

Advance
(1)

SETTLED
PARLIAMENTARY
COUNSEL
MESSAGE (NO)
~~MONEY CLAUSE~~

KLD

South Australia

Local Government (Transition Out of Administration) Amendment Bill 2026

A BILL FOR

An Act to amend the *Local Government Act 1999*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Local Government Act 1999*

- 3 Amendment of section 273—Action on report
- 4 Insertion of section 273A
 - 273A Arrangements for District Council of Coober Pedy to transition out of administration

Schedule 1—Transitional provision

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Local Government (Transition Out of Administration) Amendment Act 2026*.

2—Commencement

This Act comes into operation on the day on which it is assented to by, or on behalf of, the Crown.

Part 2—Amendment of *Local Government Act 1999*

10 3—Amendment of section 273—Action on report

- (1) Section 273(16)(c)(i)—delete "on the conclusion of the periodic elections due to be held in 2026" and substitute:
 - on the date specified by the Governor by proclamation made for the purposes of this subparagraph
- 15 (2) Section 273—after subsection (16) insert:
 - (17) The Governor cannot make a proclamation under subsection (16)(c)(i) except on the recommendation of the Minister.

4—Insertion of section 273A

After section 273 insert:

273A—Arrangements for District Council of Coober Pedy to transition out of administration

- 5 (1) The Governor may, by proclamation, vary or suspend the operation of specified provisions of this Act or any other Act in relation to the District Council of Coober Pedy (the ***council***) if the Governor is satisfied that the variation or suspension of the specified provisions is reasonably necessary for 1 or more of the following purposes:
- 10 (a) the council's transition out of its period of administration;
- (b) the efficient and effective administration and operation of the council during a transitional period after the cessation of its period of administration.
- 15 (2) The Governor cannot make a proclamation under subsection (1) except on the recommendation of the Minister.
- (3) Without limiting the generality of subsection (1), a proclamation under that subsection may relate to the following:
- (a) the number of members to be appointed and elected to the council;
- 20 (b) the specification of offices of the council that are to be filled by appointment and those that are to be filled by election;
- (c) the appointment of members of the council and the revocation of such appointments;
- (d) the election of members of the council;
- 25 (e) the allowances to be paid to members of the council;
- (f) the appointment of a person (on specified terms and conditions) to authorise decisions of the council (specified in the proclamation), such as the adoption of the council's annual business plan or long-term financial plan;
- 30 (g) the approval of appointments to, or removals or terminations from, the council's audit and risk committee;
- (h) the approval of the appointment or removal of the council's auditor;
- 35 (i) the approval of the appointment or termination of the chief executive officer of the council;
- (j) the specification of time periods within which certain functions of the council must be performed.
- (4) A proclamation under subsection (1)—
- 40 (a) may operate subject to any conditions specified in the proclamation; and

(b) will be taken to be repealed on the conclusion of the third periodic election due to be held in the District Council of Coober Pedy after the commencement of the proclamation (unless repealed sooner under subsection (5)).

5 (5) The Governor may, on the recommendation of the Minister, amend or repeal a proclamation under subsection (1) by further proclamation.

10 (6) If a proclamation is made under subsection (1), the Minister must, within the first 5 sitting days after the date of the proclamation, cause a report to be laid before both Houses of Parliament of the circumstances giving rise to the making of the proclamation.

Schedule 1—Transitional provision

15 Despite section 5 of the *Local Government (Elections) Act 1999*, the periodic election in the District Council of Coober Pedy for which voting closes in April 2027 will cease to be held from the commencement of this clause (and anything done for the purposes of the periodic election will be taken to be void and of no effect).