

Summary of Submissions and Corresponding Actions

As per the ten reports from the Strategic Policy and Systems Manager dated 27 June 2019, Councils have the ability to make, amend and repeal local laws as per Chapter 3, Part 1 Local Laws (Sections 26 to 38B) of the *Local Government Act 2009*. As per Section 29, Councils may decide their own processes for making local laws for which Ipswich City Council has done in its policy “Local Law Making Process” which is available on Council’s website.

As per Section 29A of the *Local Government Act 2009*, a State Government interest check has occurred with Local Laws sent to all State Government agencies for their feedback during the consultation period, Wednesday 17 July 2019 – Wednesday 7 August 2019. Five State Government Agencies responded and comments actioned as per the following table:

State Government Agency	Summary of comments	Action
Department of Housing and Public Works	<i>Subordinate Local Law (Amending) Subordinate Local Law No. 5 (Parking)</i> – will impact social housing developments located in the Ipswich CBD area and ask that wording be amended to 20 or less for multiple residential parking permits	Wording amended to ensure the impact is minimal to social housing developments in the Ipswich CBD
Department of Environment and Science	<i>Local Law (Amending) Local Law No. 1 (Administration) 2019, Local Law (Amending) Local Law No. 4 (Permits) 2019, Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2019, Local Law (Repealing) Local Law No. 25 (Extractive Industries) 2019</i> - No specific concern, general comments provided <i>Subordinate Local Law (Amending) Subordinate Local Law No. 7.1 (Local Government Controlled Areas and Roads) 2019 and Subordinate Local Law (Amending) No. 49.1 (Protection of Important Vegetation) 2019</i> - the inclusion of a reference to requirements under the <i>Queensland Heritage Act 1992</i> to ensure property owners are aware of obligations	References added for <i>Queensland Heritage Act 1992</i> to ensure property owners are aware of obligations
Department of Local Government, Racing and Multicultural Affairs	<i>Local Law (Amending) Local Law No. 1 (Administration) 2019, Local Law (Amending) Local Law No. 3 (Commercial Licensing) 2019, Local Law (Amending) Local Law No. 4 (Permits) 2019, Local Law (Amending) Local Law No. 5 (Parking) 2019, Local Law (Amending) Local Law No. 6 (Animal Management) 2019, Local Law (Amending) Local Law No. 7 (Local Government Controlled Areas And Roads) 2019, Local Law (Amending) Local Law No. 8 (Nuisances And Community Health And Safety) 2019, Local Law (Amending) Local Law No. 49 (Vegetation</i>	Suggestions actioned

	<i>Management) 2019</i> – Consistency and formatting changes suggested	
Department of Transport and Main Roads	<i>Local Law (Amending) Local Law No. 4 (Permits) 2019</i> – Suggested amendment to references <i>Local Law (Amending) Local Law No. 5 (Parking) 2019 and Subordinate Local Law (Amending) Subordinate Local Law No.5.1 (Parking) 2019</i> - asked to consider including a note with regards to the written permission of the chief executive of the Department of Transport and Main Roads being required for the management of certain activities on State-controlled roads (reference to section 66(51(b) of the <i>Transport Operations Road Use Management Act 1995</i>).	Reference amended and note added
Queensland Fire and Emergency Services	<i>Subordinate Local Law No. 49.1 (Protection of Important Vegetation) 2019</i> – Change reference of Rural Fire Brigade to Queensland Fire and Emergency Services as there has been a change in the authorising environment within QFES, that incorporates the Rural Fire Service Queensland	Amendment made

Public consultation on the amended local laws and subordinate local laws was conducted during the consultation period, Wednesday 17 July 2019 – Wednesday 7 August 2019 to seek meaningful feedback. Three submissions were made and were actioned as per the following table:

Respondent	Local Law	Support/ Object/ Other	The facts and circumstances relied on in support of the grounds	Action
1	<i>Local Law (Repealing) Local Law No. 25 (Extractive Industries)</i>	Other - I support with conditions.	The overall intent of the amendment appears reasonable. New extractive industries should be managed through SARA and DES and appropriate legislation, which appears to include greater opportunity for control of operations and management of impacts. I expect that Council may continue to gain contributions for road maintenance through conditions for operational works approval and/or as concurrence agent during DA processes for new applications. The local law	No changes required – Supportive and doesn't impact local law drafting. Concerns raised will be addressed separately.

