

BARCOO SHIRE COUNCIL POLICY

LOCAL LAW MAKING

Policy Number: EXG-008	Version: 2a
Classification: Statutory	Section: Executive-Governance
Date Adopted by Council: 15.03.2017	Resolution Number: 2017.03.29
Responsible Officer: Chief Executive Officer	<p>Review: Note: This Policy is reviewed when any of the following occur:</p> <ol style="list-style-type: none"> 1. The related information is amended or replaced. 2. Other circumstances as determined from time to time by the Chief Executive Officer. <p>Notwithstanding the above, this Policy is to be reviewed at intervals of no more than two years.</p>
Legislation: Local Government Act 2009; Local Government Regulation 2012; Legislative Standards Act 1992;	

OBJECTIVE

The objective of this policy is to set the conditions where a local law will be made by Barcoo Shire Council

POLICY STATEMENT

Barcoo Shire Council will make a local law or regulation where this is the most appropriate solution to a specific issue which cannot be dealt with in another way.

If the local law or regulation will have an impact on the community, Barcoo Shire Council will determine a method of appropriate community consultation, unless Council is making an interim local law, or adopting a model local law which does not contain an anti-competitive provision.

DEFINITIONS

Local Laws are those laws made by Barcoo Shire Council that are “necessary or convenient for the good rule and government of the local government area”.

PROCEDURE

The Barcoo Shire Council will:

- draft laws in accordance with guidelines issued by the Parliamentary Counsel under the Legislative Standards Act 1992
- if repealing or amending a local law, the local law must include a provision that repeals or amends an existing law
- negotiate directly with the state in checking state interests in relation to the proposed local laws
- consult with the local community if there is likely to be an impact on the community and/or place the proposed local law on public display for comment
- review proposed local laws for anti-competitive provisions
- make local laws by resolution of Council
- notify the public and the Minister for Local Government of any new local laws and make copies available for inspection or purchase
- keep a register of local laws in the way prescribed under the regulation.

Barcoo Shire Council must not make laws that contain the following provisions:

- with penalties of more than 850 penalty units

- that purport to stop a local law being amended or repealed in the future
- about a prohibited subject
- that are anti-competitive
- that are inconsistent with State law

ASSOCIATED DOCUMENTS AND POLICIES

Barcoo Shire Council *Local Law Register*