

## Local Law Review Recommendations and Background



The Shire is required to complete a periodic review of its local laws to determine whether or not they should be repealed or amended.

Copies of the local laws, a pdf editable survey and excerpts of Council meeting minutes are available for download under the 'Document Library'. If you have questions, please refer to the FAQs.

Alternatively, copies of the local laws to be inspected and hard copies of the FAQs document and survey are available:

- From Shire of Mundaring Administration Centre, 7000 Great Eastern Highway, Mundaring, Monday to Friday 9am - 4:30pm
- From Shire Libraries located at Mundaring and Boya, during normal opening hours

**Public submissions close: Monday 18 September 2023 at 4pm.**

Following the close of the submission period, your feedback will be reviewed and presented to Council, who will decide whether to retain, repeal or amend each local law.

### What is being recommended?

Consultants from Hammond Woodhouse Advisory have completed a desktop review and met with relevant officers. Hammond Woodhouse Advisory has provided the following recommendations in relation to each local law that has been reviewed.

- That the Activities on Thoroughfares and Trading in Public Places local law is not repealed or amended.
- That the Bush Fire Brigades local law is not repealed or amended.

Noting that the Shire will advocate to WALGA that the model Bush Fire Brigades local law be reviewed to address issues identified by the review and the community.

- That the Cemeteries local law is not repealed or amended.
- That the Dogs local law is not repealed or amended.
- That the Extractive Industries local law is not repealed or amended.
- That the Fencing local law is not repealed or amended.
- That the Keeping of Cats local law be repealed.

Noting that the Shire will advocate to the State Government for a review of the Cat Act 2011 and associated regulations to address issues raised by the community. Further investigations will also be undertaken by the Shire to draft a new Cats local law.

- That the Local Government Property local law is not repealed or amended.

- That the Meeting Procedures local law is not repealed or amended.  
Noting that further investigations will be undertaken by the Shire to draft a new Meeting Procedure local law consistent with any changes to the Local Government Act 1995 as part of the proposed Local Government Act Reform.
- That the Parking local law is not repealed or amended.
- That the Signs local law is not repealed or amended.

## Background

At the Ordinary Council Meeting held 13 July 2021 (C12.07.21), Council resolved to undertake a review of the existing local laws (except the Health local law) and invited public submissions for an 11 week advertising period.

At the February 2022 Ordinary Council Meeting a report was presented to Council noting the anticipated impacts of local government reform on the review process and the introduction of model local laws recommending the local law review not be completed until further information was received on the proposed Local Government Reforms. Council resolved (C6.02.22) to continue with the local law review to comply with current legislation.

The Governance Committee was established by Council at the Ordinary Council Meeting held 13 September 2022 (C22.09.22). One of the objectives of the Governance Committee includes assisting “...*Council in carrying out its legislative functions in the making, amending, revoking and reviewing of local laws under Part 3, Division 2 of the Act*”.

In January 2023, the Shire sought quotes to appoint a consultant to undertake a review of the Shire’s current local laws. Hammond Woodhouse Advisory were appointed to undertake the review.

The Department of Local Guideline on Local Laws states that:

*“Section 3.16 of the Act provides for reviewing the currency and suitability of gazetted local laws – this section cannot be used for amending or repealing legislation. When the outcome of the review finds that it is necessary to change an outdated aspect of the law or that the subsidiary legislation has become defunct or obsolete, the local government must then commence the process outlined in section 3.12 of the Act to implement any changes.”*

In February 2023, consultants from Hammond Woodhouse Advisory undertook a desktop review of the Shire’s current local laws for currency and suitability and provided their recommendations to the Shire.

At the Ordinary Council Meeting held 11 July 2023 (C12.07.23), Council noted the recommendations from Hammond Woodhouse Advisory and is now inviting public submissions on the recommendations. Council will considers any feedback during the consultation period received prior to determining whether or not to adopt the recommendations from Hammond Woodhouse Advisory.