

**JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION**

*Sixty-fourth Report — “Town of Victoria Park Parking and Parking Facilities Amendment Local Law 2013” —  
Tabling*

**MR P. ABETZ (Southern River)** [10.31 am]: I present for tabling the sixty-fourth report of the Joint Standing Committee on Delegated Legislation entitled “Town of Victoria Park Parking and Parking Facilities Amendment Local Law 2013”.

[See paper 799.]

**Mr P. ABETZ:** The Joint Standing Committee on Delegated Legislation recommends the disallowance of this local law in the other place because the Town of Victoria Park did not follow the correct procedure when it made the local law. The committee has found itself in the position yet again—it occurred 11 times in the last Parliament—of having to recommend the disallowance of a local law in the other place based on noncompliance with procedural requirements prescribed in the Local Government Act 1995; in this case, section 3.12(3a) of the act. This section provides that a local government must publish and exhibit a notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the notice as if it were a local public notice. Section 1.7 of the act defines the giving of “local public notice” to include exhibiting the notice to the public on a noticeboard at the local government’s offices and at every local government library in the district. In this case, the town failed to exhibit the notice of the local law locally, in breach of section 3.12(3a) of the act. This requirement is important as it assists in bringing to the attention of residents of the district changes in local laws made by the local government. The onus of responsibility for understanding and following the correct procedure set out in section 3.12 lies with local governments. The local law is invalid and offends the committee’s term of reference 6.6(a) because it is not within the power of the act.