



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 8 JULY 2021

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All instruments appearing in this gazette are to be considered official, and obeyed as such

GOVERNOR'S INSTRUMENTS

APPOINTMENTS

Department of the Premier and Cabinet
Adelaide, 8 July 2021

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Architectural Practice Board of South Australia, pursuant to the provisions of the Architectural Practice Act 2009:

Member: from 12 July 2021 until 11 July 2024

Kirsteen Anne Elizabeth Mackay

Kymerley Alissa Lawrence

Lisa Incononata Martin

By command,

DAVID GREGORY PISONI
For Premier

AGO0111-21CS

Department of the Premier and Cabinet
Adelaide, 8 July 2021

His Excellency the Governor in Executive Council has been pleased to appoint Megan Frances Napier Dyson as a part-time sessional Commissioner of the Environment, Resources and Development Court of South Australia and designate her as a Commissioner for the purposes of the Court's jurisdiction under the Landscape South Australia Act 2019 and the Irrigation Act 2009, for a term of three years commencing on 9 July 2021 and expiring on 8 July 2024 - pursuant to Section 10 of the Environment, Resources and Development Court Act 1993.

By command,

DAVID GREGORY PISONI
For Premier

AGO0109-21CS

Department of the Premier and Cabinet
Adelaide, 8 July 2021

His Excellency the Governor in Executive Council has been pleased to appoint Neil Raymond Kirkham as a part-time sessional Commissioner of the Environment, Resources and Development Court of South Australia and designate him as a Commissioner for the purposes of the Court's jurisdiction under the Planning, Infrastructure and Development Act 2016 and the Building Code of Australia, for a term of three years commencing on 9 July 2021 and expiring on 8 July 2024 - pursuant to Section 10 of the Environment, Resources and Development Court Act 1993.

By command,

DAVID GREGORY PISONI
For Premier

AGO0109-21CS

REGULATIONS

South Australia

Adelaide Park Lands Regulations 2021

under the *Adelaide Park Lands Act 2005*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Definition of State authority
- 5 Public notice
- 6 Management strategy
- 7 Availability of management plans
- 8 Report to be prepared—prescribed period

Schedule 1—Revocation of *Adelaide Park Lands Regulations 2006*

1—Short title

These regulations may be cited as the *Adelaide Park Lands Regulations 2021*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Interpretation

In these regulations—

Act means the *Adelaide Park Lands Act 2005*.

4—Definition of State authority

For the purposes of paragraph (d) of the definition of *State authority* in section 3(1) of the Act, the Royal Zoological Society of South Australia Incorporated is a State authority.

5—Public notice

For the purposes of section 16(5) of the Act, the Minister may give public notice by notice in the Gazette.

6—Management strategy

For the purposes of paragraph (b) of section 18(3) of the Act, the management strategy is not required to identify an individual interment or memorial right at the West Terrace Cemetery.

7—Availability of management plans

For the purposes of section 20(8) of the Act, a management plan must be made available for public inspection without charge—

- (a) during normal office hours at an office nominated by the State authority; and
- (b) on the Internet within a reasonable period of time after it has been made available under paragraph (a).

8—Report to be prepared—prescribed period

For the purposes of section 23(1) of the Act, the prescribed period is 18 months.

Schedule 1—Revocation of *Adelaide Park Lands Regulations 2006*

The *Adelaide Park Lands Regulations 2006* are revoked.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 8 July 2021

No 108 of 2021

South Australia

Firearms (Miscellaneous) Variation Regulations 2021

under the *Firearms Act 2015*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Firearms Regulations 2017*

- 4 Variation of regulation 102—Disposal of forfeited or surrendered firearms etc
 - 5 Insertion of regulation 103A
 - 103A Notification of loss, theft or destruction of firearm
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Firearms (Miscellaneous) Variation Regulations 2021*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Firearms Regulations 2017*

4—Variation of regulation 102—Disposal of forfeited or surrendered firearms etc

Regulation 102—after subregulation (2) insert:

- (2a) For the purposes of section 62(9)(b) of the Act, the period allowed is 1 month from when the owner is notified, or a reasonable attempt is made to notify the owner in accordance with section 62(9)(a) of the Act, that the surrendered item is available for collection.

5—Insertion of regulation 103A

After regulation 103 insert:

103A—Notification of loss, theft or destruction of firearm

- (1) If a firearm in the possession of a person is lost, stolen or destroyed, the person must—
 - (a) within 24 hours, unless the person has a reasonable excuse for not doing so, provide an oral report to a police officer; and
 - (b) within 7 days, give the Registrar written notice, in a form approved by the Registrar,
of the theft, loss or destruction.
Maximum penalty: \$5 000.
- (2) Subregulation (1) does not apply to a person who is required to—
 - (a) report the loss, theft or destruction of a firearm under regulation 61(1); or
 - (b) report the loss, theft or destruction of a firearm under the conditions of a firearms licence held by the person; or
 - (c) report the loss or theft of a firearm under the conditions of a permit held by the person.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 8 July 2021

No 109 of 2021

STATE GOVERNMENT INSTRUMENTS

AQUACULTURE ACT 2001

Grant of Aquaculture Lease

Pursuant to the provisions of section 22 of the *Aquaculture Act 2001*, notice is hereby given of the grant of the following lease for the purposes of aquaculture in the waters of D'Ecres Bay, South Australia:

LA00483

Further details are available for the above lease on the Aquaculture Public Register; which can be found at:

http://www.pir.sa.gov.au/aquaculture/aquaculture_public_register

or by contacting Aquaculture Leasing & Licensing on 8207 5332.

Dated: 1 July 2021

JASMINE PEDICINI
Leasing & Licensing Officer

AQUACULTURE ACT 2001

Grant of Aquaculture Lease

Pursuant to the provisions of section 22 of the *Aquaculture Act 2001*, notice is hereby given of the grant of the following lease for the purposes of aquaculture in the waters of Smoky Bay, South Australia:

LA00500

LA00501

Further details are available for the above lease on the Aquaculture Public Register; which can be found at:

http://www.pir.sa.gov.au/aquaculture/aquaculture_public_register

or by contacting Aquaculture Leasing & Licensing on 8207 5332.

Dated: 1 July 2021

JASMINE PEDICINI
Leasing & Licensing Officer

ASSOCIATIONS INCORPORATION ACT 1985

SECTION 42(2)

Dissolution of Association

WHEREAS the CORPORATE AFFAIRS COMMISSION (the Commission) pursuant to section 42(1) of the *Associations Incorporation Act 1985* (the Act) is of the opinion that the undertaking or operations of THE SOUTH AUSTRALIAN COUNCIL OF CHURCHES INCORPORATED (the Association) being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the *Corporations Act 2001* (Cth) AND WHEREAS the Commission was on 16 June 2021 requested by the Association to transfer its undertaking to CHURCHES TOGETHER SOUTH AUSTRALIA LTD (Australian Company Number 650 509 578), the Commission pursuant to section 42(2) of the Act DOES HEREBY ORDER that on 8 July 2021, the Association will be dissolved, the property of the Association becomes the property of CHURCHES TOGETHER SOUTH AUSTRALIA LTD and the rights and liabilities of the Association become the rights and liabilities of CHURCHES TOGETHER SOUTH AUSTRALIA LTD.

Given under the seal of the Commission at Adelaide.

Dated: 6 July 2021

LAUREN HILLIKER
Delegate of the Corporate Affairs Commission

EDUCATION AND CHILDREN'S SERVICES ACT 2019

Notice of Model Constitutions

I, Rick Persse, Chief Executive, in accordance with Section 10(1)(a) of the *Education and Children's Services Act 2019*, publish the following model constitutions:

MODEL CONSTITUTION

Governing Councils of Schools Without a School-Based Preschool

1. NAME

The name of the council is [Name] Governing Council Incorporated.

2. INTERPRETATION

In this constitution, unless the contrary intention appears:

'the Act' means the *Education and Children's Services Act 2019* as amended.

'administrative instructions' means administrative instructions issued pursuant to Section 9 of the Act.

'administrative unit' means a government department or attached office.

'adult' means a person who has attained 18 years of age.

'affiliated committee' means a committee affiliated with the governing council operating under the model constitution for affiliated committees or a constitution approved by the Minister in accordance with Section 36 and 39 of the Act.

'chairperson' means the presiding member of the governing council as referred to in Section 35(3) of the Act.

'Chief Executive' means the Chief Executive of the Department for Education.

- ‘governing council’ means the [Name] Governing Council established under Section 34 of the Act.
- ‘council member’ are the members of the governing council.
- ‘department’ means the Department for Education.
- ‘financial year’ means the year ending 31 December or as varied by administrative instruction.
- ‘general meeting’ means a public meeting of the school community.
- ‘government school’ means a school established under the Act, or a repealed Act and includes (other than for the purposes of Part 5 of the Act) a special purpose school.
- ‘majority’ means more than half the total number.
- ‘Minister’ means the person to whom the administration of the Act is committed, pursuant to the *Administrative Arrangements Act 1994*.
- ‘parent’—the Act uses the term “person responsible for a child or student”. In this constitution, the term “parent” will be used instead. This term includes parents, guardians, and persons standing in loco parentis to a student or child, but excludes any person whose custody or guardianship of a student or child, or whose responsibility for a student or child, has been excluded under any Act or law (for example, the *Family Law Act 1975* (Cth)).
- ‘principal’ means the person for the time being designated by the Chief Executive as the principal of the school.
- ‘regulations’ means the *Education and Children’s Services Regulations 2020*.
- ‘school’ means a school at which primary or secondary education or both is, or is to be, provided (whether or not preschool education is also provided at the school).
- ‘school community’ means parents, students enrolled in or children who are to attend the school, staff of the school and all other persons who have a legitimate interest in or connection with the school.
- ‘school improvement plan’ means the agreement signed by the principal and the presiding member of the council that summarises the school’s contribution to improving student learning at the site.
- ‘special resolution’ of the council means a resolution passed by a duly convened meeting of the council where:
- (1) at least 14 days written notice has been given to all council members specifying the intention to propose the resolution as a special resolution; and
 - (2) it is passed by a majority of not less than three quarters of council members who vote in person or by proxy at that meeting.
- ‘student’ is a person enrolled in the school or approved learning program.

3. OBJECT

The object of the council is to involve the school community in the governance of the school to strengthen and support public education in the community.

