasons for their inclusion.
- 10.10 Update the local government's register of its local laws.

11. Making an interim local law

The process (interim local law-making process) stated in this policy must be used to make an interim local law (which is a local law that will only have effect for 6 months or less).

- 11.1 By resolution, Council proposes to make the proposed interim local law and its expiry date.
- 11.2 Consult with relevant government entities about the overall State interest in the proposed local law.
- 11.3 If the proposed interim local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 11.2 2, and this step 11.3, may be undertaken contemporaneously.
- 11.4 By resolution, decide whether to:
 - make the proposed interim local law with or without amendments; or

IPSWICH CITY COUNCIL | Local Law-Making Policy

- not proceed with the making of the proposed interim local law.
- 11.5 Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.
- 11.6 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centre's and available on Council's website.
- 11.7 Within 14 days after the notice is published in the gazette, give the Minister:
 - a copy of the notice; and
 - a copy of the local law in electronic form; and
 - if the local law contains 1 or more anti-competitive provisions:
 - advice of each anti-competitive provision; and
 - the reasons for their inclusion.
- 11.8 Update the local government's register of its local laws.

12. Making a subordinate local law

A subordinate local law must be made using the following process. The local government may start the process for making a subordinate local law even though the process for making the local law (including a model local law) on which the subordinate local law is to be based (the proposed authorising law) has not finished.

The local government may undertake 12.1 to 12.4 of the subordinate local law-making process before the proposed authorising law is made if:

- in making the proposed authorising law, the local government has to satisfy:
 - the model local law-making process; or
 - the other local law-making process; and
- if the proposed authorising law is made under the other local law-making process:
 - The notice about the subordinate local law under 12.2 of the subordinate local law-making process is published no earlier than the notice about the proposed authorising law under 10.3 of the other local law-making process is published.

For the avoidance of doubt, a subordinate local law made by the local government using the process detailed in this resolution may provide for the local government to, from time to time, by resolution, reference or incorporate information.

For example, under the Local Government Regulation 2012:

- the identification guidelines for the identification of anti-competitive provisions are a
 document made by the department and available for inspection on the department's
 website; and
- the public interest test procedures are a document made by the department and available for inspection on the department's website.
- 12.1 Council, by resolution, proposes to make the proposed subordinate local law.

IPSWICH CITY COUNCIL | Local Law-Making Policy

- 12.2 Public consultation is undertaken about the proposed subordinate local law for at least 21 days (the consultation period) by:
 - publishing a notice (also a consultation notice) about the proposed subordinate local law at least once in a newspaper circulating generally in the Ipswich local government area;
 - displaying the consultation notice in a conspicuous place in the local government's public office for the consultation period; and
 - making a copy of the proposed subordinate local law available for inspection at the local government's public office during the consultation period; and
 - making a copy of the proposed local law available on Council's website; and
 - making copies of the proposed subordinate local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following:

- the name of the proposed subordinate local law; and
- the name of:
 - the local law allowing the proposed subordinate local law to be made; or
 - if the local government has started the process for making a subordinate local law even though the process for making the proposed authorising law on which the subordinate local law is to be based has not finished — the proposed authorising law; and
- the purpose and general effect of the proposed subordinate local law; and
- the length of the consultation period and the first and last days of the period; and
- that written submissions by any person supporting or objecting to the proposed subordinate local law may be made and given to the local government on or before the last day of the consultation period stating:
 - the grounds of the submission; and
 - the facts and circumstances relied on in support of the grounds.
- If the local government decides, by resolution, that the proposed subordinate local law only amends an existing subordinate local law to make a minor change, and the amendment does not affect an anti-competitive provision, the local government may proceed to step 12.5 without satisfying any of step 12.2 to step 12.4 inclusive.
- 12.3 If the proposed subordinate local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 12.2, and this step 12.3, may be undertaken contemporaneously.
- 12.4 Accept and consider every submission properly made to the local government. A submission is properly made to the local government if it:
 - is the written submission of any person about the proposed subordinate local law; and

IPSWICH CITY COUNCIL | Local Law-Making Policy

- states:
 - the grounds of the submission; and
 - the facts and circumstances relied on in support of the grounds; and
- is given to the local government on or before the last day of the consultation period.
- 12.5 By resolution, decide whether to:
 - proceed with the making of the proposed subordinate local law as advertised; or
 - proceed with the making of the proposed subordinate local law with amendments; or
 - make the proposed subordinate local law as advertised; or
 - make the proposed subordinate local law with amendments; or
 - not proceed with the making of the proposed subordinate local law.

If the local government resolves to proceed with the making of the proposed subordinate local law with amendments, and the amendments are substantial, the local government may again:

- consult with the public at step 12.2; and
- accept and consider every submission properly made to the local government at step 12.4.
- For the avoidance of doubt, if an amendment changes an anticompetitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anticompetitive provisions for the amended anti-competitive provision.
- 12.6 Let the public know that the subordinate local law has been made, by publishing a notice of the making of the subordinate local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.
- 12.7 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centre and available on Council's website.
- 12.8 Within 14 days after the notice is published in the gazette, give the Minister:
 - a copy of the notice; and
 - a copy of the subordinate local law in electronic form; and
 - if the subordinate local law contains 1 or more anti-competitive provisions:
 - advice of each anti-competitive provision; and
 - the reasons for their inclusion.
- 12.9 Update the local government's register of its local laws.

