

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Seventy-seventh Report — “Inquiry into a Proposed Template Waste Local Law” — Tabling

MR P. ABETZ (Southern River) [10.36 am]: I present for tabling the seventy-seventh report of the Joint Standing Committee on Delegated Legislation titled “Inquiry into a Proposed Template Waste Local Law”.

[See paper 2436.]

Mr P. ABETZ: The report concerns a draft template waste local law sent to the committee by the Western Australian Local Government Association on 14 August 2014 for its consideration. The template was produced by WALGA for use by local governments in drafting their local laws relating to the collection and management of waste. This inquiry was significant as it was the first exercise of the committee’s term of reference 10.7(a), which allows the committee to inquire into and report on “any proposed template, pro forma or model local law”. This term of reference allows the committee to bring to WALGA’s attention issues with new template or model local laws before they are incorporated into actual local laws, saving the time and expense of local governments and Parliament.

The committee held a hearing with WALGA in September 2014 to clarify a number of issues with the draft template, and to gain a better understanding of the policy considerations surrounding the collection of waste by local governments under the Waste Avoidance and Resource Recovery Act. The committee extends its appreciation to WALGA for its assistance and cooperation during the course of the inquiry. Following the hearing, WALGA made a number of amendments to the draft template including the inclusion of provisions dealing with objections and rights of appeal, which had not been included in the initial draft; removal of the mandatory requirement that rubbish bins be placed out for collection every collection day, whether or not required; removal of the onus on occupiers to ensure that premises are provided with an adequate number of rubbish bins; limitations on the costs and expenses recoverable by a local government, following conviction for an offence under the local law, to those costs reasonably incurred by the local government; and the correction of typographical errors and definitions.

The committee has some unresolved concerns about the proposed template, which are outlined in the report. The report does not include recommendations or seek action from the house but makes a number of comments to which the committee hopes WALGA and local governments will have regard in the drafting of waste local laws. The committee otherwise expresses its general approval of the proposed template waste local law and commends its report to the house.