

**Laid before the Legislative Assembly on 11 October 2005**

**Votes and Proceedings No. 76 (25 October 2005)**

## **Local Government and Other Legislation Amendment Bill 2005**

### **Erratum to Explanatory Notes**

#### **Title of the Bill**

*Local Government and Other Legislation Amendment Bill 2005*

#### **Reason for Erratum**

Proof reading errors have occurred, primarily in relation to the numbering of clauses of the Bill.

#### **Objective of the Legislation**

**Page 1, dot point 3, dash point 4** should be removed and replaced by the following:

Provide councils that decide to remain with the procedural contracting model an option to use the strategic contracting model for significant one-off purchases or disposals (other than land);

**Page 2, dash point 2** should have the words “and reporting on their performance against these plans in their Annual Reports” deleted.

#### **Notes on the Provisions**

**Page 5, Clause 2** should have the words “clause 7 section 137A“, wherever they occur, replaced by “clause 8 section 137A”.

**Page 16, Clause 17**, division 3, subdivision 2 should have the words “clauses 18 to 25” replaced by “clauses 18 to 24”.

**Page 19, Clause 27** should be removed and replaced by the following:

Clause 27 amends a number of provisions in section 492.

Sub clauses 27 (1) and (4) amend section 492 to align its terminology with that used in the LGFS regarding non-current assets. 2 Local Government and Other Legislation Amendment Bill 2005

Sub clauses 27 (2), (7), (8), (9) and (10) renumber various subsections in section 492.

Sub clause 27 (3) inserts the term “local government owned corporation” into subsection 492(1)(a). This will allow councils to dispose of designated non-current assets to local government owned corporations without being subject to open competition provisions in section 491, similar to current provisions for State Government Owned Corporations.

Sub clause 27 (5) clarifies that councils are exempt from the tender and auction requirements of section 491 if the disposal is a trade-in component of a contract for the supply of goods.

Sub clauses 27 (6) and (11) allow councils using the procedural contracting model to exempt the application of these provisions in section 491 where the council has resolved that a plan be prepared for a significant designated disposal activity and that plan has been made in accordance with new section 486(2). Together these provisions allow councils to use an alternate approach for one-off significant disposals that it may need to make from time to time.

**Page 19, Clause 28** should have its title changed to “Insertion of new ch 6, pt 3, div 3, sdiv 4”.