13. Monitoring and Evaluation

- Local Laws should be reviewed at least once every four years to be relevant and contemporary.
- Evaluation could occur through surveys with key stakeholders on how the process works.

IPSWICH CITY COUNCIL | Local Law-Making Policy

14. Definitions

Local Law has the same meaning as defined in Section 26 of the Local Government Act 2009.

Subordinate Local Law has the same meaning as defined in Section 26 of the Local Government Act 2009.

Model Local Law has the same meaning as defined in Section 26 of the Local Government Act 2009.

Other Local Law-Making Process means any other type of local law-making process, with the exception of the following local law-making processes: (a) a local law that incorporates a model local law; (b) an interim local law; (c) a subordinate local law.

Interim Local Law has the same meaning as defined in Section 26 of the *Local Government Act 2009*.

Minor change means an amendment that will not change the policy intent and includes changes to the name of an Act or a spelling/grammatical error.

15. Policy Owner

The General Manager (Corporate Services) is the policy owner and the Manager, Legal and Governance (General Counsel) is responsible for the authorising and reviewing this policy.



Local Law-Making Process Section 29(1) of the Local Government Act 2009 Approval Date:

Section 29(1) of the *Local Government Act 2009* says a local government may decide its own process for making a local law to the extent that the process is not inconsistent with Chapter 3, Part 1 (Local Laws) of the Act. The following pages outline the process for making local laws and are consistent with the Act.

Processes and estimated timeframes are provided for:

- Making a local law (other than a model local law, interim local law or subordinate local law)
- Making a subordinate local law
- Making an interim local law
- Making administrative amendments to a local law or subordinate local law
- Making a local law that incorporates a model local law

Council's current local laws can be found at lpswich.qld.gov.au



Making	a local law (other than a model local law, interim local law or subordinate local law)	
- Sec	cal law is a law made by a local government. tion 28(1) of the Local Government Act 2009 states that a local government may make and enforce any local law that is necessary onvenient for the good rule and local government of its local government area.	
STEPS	STEPS	
Prelim	Drafting & Anti-competitive provision process Officers to prepare draft of proposed local law and identify whether it contains any possible anti-competitive provisions. If the proposed local law contains a possible anti-competitive provision, comply with the procedures prescribed under section 15 of the Local Government Regulation 2012 for the review of anti-competitive provisions, which may include meaningful consultation with relevant businesses about the anti-competitive provisions. If consultation is to occur it will be conducted at the same time as Public Consultation in Step 4.	Variable
Step 1	Council Resolution – Propose to make and proceed By resolution, propose to make the proposed local law and approve to proceed to State Government interest checks and then undertake public consultation (including consultation on any significant anti-competitive provisions should they exist)	1 month
Step 2	State Consultation Consult with relevant State Government entities about the overall State interest in the proposed local law. The identification of any anti-competitive provisions will be acknowledged should they exist and that consultation, as per the legislative requirements, will occur as part of Step 3 should it be required.	1 month
Step 2A	Amending to reflect State requirements If the State requires major amendments, a further Council resolution may be required to proceed with making the proposed local law (with those amendments) before undertaking public consultation.	(if required) 2 months (includes drafting time and council meeting)
Step 3	 Public Consultation Consult with the public about the proposed local law for at least 21 days (the consultation period) by— displaying a consultation notice in a conspicuous place at Ipswich City Council's public office (1 Nicholas Street) from the first day of the consultation period until the end of the last day of the consultation period; and making a copy of the proposed local law available for inspection at Council's public office during the consultation period; and 	1 month



- making copies of the proposed local law available free of charge at Council's public office during the consultation period; and
- making a copy of the consultation notice and proposed local law available for download on Council's public
 consultation website (Shape Your Ipswich) during the consultation period (a link from Council's website to
 Shape Your Ipswich will be available),

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Note: Council will promote the consultation through one or more of the various channels such as, but not limited to, social media, print media, media statements, displays and copies at other council facilities. Each local law when being made/amended may require different/bespoke consultation planning to ensure consultation outcomes are met.

The consultation notice must state the following—

- the name of the proposed local law; and
- · the purpose and general effect of the proposed local law; and
- the length of the consultation period and the first and last days of the consultation period;
- the method in which written submissions may be received by Council (eg online, email, post, delivery in person to 1 Nicholas Street);
- that council will only consider properly made submissions and what that means (see Step 4A)
- that written submissions by any person supporting or objecting to the proposed local law may be made and given to Council on or before the last day of the consultation period stating—
 - the grounds of the submission; and
 - the facts and circumstances relied on in support of the grounds.

<u>Note</u>: if any consultation is required due to possible new anti-competitive provisions, Council will comply with the procedures prescribed under section 15 of the *Local Government Regulation 2012*.

