

LOCAL GOVERNMENT AMENDMENT BILL 2021

No. 1 **IND No. 1 [c2021-014F]**

Page 2, clause 2(2)(e), line 13. Omit all words on that line.

No. 2 **OPP No. 2 [c2021-013A]**

Page 3, Schedule 1.1. Insert after line 2—

[1A] Section 218CC

Insert after section 218CB—

218CC Proposals for de-amalgamations

- (1) The new council may, within 10 years of the constitution of the new area, submit a written business case to the Minister setting out—
 - (a) a proposal for the de-amalgamation of the new area, whether by reconstituting the former areas or constituting different areas, and
 - (b) the reasons in support of the proposal.
- (2) The Minister must, within 28 days after the business case is submitted, refer the de-amalgamation proposal to the Boundaries Commission with a direction that it conduct an inquiry and report on the proposal.
- (3) Without limiting subsection (2) or section 263, the Boundaries Commission may in its report recommend that—
 - (a) the de-amalgamation proposal be supported, or
 - (b) the de-amalgamation proposal be rejected, or
 - (c) a different de-amalgamation proposal be supported.
- (4) The Minister must ensure that the report of the Boundaries Commission is publicly released within 48 hours after it is provided to the Minister.
- (5) The Minister must, within 28 days after the report is provided to the Minister, provide a written response to the new council setting out—
 - (a) whether or not the Minister supports the de-amalgamation proposal or a different de-amalgamation proposal recommended by the Boundaries Commission, and
 - (b) the reasons for the Minister's decision, and
 - (c) if the Minister supports the de-amalgamation proposal or the different de-amalgamation proposal—the anticipated time frame for giving effect to the proposal.
- (6) The Minister is, by making grants under section 620 or using money otherwise appropriated by Parliament for the purpose, to ensure that the cost of any de-amalgamation of the new area resulting from a business case submitted under this section is fully funded.

(7) This section extends to new areas constituted before the commencement of this section.

(8) In this section—

new area means the area constituted by the amalgamation of areas (*former areas*) by the relevant proclamation.

new council means the council of a new area constituted by section 219.

relevant proclamation means the proclamation made pursuant to Chapter 9, Part 1 that amalgamates former areas into the new area and constitutes the new council.

No. 3 GRN No. 2 [c2021-012C]

Page 4, Schedule 1.1. Insert after line 32—

[3A] Section 505 Application of Part

Insert after section 505(a)(vi)—

(vii) fire and emergency service levies payable under the *Fire and Emergency Services Levy Act 2017*, and

No. 4 GRN No. 2 [c2021-035A]

Page 8, Schedule 1.1[19], lines 16 and 17. Omit ", but only if the owner of the land is not receiving regular State financial assistance in relation to the agreement". Insert instead "unless it is a kind of conservation agreement excluded by the regulations".

No. 5 GRN No. 3 [c2021-035A]

Page 10, Schedule 1.1[24], proposed section 556(3), lines 2–4. Omit ", but only if the owner of the land is not receiving regular State financial assistance in relation to the agreement". Insert instead "unless it is a kind of conservation agreement excluded by the regulations".

No. 6 OPP No. 5 [c2021-013A]

Page 11, Schedule 1.1[30], lines 19 and 20. Omit all words on those lines.

No. 7 OPP No. 6 [c2021-013A]

Page 12, Schedule 1.1[31], proposed clause 127(2)(b), line 11. Omit "4 years". Insert instead "8 years".

No. 8 OPP No. 7 [c2021-013A]

Page 13, Schedule 1.1[31], proposed clause 129(5)(a), line 12. Omit "4 years". Insert instead "8 years".

No. 9 OPP No. 8 [c2021-013A]

Page 14, Schedule 1.1[31], proposed clause 133, lines 5–10. Omit all words on those lines.

No. 10 OPP No. 9 [c2021-013A]

Page 14, Schedule 1.1[31], proposed Part 41. Insert after line 10—

Division 5 Statutory review

134 Minister to review amendments

- (1) This Minister is to review the amendments made by the amending Act to determine whether—
 - (a) the policy objectives of the amendments remain valid, and
 - (b) the terms of the provisions inserted, substituted or amended by the amending Act remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the end of the period of 2 years following the commencement of this clause.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament as soon as practicable after the review is completed.

No. 11 GRN No. 4 [c2021-035A]

Page 14, Schedule 1.1[32], lines 15 and 16. Omit "other than a conservation agreement of a kind excluded by the regulations".

No. 12 IND No. 6 [c2021-014F]

Page 14, Schedule 1.1[33], lines 19–24. Omit all words on those lines.

No. 13 GRN No. 6 [c2021-012C]

Page 1. Long title. Insert "and make other amendments" after "Tribunal".

No. 14 OPP No. 12 [c2021-013A]

Page 1. Long title. Insert "and about council area amalgamations" after "certain terms of office".