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## Appendix 1

## Local Government Act 1995 – Section 3.12 and NCP review requirements

## Flow Chart of Local Law-Making Process

Presiding person to give notice to the council meeting of the purpose and effect of the proposed local law



Local law inviting submissions from the public



Send copies of the proposed local law, NCP review form/statement and public notice to the Minister(s)



Consideration of submissions



Council makes local law by resolution



Publish in Government Gazette



Send copy of gazetted law to Minister(s)



Give local public notice of adoption of local law



Send documents (Explanatory Memorandum, checklist and e-copy) to Joint Standing
Committee on Delegated Legislation
(JSCDL), Parliament House

Local and Statewide public notices are defined at sections 1.7 and 1.8 of the Act. For the notice of proposed local law:

- include all requirements set out at section 3.12(3)(a)(i)-(iii);
- take care calculating the minimum 42-day period (add extra days for both publishing day and closing day, and when closing day falls on a public holiday, Saturday or Sunday).
- Provide a copy of Statewide notice, a statement on NCP review, and the draft proposed local law exactly as it is intended to be published to the Minister(s).
- Where alterations will make a local law significantly different to what was initially proposed, the procedure for making the local law must be recommenced.
- An 'absolute majority' of council is required to make the local law.
- For the notice of adoption, include all requirements set out at s. 3.12(6)(a)-(c).
- A local law comes into operation 14 days after publication in the Gazette, or such later day as specified.
- Health local laws (under the Health Act 1911) come into operation on the day they are published in the Gazette.
- For additional information, visit www.dlgc.wa.gov.au
- If you have queries, contact the DLGC Local Laws Helpline Tel: (08) 6552 1494 or the Joint Standing Committee Tel: (08) 9222 7300