Step 3A

Consider Public Submissions

Accept and consider every submission properly made to Ipswich City Council.

A submission is properly made to Ipswich City Council if it —

- 1) is the written submission of any person about the proposed local law, including submissions using:
 - a) the Council's online submission form;
 - b) downloading and completing a submission form;

Variable

Note: The time needed to consider submissions will vary based on number of laws out for consultation and amendments being.



		1
	c) letter or email; and	
	2) states—	
	a) the grounds of the submission; and	
	b) the facts and circumstances relied on in support of the grounds; and	
	3) is received by Ipswich City Council on or before the last day of the consultation period.	
Step 4	Council resolution - Make	1 month
	By resolution:	
	1) Council decides whether to—	
	a) make the proposed local law as advertised for public consultation; or	
	b) make the proposed local law with amendments; or	
	c) proceed with the making of the proposed local law with amendments by repeating steps 2, 2A, 3 and this step 4; or	
	d) not proceed with the making of the proposed local law; and	
	 for a proposed amendment to an existing local law, - adopt a 'consolidated version' of the local law incorporating all amendments decided under subsection (1) above. 	
	For the avoidance of doubt, if an amendment contains possible new anti-competitive provisions, Council must again comply with the procedures prescribed under section 15 of the <i>Local Government Regulation 2012</i> .	
Step 5	Publishing of local laws	1 month
	Within one month of the resolution in Step 4, let the public know that the local law has been made, by publishing a notice of the making of the local law in the Queensland Government Gazette and on Council's website in accordance with the requirements of section 29B(1) to (4) inclusive of the <i>Local Government Act 2009</i> .	
Step 5A	As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and provided free of charge at the Ipswich City Council's public office and is available on Council's website to view and download for free.	Captured in timeframe for Step 5
Step 5B	Within 14 days after the notice is published in the gazette, give the Minister— 1) a copy of the notice; and 2) a copy of the local law in electronic form.	Captured in timeframe for Step 5
	Note that for consolidated versions of a local law, Section 32(4) of the <i>Local Government Act 2009</i> states that within 7 days of the resolution, Council must give a copy to the Minister.	



Step 5C	Update the local government's register of its local laws.	Captured in timeframe for Step 5
APPROX T	MEFRAME MINIMUM (Excluding prelim step as well as variable Step 2A if its required and 3A)	5 months+

Making a	a subordinate local law	
Notes: - A subord impleme - A subord - Making a	dinate local law is a local law that is made under the power contained in a local law, and provides for the detailed entation of broader principles contained in the local law. dinate local law does not require State Government interest checks to be undertaken when making/amending the law. a subordinate local law can commence at the same time the subordinate local law's authorising law (the local law) is being amended. A subordinate local law should not be finalised (Step 4) before the authorising law is finalised.	Estimated Timeframes
Prelim	Drafting & Anti-competitive provision process Officers to prepare draft of proposed local law and identify whether it contains any possible anti-competitive provisions. If the proposed local law contains a possible anti-competitive provision, comply with the procedures prescribed under section 15 of the <i>Local Government Regulation 2012</i> for the review of anti-competitive provisions, which may include meaningful consultation with relevant businesses about the anti-competitive provisions. If consultation is to occur it will be conducted at the same time as Public Consultation in Step 4.	Variable
Step 1	Council Resolution – Propose to make and proceed By resolution, propose to make the proposed subordinate local law and approve to proceed to public consultation (including consultation on any significant anti-competitive provisions should they exist)	1 month
Step 2	 Public Consultation Consult with the public about the proposed subordinate local law for at least 21 days (the consultation period) by— displaying a consultation notice in a conspicuous place at Ipswich City Council's public office (1 Nicholas Street) from the first day of the consultation period until the end of the last day of the consultation period; and making a copy of the proposed subordinate local law available for inspection at Council's public office during the consultation period; and 	1 month



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	 making copies of the proposed local law available free of charge at Council's public office during the consultation period; and making a copy of the consultation notice and proposed local law available for download on Council's public consultation website (Shape Your Ipswich) during the consultation period (a link from Council's website to Shape Your Ipswich will be available), 	
	Note: Council will promote the consultation through one or more of the various channels such as, but not limited to, social media, print media, media statements, displays and copies at other council facilities. Each subordinate local law when being made/amended may require a different/bespoke consultation plan to ensure consultation outcomes are met.	
	 the name of the proposed subordinate local law (and the name of the local law that authorises the local law to be made); and the purpose and general effect of the proposed subordinate local law; and the length of the consultation period and the first and last days of the consultation period; the method in which written submissions may be received by Council (eg online, email, post, in person); that council will only consider properly made submissions and what that means (see Step 3A) that written submissions by any person supporting or objecting to the proposed local law may be made and given to Council on or before the last day of the consultation period stating— the grounds of the submission; and the facts and circumstances relied on in support of the grounds. 	
	Note: if any consultation is required due to possible new anti-competitive provisions, Council will comply with the procedures prescribed under section 15 of the <i>Local Government Regulation 2012</i> .	
Step 2A	Consider Public Submissions	Variable
	Accept and consider every submission properly made to Ipswich City Council.	
	A submission is properly made to Ipswich City Council if it — 1) is the written submission of any person about the proposed subordinate local law, including submissions using:	



