

## Greater Newcastle Referendum Bill, 1924.

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### EXPLANATORY NOTE.

THE question of constituting a "Greater Newcastle City and Council" has been discussed for several years. In 1919 a Royal Commission investigated the matter, and submitted a scheme with a recommendation for approval. Following on that Commission, a number of conferences were held by the Councils interested. These conferences have supported the Royal Commission scheme with minor modifications, and a resolution was passed that the matter be submitted to a poll of the electors. The Department then suggested that the desired poll should be taken by each Council voluntarily, as it has power to do under Section 81 of the existing Local Government Act, 1919. All of the Councils concerned would not agree to take the poll.

As it is desirable that, if there be a poll, it should be taken throughout the whole area affected, this Bill has been drafted to provide for the taking of a poll of local government electors by the Council of each area in the proposed Greater Newcastle city boundaries as defined by the Royal Commission.

The district affected comprises roughly the area lying within an 8-mile radius north and west of Newcastle, and within a 5-mile radius south of Newcastle.

The question to be submitted at the poll will be whether the electors are in favour of the creation of a Greater Newcastle generally on the lines recommended by the Greater Newcastle Royal Commission, with certain modifications agreed to by the majority vote of the Conference held in 1920 on the subject. The duty will be laid on each Council of making the necessary preparations for taking the poll in its area; and, failing the Council, the Mayor will be responsible. If he also neglect to do so, the Governor may fix a date for, and order, the taking of the poll; and the expenses of the poll will be defrayed from the General Fund of each area.

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No. , 1924.

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## A BILL

To provide for the taking of a referendum on the subject of the constitution of a Greater Newcastle City and Council; and for purposes connected therewith.

[MR. J. C. L. FITZPATRICK;— 17 *July*, 1924.]

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

**1.** This Act may be cited as the "Greater Newcastle Short title, Referendum Act, 1924," and shall be read with the Local Government Act, 1919, and the Acts amending that Act.

Application  
of Act.

**2.** This Act shall apply within the City of Newcastle, the municipalities of Adamstown, Carrington, Hamilton, Lambton, New Lambton, Merewether, Stockton, Wallsend, Waratah, and Wickham, and within such parts of the shires of Tarro, Port Stephens, and Lake Macquarie as are included in the area of land described in the Schedule to this Act. 5

Taking of a  
poll.

**3.** (1) The council of each area within which, or within any portion of which, this Act applies shall, upon a day to be fixed by the Governor and notified in the Gazette, take a poll of the electors of the area or of the electors enrolled in respect of the portion of the area within which this Act applies, as the case may be, upon the following question:— 10

“Are you in favour of the creation of a ‘Greater Newcastle’ generally on the lines recommended by the Greater Newcastle Royal Commission in its report dated the twenty-first day of March, one thousand nine hundred and nineteen, with the modifications agreed upon by a majority vote at a conference held by the interested bodies in July and August, one thousand nine hundred and twenty?” 15 20

(2) Any expenditure incurred in complying with this Act shall be defrayed from the general funds of the councils. 25

Provision in  
case of  
failure or  
delay.

**4.** (1) If any council fails to make the necessary preparations for the taking of the poll in accordance with this Act, it shall be the duty of the mayor to make such preparations and cause the poll to be taken. 30

The town clerk is hereby empowered to authorise the expenditure of any sums necessary for these purposes.

(2) If any mayor neglects or delays compliance with this section, he shall be liable to a penalty not exceeding *fifty* pounds. Such penalty shall be recoverable in a summary manner before a stipendiary or police magistrate or any two justices in petty sessions. 35

Failure to  
take poll.

**5.** (1) If within any area or portion of an area the poll is not taken as required by this Act, the Governor may, by notification in the Gazette, fix a date for the taking of the poll, and order that the poll be taken on the day so fixed. 40 (2)

(2) In any such case the Minister may appoint a returning officer, and may authorise him to appoint electoral officers and to make all necessary arrangements for taking the poll.