4. POWERS OF THE GOVERNING COUNCIL

- 4.1 In addition to the powers conferred under the Act, the council may:
- 4.1.1 employ persons, except as teachers, as members of the staff of the school on terms and conditions approved by the Chief Executive
 - 4.1.2 enter into contracts
 - 4.1.3 construct any building or structure for the benefit of the school, or make any improvements to the premises or grounds of the school, with the approval of the Chief Executive
 - 4.1.4 purchase or take a lease or licence of premises for student residential facilities, and enter into any other agreements or arrangements for the establishment, management, staffing and operation of such facilities
 - 4.1.5 establish and conduct, or arrange for the conduct of, facilities and services to enhance the education, development, care, safety, health or welfare of children and students.
 - 4.1.6 do all those acts and things incidental to the exercise of these powers.
- 4.2 The Council’s powers must be exercised in accordance with legislation, administrative instructions and this constitution.

5. FUNCTIONS OF THE COUNCIL

- 5.1 In the context of the council’s joint responsibility with the principal for the governance of the school, the council must perform the following functions:
- 5.1.1 involve the school community in the governance of the school by:
 - (i) providing a forum for the involvement of parents and others in the school community
 - (ii) determining the educational needs of the local community, and their attitude towards educational developments within the school
 - (iii) ensuring that the cultural and social diversity of the community is considered and particular needs are appropriately identified.
 - 5.1.2 strategic planning for the school including:
 - (i) developing, monitoring and reviewing the objectives and targets of the strategic plan
 - (ii) considering, approving and monitoring human resource and asset management plans.
 - 5.1.3 determine local policies for the school.
 - 5.1.4 determine the application of the total financial resources available to the school including the regular review of the budget.
 - 5.1.5 present plans and reports on the council’s operations to the school community and Minister.
- 5.2 The council must be responsible for the proper care and maintenance of any property owned by the council.
- 5.3 The Council may perform such functions as necessary to establish and conduct, or arrange for the conduct of:
- 5.3.1 facilities and services to enhance the education, development, care, safety, health or welfare of children and students;
 - 5.3.2 residential facilities for the accommodation of students.

- 5.4 The council may raise money for school related purposes.
- 5.5 The council may perform other functions as determined by the Minister or Chief Executive.
- 5.6 The council may do all those acts and things incidental to the exercise of these functions.
- 5.7 The council's functions must be exercised in accordance with legislation, administrative instructions and this constitution.

6. FUNCTIONS OF THE PRINCIPAL ON COUNCIL

The functions of the principal on council are undertaken in the context of the principal's joint responsibility with the council for the governance of the school.

- 6.1 The principal is answerable to the Chief Executive for providing educational leadership in the school and for other general responsibilities prescribed in the Act and regulations.
- 6.2 The principal must also:
 - 6.2.1 implement the school's strategic plan, the school improvement plan and school policies
 - 6.2.2 provide accurate and timely reports, information and advice relevant to the council's functions
 - 6.2.3 report on learning, care, training and participation outcomes to council
 - 6.2.4 supervise and promote the development of staff employed by the council
 - 6.2.5 be responsible for the financial, physical and human resource management of the school
 - 6.2.6 be an ex-officio member of council with full voting rights
 - 6.2.7 be the returning officer for the election, nomination and appointment of council members
 - 6.2.8 chair the first meeting of the council held for the purpose of receiving nominations from nominating bodies, the direct appointment of council members by the council and the election of office holders
 - 6.2.9 contribute to the formulation of the agenda of council meetings.

7. MEMBERSHIP

- 7.1 The [Name] Governing Council must comprise [number] council members including:

1	Principal of the school (ex officio)
[number]	Elected parent members
[number]	Staff member(s) nominated by the staff of the school (as per ratio in the administrative instructions).

Optional member categories

[number]	Community member(s) appointed by the council
[number]	Student representative(s) nominated by SRC or the students of the school
[number]	Affiliated committee member(s) nominated from (name of affiliated committee)
- 7.2 The majority of council members must be elected parents of the school.
- 7.3 At the time of election, nomination or appointment, persons who are on the staff of a government school, persons who are employees of an administrative unit for which the Minister is responsible, and those appointed under the Act or the *Technical and Further Education Act 1975*, must not comprise the majority of elected parent members and must not comprise the majority of council members.
- 7.4 In considering any nominations to the council by a nominating body or direct appointments by the council, the council must observe the requirements of 7.3.
- 7.5 A person is not eligible for election, appointment or nomination to the council, if the person:
 - 7.5.1 is an undischarged bankrupt or is receiving the benefit of a law for the relief of insolvent debtors;
 - 7.5.2 has been convicted of any offence prescribed by administrative instruction;
 - 7.5.3 is subject to any other disqualifying circumstances a prescribed by administrative instruction.

8. TERM OF OFFICE

- 8.1 Elected parent members will be appointed for a term not exceeding two years, except in the case of the first council only, where one-half (or, if the total number of council members to be elected is odd, the highest integer that is less than one-half) of the parent members elected at the Annual General Meeting of the school will be elected for a term not exceeding one year.
- 8.2 A council member nominated by an affiliated committee will be nominated for a term not exceeding two years, subject to the provisions that:
 - 8.2.1 for the first council only, where two or more affiliated committees each nominate a council member, one will be appointed for a term not exceeding one year. The person so appointed must be determined by agreement between the affiliated committees, or on failure to agree, by lot.
 - 8.2.2 the nomination may be revoked, in writing, by the affiliated committee.
- 8.3 Any council member nominated by the Student Representative Council (or equivalent) or elected by the body of students will hold office for a term not exceeding one year or until the nomination is revoked, in writing, by the nominating body.
- 8.4 A council member elected by the staff of the school will hold office for a term not exceeding one year subject to being a member of the staff of the school.
- 8.5 Each council member directly appointed by the council, will serve for a period not exceeding two years.
- 8.6 Upon expiry of term of office, each council member will remain incumbent until the position is declared vacant at the Annual General Meeting.
- 8.7 Council members are eligible for subsequent re-election, re-nomination or re-appointment.

9. OFFICE HOLDERS AND EXECUTIVE COMMITTEE

9.1 *Appointment*

- 9.1.1 The office holders of the council are the chairperson, deputy chairperson, secretary and treasurer who must be elected by the council from amongst its council members within one month of the Annual General Meeting.
- 9.1.2 The chairperson must not be a member of the staff of the school, a person employed in an administrative unit for which the Minister is responsible.
- 9.1.3 The treasurer must not be a member of the staff of the school.
- 9.1.4 The council may appoint an executive committee comprising the office holders and the principal, which is to
- (i) meet to carry out business delegated or referred by the council; and
 - (ii) report to subsequent council meetings.

9.2 *Removal from office*

- 9.2.1 The position of any office holder absent for three consecutive executive committee meetings without leave of absence automatically becomes vacant. Acceptance of an apology at the executive committee meeting will be deemed a grant of such leave.
- 9.2.2 An office holder of the council may be removed from office, but not from membership of the council, by special resolution of the council, provided that:
- (i) at least 14 days written notice is given to all council members and to the office holder concerned of any proposed resolution, giving reasons for the proposed removal;
 - (ii) the office holder is given the right to be heard at the council meeting;
 - (iii) voting on the special resolution is by secret ballot.

9.3 *The chairperson*

- 9.3.1 The chairperson must:
- (i) call and preside at the meetings of the council and the executive committee;
 - (ii) in consultation with the principal and secretary, prepare the agenda for all council meetings;
 - (iii) include on the agenda any item requested by the principal;
 - (iv) facilitate full and balanced participation in meetings by all council members and decide on the manner in which meetings are conducted and matters of order;
 - (v) report at the Annual General Meeting on the proceedings and operations of the Council for the period since the date of the previous Annual General Meeting.
- 9.3.2 The chairperson must act as spokesperson on behalf of the council unless an alternative spokesperson has been appointed by the council. The spokesperson may only comment on council matters.
- 9.3.3 In the chairperson's absence or inability to act, the deputy chairperson must undertake any role or function normally fulfilled by the chairperson.
- 9.3.4 If the chairperson and deputy chairperson of the council are absent or unable to preside at a meeting, a council member elected by the council must preside.

9.4 *The secretary*

- 9.4.1 The secretary must ensure that notices of meetings are given in accordance with the provisions of this constitution.
- 9.4.2 The secretary is responsible for ensuring the maintenance and safekeeping of:
- (i) the constitution of the council and the code of practice;
 - (ii) official records of the business of the council and a register of minutes of meetings;
 - (iii) copies of notices, a file of correspondence and records of submissions or reports made by or on behalf of the council;
 - (iv) the register of council members;
 - (v) contracts or agreements entered into by the council;
 - (vi) copies of policies of the council.
- 9.4.3 The secretary must ensure that copies of the constitution and the code of practice are available for public inspection at the school during normal school hours, and that any copies requested are provided.
- 9.4.4 The secretary must ensure the safekeeping of the common seal and must ensure a record is kept of every use of the common seal.
- 9.4.5 Prior to each meeting, the secretary must ensure that a copy of the meeting agenda is forwarded to each council member.
- 9.4.6 The secretary must conduct the official correspondence of the council.
- 9.4.7 The secretary must ensure that the minutes of meetings are recorded and forwarded to each council member prior to the next meeting.

9.5 *The treasurer*

- 9.5.1 The treasurer must be the chairperson of the Finance Advisory Committee of the council and preside at the meetings of this committee.
- 9.5.2 The treasurer must:
- (i) ensure that the council's financial budgets and statements are prepared
 - (ii) submit a report of those finances to each council meeting;
 - (iii) present the council's statement of accounts to the Annual General Meeting.

10. VACANCIES

- 10.1 Membership of the council ceases when a council member:
- 10.1.1 dies;
 - 10.1.2 in the case of an elected council member or a council member nominated or appointed for a term, completes a term of office and is not re-elected, re-nominated or re-appointed;
 - 10.1.3 ceases to hold office in accordance with 8.2.2 and 8.3;
 - 10.1.4 in the case of a member nominated by the staff of the school, is no longer a staff member of the school;
 - 10.1.5 resigns by written notice to the council;
 - 10.1.6 is removed from office by the Minister in accordance with Section 44 of the Act;
 - 10.1.7 is declared bankrupt or applies for the benefit of a law for the relief of insolvent debtors;
 - 10.1.8 has been convicted of any offence prescribed by administrative instruction;
 - 10.1.9 is subject to any disqualifying circumstance as prescribed by administrative instruction; or
 - 10.1.10 is absent from three consecutive council meetings without leave of absence approved by the council. Acceptance of an apology at a council meeting will be deemed a grant of such leave.
- 10.2 The council may appoint a person to temporarily fill a casual vacancy in its membership until a council member can be elected, nominated or appointed in accordance with this constitution.