	 a) the Council's online submission form; b) downloading and completing a submission form; c) letter or email; and 2) states— a) the grounds of the submission; and b) the facts and circumstances relied on in support of the grounds; and 3) is received by Ipswich City Council on or before the last day of the consultation period. 	
Step 3	Council resolution - Make	1 month
	By resolution: 1) Council decides whether to— a) make the proposed subordinate local law as advertised for public consultation; or b) make the proposed subordinate local law with amendments; or c) proceed with the making of the proposed subordinate local law with amendments by restarting steps 2, 2A and this step 3 for the amended version; or d) not proceed with the making of the proposed subordinate local law; and 2) for a proposed amendment to an existing subordinate local law, adopt a 'consolidated version' of the subordinate local law incorporating all amendments decided under subsection (1) above. For the avoidance of doubt, if an amendment contains possible new anti-competitive provisions, Council must again comply with the procedures prescribed under section 15 of the Local Government Regulation 2012.	
Step 4	Publishing of local laws Within one month of the resolution in Step 3, let the public know that the subordinate local law has been made, by publishing a notice of the making of the subordinate local law (and the name of the local law that authorises the local law to be made) in the Queensland Government Gazette and on Council's website in accordance with the requirements of section 29B(1) to (4) inclusive of the Local Government Act 2009.	1 month
Step 4A	As soon as practicable after the notice is published in the gazette, ensure that a copy of the subordinate local law may be inspected and provided free of charge at the Ipswich City Council's public office and is available on Council's website to view and download for free.	Captured in timeframe for Step 4
Step 4B	Within 14 days after the notice is published in the gazette, give the Minister— 1) a copy of the notice; and 2) a copy of the subordinate local law in electronic form.	Captured in timeframe for Step 4



	Note that for consolidated versions of a subordinate local law, Section 32(4) of the <i>Local Government Act</i> 2009 states that within 7 days of the resolution, Council must give a copy to the Minister.	
Step 4C	Update the local government's register of its local laws.	Captured in timeframe for Step 4
APPROX T	IMEFRAME MINIMUM (Excluding prelim step with variable timeframe)	4 months+

Making a	an Interim Local Law	
	m local law only has effect for 6 months or less and must contain a provision stating when the law expires. m Local Law does not require public consultation or anti-competitive checks but does require State Government interest	
STEPS		Estimated Timeframes
Prelim	Drafting Officers to prepare draft of proposed interim local law. The interim local law must contain a provision stating when the law expires.	Variable
Step 1	Council Resolution – Propose to make and proceed By resolution, propose to make the proposed Interim local law and approve to proceed to State Government interest checks	1 month
Step 2	State Consultation Consult with relevant State Government entities about the overall State interest in the proposed interim local law and consider feedback.	1 month
Step 2A	Amending to reflect State requirements If the State requires major amendments, a further Council resolution may be required to proceed with making the proposed local law (with those amendments) before undertaking public consultation.	(if required) 2 months (includes drafting time and council meeting)
Step 3	Council resolution - Make By resolution and noting the expiry date of the interim local law: 1) Council decides whether to— a) make the proposed interim local law; or b) make the proposed interim local law with amendments; or	1 month



	c) not proceed with the making of the proposed interim local law.	
Step 4	Publishing of local laws	1 month
	Within one month of the resolution in Step 5, let the public know that the interim local law has been made and its expiry date, by publishing a notice of the making of the interim local law in the Queensland Government Gazette and on Council's website in accordance with the requirements of section 29B(1) to (4) inclusive of the Local Government Act 2009.	
Step 4A	As soon as practicable after the notice is published in the gazette, ensure that a copy of the interim local law may be inspected and provided free of charge at the Ipswich City Council's public office and is available on Council's website to view and download for free.	Captured in timeframe for Step 6
Step 4B	Within 14 days after the notice is published in the gazette, give the Minister— 1) a copy of the notice; and 2) a copy of the interim local law in electronic form.	Captured in timeframe for Step 6
Step 4C	Update the local government's register of its local laws.	Captured in timeframe for Step 6
APPROX	TIMEFRAME MINIMUM (Excluding prelim step and Step 2A if its required)	4 months+

Making "a	administrative amendments" to a local law or subordinate local law	
- For avoida	ative amendments" are described in Step 1 unce of doubt, "administrative amendments" are minor with no impact on the community (policy intent, anti-competitive etc) s reason will not go through public consultation process. utive amendments made to local laws will have a State Government interest check undertaken.	
STEPS		Estimated Timeframes
Prelim	Drafting Officers to prepare draft of proposed local law or subordinate local law that only contain administrative amendments.	Variable



