

LEGISLATIVE ASSEMBLY

Local Government Amendment Bill 2021

First Print

Proposed amendments

No. 1 **Financial support grants for amalgamated councils**
Page 2, clause 2(2)(c), line 11. Omit “[30]”. Insert instead “[29]”.

No. 2 **Business case for de-amalgamations**
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 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, whether by using grants under section 620 or otherwise.

(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 **Intergovernmental projects**

Pages 3 and 4, Schedule 1.1[3], line 8 on page 3 to line 32 on page 4. Omit all words on those lines.

No. 4 **Financial support grants for amalgamated councils**

Page 11, Schedule 1.1. Insert after line 18—

[29A] Section 620 Making of grants by the Minister

Insert at the end of the section—

(2) The Minister must, with money appropriated by Parliament for the purpose, re-establish the financial support grant program established to provide financial support to councils for areas amalgamated in 2016 to meet the costs of the amalgamations.

No. 5 **Sale of land for unpaid rates and charge**

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

No. 6 **Rate harmonisation**

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

No. 7 **Rate harmonisation**

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

No. 8 **Sale of land for unpaid rates and charge**

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

No. 9 **Statutory review of amendments**

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

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- (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. 10 **Superannuation payments for councillors**

Page 15, Schedule 1.3, proposed section 254B(1), line 30. Omit “may”. Insert instead “must”.

No. 11 **Superannuation payments for councillors**

Pages 15 and 16, Schedule 1.3, proposed section 254B(4), line 39 on page 15 to line 4 on page 16. Omit all words on those lines.

No. 12 **Long title**

Insert “and about council area amalgamations” after “certain terms of office”.