5 (3) The mayor and town clerk of the area shall in any such case afford the returning officer the use of the council's offices, staff, and property for the purpose of taking the poll, and shall permit him to have access to all documents of the council which he may desire to  
10 examine or use in connection with the poll.

(4) Any expenditure incurred in carrying out the provisions of this section, whether by the Minister or the returning officer, shall be recoverable from the council in whose area the poll is taken.

15 (5) If any person delays or obstructs such returning officer or any electoral officer, he shall be liable to a penalty not exceeding *fifty* pounds. The said penalty shall be recoverable in a summary manner before a stipendiary or police magistrate or any two  
20 justices in petty sessions.

6. The result of each poll shall be declared as pre-  
scribed, and the returning officer shall report such  
declaration to the Minister and to the council of the  
area, in which the poll is taken within fourteen days  
25 after the date of the poll. Result of  
the poll.

7. (1) The provisions of the Local Government Act, Application  
of Local  
Government  
Act, 1919.  
1919, and of the ordinances made thereunder relating  
to the preparation of rolls of electors, the conduct of  
elections and polls of electors, and all matters incidental  
30 to the taking of a poll of electors under that Act shall,  
to the extent to which the same are not inconsistent  
with this Act, apply to the taking of a poll under this  
Act.

(2) The power to make ordinances under the  
35 Local Government Act, 1919, shall be deemed to  
include a power to make ordinances as to any matter or  
thing required by this Act to be prescribed, or which is  
necessary or convenient to be prescribed, for the purpose  
of carrying the provisions of this Act into effect.

*Greater Newcastle Referendum.*

## SCHEDULE.

COUNTIES of Gloucester and Northumberland, parishes of Stowell, Stockton, Newcastle, Hexham, Teralba, and Kahibah: Commencing on the high-water mark of the South Pacific Ocean at a point due east of the north-east corner of John Smith's portion 145 of 640 acres, 5  
parish of Stowell, county of Gloucester, and bounded thence by a line west to that corner; thence by the north boundary of that portion west to the south-west corner of portion 143; by part of the western boundary of that portion north to the centre of the road from Saltash to Hexham Ferry; by the centre line of that road generally westerly 10  
and south-westerly to the western boundary of portion 7, parish of Stockton; by that boundary and a line south to the centre of the north channel of the Hunter River, by the centre line of that channel downwards and the centre line of Dempsey's Channel, dividing Ash Island from Moscheto and Dempsey Islands, to the centre of the 15  
south channel of the Hunter River; by the centre line of the main channel upwards to Ironbark Creek; by the centre line of that creek upwards to the northern boundary of the municipality of Wallsend, proclaimed 20th October, 1915; by that boundary west to the east boundary of portion 6, parish of Hexham; by a line partly forming 20  
the western boundary of the aforesaid municipality and passing through the parish of Teralba south to the northern boundary of portion 24, parish of Kahibah; by part of the northern boundary of that portion east to the east boundary of the private town of Boolaroo, proclaimed 15th January, 1904, under the Police Offences Act of 1901; by that 25  
boundary south to the north-west corner of portion 11; by the northern boundary of that portion and part of the south boundary of portion 222 east to the south-east corner of the latter portion; by a line and the north boundaries of portions 106, 105, and 107 easterly to the north-east corner of the latter portion; by the eastern boundary of that 30  
portion south to its most easterly south-east corner; by a line east to the north-west corner of portion 7, by the western and southern boundaries of that portion and a south boundary of portion 64 south and east to the eastern side of the road from Swansea to Newcastle; by that road northerly to a point west of the north-west corner of portion 35  
63; by a line east to that corner, the northern boundary of portion 63, and part of its eastern boundary south to the south-west corner of portion 157; by the southern boundaries of portions 157, 170, and 164, a line and the northern boundaries of portions 65, 56, and 93 easterly to the high-water mark of the South Pacific Ocean; and thence 40  
by a line easterly to its intersection with a line following the general contour of the coast and distant 3 miles therefrom; by that contour line generally northerly to a point east of the point of commencement; and by a line west to that point. Inclusive of any islands within the metes and bounds of this description, but not inclusive of the land 45  
known as "Walsh Island."