11. MEETINGS

- 11.1 *General meetings of the school community*
- 11.1.1 Subject to 13.2, all persons within the school community are eligible to attend general meetings of the school community and vote on any matters proposed for resolution.
 - 11.1.2 The chairperson of the council must call and preside at general meetings of the school community, the timing to be agreed between the chairperson and the principal of the school.
 - 11.1.3 At least 14 days written notice of the meeting must be given to the school community by the means generally used to communicate with the school community. The notice must specify the date, time and place of the meeting.
 - 11.1.4 A general meeting must be held:
 - (i) at least once annually (the Annual General Meeting) to present reports, to elect parents to the council and/or declare election results;
 - (ii) for any other reason relating to the affairs, functions or membership of the council, determined by agreement between the chairperson and the principal.
 - 11.1.5 The period between each Annual General Meeting must not exceed 16 months.
 - 11.1.6 A general meeting must be held to elect council members, to discuss the finances of the council or for any other reason relating to the affairs or functions of the council:
 - (i) at the request of the Chief Executive;
 - (ii) by the resolution of the council;
 - (iii) at the request of 20 parents or one half of the parents of the school, whichever is less.
 - 11.1.7 A conference by telephone or other electronic means will be taken to be a general meeting of the school community provided that all procedures in this constitution relating to general meetings are complied with and each participating member is capable of communicating with every other participating member during the conference.
- 11.2 *Council meetings*
- 11.2.1 The council must meet at least twice in each school term.
 - 11.2.2 Notice of meetings must be given at the previous council meeting or by at least 7 days written notice distributed to all council members or in an emergency by such other notice as the council may determine.
 - 11.2.3 A conference by telephone or other electronic means between the council members will be taken to be a meeting of the council provided that all procedures in this constitution relating to council meetings are complied with and each participating member is capable of communicating with every other participating member during the conference.
- 11.3 *Extraordinary council meetings*
- 11.3.1 The chairperson of the council must call an extraordinary meeting of the council by written request from at least 3 council members.
 - 11.3.2 Notice of meeting must be given by written notice to all council members within a reasonable time, setting out the time, date, place and object of the meeting.
 - 11.3.3 The business of any extraordinary meeting must be confined to the object for which it is convened.
- 11.4 *Voting*
- 11.4.1 Voting must be by show of hands, or in the case of a meeting held pursuant to 11.1.7 and 11.2.3, by voices or in writing, but a secret ballot must be conducted for:
 - (i) a contested election; or
 - (ii) a special resolution to remove an office holder from office.
 - 11.4.2 For the purposes of voting on a special resolution, each council member is entitled to appoint another council member as their proxy.

12. PROCEEDINGS OF THE COUNCIL

12.1 *Meetings*

- 12.1.1 The quorum for a council meeting is a majority of the filled positions of the council.
- 12.1.2 If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must stand adjourned to such time and place as those council members present determine.
- 12.1.3 Except in the case of a special resolution, a decision of the majority of those council members present and eligible to vote is the decision of the council.
- 12.1.4 The chairperson must have a deliberative vote only. In the event of an equality of votes, the chairperson does not have a second or casting vote and the motion must be taken to be defeated.
- 12.1.5 The council or any committee of council may, at its discretion, allow non-members who have special interests or knowledge relevant to the council to attend its meetings as observers and, if it agrees, take part in discussions on particular issues. Non-members cannot vote. This clause does not apply to the finance advisory committee.
- 12.1.6 Where there are one or more vacancies in the membership of the council, the council is not prevented from acting by the requirement that the majority of its members must be elected parents of the school or by any other requirement of membership (except the requirement as to quorum).
- 12.1.7 The council may from time to time determine procedures to facilitate and expedite its business.

12.2 *Conflict of interest*

- 12.2.1 In accordance with Section 37 of the Act, a council member who has a direct or indirect pecuniary interest in a contract or proposed contract with the council must:
 - (i) disclose the nature of the interest to the council as soon as the council member becomes aware of the interest;
 - (ii) not take part in deliberations or decisions of the council with respect to that contract;
 - (iii) not vote in relation to the contract; and
 - (iv) be absent from the meeting room when any such discussion or voting is taking place.
- 12.2.2 A disclosure of such an interest, and any associated actions taken to mitigate the disclosed interest, must be recorded in the minutes of the council.
- 12.2.3 If a council member discloses an interest in a contract or proposed contract:
 - (i) the contract is not liable to be avoided by the council on any ground arising from the fiduciary relationship between the council member and the council; and
 - (ii) the member is not liable to account for the profits derived from the contract.

13. ELECTION OF COUNCIL MEMBERS

13.1 *Eligibility for nomination for election*

Subject to 7.5, all people who are parents of the school are eligible to nominate for election as a council member.

13.2 *Eligibility to vote*

Only parents of the school may vote to elect parent council members.

13.3 *Conduct of elections for parent council members*

The principal must conduct elections for parent council members by one of the following methods, as determined by the council:

- (i) an election at a general meeting of the school community;
- (ii) a postal ballot of the parents of the school.

13.4 *Notice of election*

- 13.4.1 The timetable for an election must be determined by the council, in consultation with the principal.
- 13.4.2 Notice of the date and time for an election must be specified by the principal by the means generally used to communicate with the school community.
- 13.4.3 The notice must:
 - (i) fix the period during which nominations for election as council members must be accepted and outline the process to be followed;
 - (ii) fix the date and time of the general meeting for the election (not being less than 14 days from publication of the notice); and
 - (iii) in the case of the postal ballot:
 - (a) fix the date by which ballot papers must be available and advise how they may be obtained; and
 - (b) fix the date by which ballot papers must be returned and advise how they must be lodged.
- 13.4.4 In consultation with the council, the principal must determine the form for nominations and the period during which nominations will be accepted.
- 13.4.5 A nomination for election as a council member must be:
 - (i) in a form approved by the principal; and
 - (ii) received by the principal at or before the time the nomination is due.

13.5 *Election without ballot*

If the number of persons nominated is the same or less than the number of vacancies to be filled by election, the principal may declare that the vacancy or vacancies has or have been filled by the person or persons nominated.

13.6 *Contested elections*

- 13.6.1 If the number of persons nominated is greater than the number of vacancies to be filled, the ballot conditions apply.
- 13.6.2 A contested election must be conducted by secret ballot.

13.7 *Scrutineers*

The principal must permit such scrutineers, who are independent of the election, to be present at the counting of votes as the principal sees fit. A candidate in the election cannot be a scrutineer.

13.8 *Declaration of election*

13.8.1 The principal must declare the candidate or candidates elected to fill the vacancy or vacancies:

- (i) at a general meeting of the school community; or
- (ii) in the form generally used to communicate with the school community.

13.8.2 The new council comes into operation at the declaration of the election.

13.9 *Further nomination for unfilled positions*

After the result of an election has been declared and if the required number of positions of elected parent council member positions has not been filled, parents present at a general meeting may be invited to nominate and be elected by a further ballot to the remaining vacancies.

13.10 *Nomination and appointment of council members*

13.10.1 As soon as is practicable after the declaration of the results of an election, the principal must call and preside at the first council meeting for the purpose only of:

- (i) receiving the nominations from nominating bodies and determining the direct appointment of members of the community; and
- (ii) electing office holders.

13.10.2 The first meeting of the council must be adjourned to a date decided by the meeting if the purpose of the meeting cannot be achieved.

13.10.3 If upon the resumption of the meeting the appointment of community members or receiving nominations cannot be resolved, the council may proceed to the election of office holders.

14. MINUTES

14.1 Proper minutes of council meetings, the Annual General Meeting and general meetings of the school community must be appropriately kept.

14.2 The minutes must be confirmed at the next respective annual, general or council meeting and signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the subsequent meeting.

14.3 Upon reasonable notice, copies of the minutes of any meetings must be made available for inspection by any council member.

15. SUBCOMMITTEES

15.1 *Committees*

The council may appoint committees, comprised of council members or both council members and non-council members, which will meet as directed by the council and report to the council at subsequent council meetings. Any committee must consist of at least three people and at least one of those must be a council member.

15.2 *Terms of reference*

The council must specify terms of reference for its committees.

15.3 *Finance Advisory Committee*

15.3.1 The council must establish a Finance Advisory Committee to advise the council on budgetary and financial matters, including the preparation of the preliminary budget showing:

- (i) the anticipated income available for the ensuing twelve months (both from normal transactions and from fund-raising activities);
- (ii) the proposed expenditure to be made; and
- (iii) details of any funds held for special purposes.

15.3.2 The membership must be determined by the council and must include

- (i) the treasurer;
- (ii) the principal or nominee.

15.3.3 The Finance Advisory Committee must meet at least once each school term to examine receipts and payments and review the school budget.

16. FINANCE AND ACCOUNTS

16.1 The council must ensure that proper accounts are kept of its financial affairs, and in controlling any account must ensure proper books and accounts are kept of all funds paid to that account, together with details of any dealing involving those funds.

16.2 All accounts must be operated on the basis of the designated finance year, which is a calendar year ending on 31 December.

16.3 All accounts must be kept in accordance with provisions of the Act, regulations, this constitution and administrative instructions.

16.4 The funds of the council must only be expended for school related purposes.

16.5 The council may transfer funds as it thinks fit to:

- 16.5.1 an affiliated committee;
- 16.5.2 another existing or proposed Government school.

17. AUDIT

17.1 The council must make available to the Chief Executive or the Auditor-General any accounts under its control, including all relevant records and papers connected with an account, for inspection or audit at any time.

17.2 The council may arrange for accounts to be audited at such other intervals as the council determines, by a person appointed by the council.

17.3 The audit of any accounts under the control of the council must be in accordance with the provisions of the Act, regulations, this constitution and administrative instructions.

18. REPORTING TO THE SCHOOL COMMUNITY AND THE MINISTER

- 18.1 The council must report to the school community at least once a year, at the Annual General Meeting called by the chairperson.
- 18.2 At that meeting:
- 18.2.1 the chairperson must report on:
- (i) strategic and other plans;
 - (ii) the proceedings and operations of the council for the period since the date of the previous Annual General Meeting of the school community;
 - (iii) the outcomes of those proceedings in relation to the functions of the council; and
- 18.2.2 the treasurer must present an up-to-date statement of receipts and expenditure with respect to all accounts controlled by the council, and a copy of the statement of receipts and expenditure of the council for the year ended as at the designated financial year.
- 18.3 Where any statement has been subject to an audit, the audited statement is to be subsequently made available for inspection, at the school, as determined at the meeting.
- 18.4 The council must report to the Minister at least once a year, in accordance with administrative instructions.

19. THE COMMON SEAL

- 19.1 The council must have a common seal. The common seal must be affixed only by resolution of the council and in the presence of two council members, one of whom must be the principal or the chairperson of the council.
- 19.2 The council must keep a record of every use of the seal, including date, purpose and any other relevant information.