	The accompanying report that will go to Council in Step 1 should indicate why these changes are necessary	
	and that they don't:	
	- change any policy intent,	
	- result in any anti-competitive provisions, and	
	- don't make the law inconsistent with other laws.	
Step 1	Council Resolution – Propose to make and proceed for <u>Local Laws</u> ; and	1 month
	Council Resolution –Make for <u>Subordinate Local Laws</u>	
	By resolution:	
	1) decide that the proposed local law or subordinate local law is an "administrative amendment", on the	
	basis that Council is satisfied that that the amendment only corrects or changes:	
	a) an explanatory matter about the local law or subordinate local law;	
	b) the format or presentation of the local law or subordinate local law;	
	c) a spelling, grammatical or mapping error in the instrument that does not materially affect the remainder	
	of the local law or subordinate local law;	
	d) a factual matter incorrectly stated in the local law or subordinate local law;	
	e) a redundant or outdated term in the local law or subordinate local law;	
	f) inconsistent numbering of provisions in the local law or subordinate local law; or	
	g) cross-references in the local law or subordinate local law; and	
	2) If it is a local law requiring administrative amendments:	
	a) propose to make the proposed local law and approve to proceed to State Government interest checks	
	in Step 2; or	
	3) If it is a <u>subordinate local law</u> requiring administrative amendments, decide to:	
	a) make the proposed subordinate local law; or	
	b) make the proposed subordinate local law with further administrative amendments; or	
	c) not proceed with the making of the proposed subordinate local law.	
	4) For a proposed amendment to a subordinate local law, adopt a 'consolidated version' of the subordinate	
	local law incorporating all amendments decided under subsection (3) above.	
	(the local law process now moves to Step 2)	
	(the subordinate local law process now moves to Step 4)	
Step 2	State Consultation (only required if a local law)	1 month (Local Laws only)



Step 4C	Update the local government's register of its local laws. TIMEFRAME MINIMUM (Excluding prelim step with variable timeframe)	Captured in timeframe for Step 4
	, to 2000 states and manner cays of the resemble, commenting to the sept to the minimum.	
Step 4B	Within 14 days after the notice is published in the gazette, give the Minister— (a) a copy of the notice; and (b) a copy of the local law/subordinate local law in electronic form. Note that for consolidated versions of a local law/subordinate local law, Section 32(4) of the Local Government Act 2009 states that within 7 days of the resolution, Council must give a copy to the Minister.	Captured in timeframe for Step 4
Step 4A	As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law/subordinate local law may be inspected and provided free of charge at the Ipswich City Council's public office and is available on Council's website to view and download for free.	Captured in timeframe for Step 4
	Within one month of the resolution, let the public know that the local law/subordinate local law has been made, by publishing a notice of the making of the local law/subordinate local law in the Queensland Government Gazette and on Council's website in accordance with the requirements of section 29B(1) to (4) inclusive of the <i>Local Government Act 2009</i> .	
Step 3	Consult with relevant State Government entities about the overall State interest for the administrative amendments in the proposed local law and consider feedback. Council resolution – Make for Local Laws By resolution: 1) decide whether to: a) make the proposed local law as provided to the State; or b) make the proposed local law with further administrative amendments; or c) not proceed with the making of the proposed local law; and 2) Adopt a 'consolidated version' of the local law incorporating any amendments decided under subsection (1) above. Publishing of local laws and subordinate local laws	1 month (Local Laws only) 1 month



Making	a local law that incorporates a model local law	
Notes: - A m	odel local law is a local law that has been approved by the Minister (by gazette notice) as being suitable for incorporation by ocal governments.	
STEPS		Estimated Timeframes
Prelim	Drafting & Anti-competitive provision process Officers to prepare council report with model local law (the proposed local law) and identify whether it contains any possible anti-competitive provisions. If the proposed local law contains a possible anti-competitive provision, comply with the procedures prescribed under section 15 of the Local Government Regulation 2012 for the review of anti-competitive provisions, which may include meaningful consultation with relevant businesses about the anti-competitive provisions. If consultation is to occur it will be conducted in Step 2. Inconsistency Check If there is an existing local law about a matter in the model local law that would be inconsistent with the matter in the model local law, the council report should also identify the inconsistency, and: - amend or repeal the existing local law so that there is no inconsistency.	Variable
Step 1	 If amend, the relevant process should be followed in conjunction with this process. Council Resolution – Propose to make and proceed By resolution, propose to incorporate the model local law and proceed to anti-competitive provision checks. 	1 month
Step 2	Anti-competitive provision Consultation If the preliminary stage identifies that the model local law contains a possible anti-competitive provision, meaningful consultation with relevant businesses about the anti-competitive provision will be required. Council will comply with the procedures prescribed under section 15 of the Local Government Regulation 2012	1 month
Step 3	Council resolution - Make	1 month
	By resolution, incorporate the model local law.	
Step 4	Publishing of local laws	1 month



