

**SHIRE OF NORTHAMPTON LOCAL GOVERNMENT PROPERTY 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 Northampton Local Government Property Local Law 2017, published in the *Government Gazette* on 1 August 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)** [3.59 pm]: Again, this is a very short report, but a very important one. The procedure in section 3.6(1) of the Local Government Act requires that before a shire makes a local law, it first obtains the Governor's approval to apply the local law to places outside its district. The shire had requested the Governor's approval but this was not provided until after the local law was made. As a result, the committee recommends that the Shire of Northampton Local Government Property Local Law 2017 be disallowed.

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [4.00 pm]: If a local government wants to make a law that applies outside its district, as we have just heard, it needs to obtain the Governor's approval before the local law is made. If the local law is made without the Governor's approval, it is potentially invalid. In this case, the Shire of Northampton sought to regulate activities on local government property, including beaches, jetties and bridges, and the council resolved to make the local law on 16 June 2017, four days prior to the Governor giving approval for the local law to apply outside the district. The government supports the committee's recommendations and the motion to disallow the Shire of Northampton Local Government Property Local Law 2017.

**HON DONNA FARAGHER (East Metropolitan)** [4.01 pm]: Again, similar to the motion we have just dealt with, in line with the recommendations made by the Joint Standing Committee on Delegated Legislation and in respect of the comments made by the Leader of the House, the opposition will also support this disallowance motion.

Question put and passed.