20. RECORDS

- 20.1 The council is responsible for the safe and proper storage of its records.
- 20.2 The council must make the records available at any time to the Minister or to any person authorised by the Minister and allow those records to be removed by any such person.

21. AMENDMENT OF THE CONSTITUTION

- 21.1 This constitution may be altered, modified or substituted at the direction of the Minister, in accordance with Section 40 of the Act.
- 21.2 This constitution may also be amended, altered, modified or substituted by the council by special resolution and approval in writing by the Minister.
- 21.3 An amendment to the constitution has no effect until submitted to and approved by the Minister.

22. CODE OF PRACTICE

Members of the council must comply with the code of practice approved by the Minister.

23. DISPUTE RESOLUTION

The council must participate in a scheme for the resolution of disputes between the council and the department/principal, as prescribed in administrative instruction.

24. PUBLIC ACCESS TO THE CONSTITUTION AND CODE OF PRACTICE

The council must keep available for public inspection a copy of its constitution (as in force from time to time) and the code of practice, at the school, during normal school hours.

25. DISSOLUTION

In accordance with Section 43 of the Act, the Minister may dissolve the council.

26. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The assets and income of the council must be applied exclusively for school related purposes and no portion may be paid or distributed directly or indirectly to council members in their role as a council member, except for expenses incurred on behalf of the council.

SCHEDULE 1: ADMINISTRATIVE INSTRUCTIONS—MEMBERSHIP

(delete this section when using the document to create your own)

The following instructions are for councils to determine the membership that must be included in the constitution of the particular council:

Format of Membership

The following provides an example of how the membership structure will be expressed in the approved constitution of a governing council without a school-based preschool.

The Sunny Creek Primary School Governing Council must comprise 19 council members including:

- 1 Principal of the school (ex officio);
- 10 Elected parents of the school and preschool;
- 2 Staff member(s) nominated by the staff of the school and preschool (as per ratio in the administrative instructions);
- 2 Student representative(s) nominated by SRC or the students of the school;
- 1 Affiliated committee member(s) from (name of affiliated committee club);
- 1 Member(s) nominated from the (name of Aboriginal forum);
- 2 Community members appointed by the council.

In the case of a school that has Aboriginal students, Aboriginal parents of the school will be deemed to be elected if nominated by a body affiliated or associated with the school that represents the interests of Aboriginal students and their families, eg. an Aboriginal Student Support Parental Awareness committee or an Aboriginal Education Forum group.

Number of Staff on a Council

The Minister has determined that the number of staff who may be appointed to the council must be in accordance with the following ratios:

Total Number of Students Across the School, or all Campuses of a School	No of Staff Members	Principal
60 or less	Nil	1
61–300	1	1
301–601	2	1
601 or more	3	1

Where there is more than one school, the student numbers for each school will determine the number of staff that may be nominated to the council. Where the council has been established in relation to two or more schools, each of the principals of those schools will be an ex officio member of the council.

The number of staff nominees to council may be less than the above ratios, provided that the staff of the school has agreed at a general staff meeting to that lesser number prior to the proposed constitution (or subsequent amendment to the constitution) being submitted to the Minister for approval.

Instructions about membership for particular types of schools without a school-based preschool

The following instructions are provided, according to the type of school, for inclusion in the constitution of a governing council. The Minister may approve a constitution that varies these membership instructions, ie. categories of members, number of members in each category, term of office, in accordance with Section 39 of the Act.

For a school or group of schools where the majority of students are not adult students

The council shall comprise the following members:

- the principal of the school, or in the case of a council serving two or more schools, the principals of each school (ex officio)
- staff members, nominated to the council by election at a general staff meeting, in the ratio determined by the Minister
- one member nominated by each approved affiliated committee of the council (up to 3)
- community members appointed by the council (limit of 3)
- students, (up to 2), nominated by the student representative council, or if there is no SRC, by the students
- elected parents of the school(s), the number being the minimum necessary to:
 - achieve the minimum number of 5 members in total, and
 - make the majority of council members elected parents of the school(s).

For a multi-campus school with one principal

The council shall comprise the following members:

- the principal of the school (ex officio)
- staff members, nominated to the council by election at a general staff meeting in each campus, in the ratio determined by the Minister
- one member nominated by each approved affiliated committee of the council (up to 3)
- community members appointed by the council (limit of 3)
- students (up to 2), nominated by the student representative council, or if there is no SRC, by the students
- elected parents, the number being the minimum necessary to
 - achieve the minimum size of 5 council members in total, and
 - make the majority of council members elected parents of the school.

For a school without a school-based preschool but is co-located with a standalone preschool

The council shall comprise the following members:

- the principal of the school (ex officio),
- staff members, nominated to the council by election at a general staff meeting, in the ratio determined by the Minister
- one member nominated by each approved affiliated committee of the council (up to 3)
- community members appointed by the council (limit of 3)—this could include a representative from the preschool community
- students, (up to two), nominated by the student representative council, or if there is no SRC, by the students
- elected parents must comprise of parents from the school community, the number being the minimum necessary to:
 - achieve the minimum size of 5 council members in total, and
 - make the majority of elected council members parents of the school.

Standalone preschools are their own incorporated entity and must operate under their own governing council constitution.

It is common for co-located sites to work together. At times, it may be appropriate for each council to comprise of similar members, but the business relating to each council must remain separate.

For a school comprised wholly or principally adult students

The governing council shall comprise the following members:

- the principal of the school (ex officio)
- staff members, nominated to the council by election at a general staff meeting, in the ratio determined by the Minister
- one member nominated by each approved affiliated committee of the council (up to 3)
- community members appointed by the council (limit of 3)
- students nominated by the student representative council, or if there is no SRC, by the students, in accordance with the distribution of non-adult/adult students expressed as full time equivalents (minimum of 5)

In the case of a school with all adult students, the single largest group of council members will comprise students nominated by the student body. The council members will not include parents.

MODEL CONSTITUTION

*Governing Councils of Schools With a School-Based Preschool***1. NAME**

The name of the council is [Name] Governing Council Incorporated.

2. INTERPRETATION

In this constitution, unless the contrary intention appears:

- ‘the Act’ means the *Education and Children’s Services Act 2019* as amended.
- ‘administrative instructions’ means administrative instructions issued pursuant to Section 9 of the Act.
- ‘administrative unit’ means a government department or attached office.
- ‘adult’ means a person who has attained 18 years of age.
- ‘affiliated committee’ means a committee affiliated with the governing council operating under the model constitution for affiliated committees or a constitution approved by the Minister in accordance with Section 36 and 39 of the Act.
- ‘chairperson’ means the presiding member of the governing council as referred to in Section 35(3) of the Act.
- ‘Chief Executive’ means the Chief Executive of the Department for Education.
- ‘governing council’ means the [Name] Governing Council established under Section 34 of the Act.
- ‘council member’ are the members of the governing council.
- ‘department’ means the Department for Education.
- ‘financial year’ means the year ending 31 December or as varied by administrative instruction.
- ‘general meeting’ means a public meeting of the school community.
- ‘government school’ means a school established under the Act, or a repealed Act and includes (other than for the purposes of Part 5 of the Act) a special purpose school.
- ‘majority’ means more than half the total number.
- ‘Minister’ means the person to whom the administration of the Act is committed, pursuant to the *Administrative Arrangements Act 1994*.
- ‘parent’—the Act uses the term “person responsible for a child or student”. In this constitution, the term “parent” will be used instead. This term includes parents, guardians, and persons standing in loco parentis to a student or child, but excludes any person whose custody or guardianship of a student or child, or whose responsibility for a student or child, has been excluded under any Act or law (for example, the *Family Law Act 1975* (Cth)).
- ‘principal’ means the person for the time being designated by the Chief Executive as the principal of the school.
- ‘regulations’ means the *Education and Children’s Services Regulations 2020*.
- ‘school’ means a school at which primary or secondary education or both is, or is to be, provided (whether or not preschool education is also provided at the school).
- ‘school community’ means parents, students enrolled in or children who are to attend the school, staff of the school and all other persons who have a legitimate interest in or connection with the school.
- ‘school improvement plan’ means the agreement signed by the principal and the presiding member of the council that summarises the school’s contribution to improving student learning at the site.
- ‘special resolution’ of the council means a resolution passed by a duly convened meeting of the council where:
 - (1) at least 14 days written notice has been given to all council members specifying the intention to propose the resolution as a special resolution; and
 - (2) it is passed by a majority of not less than three quarters of council members who vote in person or by proxy at that meeting.
- ‘student’ is a person enrolled in the school or approved learning program.

3. OBJECT

The object of the council is to involve the school community in the governance of the school to strengthen and support public education in the community.

4. POWERS OF THE GOVERNING COUNCIL

- 4.1 In addition to the powers conferred under the Act, the council may:
 - 4.1.1 employ persons, except as teachers, as members of the staff of the school on terms and conditions approved by the Chief Executive
 - 4.1.2 enter into contracts
 - 4.1.3 construct any building or structure for the benefit of the school, or make any improvements to the premises or grounds of the school, with the approval of the Chief Executive
 - 4.1.4 purchase or take a lease or licence of premises for student residential facilities, and enter into any other agreements or arrangements for the establishment, management, staffing and operation of such facilities
 - 4.1.5 establish and conduct, or arrange for the conduct of, facilities and services to enhance the education, development, care, safety, health or welfare of children and students.
 - 4.1.6 do all those acts and things incidental to the exercise of these powers.
- 4.2 The Council’s powers must be exercised in accordance with legislation, administrative instructions and this constitution.

5. FUNCTIONS OF THE COUNCIL

- 5.1 In the context of the council's joint responsibility with the principal for the governance of the school, the council must perform the following functions:
- 5.1.1 involve the school community in the governance of the school by:
- (i) providing a forum for the involvement of parents and others in the school community
 - (ii) determining the educational needs of the local community, and their attitude towards educational developments within the school
 - (iii) ensuring that the cultural and social diversity of the community is considered and particular needs are appropriately identified.
- 5.1.2 strategic planning for the school including:
- (i) developing, monitoring and reviewing the objectives and targets of the strategic plan
 - (ii) considering, approving and monitoring human resource and asset management plans.
- 5.1.3 determine local policies for the school.
- 5.1.4 determine the application of the total financial resources available to the school including the regular review of the budget.
- 5.1.5 present plans and reports on the council's operations to the school community and Minister.
- 5.2 The council must be responsible for the proper care and maintenance of any property owned by the council.
- 5.3 The Council may perform such functions as necessary to establish and conduct, or arrange for the conduct of:
- 5.3.1 facilities and services to enhance the education, development, care, safety, health or welfare of children and students;
 - 5.3.2 residential facilities for the accommodation of students.
- 5.4 The council may raise money for school related purposes.
- 5.5 The council may perform other functions as determined by the Minister or Chief Executive.
- 5.6 The council may do all those acts and things incidental to the exercise of these functions.
- 5.7 The council's functions must be exercised in accordance with legislation, administrative instructions and this constitution.

