

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Seventy-ninth Report — “City of Fremantle Alfresco Dining Local Law 2014” — Tabling

MR P. ABETZ (Southern River) [9.14 am]: As Chairman of the Joint Standing Committee on Delegated Legislation, I present the seventy-ninth report, “City of Fremantle Alfresco Dining Local Law 2014”.

[See paper 2615.]

Mr P. ABETZ: The Joint Standing Committee on Delegated Legislation is of the view that the City of Fremantle did not follow the correct procedure when it made the City of Fremantle Alfresco Dining Local Law 2014. In making a local law, a local government must follow a procedure set out in section 3.12 of the Local Government Act 1995 in the sequence prescribed. This includes a requirement under section 3.12(6) to give local public notice of the local law. Subsection (6) is an important step in the sequence for the making of a local law. That subsection concerns communicating to users of a local law details of when the local law will become operational, its purpose and, significantly in terms of public access, inspection details. The City of Fremantle Alfresco Dining Local Law 2014 offends committee term of reference 10.6(a) in that it is not within power of the empowering enactment. I commend the report to the house.