

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Special Report — “City of Perth Standing Orders Amendment Local Law 2012” — Tabling

HON SALLY TALBOT (South West) [10.06 am]: I am directed to present a special report of the Joint Standing Committee on Delegated Legislation in relation to the City of Perth Standing Orders Amendment Local Law 2012.

[See paper 5265.]

Hon SALLY TALBOT: The Joint Standing Committee on Delegated Legislation advises the house in this special report that in the fifty-fifth report, tabled on 13 September 2012, the committee recommended that the City of Perth Standing Orders Amendment Local Law 2012 be disallowed. The basis for the recommendation was that the City of Perth failed to follow the sequential steps for making a local law described in section 3.12(3)(b) of the Local Government Act 1995. This resulted in the amendment local law being invalid.

Since tabling the fifty-fifth report, fresh evidence has emerged indicating that the City of Perth was, in fact, compliant with the sequential process demanded in section 3.12. That evidence was provided by the Department of Local Government on 3 October 2012. The fresh evidence reveals that, although the City of Perth wrote to the minister on 8 February 2012 enclosing a copy of the proposed amendment local law and a copy of the statewide public notice, the minister did not receive those items until 17 February 2012, two days after statewide public notice had been given. The minister’s date-stamped receipt of that letter means the amendment local law is now valid. In light of this fresh evidence, I will move that at the next sitting day, order of the day number 2, “City of Perth Standing Orders Amendment Local Law 2012 — Disallowance”, be discharged from the notice paper.

I commend this special report to the house.