6. FUNCTIONS OF THE PRINCIPAL ON COUNCIL

The functions of the principal on council are undertaken in the context of the principal's joint responsibility with the council for the governance of the school.

- 6.1 The principal is answerable to the Chief Executive for providing educational leadership in the school and for other general responsibilities prescribed in the Act and regulations.
- 6.2 The principal must also:
- 6.2.1 implement the school's strategic plan, the school improvement plan and school policies
 - 6.2.2 provide accurate and timely reports, information and advice relevant to the council's functions
 - 6.2.3 report on learning, care, training and participation outcomes to council
 - 6.2.4 supervise and promote the development of staff employed by the council
 - 6.2.5 be responsible for the financial, physical and human resource management of the school
 - 6.2.6 be an ex-officio member of council with full voting rights
 - 6.2.7 be the returning officer for the election, nomination and appointment of council members
 - 6.2.8 chair the first meeting of the council held for the purpose of receiving nominations from nominating bodies, the direct appointment of council members by the council and the election of office holders
 - 6.2.9 contribute to the formulation of the agenda of council meetings.

7. MEMBERSHIP

- 7.1 The [Name] Governing Council must comprise [number] council members including:
- | | |
|----------|---|
| 1 | Principal of the school (ex officio) |
| [number] | Elected parent members (including preschool parents) |
| [number] | Staff member(s) nominated by the staff of the school and preschool (as per ratio in the administrative instructions). |
- Optional member categories
- | | |
|----------|--|
| [number] | Community member(s) appointed by the council |
| [number] | Student representative(s) nominated by SRC or the students of the school |
| [number] | Affiliated committee member(s) nominated from (name of affiliated committee) |
- 7.2 The majority of council members must be elected parents of the school.
- 7.3 At the time of election, nomination or appointment, persons who are on the staff of a government school, persons who are employees of an administrative unit for which the Minister is responsible, and those appointed under the Act or the Technical and *Further Education Act 1975*, must not comprise the majority of elected parent members and must not comprise the majority of council members.
- 7.4 In considering any nominations to the council by a nominating body or direct appointments by the council, the council must observe the requirements of 7.3.
- 7.5 A person is not eligible for election, appointment or nomination to the council, if the person:
- 7.5.1 is an undischarged bankrupt or is receiving the benefit of a law for the relief of insolvent debtors;
 - 7.5.2 has been convicted of any offence prescribed by administrative instruction;
 - 7.5.3 is subject to any other disqualifying circumstances a prescribed by administrative instruction.

8. TERM OF OFFICE

- 8.1 Elected parent members will be appointed for a term not exceeding two years, except in the case of the first council only, where one-half (or, if the total number of council members to be elected is odd, the highest integer that is less than one-half) of the parent members elected at the Annual General Meeting of the school will be elected for a term not exceeding one year.
- 8.2 A council member nominated by an affiliated committee will be nominated for a term not exceeding two years, subject to the provisions that:
- 8.2.1 for the first council only, where two or more affiliated committees each nominate a council member, one will be appointed for a term not exceeding one year. The person so appointed must be determined by agreement between the affiliated committees, or on failure to agree, by lot.
- 8.2.2 the nomination may be revoked, in writing, by the affiliated committee.
- 8.3 Any council member nominated by the Student Representative Council (or equivalent) or elected by the body of students will hold office for a term not exceeding one year or until the nomination is revoked, in writing, by the nominating body.
- 8.4 A council member elected by the staff of the school will hold office for a term not exceeding one year subject to being a member of the staff of the school.
- 8.5 Each council member directly appointed by the council, will serve for a period not exceeding two years.
- 8.6 Upon expiry of term of office, each council member will remain incumbent until the position is declared vacant at the Annual General Meeting.
- 8.7 Council members are eligible for subsequent re-election, re-nomination or re-appointment.

9. OFFICE HOLDERS AND EXECUTIVE COMMITTEE

9.1 *Appointment*

- 9.1.1 The office holders of the council are the chairperson, deputy chairperson, secretary and treasurer who must be elected by the council from amongst its council members within one month of the Annual General Meeting.
- 9.1.2 The chairperson must not be a member of the staff of the school, a person employed in an administrative unit for which the Minister is responsible.
- 9.1.3 The treasurer must not be a member of the staff of the school.
- 9.1.4 The council may appoint an executive committee comprising the office holders and the principal, which is to
- (i) meet to carry out business delegated or referred by the council; and
 - (ii) report to subsequent council meetings.

9.2 *Removal from office*

- 9.2.1 The position of any office holder absent for three consecutive executive committee meetings without leave of absence automatically becomes vacant. Acceptance of an apology at the executive committee meeting will be deemed a grant of such leave.
- 9.2.2 An office holder of the council may be removed from office, but not from membership of the council, by special resolution of the council, provided that:
- (i) at least 14 days written notice is given to all council members and to the office holder concerned of any proposed resolution, giving reasons for the proposed removal;
 - (ii) the office holder is given the right to be heard at the council meeting;
 - (iii) voting on the special resolution is by secret ballot.

9.3 *The chairperson*

- 9.3.1 The chairperson must:
- (i) call and preside at the meetings of the council and the executive committee;
 - (ii) in consultation with the principal and secretary, prepare the agenda for all council meetings;
 - (iii) include on the agenda any item requested by the principal;
 - (iv) facilitate full and balanced participation in meetings by all council members and decide on the manner in which meetings are conducted and matters of order;
 - (v) report at the Annual General Meeting on the proceedings and operations of the Council for the period since the date of the previous Annual General Meeting.
- 9.3.2 The chairperson must act as spokesperson on behalf of the council unless an alternative spokesperson has been appointed by the council. The spokesperson may only comment on council matters.
- 9.3.3 In the chairperson's absence or inability to act, the deputy chairperson must undertake any role or function normally fulfilled by the chairperson.
- 9.3.4 If the chairperson and deputy chairperson of the council are absent or unable to preside at a meeting, a council member elected by the council must preside.

9.4 *The secretary*

- 9.4.1 The secretary must ensure that notices of meetings are given in accordance with the provisions of this constitution.
- 9.4.2 The secretary is responsible for ensuring the maintenance and safekeeping of:
- (i) the constitution of the council and the code of practice;
 - (ii) official records of the business of the council and a register of minutes of meetings;
 - (iii) copies of notices, a file of correspondence and records of submissions or reports made by or on behalf of the council;
 - (iv) the register of council members;
 - (v) contracts or agreements entered into by the council;
 - (vi) copies of policies of the council.

- 9.4.3 The secretary must ensure that copies of the constitution and the code of practice are available for public inspection at the school during normal school hours, and that any copies requested are provided.
 - 9.4.4 The secretary must ensure the safekeeping of the common seal and must ensure a record is kept of every use of the common seal.
 - 9.4.5 Prior to each meeting, the secretary must ensure that a copy of the meeting agenda is forwarded to each council member.
 - 9.4.6 The secretary must conduct the official correspondence of the council.
 - 9.4.7 The secretary must ensure that the minutes of meetings are recorded and forwarded to each council member prior to the next meeting.
- 9.5 *The treasurer*
- 9.5.1 The treasurer must be the chairperson of the Finance Advisory Committee of the council and preside at the meetings of this committee.
 - 9.5.2 The treasurer must:
 - (i) ensure that the council's financial budgets and statements are prepared
 - (ii) submit a report of those finances to each council meeting;
 - (iii) present the council's statement of accounts to the Annual General Meeting.

10. VACANCIES

- 10.1 Membership of the council ceases when a council member:
- 10.1.1 dies;
 - 10.1.2 in the case of an elected council member or a council member nominated or appointed for a term, completes a term of office and is not re-elected, re-nominated or re-appointed;
 - 10.1.3 ceases to hold office in accordance with 8.2.2 and 8.3;
 - 10.1.4 in the case of a member nominated by the staff of the school, is no longer a staff member of the school;
 - 10.1.5 resigns by written notice to the council;
 - 10.1.6 is removed from office by the Minister in accordance with Section 44 of the Act;
 - 10.1.7 is declared bankrupt or applies for the benefit of a law for the relief of insolvent debtors;
 - 10.1.8 has been convicted of any offence prescribed by administrative instruction;
 - 10.1.9 is subject to any disqualifying circumstance as prescribed by administrative instruction; or
 - 10.1.10 is absent from three consecutive council meetings without leave of absence approved by the council. Acceptance of an apology at a council meeting will be deemed a grant of such leave.
- 10.2 The council may appoint a person to temporarily fill a casual vacancy in its membership until a council member can be elected, nominated or appointed in accordance with this constitution.

11. MEETINGS

- 11.1 *General meetings of the school community*
- 11.1.1 Subject to 13.2, all persons within the school community are eligible to attend general meetings of the school community and vote on any matters proposed for resolution.
 - 11.1.2 The chairperson of the council must call and preside at general meetings of the school community, the timing to be agreed between the chairperson and the principal of the school.
 - 11.1.3 At least 14 days written notice of the meeting must be given to the school community by the means generally used to communicate with the school community. The notice must specify the date, time and place of the meeting.
 - 11.1.4 A general meeting must be held:
 - (i) at least once annually (the Annual General Meeting) to present reports, to elect parents to the council and/or declare election results;
 - (ii) for any other reason relating to the affairs, functions or membership of the council, determined by agreement between the chairperson and the principal.
 - 11.1.5 The period between each Annual General Meeting must not exceed 16 months.
 - 11.1.6 A general meeting must be held to elect council members, to discuss the finances of the council or for any other reason relating to the affairs or functions of the council:
 - (i) at the request of the Chief Executive;
 - (ii) by the resolution of the council;
 - (iii) at the request of 20 parents or one half of the parents of the school, whichever is less.
 - 11.1.7 A conference by telephone or other electronic means will be taken to be a general meeting of the school community provided that all procedures in this constitution relating to general meetings are complied with and each participating member is capable of communicating with every other participating member during the conference.
- 11.2 *Council meetings*
- 11.2.1 The council must meet at least twice in each school term.
 - 11.2.2 Notice of meetings must be given at the previous council meeting or by at least 7 days written notice distributed to all council members or in an emergency by such other notice as the council may determine.
 - 11.2.3 A conference by telephone or other electronic means between the council members will be taken to be a meeting of the council provided that all procedures in this constitution relating to council meetings are complied with and each participating member is capable of communicating with every other participating member during the conference.

