

SHIRE OF CHITTERING REPEAL LOCAL LAW 2017 — DISALLOWANCE

Motion

Pursuant to standing order 67(3), the following motion by Hon Robin Chapple was moved pro forma on 7 November 2017 —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the Shire of Chittering Repeal Local Law 2017 published in the *Government Gazette* on 7 July 2017 and tabled in the Legislative Council on 16 August 2017 under the Local Government Act 1995, be and is hereby disallowed.

HON ROBIN CHAPPLE (Mining and Pastoral) [3.57 pm]: This was a very simple regulation that the committee had to deal with. I spoke at length when I tabled the report. I urge the chamber to follow our recommendation on page 4 of the report, which states —

The Committee recommends that the *Shire of Chittering Repeal Local Law 2017* be disallowed.

HON SUE ELLERY (South Metropolitan — Leader of the House) [3.58 pm]: When local governments make local laws, they are required to follow the process set out in section 3.12 of the Local Government Act 1995; and, if they fail to follow that process, the local law is potentially invalid and may be overturned. The committee has concluded, as we have heard, that the shire has not followed the correct process by not publicly advertising its intent to make the repeal local law, inviting public submissions or providing a copy of the draft repeal local law to the Minister for Local Government as required under the act. The government supports the committee's recommendation and the motion to disallow the Shire of Chittering Repeal Local Law 2017.

HON DONNA FARAGHER (East Metropolitan) [3.59 pm]: On behalf of the opposition, I indicate that, in line with the committee's recommendation and also the comments by the Leader of the House, we also will support the disallowance.

Question put and passed.