

LEGISLATIVE COUNCIL

LOCAL GOVERNMENT LEGISLATION AMENDMENT (RATING AND OTHER MATTERS) BILL 2022

(Amendments and New Clauses to be proposed in Committee by Dr RATNAM)

1. Page 15, after line 2 insert the following heading—

"Division 1AA—Constitution of a Council—multi-member wards".

NEW CLAUSES

2. Insert the following New Clauses to follow clause 18 and the heading proposed by amendment number 1—

'18A Constitution of a Council

- (1) In section 13(4)(a) of the **Local Government Act 2020** omit "subject to subsection (5)".
- (2) For section 13(4)(c) of the **Local Government Act 2020** substitute—
 - "(c) all Councillors elected to represent multi-member wards into which the municipal district is divided and divided so that an equal number of Councillors represents each ward; or
 - (d) Councillors elected to represent single member wards and multi-member wards of different sizes into which the municipal district is divided."
- (3) Section 13(5) and (5A) of the **Local Government Act 2020** are **repealed**.

18B Electoral structure of a Council

- (1) For section 15(1)(b)(ii) of the **Local Government Act 2020** substitute—
 - "(ii) that the Council is to be constituted in a manner specified in section 13(4)(a), (b), (c) or (d);"
- (2) In section 15(1)(b)(iv) of the **Local Government Act 2020**, for "Council;" substitute "Council."
- (3) Section 15(1)(c) and (d) of the **Local Government Act 2020** are **repealed**.

18C Electoral structure review

- (1) Section 16(1) of the **Local Government Act 2020** is **repealed**.
- (2) In section 16(2) of the **Local Government Act 2020**—
 - (a) for "subsections (13) and (14)" substitute "subsection (13)";
 - (b) omit ", (c) or (d)".

- (3) In section 16(3) of the **Local Government Act 2020**, for "If the Minister has established an electoral representation advisory panel, the" **substitute** "The".
- (4) After section 16(3) of the **Local Government Act 2020 insert**—
- "(3A) If the Minister elects not to adopt the advice of the electoral representation advisory panel under subsection (3) for the purposes of recommending that an Order in Council be made under section 15, the Minister must give written reasons for not adopting the electoral representation advisory panel's advice and table those reasons in each House of Parliament on or before the third sitting day after electing not to adopt the advice."
- (5) For section 16(4) of the **Local Government Act 2020 substitute**—
- "(4) Subject to subsection (6), an electoral representation advisory panel must be constituted by—
- (a) the Electoral Commissioner appointed under section 12 of the **Electoral Act 2002** or a person nominated by the Electoral Commissioner to represent the Electoral Commissioner on the electoral representation advisory panel; and
 - (b) any other person the Electoral Commissioner nominates to the Minister."

(6) In section 16(7)(c) of the **Local Government Act 2020 omit** "subject to the Minister first publishing a notice under section 13(5) in relation to a Council, or a specific type of Council,".

(7) Section 16(7)(ca) of the **Local Government Act 2020 is repealed**.

(8) Section 16(14) of the **Local Government Act 2020 is repealed**."