11.3 *Extraordinary council meetings*

- 11.3.1 The chairperson of the council must call an extraordinary meeting of the council by written request from at least 3 council members.
- 11.3.2 Notice of meeting must be given by written notice to all council members within a reasonable time, setting out the time, date, place and object of the meeting.
- 11.3.3 The business of any extraordinary meeting must be confined to the object for which it is convened.

11.4 *Voting*

- 11.4.1 Voting must be by show of hands, or in the case of a meeting held pursuant to 11.1.7 and 11.2.3, by voices or in writing, but a secret ballot must be conducted for:
 - (i) a contested election; or
 - (ii) a special resolution to remove an office holder from office.
- 11.4.2 For the purposes of voting on a special resolution, each council member is entitled to appoint another council member as their proxy.

12. PROCEEDINGS OF THE COUNCIL

12.1 *Meetings*

- 12.1.1 The quorum for a council meeting is a majority of the filled positions of the council.
- 12.1.2 If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must stand adjourned to such time and place as those council members present determine.
- 12.1.3 Except in the case of a special resolution, a decision of the majority of those council members present and eligible to vote is the decision of the council.
- 12.1.4 The chairperson must have a deliberative vote only. In the event of an equality of votes, the chairperson does not have a second or casting vote and the motion must be defeated.
- 12.1.5 The council or any committee of council may, at its discretion, allow non-members who have special interests or knowledge relevant to the council to attend its meetings as observers and, if it agrees, take part in discussions on particular issues. Non-members cannot vote. This clause does not apply to the finance advisory committee.
- 12.1.6 Where there are one or more vacancies in the membership of the council, the council is not prevented from acting by the requirement that the majority of its members must be elected parents of the school or by any other requirement of membership (except the requirement as to quorum).
- 12.1.7 The council may from time to time determine procedures to facilitate and expedite its business.

12.2 *Conflict of interest*

- 12.2.1 In accordance with Section 37 of the Act, a council member who has a direct or indirect pecuniary interest in a contract or proposed contract with the council must:
 - (i) disclose the nature of the interest to the council as soon as the council member becomes aware of the interest;
 - (ii) not take part in deliberations or decisions of the council with respect to that contract;
 - (iii) not vote in relation to the contract; and
 - (iv) be absent from the meeting room when any such discussion or voting is taking place.
- 12.2.2 A disclosure of such an interest, and any associated actions taken to mitigate the disclosed interest, must be recorded in the minutes of the council.
- 12.2.3 If a council member discloses an interest in a contract or proposed contract:
 - (i) the contract is not liable to be avoided by the council on any ground arising from the fiduciary relationship between the council member and the council; and
 - (ii) the member is not liable to account for the profits derived from the contract.

13. ELECTION OF COUNCIL MEMBERS

13.1 *Eligibility for nomination for election*

Subject to 7.5, all people who are parents of the school are eligible to nominate for election as a council member.

13.2 *Eligibility to vote*

Only parents of the school may vote to elect parent council members.

13.3 *Conduct of elections for parent council members*

The principal must conduct elections for parent council members by one of the following methods, as determined by the council:

- (i) an election at a general meeting of the school community;
- (ii) a postal ballot of the parents of the school.

13.4 *Notice of election*

- 13.4.1 The timetable for an election must be determined by the council, in consultation with the principal.
- 13.4.2 Notice of the date and time for an election must be specified by the principal by the means generally used to communicate with the school community.
- 13.4.3 The notice must:
 - (i) fix the period during which nominations for election as council members must be accepted and outline the process to be followed;
 - (ii) fix the date and time of the general meeting for the election (not being less than 14 days from publication of the notice); and

- (iii) in the case of the postal ballot:
 - (a) fix the date by which ballot papers must be available and advise how they may be obtained; and
 - (b) fix the date by which ballot papers must be returned and advise how they must be lodged.
 - 13.4.4 In consultation with the council, the principal must determine the form for nominations and the period during which nominations will be accepted.
 - 13.4.5 A nomination for election as a council member must be:
 - (i) in a form approved by the principal; and
 - (ii) received by the principal at or before the time the nomination is due.
 - 13.5 *Election without ballot*

If the number of persons nominated is the same or less than the number of vacancies to be filled by election, the principal may declare that the vacancy or vacancies has or have been filled by the person or persons nominated.
 - 13.6 *Contested elections*
 - 13.6.1 If the number of persons nominated is greater than the number of vacancies to be filled, the ballot conditions apply.
 - 13.6.2 A contested election must be conducted by secret ballot.
 - 13.7 *Scrutineers*

The principal must permit such scrutineers, who are independent of the election, to be present at the counting of votes as the principal sees fit. A candidate in the election cannot be a scrutineer.
 - 13.8 *Declaration of election*
 - 13.8.1 The principal must declare the candidate or candidates elected to fill the vacancy or vacancies:
 - (i) at a general meeting of the school community; or
 - (ii) in the form generally used to communicate with the school community.
 - 13.8.2 The new council comes into operation at the declaration of the election.
 - 13.9 *Further nomination for unfilled positions*

After the result of an election has been declared and if the required number of positions of elected parent council member positions has not been filled, parents present at a general meeting may be invited to nominate and be elected by a further ballot to the remaining vacancies.
 - 13.10 *Nomination and appointment of council members*
 - 13.10.1 As soon as is practicable after the declaration of the results of an election, the principal must call and preside at the first council meeting for the purpose only of:
 - (i) receiving the nominations from nominating bodies and determining the direct appointment of members of the community; and
 - (ii) electing office holders.
 - 13.10.2 The first meeting of the council must be adjourned to a date decided by the meeting if the purpose of the meeting cannot be achieved.
 - 13.10.3 If upon the resumption of the meeting the appointment of community members or receiving nominations cannot be resolved, the council may proceed to the election of office holders.
- 14. MINUTES**
- 14.1 Proper minutes of council meetings, the Annual General Meeting and general meetings of the school community must be appropriately kept.
 - 14.2 The minutes must be confirmed at the next respective annual, general or council meeting and signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the subsequent meeting.
 - 14.3 Upon reasonable notice, copies of the minutes of any meetings must be made available for inspection by any council member.
- 15. SUBCOMMITTEES**
- 15.1 *Committees*

The council may appoint committees, comprised of council members or both council members and non-council members, which will meet as directed by the council and report to the council at subsequent council meetings. Any committee must consist of at least three people and at least one of those must be a council member.
 - 15.2 *Terms of reference*

The council must specify terms of reference for its committees.
 - 15.3 *Finance Advisory Committee*
 - 15.3.1 The council must establish a Finance Advisory Committee to advise the council on budgetary and financial matters, including the preparation of the preliminary budget showing:
 - (i) the anticipated income available for the ensuing twelve months (both from normal transactions and from fund-raising activities);
 - (ii) the proposed expenditure to be made; and
 - (iii) details of any funds held for special purposes.
 - 15.3.2 The membership must be determined by the council and must include
 - (i) the treasurer;
 - (ii) the principal or nominee.
 - 15.3.3 The Finance Advisory Committee must meet at least once each school term to examine receipts and payments and review the school budget.

16. FINANCE AND ACCOUNTS

- 16.1 The council must ensure that proper accounts are kept of its financial affairs, and in controlling any account must ensure proper books and accounts are kept of all funds paid to that account, together with details of any dealing involving those funds.
- 16.2 All accounts must be operated on the basis of the designated finance year, which is a calendar year ending on 31 December.
- 16.3 All accounts must be kept in accordance with provisions of the Act, regulations, this constitution and administrative instructions.
- 16.4 The funds of the council must only be expended for school related purposes.
- 16.5 The council may transfer funds as it thinks fit to:
- 16.5.1 an affiliated committee;
 - 16.5.2 another existing or proposed Government school.

17. AUDIT

- 17.1 The council must make available to the Chief Executive or the Auditor-General any accounts under its control, including all relevant records and papers connected with an account, for inspection or audit at any time.
- 17.2 The council may arrange for accounts to be audited at such other intervals as the council determines, by a person appointed by the council.
- 17.3 The audit of any accounts under the control of the council must be in accordance with the provisions of the Act, regulations, this constitution and administrative instructions.

18. REPORTING TO THE SCHOOL COMMUNITY AND THE MINISTER

- 18.1 The council must report to the school community at least once a year, at the Annual General Meeting called by the chairperson.
- 18.2 At that meeting:
- 18.2.1 the chairperson must report on:
 - (i) strategic and other plans;
 - (ii) the proceedings and operations of the council for the period since the date of the previous Annual General Meeting of the school community;
 - (iii) the outcomes of those proceedings in relation to the functions of the council; and
 - 18.2.2 the treasurer must present an up-to-date statement of receipts and expenditure with respect to all accounts controlled by the council, and a copy of the statement of receipts and expenditure of the council for the year ended as at the designated financial year.
- 18.3 Where any statement has been subject to an audit, the audited statement is to be subsequently made available for inspection, at the school, as determined at the meeting.
- 18.4 The council must report to the Minister at least once a year, in accordance with administrative instructions.

19. THE COMMON SEAL

- 19.1 The council must have a common seal. The common seal must be affixed only by resolution of the council and in the presence of two council members, one of whom must be the principal or the chairperson of the council.
- 19.2 The council must keep a record of every use of the seal, including date, purpose and any other relevant information.

20. RECORDS

- 20.1 The council is responsible for the safe and proper storage of its records.
- 20.2 The council must make the records available at any time to the Minister or to any person authorised by the Minister and allow those records to be removed by any such person.

21. AMENDMENT OF THE CONSTITUTION

- 21.1 This constitution may be altered, modified or substituted at the direction of the Minister, in accordance with Section 40 of the Act.
- 21.2 This constitution may also be amended, altered, modified or substituted by the council by special resolution and approval in writing by the Minister.
- 21.3 An amendment to the constitution has no effect until submitted to and approved by the Minister.

22. CODE OF PRACTICE

Members of the council must comply with the code of practice approved by the Minister.

23. DISPUTE RESOLUTION

The council must participate in a scheme for the resolution of disputes between the council and the department/principal, as prescribed in administrative instruction.

24. PUBLIC ACCESS TO THE CONSTITUTION AND CODE OF PRACTICE

The council must keep available for public inspection a copy of its constitution (as in force from time to time) and the code of practice, at the school, during normal school hours.

25. DISSOLUTION

In accordance with Section 43 of the Act, the Minister may dissolve the council.

26. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The assets and income of the council must be applied exclusively for school related purposes and no portion may be paid or distributed directly or indirectly to council members in their role as a council member, except for expenses incurred on behalf of the council.

