

**House of Assembly—No 80**

As laid on the table and read a first time, 15 November 2007

South Australia

**Statutes Amendment (Members Allowances—  
Metropolitan Councils) Amendment Bill 2007**

A BILL FOR

An Act to amend the *City of Adelaide Act 1998* and the *Local Government Act 1999*.

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

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

- 4 Amendment of section 24—Allowances

### Part 3—Amendment of *Local Government Act 1999*

- 5 Amendment of section 76—Allowances
- 

## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Statutes Amendment (Members Allowances—Metropolitan Councils) Amendment Act 2007*.

#### 5 2—Commencement

- (1) Subject to subsection (2), this Act will come into operation on a day to be fixed by proclamation.
- (2) If a provision of this Act has not been brought into operation sooner, it will, by force of this subsection, come into operation 12 months after assent.

#### 10 3—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*

#### 4—Amendment of section 24—Allowances

- 15 (1) Section 24(2)—delete "or apply"
  - (2) Section 24(7), (8) and (9)—delete subsections (7), (8) and (9) and substitute:
    - (7) The maximum annual allowance payable to the Lord Mayor will be determined as follows:  
$$M = NE \times \$X$$
- 20 Where  
M is the maximum annual allowance  
NE is the number of electors for the Council, as at the last general election

X is an amount prescribed by the regulations.

- (8) The maximum annual allowance payable to an area councillor (if any) will be determined as follows:

$$M = \frac{NE}{NC} \times \$Y$$

5

Where

M is the maximum annual allowance

NE is the number of electors for the Council, as at the last general election

NC is the number of area councillors for the Council

10

Y is an amount prescribed by the regulations.

- (9) The maximum annual allowance payable to a ward councillor (if any) will be determined as follows:

$$M = \frac{NE}{NWC} \times \$Z$$

15

Where

M is the maximum annual allowance

NE is the number of electors for the relevant ward, as at the last general election

NWC is the number of councillors representing the relevant ward

Z is an amount prescribed by the regulations.

20

- (10) In default of the Council fixing an allowance in accordance with the requirements of this section, the allowance will be the relevant maximum determined under subsection (7), (8) or (9).

25

- (11) The making or variation of a regulation for the purposes of a formula under this section will not affect an allowance under this section until the allowance falls to be renewed or reviewed by the Council.

- (12) In this section—

**area councillor** means a councillor appointed or elected as a representative of the area of the Council as a whole;

30

**ward councillor** means a councillor appointed or elected as a representative of a ward (if the area of the Council is divided into wards).

**Part 3—Amendment of *Local Government Act 1999***

**5—Amendment of section 76—Allowances**

Section 76—after subsection (10) insert:

(11) Subsections (8) to (10) (inclusive) will not apply to members of metropolitan councils, who will instead be subject to the following provisions:

(a) in the case of the principal member of a metropolitan council, the maximum annual allowance payable to the member will be determined as follows:

$$M = NE \times \$X$$

Where

M is the maximum annual allowance

NE is the number of electors for the council, as at the last general election

X is an amount prescribed by the regulations;

(b) in the case of an area councillor (if relevant to the particular metropolitan council), the maximum annual allowance payable to the member will be determined as follows:

$$M = \frac{NE}{NC} \times \$Y$$

Where

M is the maximum annual allowance

NE is the number of electors for the council as at the last general election

NC is the number of area councillors for the council

Y is an amount prescribed by the regulations;

(c) in the case of a ward councillor (if relevant to the particular metropolitan council), the maximum annual allowance payable to the member will be determined as follows:

$$M = \frac{NE}{NWC} \times \$Z$$

Where

M is the maximum annual allowance

NE is the number of electors for the relevant ward, as at the last general election

NWC is the number of councillors representing the relevant ward

Z is an amount prescribed by the regulations;

- (d) in default of a metropolitan council fixing an allowance in accordance with the requirements of this section, the allowance will be the relevant maximum determined under a preceding paragraph.

5

- (12) The making or variation of a regulation prescribing an amount for the purposes of the formula under subsection (11) will not affect an allowance under this section until the allowance falls to be renewed or reviewed by the relevant council.

10

- (13) In this section—

***area councillor*** means a councillor appointed or elected as a representative of the area of a council as a whole;

***Metropolitan Adelaide*** has the same meaning as in the *Development Act 1993*;

15

***metropolitan council*** means a council whose area is wholly or partly within Metropolitan Adelaide;

***ward councillor*** means a councillor appointed or elected as a representative of a ward.