

Local Government Act 1995

## Local Government (Fremantle) Change Order 2023

Made by the Governor in Executive Council.

**1. Citation**

This order is the *Local Government (Fremantle) Change Order 2023*.

**2. Commencement**

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Terms used**

- (1) In this order —

***commencement day*** means the day on which clause 4 comes into operation;

***next election day*** means the first ordinary election day for the City of Fremantle that falls after commencement day;

***ordinary election*** means an ordinary election for the City of Fremantle;

***subsequent election day*** means the first ordinary election day for the City of Fremantle that falls after next election day.

- (2) If a term used in this order is given a meaning in section 2.16A of the Act, it has the same meaning in this order.

#### **4. Change in number of councillors**

- (1) This clause applies for the purposes of section 2.18A(1)(a) of the Act.
- (2) On and from next election day, the number of offices of councillor that the council of the City of Fremantle is to have is 10.
- (3) On and from subsequent election day, the number of offices of councillor that the council of the City of Fremantle is to have is 8.

Notes for this clause:

- 1. The provisions of this clause are made in consequence of the estimate of the district of Fremantle's population specified in the *Local Government (Population Estimates) Order 2023*.
- 2. The effect of this clause is to decrease the number of offices of councillor that the council of the City of Fremantle is to have from 12 to 8, which will be the maximum number of offices of councillor permitted for that council under section 2.17(4)(b) of the Act.
- 3. The decrease in the number of offices of councillor takes effect in 2 parts, the first part under subclause (2) on next election day and the second part under subclause (3) on subsequent election day — see section 2.18A(4) of the Act.
- 4. In accordance with section 2.18A(5) of the Act, the part decrease under subclause (2) has effect despite section 2.17(4)(b) of the Act.

#### **5. Number of councillors for new wards specified**

- (1) This clause applies for the purposes of section 2.18A(1)(b) of the Act.
- (2) On and from next election day, the number of offices of councillor that each ward in the district of Fremantle is to have is as follows —
  - (a) the Central Ward — 2;
  - (b) the Coastal Ward — 3;
  - (c) the East Ward — 3;
  - (d) the North Ward — 2.

- (3) On and from subsequent election day, the number of offices of councillor that each ward in the district of Fremantle is to have is as follows —
- (a) the Central Ward — 2;
  - (b) the Coastal Ward — 2;
  - (c) the East Ward — 2;
  - (d) the North Ward — 2.

Note for this clause:

The wards referred to in this clause are established on next election day by the *Local Government (Fremantle - Change to Wards) Order 2023* clause 5.

## **6. Consequential directions**

- (1) In order to give effect to clauses 4(2) and 5(2) —
- (a) Part 4 of the Act applies to preparing for and conducting any ordinary election for which next election day is the ordinary election day as if the changes effected by clauses 4(2) and 5(2) take effect on commencement day; and
  - (b) the operation of Part 4 of the Act is modified to the extent necessary for the purposes of paragraph (a).
- (2) In order to give effect to clauses 4(3) and 5(3) —
- (a) Part 4 of the Act applies to preparing for and conducting any ordinary election for which subsequent election day is the ordinary election day as if the changes effected by clauses 4(3) and 5(3) take effect on 1 July 2025; and
  - (b) the operation of Part 4 of the Act is modified to the extent necessary for the purposes of paragraph (a).

K. COLLERAN, Clerk of the Executive Council.