	Within one month of the resolution in Step 4, let the public know that the local law has been made, by publishing a notice of the making of the local law in the Queensland Government Gazette and on Council's website in accordance with the requirements of section 29B(1) to (4) inclusive of the <i>Local Government Act</i> 2009.	
Step 4A	As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centre's and available on Council's website.	Captured in timeframe for Step 4
Step 4B	Within 14 days after the notice is published in the gazette, give the Minister— (a) a copy of the notice; and (b) a copy of the local law in electronic form.	Captured in timeframe for Step 4
Step 4C	Update the register of local laws.	Captured in timeframe for Step 4
APPROX	TIMEFRAME MINIMUM (Excluding prelim step with variable timeframe)	4 months+

Doc ID No: A11871453

ITEM: 4

SUBJECT: STRATEGIC REGULATION PROJECT - STEP 3 LOCAL LAW REVIEW ESTIMATED

TIMEFRAMES

AUTHOR: PRINCIPAL OFFICER (GOVERNANCE)

DATE: 5 AUGUST 2025

EXECUTIVE SUMMARY

This is a report concerning a request from the Regulation Advisory Committee to review the timeline of the local law review with a view to compressing the estimated completion time. Negotiable and not negotiable tasks have been identified with three options provided for discussion, along with the recommendation of Council officers preferred option, Option 2, which comprises of:

- Reduction of 2 weeks for community consultation in phase 3 (from 6 weeks down to 4 weeks)
- Reduction of Phase 5 (Drafting) from 6 months down to 5 months.
- Total reduction of one month and 2 weeks
- Estimated completion date of March 2027.
 - This would result in the final report for consideration of the final laws occurring early March at a Regulation Advisory Committee meeting and subsequent Finance and Governance Committee and Ordinary Council meetings.
 - Acknowledgement of the risks identified in this report for reducing drafting time.

RECOMMENDATIONS

- A. That the report be received and the contents noted.
- B. That Option 2 of the report be approved as the preferred option for compressing the estimated completion time for the Local Law Review.

RELATED PARTIES

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

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The Regulation Advisory Committee met on 5 June 2025 where the minutes noted the following

DISCUSSION

The committee discussed the steps in the process for the Strategic Regulation Project including timelines and agreed the following:

The General Manager, Corporate Services to review the timeline of the project with a view to compressing the estimated completion time.

This report now provides information on the local law review timeframes for discussion.

Current timeframes

The current timeframe for the local law review is estimated to be completed in April 2027, which is 18 months from now. The timeline for the local law review is in Table 1 below. Things to note about the current timeframes.

- Phase 1 is complete
- Phase 2 is underway (a separate report on high level themes from internal consultation is provided for the xxx August 2025 Regulation Advisory Committee meeting)
- Phase 2 and 3 needs to be completed before mid December and Phase 4 completed by end of February to ensure the project remains on track.

Table 1: Current Timeframes for Local Law Review

	- Current Timeframes Local Law Review PRE DRAFTING Duration Jan25-Feb26, 14 mths)	
Phase	Key tasks	Key Stakeholders
1	 Info gathering, research and analysis by project team. Internal consultation with stakeholders on issues with current laws 	Councillors ELT Staff
2	 Presentation of research and internal consultation findings with stakeholders Discussion between Councillors and staff on findings Feedback on outcomes to date from stakeholders to direct next phase 	Councillors ELT Staff
3	 Whole Community Consultation (Shape Your Ipswich – 6 weeks) – based on Phase 1 & 2 outcomes Collation, analysis and documentation of phase 3 consultation outcomes 	Community
4	 Presentation of Phase 3 consultation outcomes Recommendations for Local Law Framework and high-level drafting instructions provided for feedback 	Councillors ELT Staff
	Based on feedback from stakeholders in step above, Report to Council to consider and approve local law framework and high-level drafting instructions	Committees + Council Meetings
	DRAFTING (Approx Duration Mar 26-Aug 26, 6mths)	
5	 Based on outcomes of Phase 4, detailed drafting instructions developed by project for external legal contractors to draft laws. Ad hoc technical input sought as required. Once drafting completed copy of draft laws sent to stakeholder for info and feedback before phase 6. 	Councillors ELT Staff
	MAKING (Approx Duration: Sep 26-Apr 27, 8mths)	
6	 Report to Council with draft laws to <u>commence formal</u> <u>local law-making process</u>. 	Committees + Council Meetings
	State Government interest checks (4 weeks)	State Govt
	 Whole community consultation including anti- competitive consultation (6 wks) 	Community
	 Report to Council with consultation outcomes for consideration of final laws with commencement date identified 	Committees + Council Meetings
7	 Gazettal notice published for commencement of laws, Minister notification and council website and registers updated with new laws 	Staff

<u>Note:</u> For Phase 6, depending on State Government interest checks and community consultation outcomes (which include anti-competitive provisions/public interest test checks) there may be a need to amend draft laws and if amendments are significant then some tasks may need to be repeated (eg interest checks/consultation).

In looking at the above table (Table 1) with a view to compressing the estimated completion timeframe, various tasks need to be determined if they are negotiable or not negotiable. Where tasks are negotiable, any identified risks with reducing or removing tasks has been provided for consideration.

