

LEGISLATIVE COUNCIL
LOCAL GOVERNMENT BILL 2019

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

1. Clause 8, line 18, after "role" insert ", including by advocating the interests of the local community to other communities and governments".
2. Clause 60, page 72, line 21, after "Rules" insert "and that any amendments to the Governance Rules are made available for inspection in accordance with section 60A".
3. Insert the following New Clause to follow clause 60—

"60A Making proposed changes to Governance Rules available for inspection

 - (1) If the Council proposes to amend its Governance Rules, the Council must make the proposed amendments available for inspection for 28 days in accordance with this section.
 - (2) The Council must publish a notice stating—
 - (a) the intended effect of the proposed amendments; and
 - (b) that a copy of the proposed amendments is available for inspection—
 - (i) at the Council's office; and
 - (ii) on the Council's Internet site; and
 - (c) that the amendments will be available for inspection for 28 days and submissions in respect of the proposed amendments may be made to the Council during that time.
 - (3) At the end of the 28 day period of inspection, the Council—
 - (a) must consider any submissions made in respect of the proposed amendments to the Governance Rules; and
 - (b) may adopt the proposed amendments."
4. Clause 79, after line 19 insert—

"(1A) Despite subsection (1)(a), a local law may prescribe a penalty not exceeding 200 penalty units if the law is regulating activities connected with the construction of a building with a gross floor area of 2000 square metres or more."
5. Clause 240, lines 6 and 7, omit "or a ratepayer to the Council".
6. Clause 240, lines 12 to 29, omit all words and expressions on those lines.
7. Clause 240, page 219, lines 1 to 32, omit all words and expressions on those lines.

8. Clause 240, page 220, lines 1 to 34, omit all words and expressions on those lines.
9. Clause 242, omit this clause.
10. Clause 243, omit this clause.
11. Clause 244, omit this clause.
12. Clause 245, omit this clause.
13. Clause 246, omit this clause.
14. Clause 247, omit this clause.
15. Clause 248, omit this clause.
16. Clause 249, line 8, omit "from—" and insert "from a roll of electors for the Legislative Assembly compiled from the register of electors in accordance with section 268.".
17. Clause 249, lines 9 to 17, omit all words and expressions on those lines.
18. Clause 249, lines 29 to 35, omit all words and expressions on those lines.
19. Clause 262, lines 23 and 24, omit "the Minister in accordance with this section" and insert "Council".
20. Clause 262, lines 25 to 27, omit all words and expressions on those lines and insert—

"(2) A determination by Council under subsection (1) must be made in accordance with the community engagement principles.".
21. Clause 262, lines 28 to 32, omit all words and expressions on those lines.
22. Clause 262, page 240, lines 1 to 3, omit all words and expressions on those lines.
23. Clause 262, page 240, line 4, omit "Subject to subsection (3), a" and insert "A".
24. Clause 262, page 240, lines 9 to 12, omit all words and expressions on those lines.
25. Clause 326, line 5, before "Without" insert "(1)".
26. Clause 326, page 295, after line 14 insert—

"(2) Despite subsection (1)(i), the regulations must require, where a ballot-paper is required, and where there are 3 or more candidates on the ballot-paper, that the order of candidates on the ballot-paper be rotated equally and proportionally among types of ballot-paper that are distributed to remove any statistical advantage to any one candidate.".
27. Clause 338, line 2, omit "sections 9(1) and (3) and 9B(4)" and insert "section 9(1)".
28. Clause 338, line 9, omit ", (2)(b), (3) and (5)" and insert "and (2)(b)".
29. Clause 338, lines 12 to 23, omit all words and expressions on those lines.

30. Clause 338, lines 27 to 32, omit all words and expressions on those lines.
31. Clause 339, omit this clause.
32. Insert the following New Clause before clause 340—

"339 Repeals

- (1) In section 9(1)(b)(ii) of the **City of Melbourne Act 2001**, for "Division; or" **substitute** "Division."
- (2) Sections 9(1)(c), (3) and (4), 9A(3), (4), (5) and (6), 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 10, 11A and 11C(1) of the **City of Melbourne Act 2001** are **repealed**.
- (3) For section 11D(2) of the **City of Melbourne Act 2001** **substitute**—
 "(2) The Registrar must compile a voters' roll containing the prescribed particulars of persons entitled to be enrolled as at the close of the roll from—
 (a) in the case of a general election, information received—
 (i) under section 11(1); and
 (ii) under subsection (3); and
 (b) in the case of a by-election, the voters' roll from the last election and the information received under subsection (3)."
- (4) Section 11D(4) of the **City of Melbourne Act 2001** is **repealed**."

33. Clause 340, omit this clause.
34. Page 318, before line 24 insert the following heading—

"Division 3A—Amendment of Planning and Environment Act 1987".

35. Insert the following New Clause to follow clause 364 and the heading proposed by amendment number 37—'

"364A Planning and Environment Act 1987

In section 188(2)(a) of the **Planning and Environment Act 1987**, after "191" **insert** "unless the planning authority is a municipal council and section 67 of the **Local Government Act 2019** applies to the circumstances".