

## JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION



Our ref: A887010 and 4108:16

15 June 2021

Cr Fiona Gaze  
President, Shire of Gnowangerup  
28 Yougenup Road, Gnowangerup WA 6335  
cfrgaze@gnowangerup.wa.gov.au

Dear President

### **Shire of Gnowangerup Standing Orders Local Law 2021**

Thank you for providing the Explanatory Memorandum (EM) and supporting material for the above local law submitted to the Joint Standing Committee on Delegated Legislation on 30 March 2021.

The amendment local law was considered by the Committee at its meeting on 14 June 2021, which resolved to write to you the about the following.

#### **Typographical and formatting errors**

##### *Clause 1.5(1)*

Clause 1.5(1) states:

(1) *In these this local law, unless the contrary intention appears—*

The word 'these' should be deleted.

##### *Numbering in clause 15.9*

The subclauses of clause 15.9 number (a) to (d) rather than (1) to (4). To be consistent with the numbering in the local law, the subclauses should number (1) to (4).

#### **Undertakings**

The following undertakings are sought:

1. When the local law is next reviewed, correct the typographical errors in clauses 1.5(1) and 15.9.
2. Ensure all consequential amendments arising from the undertaking will be made
3. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.

The undertakings should be given in the form of a letter signed by you as President, not the Chief Executive Officer or other officer of the Shire of Gnowangerup. This is because, pursuant to section

2.8(1)(d) of the *Local Government Act 1995*, the 'Mayor or President speaks on behalf of the local government' to the Parliament of Western Australia.

I note that your Council is next due to meet on 23 June 2021 and the Committee therefore requests that the undertakings be provided to the Committee by 28 June 2021.

To assist you I attach a suggested form of Council resolution to provide the undertakings.

Notwithstanding the confidential status of this letter, the Committee authorises the Shire of Gnowangerup to discuss the contents of this letter with WALGA, the Department of Local Government and Communities and its legal advisers. Each person to whom you distribute this material must be made aware of its confidential and privileged status.

Please provide your response by **28 June 2021**. If you have any queries in relation to this matter, please contact Mr Alex Hickman, Advisory Officer (Legal) on 9420 7633 or at [delleg@parliament.wa.gov.au](mailto:delleg@parliament.wa.gov.au).

Yours sincerely



**Mr Geoff Baker MLA**  
Chair

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***Suggested form of Council resolution to provide the undertakings:***

*The Council of Shire of Gnowangerup resolves to undertake to the Joint Standing Committee on Delegated Legislation that:*

1. When the local law is next reviewed, correct the typographical errors in clauses 1.5(1) and 15.9.
2. Ensure all consequential amendments arising from the undertaking will be made
3. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.