SCHEDULE 1: ADMINISTRATIVE INSTRUCTIONS—MEMBERSHIP

(delete this section when using the document to create your own)

The following provides an example of how the membership structure will be expressed in the approved constitution of a governing council with a school-based preschool.

Format of Membership

The following provides an example of how the membership structure will be expressed in the approved constitution of a governing council.

The [Sunny Creek Primary School Governing Council] must comprise [19] council members including:

- 1 Principal of the school (ex officio);
- 10 Elected parents of the school and preschool;
- 2 Staff member(s) nominated by the staff of the school and preschool (as per ratio in the administrative instructions);
- 2 Student representative(s) nominated by SRC or the students of the school;
- 1 Affiliated committee member(s) from (name of affiliated committee club);
- 1 Member(s) nominated from the (name of Aboriginal forum);
- 2 Community members appointed by the council.

In the case of a school that has Aboriginal students, Aboriginal parents of the school will be deemed to be elected if nominated by a body affiliated or associated with the school that represents the interests of Aboriginal students and their families, eg. an Aboriginal Student Support Parental Awareness committee or an Aboriginal Education Forum group.

Number of Staff on a Council

The Minister has determined that the number of staff who may appointed to the council must be in accordance with the following ratios:

Total Number of Students Across the School, or all Campuses of a School	No. of Staff Members	Principal
60 or less	Nil	1
61–300	1	1
301–601	2	1
601 or more	3	1

Where there is more than one school, the student numbers for each school will determine the number of staff that may be nominated to the council. Where the council has been established in relation to two or more schools, each of the principals of those schools will be an ex officio member of the council.

The number of staff nominees to council may be less than the above ratios, provided that the staff of the school has agreed at a general staff meeting to that lesser number prior to the proposed constitution (or subsequent amendment to the constitution) being submitted to the Minister for approval.

Instructions about membership for particular types of schools with a school-based preschool

The following instructions are provided, according to the type of school, for inclusion in the constitution of a governing council. The Minister may approve a constitution that varies these membership instructions, ie. categories of members, number of members in each category, term of office, in accordance with Section 39 of the Act.

If a school-based preschool is established at an existing school, the governing council of that school will also be the governing council of the preschool.

For a school with a school-based preschool

The council shall comprise the following members:

- the principal of the school (ex officio)
- staff members, nominated to the council by election from the combined staff of the school and preschool, in the ratio determined by the Minister
- one member nominated by each approved affiliated committee of the council (up to 3)
- community members appointed by the council (limit of 3)
- students, (up to 2), nominated by the student representative council, or if there is no SRC, by the students
- elected parents must comprise of parents from the preschool and school community, the number being the minimum necessary to:
 - achieve the minimum size of 5 council members in total, and
 - make the majority of elected council members parents.

For a multi-campus school with a school-based preschool

The council shall comprise the following members:

- the principal of the school (ex officio)
- staff members, nominated to the council by election at a general staff meeting in each campus and preschool, in the ratio determined by the Minister
- one member nominated by each approved affiliated committee of the council (up to 3)
- community members appointed by the council (limit of 3)
- students (up to 2), nominated by the student representative council, or if there is no SRC, by the students
- elected parents from the preschool and school community, the number being the minimum necessary to
 - achieve the minimum size of 5 council members in total, and
 - make the majority of council members elected parents.

MODEL CONSTITUTION

*Affiliated Committees***1. NAME**

The name of the affiliated committee is [Name] Affiliated Committee.

2. INTERPRETATION

In this constitution, unless the contrary intention appears:

- 'the Act' means the *Education and Children's Services Act 2019* as amended.
- 'administrative instructions' means administrative instructions issued pursuant to Section 9 of the Act.
- 'affiliated committee' means the affiliated committee, affiliated with [Name] Governing Council, and the constitution of which is approved by the Minister in accordance with Sections 36 and 39 of the Act.
- 'Chief Executive' means the Chief Executive of the Department for Education.
- 'council' means the [Name] Governing Council Inc.
- 'department' means the Department for Education.
- 'executive committee' means a committee comprised of the office holders and members elected from the membership of the affiliated committee.
- 'financial year' means the year ending 31 December or as varied by administrative instruction.
- 'government school' means a school established under the Act, or a repealed Act and includes (other than for the purposes of Part 5 of the Act) a special purpose school.
- 'majority' means more than half of the total number.
- 'member' means any person who is for the time being registered as a member of the affiliated committee.
- 'membership' means all persons who comprise the affiliated committee in accordance with this constitution.
- 'Minister' means the person to whom the administration of the Act is committed pursuant to the *Administrative Arrangements Act 1994*.
- 'parent'—the Act uses the term "person responsible for a child or student". In this constitution, the term "parent" will be used instead. This term includes parents, guardians, and persons standing in loco parentis to a student or child, but excludes any person whose custody or guardianship of a student or child, or whose responsibility for a student or child, has been excluded under any Act or law (for example, the *Family Law Act 1975* (Cth)).
- 'principal' means the person for the time being designated by the Chief Executive as the principal of the school.
- 'register of members' means the register of members of the affiliated committee.
- 'regulations' means the *Education and Children's Services Regulations 2020*.
- 'school community' means parents, students enrolled in or children who are to attend the school, staff of the school and all other persons who have a legitimate interest in or connection with the school.
- 'special resolution' of the affiliated committee means a resolution passed by a duly convened meeting of the affiliated committee where:
 - (a) at least 14 days written notice has been given to all members specifying the intention to propose the resolution as a special resolution; and
 - (b) it is passed, at the meeting, by a majority of not less than three quarters of members who vote in person or by proxy at that meeting.
- 'student' is a person enrolled at the school or approved learning program.

3. RELATIONSHIP WITH THE COUNCIL

- 3.1 The [Name] Affiliated Committee is affiliated with the [Name] Governing Council in accordance with Section 36 of the Act.
- 3.2 The affiliated committee may nominate a member to the council.
- 3.3 The affiliated committee will maintain effective communication about its activities with the council.

4. OBJECT

The constitution must include the following clause. However, other objects may be added that are specific to the affiliated committee.

The object of the [Name] Affiliated Committee is to support the involvement of the school community in the school.

5. FUNCTIONS OF THE AFFILIATED COMMITTEE

The constitution must include the following clauses. Only clause 5.1 can be made specific to the affiliated committee. For example, functions for an affiliated committee constitution, may include, but are not limited to:

- 5.1 The [Name] Affiliated Committee will perform the following functions:
 - 5.1.1 Provide a means of contact between home and school.
 - 5.1.2 Assist parents to gain skills to participate in the decision making of the school.
 - 5.1.3 To develop and maintain an interest in the welfare of children at school.
 - 5.1.4 Support the principal and the school staff to enhance student learning.
- 5.2 The affiliated committee must be responsible for the proper care and maintenance of any property owned by the affiliated committee.
- 5.3 The affiliated committee may raise funds for school related purposes.
- 5.4 The affiliated committee's functions must be exercised in accordance with legislation, administrative instructions and this constitution.
- 5.5 The affiliated committee may do all those acts and things incidental to the exercise of these functions.

6. MEMBERSHIP

6.1 Eligibility

- 6.1.1 A person is eligible for membership if that person:
- is a parent of a student at [name of the school]; or
 - is a member of the school community and interested in the welfare of students at the school; and
 - is prepared and able to support the activities of the affiliated committee.
- 6.1.2 A person is not eligible for election, appointment or nomination to the affiliated committee, if the person:
- 6.1.2.1 is an undischarged bankrupt or is receiving the benefit of a law for the relief of insolvent debtors;
- 6.1.2.2 has been convicted of any offence prescribed by administrative instruction;
- 6.1.2.3 is subject to any other disqualifying circumstances as prescribed by administrative instruction.

6.2 Membership register

Membership will be determined as those members whose names are recorded in the affiliated committee membership register for the current year.

6.3 Membership rights

Each member has the right to attend and vote at meetings of the affiliated committee.

6.4 Cessation of committee membership

- 6.4.1 Membership of the affiliated committee ceases when the member:
- (i) dies
 - (ii) resigns by written notice to the affiliated committee;
 - (iii) is removed as a member in accordance with Section 44 of the Act;
 - (iv) is absent from 3 consecutive committee meetings without a leave of absence approved by the affiliated committee. Acceptance of an apology at a committee meeting will be deemed a grant of such leave.

6.5 Vacancies

A casual vacancy among the officers or executive committee may be filled by election at a general meeting of the affiliated committee. Any member so elected will hold office until the next annual general meeting.

7. OFFICE HOLDERS AND EXECUTIVE COMMITTEE

The constitution must include an appropriate section outlining office holders and an executive committee. Other options for titles may be amended to include President, Vice-President etc.

7.1 Office holders

The office holders are the chairperson (and deputy chairperson if there is one), secretary and treasurer who will be elected by the members at an annual general meeting.

7.2 Executive committee

The members may appoint an executive committee comprising the office holders and [insert number] other members, which is to:

- 7.2.1 meet to carry out business delegated or referred by a meeting of the affiliated committee; and
- 7.2.2 report to subsequent meetings of the affiliated committee.

7.3 The chairperson

- 7.3.1 The chairperson must:
- (i) call and preside at meetings of the affiliated committee and of the executive committee.
 - (ii) facilitate full and balanced participation by members present at an affiliated committee meeting and decide on the manner in which meetings are conducted and matters of order.
 - (iii) report at the annual general meeting on the proceedings and operations of the affiliated committee for the period since the date of the previous annual general meeting.
- 7.3.2 If the chairperson is absent or unable to preside at a committee meeting, the deputy chair (if there is one) or a member appointed by the members present at the meeting must preside.

7.4 The secretary

- 7.4.1 The secretary must ensure that notices of meetings are given in accordance with the provisions of this constitution.
- 7.4.2 The secretary must ensure that the minutes of meetings are recorded and available to members.
- 7.4.3 The secretary is responsible for ensuring the maintenance and safekeeping of:
- (i) official records of the business of the affiliated committee and a register of minutes of meetings;
 - (ii) copies of notices, a file of correspondence and records of other documents and reports made by or on behalf of the affiliated committee;
 - (iii) the register of members;
 - (iv) the constitution and providing copies as requested.
- 7.4.4 The secretary must ensure that a copy of this constitution is available for public inspection at the school during normal school hours.

7.5 The treasurer

- 7.5.1 The treasurer must:
- (i) ensure that financial budgets and statements are prepared;
 - (ii) submit a report on the finances to each meeting of the affiliated committee;
 - (iii) present the affiliated committee's statement of accounts to the annual general meeting.