The tasks that would be seen as **not negotiable** are:

Table 2: not negotiable tasks

Phase	Key tasks	Why not negotiable
4 & 6	Where reports are required to go to Committees and Council meetings	5-6 weeks needs to be allowed for report creation, approval and submission to agendas as well as meeting times. The report in phase 4 is needed to provide strategic direction about the proposed local law framework and high-level drafting instructions. The reports in Phase 6 are legislative requirements (ie council resolution is required)
6 & 7	State Government Interest Checks (4 weeks); Plus all other tasks in Phases 6&7	The State Government interest checks are a legislative requirement, and the State Government have advised that at least 4 weeks is required for feedback. The minimum of 4 weeks has been applied here. All other tasks are either a legislative requirement and set by Council's local law making process.
2 & 4	Various engagement with Councillors and staff to progress identified issues and to develop drafting instructions.	This engagement is critical to ensure the best possible drafting can occur in Phase 5.
	**Note	The project also spans over two Christmas/New Year periods so there is always a potential for a loss in project delivery due to availability of people, consultation fatigue and other priorities at this time of year.

The components that may be seen as **negotiable** are:

Table 2: negotiable tasks

Phase	Key tasks	Why negotiable
3	Whole Community Consultation (Shape Your Ipswich – 6 weeks) - based on Phase 1 & 2	The community consultation this phase 3 is not legislated like the community consultation in phase 6. This task could be reduced from 6 weeks to
	outcomes	4 weeks. No substantial risks are identified with doing this.
		If removing this task completely to reduce timeframes this does come with risks.
		Risks with removing this task to consider:
		This task is about flagging key policy changes within future local laws with the community and seeking their feedback on very specific questions related to each key change. This stage will alert Council to any concerns/challenges and/or support. Council can then consider this feedback before any money or time is expended on drafting the laws and reduces the need (and potential delays) to amend draft local laws at a later date when community consultation is required as part of phase 6 (the formal local law-making process). Removal of this task means that the first opportunity for the community to provide feedback would be when the draft laws have been created and released for consultation.
5	Based on outcomes of Phase 4, detailed drafting instructions developed by the project for external legal contractors to draft laws. Ad hoc technical input sought as required. Once drafting completed copy of draft laws sent to stakeholder for info and feedback before phase 6.	This task could be reduced to 4-5 months down from 6 months. Reducing this task's timeframes does come with risks to consider: Drafting will be done by an external legal firm but will need work closely with the project team and Legal Services. The drafting is not amending laws but creating a new suite. There will need to be a lot of checking, seeking technical info and testing drafting to

ensure it meets council's needs. Some legal advice will be required along the way and the external legal firm will be drafting all the public interest test plans that need to occur in the formal local law making phase for those laws that contain anti-competitive provisions and where specific consultation with current permit/licence holders, and specific industry/business groups needs to occur as per the legislative requirements. Time has also been included in the 6 months for consultation with Councillors and key staff. Experience in undertaking local law reviews has proven that the drafting phase is the most intense and often understated in terms of timeframes. The timeframe of six months reflects a streamlined approach aimed at trying to accelerate delivery.
aimed at trying to accelerate delivery. Reducing this timeframe may only see the need to acknowledge that delays will occur.

OPTIONS FOR TIMEFRAMES

In considering the above information there are 3 options available:

Option 1

- Status Quo timeframes remain as is.
- Estimated completion date of April 2027 (18 months from now)
 - This results in the final report for consideration of the final laws occurring early
 April at a Regulation Advisory Committee meeting and subsequent Finance and
 Governance Committee and Ordinary Council meetings

Option 2

- Reduction of 2 weeks for community consultation in phase 3 (from 6 weeks down to 4 weeks)
- Reduction of Phase 5 (Drafting) from 6 months down to 5 months.
- Total reduction of one month and 2 weeks
- Estimated completion date of March 2027.

- This would result in the final report for consideration of the final laws occurring early March at a Regulation Advisory Committee meeting and subsequent Finance and Governance Committee and Ordinary Council meetings.
- Acknowledgement of the risks identified in this report for reducing drafting time.

Option 3

- Removal of community consultation in phase 3 and related tasks, realising a reduction in the overall timeframe of two months (consultation time plus analysis of outcomes).
- Reduction of Phase 5 (Drafting) from 6 months down to 5 months.
- Total reduction of three months
- Estimated completion date of January 2027.
 - This would result in the final report for consideration of the final laws needing to occur at the January Ordinary Council meeting (as no committees are usually scheduled in January) or waiting until the February round of committees and Ordinary Council meeting.
 - Acknowledgement of the risks identified in this report for reducing timeframe by removing community consultation in phase 3 and reduction of time allocated for Phase 5 (Drafting).

Of the above 3 options, officers recommend Option 2 as the preferred option to realise some reduction in timeframes while ensuring no substantial risks will impact the project timeframes or outcomes. Wherever possible officers will endeavour to ensure the project is completed efficiently but recognising there <u>are some unknowns</u> especially in the formal local law-making process (phase 6).

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 local law review will have policy implications. The specific implications will not be known until a later date.

