

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

*Seventy-second Report — “Shire of Shark Bay Local Government Property Amendment Local Law 2014”—
Tabling*

MR P. ABETZ (Southern River) [10.04 am]: I present for tabling the seventy-second report of the Joint Standing Committee on Delegated Legislation.

[See paper 1955.]

Mr P. ABETZ: This report recommends the disallowance of the Shire of Shark Bay Local Government Property Amendment Local Law 2014 because the shire did not follow the correct procedure when making the amendment local law. As members may be aware, in making a local law, a local government must follow procedure set out in section 3.12 of the Local Government Act 1995 in the sequence prescribed. This includes the important requirement in section 3.12(3)(b) to provide the Minister for Local Government with a copy of the proposed local law and the statewide notice of the local law as soon as statewide public notice is given. The amendment local law is invalid because the shire did not provide the minister with a copy of the proposed local law and the statewide public notice. Therefore, the amendment local law offends the committee’s term of reference 10.6(a) in that it is not within power of the empowering act, and the committee recommends that the amendment local law be disallowed. I commend the report to the house.