

c2024-053D
GRNS--The Greens

LEGISLATIVE COUNCIL

Local Government Amendment (De-amalgamations) Bill 2024

Second print

Proposed amendments

- No. 1 **Electors may make de-amalgamation proposal**
Page 3, Schedule 1[8], proposed section 218CD(1), line 28. Insert “or an appropriate minimum number of electors” after “council”.
- No. 2 **Secession of one council from a three council merger**
Page 3, Schedule 1[8], proposed section 218CD(1)(a)(i), line 32. Insert “or, if the amalgamated area was formed by the merger of 3 former areas, at least one of the former areas—” after “areas”.
- No. 3 **Electors may make de-amalgamation proposal**
Page 3, Schedule 1[8], proposed section 218CD(1)(a)(iii), line 34. Insert “for a proposal made by an amalgamated council—” before “other”.
- No. 4 **Electors may make de-amalgamation proposal**
Page 4, Schedule 1[8], proposed section 218CD. Insert after line 10—
 (4A) The Minister must also publish the written response in the Gazette.
- No. 5 **Carrying of question at referendum**
Page 4, Schedule 1[8], proposed section 218CD(8)(a), lines 27 and 28. Omit “total number of enrolled electors of the amalgamated area”. Insert instead “number of enrolled electors of a former area”.
- No. 6 **Secession of one council from a three council merger**
Page 4, Schedule 1[8], proposed section 218CD. Insert after line 35—
 (8A) To avoid doubt, if a de-amalgamation proposal relating to an amalgamated area formed by the merger of 3 former areas is supported in a referendum by the required majority in only one of the former areas, the Minister must make recommendations to the Governor for proclamations under Division 1 to—
 (a) de-amalgamate the former area that supported the proposal from the amalgamated area, and
 (b) re-constitute the former area as a separate area, and
 (c) re-constitute the remaining 2 former areas as an amalgamated area.

-
- No. 7 **Electors may make de-amalgamation proposal**
Page 4, Schedule 1[8], proposed section 218CD(11). Insert after line 44—
appropriate minimum number of electors means the greater of the following number of enrolled electors for a former area of the amalgamated area—
 (a) 250,
 (b) 10% of the enrolled electors of the former area.
- No. 8 **Electors may make de-amalgamation proposal**
Page 5, Schedule 1[8], proposed section 218CD(11). Insert after line 4—
enrolled elector of a former area means an elector enrolled in relation to an address within the boundaries of the former area.
- No. 9 **Secession of one council from a three council merger**
Page 6, Schedule 1[11], proposed Schedule 10, clause 1(2). Insert after line 12—
 (e1) *enrolled elector of a former area*,
- No. 10 **Secession of one council from a three council merger**
Page 8, Schedule 1[11], proposed Schedule 10, clause 5. Insert after line 25—
 (5A) Despite subclause (5), if the referendum relates to an amalgamated area formed by the merger of 3 former areas, the question to be put to the elector at the referendum is—
 Should the [*name of the former area of the elector**] be de-amalgamated from the [*name of the amalgamated area*] and be re-constituted as a separate local government area? Yes/No.
 * A former area is a former area of an elector if the elector is enrolled in relation to an address within the boundaries of the former area.
- No. 11 **Carrying of question at referendum**
Page 8, Schedule 1[11], proposed Schedule 10, clause 6(1), lines 33–35. Omit all words on the lines. Insert instead—
 (1) The question is carried if it is supported at the referendum by the votes of a majority of the number of the enrolled electors of a former area as at the closing date.
-