RISK MANAGEMENT IMPLICATIONS

Risks associated with compressing the local law review timeframes have been identified in the report (See Table 2). Risks for the local law review as part of the Strategic Regulation Project will be managed and mitigated within the project's governance arrangements.

FINANCIAL/RESOURCE IMPLICATIONS

The local law review is being completed as part of the Strategic Regulation Project. 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 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 has included consultation with key staff in Legal Services and Corporate Services.

CONCLUSION

This is a report concerning a request from the Regulation Advisory Committee to review the timeline of the local law review with a view to compressing the estimated completion time. Negotiable and not negotiable tasks have been identified with three (3) options provided for discussion, along with the recommendation of Council officers preferred option (Option 2).

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS		
OTHER DECISION		
(a) What is the Act/Decision being made?	That Option 2 of the report be approved as the preferred option for compressing the estimated completion time for the Local Law That Option 2 of the report be approved as the preferred option for compressing the estimated completion time for the Local Law Review	
(b) What human rights are affected?	None	
(c) How are the human rights limited?	n/a	
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	n/a	
(e) Conclusion	The decision is consistent with human rights.	

Barbara Dart

PRINCIPAL OFFICER (GOVERNANCE)

I concur with the recommendations contained in this report.

Allison Ferres-MacDonald

ACTING MANAGER, GENERAL COUNSEL

I concur with the recommendations contained in this report.

Matt Smith

GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A11880957

ITEM: 5

SUBJECT: STRATEGIC REGULATION PROJECT - STEP 3 LOCAL LAW REVIEW SURVEY

OUTCOMES (INTERNAL)

AUTHOR: PRINCIPAL OFFICER (GOVERNANCE)

DATE: 7 AUGUST 2025

EXECUTIVE SUMMARY

This is a report providing an update on a recent internal survey of staff and Councillors for the *Strategic Regulation Project: Step 3 Local Law Review*. The report documents the high-level key themes that have been derived from the submissions received. Further meetings/workshops will be held to progress outcomes of the survey.

RECOMMENDATION/S

That the report be received and the contents noted.

RELATED PARTIES

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

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

This is a report providing an update on the Strategic Regulation Project: Step 3 Local Law Review. As part of phase 1 of the review a survey was undertaken with all staff and all Councillors. The survey period was from 12 May to 9 June 2025.

There were 47 submissions received (46 staff, 1 Councillor) that were extrapolated out to 188 issues. Nineteen of these issues relate to matters that are not local law matters (eg how we enforce or clear matters to do with the planning scheme alone and will be passed on to the relevant branch in Council for their information) as well as ideas about drafting (more user friendly for example).

Of the remaining 169 issues, the project team is working with key areas across Council to discuss these matters in more detail. The project team will then meet with all Councillors and the Executive Leadership Team to workshop that information with the aim of discussing a new local law framework for Council along with high level drafting instructions for developing the laws within that framework.

The high-level key themes and feedback coming through from the consultation are below.

Drafting – ensuring the laws are easy to understand and provide enough clarity to know what is and isn't allowed – focus on performance/outcome criteria. Generally reviewing limits, lot sizes, conditions, prohibitions etc for various activities to ensure they are still relevant.

Events/Commercial Use of Roads – a review to allow low risk events/activities to move to a minimum standard or deemed approval approach to encourage more events/support small businesses in the City and provide more clarity around what is allowed and where. Clearer requirements in the local laws will allow for process improvements.

Commercial Licensing – review to look at whether some licences are needed in the local laws as other legislation and/or agencies are managing these operations; additionally, Council has access to other provisions in local laws/Acts that can manage any complaints.

Temporary Housing & Short-term rental – for temporary homes, explore expanding scenarios and where minimum standards could apply (rather than a permit); and investigate need for regulation via local law of short term (eg less than 3 months) rental accommodation.

Advertising Devices – clarity around what is allowed/not allowed; should all advertising devices be included in the local law, not just temporary; ensure we aren't microregulating signage that could hinder small businesses.

Waste Management – creation of a waste management local law to help regulate strategic risks like Resource Recovery Centre user behaviour; separation of commercial and domestic waste; and waste stream contamination.

Nuisances – investigate use of local laws or Environmental Protection Act for noise, smoke, odour etc. Addition or clarity of some nuisances (community hazards).

Third party infrastructure on council land – investigate approvals required under the local law for activities or services like electric vehicle charging stations; and eScooters/eBikes/Mobility-as a Service.

Vegetation Protection – review of current local law to see if process improvements for creating vegetation protection orders are needed.

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 local law review will have policy implications however 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 Strategic Regulation 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 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

This report contains high level themes derived from feedback provided by staff across all Departments of Council and Councillors.

CONCLUSION

This report documents the high-level key themes that have been derived from the submissions received from an internal survey of all staff and Councillors. Further internal meetings/workshops will be held to progress outcomes of the survey.

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.

Barbara Dart

PRINCIPAL OFFICER (GOVERNANCE)

I concur with the recommendations contained in this report.

Allison Ferres-MacDonald

ACTING MANAGER, GENERAL COUNSEL

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"