			however appears to include filling of voids with waste within the rehabilitation conditions.	
2	<p><i>Local Law (Amending) Local Law No.6 (Animal Management) 2019 and Subordinate Local Law (Amending) Subordinate Local Law No.6.1 (Animal Management) 2019</i></p>	<p>Other - There is no criteria of how a dangerous dog is declared</p>	<p>It is nice that a review of a dangerous dog decision can now be reviewed in a real Court. But the reviews are not done by dog experts. When people want a second review of a dangerous dog they want the dog assessed not the paperwork. Are internal reviewers like [REDACTED] and [REDACTED] dog experts? Compare the Qld Act to the NSW Act, were an independent animal expert can be used. Ipswich has annual dog registrations, NSW has one for life. Some people consider QLD dog registrations purely for profit and as a quick way to find the nearest dogs to blame for an attack. For more information on what goes wrong under existing policies, see emails to [REDACTED]. There is also a 50 page 482 paragraphs emailed to ICC that went to the CCC. There are two Statements of Evidence for [REDACTED]. Why did a complaint to ICC end up as a prosecution? ICC has a Compliant Malmanagement System. This should be a Complaint Resolution System as per Section 268 of the LG Act. Resolve complaints before they escalate into Ombudsman and CCC matters. As this matter has failed 4 times to be resolved by ICC perhaps external third parties need to be involved. The option of Court review under the changes to Local</p>	<p>No changes required – Criteria is prescribed under S89 of the <i>Animal Management (Cats and Dogs) Act 2008</i>. Council has also implemented a Complaints Management Framework to ensure complaints are managed in a consistent manner.</p>

			<p>Law 1 will help. Even Local Laws must comply with the Rules of Law and the CEO must ensure he actually has trained dog experts, not ones who have only done a one day course. The LG policy of declaring the dog dangerous and the owners having to prove they are innocent at QCAT are over. Known policies, procedures and criteria used to make decisions must be known and published otherwise people think LG AO's are just making decisions for profit. Internal investigations into allegations of fraud re decisions have failed at ICC. All that was asked for originally was an apology from a bullying Authorised Officer who does not know dog breeds. This is a short submission, more information can be provided on failures of ICC's administration. Just changing the laws is not enough.</p>	
3	<p><i>Local Law (Amending) Local Law No.1 Administration 2019</i></p>	<p>Other: Although 'the purpose of this local law is to provide a legal framework for the administration, implementation and enforcement', there has been in several past cases where checking of compliance and enforcement has been wanting. Non-compliance requires an appropriate penalty that is a</p>	<p>As stated before, there has been several past cases where checking of compliance and enforcement has been wanting. It is useless having a law that is not enforced.</p>	<p>No Changes Required – No amendment suggested. Concerns raised are with implementation of enforcement activities</p>

		deterrent to future breaches of the law.		
	<i>Local Law (Amending) Local Law No.7 (Local Government Controlled Areas and Roads) 2019</i>	Other: One purpose of this local law is to preserve the features and amenity of the natural and built environment under the local government's control, such as gazetted roads; and to protect the health and safety of persons using the local government controlled areas and roads. If this law is not enforced, which has not occurred in several cases in the past, people's health and safety is at risk; and the natural environment is destroyed.	This law has to be enforced to be effective, otherwise people's health and safety is at risk; and the natural environment is destroyed with no chance of regeneration.	No Changes Required – No amendment suggested. Concerns raised are with implementation of enforcement activities
	<i>Local Law (Amending) Local Law No.49 (Vegetation Management) 2019</i>	Other: The objective of this local law is to provide protection, management for significant vegetation; to enforce vegetation protection orders and to take appropriate action to reinstate vegetation damaged in	There are several cases in the past where this law has not been enforced. Checking of compliance and increased enforcement with an appropriate penalty is required as a deterrent to stop non-compliance. This local law has to be enforced if it is to achieve its objective.	No Changes Required – No amendment suggested. Concerns raised are with implementation of enforcement activities

		contravention of this local law.		
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Anti-competitive provisions were identified and included in the public consultation period, however no submissions were made concerning these. Anti-competitive provisions within amended local laws will be noted.

All Council departments were consulted to ensure initial inputs were captured appropriately. Staff have made submissions and were actioned as per the below:

Law	Suggestion	Action
<i>Local Law (Amending) Local Law No. 3 (Commercial Licensing) 2019</i>	Minor Amendments to Temporary Entertainment Event Impact Criteria to ensure assessment is based on risk and not number of attendees at an event Formatting and consistency suggestions	Amendments made as per Attachment 15 and as such will require further public consultation to occur. Suggestions actioned
<i>Local Law (Amending) Local Law No.4 (Permits) 2019</i>	Incorrect numbering identified	Suggestion Actioned