

South Australia

City of Adelaide (Representation Review) Amendment Act 2006

An Act to amend the *City of Adelaide Act 1998*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *City of Adelaide (Representation Review) Amendment Act 2006*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *City of Adelaide Act 1998*

3—Amendment of section 20—Constitution of Council

- (1) Section 20(1)(b)—delete "eight"
 - (2) Section 20(2)—delete subsection (2)
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- (3) Section 20(5) and (6)—delete subsections (5) and (6) and substitute:
- (5) The following provisions apply in relation to the application of section 12 of the *Local Government Act 1999* to the Council:
- (a) the Council must, as soon as practicable after the commencement of this subsection, conduct a comprehensive review under section 12 of the *Local Government Act 1999*;
 - (b) despite section 12(18) of the *Local Government Act 1999*, a proposal resulting from the review referred to in paragraph (a) is to take effect as from the polling day for the next periodic election for the City of Adelaide after the commencement of this subsection;
 - (c) despite section 12(4) of the *Local Government Act 1999*, the comprehensive review that is to occur after the review referred to in paragraph (a) must be completed in 2013 (in order to allow proposals resulting from the review to take effect as from the polling day for the periodic election of 2014).

4—Amendment of Schedule 1—Special provisions for elections and polls

After Part 1 insert:

Part 2—Special provision for next Adelaide City Council election

2—Election date

- (1) Despite section 5 of the *Local Government (Elections) Act 1999*, the next periodic election for the City of Adelaide after the commencement of this clause must be held as soon as soon as practicable after the returning officer is satisfied that the relevant representation review processes have been completed.
- (2) The returning officer must, by public notice, fix 5 p.m. on a day specified in the notice as the time and day on which voting at the election referred to in subclause (1) will close (and the day so fixed will be regarded for all purposes as the ***polling day*** for the election).
- (3) Despite subclause (1), the day fixed under subclause (2) must be no later than the last business day before the second Saturday of November 2007.
- (4) A notice under subclause (2) must also fix a day for the close of the voters roll for the purposes of the election.
- (5) All subsequent periodic elections for the City of Adelaide are to be held in accordance with the dates set out for all periodic elections in section 5 of the *Local Government (Elections) Act 1999* (that is, voting for the next periodic election after the election referred to in subclause (1) will close at 5 p.m. on the last business day before the second Saturday of November 2010).

- (6) A member of the Adelaide City Council—
- (a) holding office immediately before the commencement of this clause; or
 - (b) elected or appointed after the commencement of this clause and before the close of nominations for the election referred to in subclause (1),

may, subject to this Act, the *Local Government Act 1999* and the *Local Government (Elections) Act 1999*, continue to hold his or her office until the conclusion of the election referred to in subclause (1).

- (7) In this clause—

relevant representation review processes means the processes under section 12 of the *Local Government Act 1999* (other than any recovery of costs from the Council) involved in, or resulting from, the review referred to in section 20(5)(a) of this Act.

5—Expiry of certain provisions

The following provisions of the *City of Adelaide Act 1998* will expire on 10 November 2007:

- (a) subsection (5) of section 20;
- (b) Part 2 of Schedule 1.