8. MEETINGS

8.1 *Affiliated Committee meetings*

- 8.1.1 Meetings of the affiliated committee will be held at least twice a school term or as determined by the members.
- 8.1.2 All members are eligible to attend affiliated committee meetings and vote on any matters proposed for resolution.
- 8.1.3 The chairperson must call and preside at meetings of the affiliated committee.
- 8.1.4 At least 7 days written notice of a meeting must be given to members. The notice must give the date, time and place of the meeting.

8.2 *Annual general meeting*

- 8.2.1 An annual general meeting must be held in each calendar year to:
 - (i) present reports;
 - (ii) to elect and/or declare election results for office holders and the executive committee, and
 - (iii) for any other reason relating to the affairs, functions or membership of the affiliated committee, as determined by the executive committee.
- 8.2.2 The period between each annual general meeting must not exceed 16 months.

8.3 *Executive committee meetings*

- 8.3.1 The executive committee must meet at least twice in each school term.
- 8.3.2 Notice of a meeting must be given at the previous meeting or by at least 7 days written notice distributed to all executive committee members, or in an emergency by such other notice as the executive committee may determine.

8.4 *Voting*

- 8.4.1 Voting must be by show of hands, or by voices or in writing, but a secret ballot must be conducted for:
 - (i) a contested election, or
 - (ii) a special resolution to remove an office holder from office.
- 8.4.2 For the purposes of voting on a special resolution, each affiliated committee member is entitled to appoint another member as their proxy.

9. PROCEEDINGS

9.1 *Meetings*

- 9.1.1 The quorum for an affiliated committee meeting is a majority of the members of the affiliated committee (50% plus 1) OR the executive committee plus [insert number] of members.
- 9.1.2 If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must stand adjourned to such time and place as those members present determine.
- 9.1.3 Except in the case of a special resolution, a decision of the majority of those members present and eligible to vote is the decision of the affiliated committee.
- 9.1.4 The chairperson must have a deliberative vote only. In the event of an equality of votes, the chairperson does not have a second or casting vote and the motion will be defeated.
- 9.1.5 The affiliated committee may, at its discretion, allow non-members who have special interests or knowledge to attend its meetings as observers and, if it agrees, take part in discussions on particular issues. Non-members cannot vote.
- 9.1.6 The affiliated committee may from time to time determine procedures to facilitate and expedite its business.

9.2 *Conflict of interest*

- 9.2.1 In accordance with Section 37(2) of the Act, an affiliated committee member who has a direct or indirect pecuniary interest in a contract or proposed contract with the affiliated committee, or a contract or proposed contract with the governing council with which the committee is affiliated, must:
 - (i) disclose the nature of the interest to the affiliated committee as soon as the councillor becomes aware of the interest;
 - (ii) not take part in deliberations or decisions of the affiliated committee with respect to that contract;
 - (iii) not vote in relation to the contract; and
 - (iv) be absent from the meeting room when any such discussion or voting is taking place.
- 9.2.2 A disclosure of such an interest, and any associated actions taken to mitigate the disclosed interest, must be recorded in the minutes of the affiliated committee.
- 9.2.3 If a member discloses an interest in a contract or proposed contract:
 - (i) the contract is not liable to be avoided by the affiliated committee on any ground arising from the fiduciary relationship between the member and the affiliated committee, and
 - (ii) the member is not liable to account for the profits derived from the contract.

10. ELECTIONS

10.1 *Eligibility for nomination for election*

Any member is eligible to hold an office holder position on the committee or to be part of an executive committee.

10.2 *Eligibility to vote*

Only members of the affiliated committee may vote to elect office holders and executive committee members.

10.3 *Notice of election*

- 10.3.1 The timetable for an election for office holders must be determined by the affiliated committee.
- 10.3.2 Notice of the date, location and time for an election must be specified by the affiliated committee by the means generally used to communicate with the members and school community.

10.4 *Contested elections*

- 10.4.1 If the number of persons nominated for an office holder position or a position on the executive committee is greater than the number of vacancies to be filled, the ballot conditions apply.
- 10.4.2 A contested election must be conducted by secret ballot.

10.5 *Scrutineers*

The affiliated committee must permit such scrutineers, who are independent of the election, to be present at the counting of votes, as they see fit. A candidate in the election cannot be a scrutineer.

10.6 *Declaration of election*

10.6.1 The principal must declare the candidate or candidates elected to fill the office holder or executive committee vacancy or vacancies:

- (i) at an annual general meeting, and
- (ii) in the form generally used to communicate with the affiliated committee.

10.6.2 The new affiliated committee comes into operation at the declaration of the election.

10.7 *Further nomination for unfilled positions*

After the result of an election has been declared and if the required number of elected office holder positions have not been filled, members present at an annual general meeting may be invited to nominate and be elected by a further ballot to the remaining vacancies. Alternatively, any vacancy which occurs on the affiliated committee may be filled by election held at an affiliated committee meeting.

11. MINUTES

11.1 Proper minutes of annual general meetings, affiliated committee meetings and executive committee meetings must be appropriately kept.

11.2 The minutes must be confirmed at the next respective annual general, affiliated committee or executive committee meeting and signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the subsequent meeting.

11.3 Upon reasonable notice, copies of the minutes of any meetings must be made available for inspection by any member.

12. TERM OF OFFICE

Elected office holders and members of the executive committee will be appointed for a term not exceeding one year and may stand for subsequent re-election.

13. DELEGATES

13.1 The delegates to the governing council of the school, any other advisory and area association committees will be elected at the annual general meeting and will report to each meeting of the members.

13.2 Delegates who do not fulfil their obligations or who are no longer members of the affiliated committee, may have their delegate status revoked by the resolution of the members at an affiliated committee meeting.

13.3 The revocation must be made in writing to the other body.

14. ACCOUNTS TO BE KEPT AND OTHER FINANCIAL MATTERS

14.1 The affiliated committee must ensure that proper accounts are kept of its financial affairs, and in controlling any account must ensure proper books and accounts are kept of all funds paid to that account, together with details of any dealings involving those funds.

14.2 All accounts must be operated on the basis of the designated financial year, which is a calendar year ending on 31 December.

14.3 All accounts must be kept in accordance with provisions of the Act, Regulations, administrative instructions and this constitution.

14.4 The funds of the affiliated committee must only be expended for school related purposes.

14.5 The affiliated committee may transfer funds as it thinks fit to:

- (i) the council;
- (ii) another existing or proposed government school.

15. AUDIT

15.1 The Chief Executive or Auditor-General may inspect or audit accounts kept by affiliated committees.

15.2 The affiliated committee must make available for inspection at any time by the Auditor-General any accounts under its control, including all relevant records and papers connected with an account.

15.3 The affiliated committee may arrange for accounts to be audited at such other intervals as the affiliated committee determines, by a person appointed by the affiliated committee.

15.4 The audit of any accounts under the control of the affiliated committee must be in accordance with the provisions of the Act, Regulations, administrative instructions and this constitution.

16. REPORTING

16.1 The chairperson and treasurer must report to members at the annual general meeting.

16.2 Reports presented at the annual general meeting must describe the operations, activities and finances of the affiliated committee.

17. RECORDS

17.1 The affiliated committee is responsible for the safe and proper storage of its records.

17.2 The affiliated committee must make the records available at any time to the Minister or to any person authorised by the Minister and allow those records to be removed by any such person.

18. AMENDMENT OF THE CONSTITUTION

18.1 This constitution may be altered, modified or substituted at the direction of the Minister, in accordance with Section 40 of the Act.

18.2 This constitution may also be amended, altered, modified or substituted by the affiliated committee by special resolution, and, in accordance with Section 40(6), approval in writing by the Minister.

18.3 An amendment to the constitution has no effect until submitted to and approved by the Minister.

19. PUBLIC ACCESS TO THE CONSTITUTION

The affiliated committee must keep available for public inspection a copy of its constitution (as in force from time to time) at the school, during normal school hours

20. DISSOLUTION

- 20.1 The affiliated committee may cease its operations and dissolve only after passing a special resolution to do so. Upon such cessation its books, records and property must be forwarded to the governing council.
- 20.2 The affiliated committee may be dissolved by the Minister in accordance with Section 43 of the Act on closure or amalgamation of the school. If the school is closed, the affiliated committee must follow any directions issued by the Chief Executive regarding the forwarding of its books, records and property.

21. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The assets and income of the affiliated committee must be applied in accordance with clauses 15.4 and 15.5 and no portion will be paid or distributed directly or indirectly to members except for expenses incurred on behalf of the affiliated committee.

Dated: 30 June 2021

RICK PERSSE
Chief Executive
Department for Education
Delegate of the Minister for Education

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017*July 2021 Fishing for the West Coast Prawn Fishery*

Take notice that pursuant to regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 20 January 2021 on page 219 of the *South Australian Government Gazette* of 28 January 2021, prohibiting fishing activities in the West Coast Prawn Fishery is HEREBY varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

SCHEDULE 1

The waters of the West Coast Prawn Fishery excluding Ceduna and Corvisart Bay defined in the West Coast Prawn Fishery Harvest Strategy.

SCHEDULE 2

Commencing at sunset on 2 July 2021 and ending at sunrise on 17 July 2021.

SCHEDULE 3

1. Each licence holder or a registered master of a fishing license undertaking fishing activities pursuant to this notice must ensure that a representative sample of catch (a 'bucket count') is taken at least 3 times per night during the fishing activity.
2. Each 'bucket count' sample must be accurately weighed to 7kg where possible and the total number of prawns contained in the bucket must be recorded on the daily catch and effort return.
3. Fishing area must be closed if one of the following limits is reached:
 - (a) The average catch per vessel, per night (for all 3 vessels) drops below 300kg for two consecutive nights in each fishing area (Coffin Bay or Venus Bay fishing area).
 - (b) The average 'bucket count' for all vessels exceeds 240 prawns per 7kg bucket on any single fishing night in the Coffin Bay area.
 - (c) The average 'bucket count' for all vessels exceeds 240 prawns per 7kg bucket on any single fishing night in the Venus Bay area.
4. Fishing must cease if one of the following limits is reached:
 - (a) All grounds have been closed due to the criteria being met in 3.
 - (b) A total of 14 nights of fishing are completed.
 - (c) A total of 75 nights of fishing are completed in the season.
5. Each licence holder or registered master of a fishing license undertaking fishing activities must provide a daily report by telephone or SMS message, via a nominated representative, to the Department of Primary Industries and Regions Prawn Fishery Manager, providing the following information from the previous nights fishing:
 - (a) average prawn catch; and
 - (b) the average prawn 'bucket count' for all vessels operating in the fishery.
6. No fishing activity may be undertaken after the expiration of 30 minutes from the prescribed time of sunrise and no fishing activity may be undertaken before the prescribed time of sunset for Adelaide (as published in the *South Australian Government Gazette* pursuant to the requirements of the *Proof of Sunrise and Sunset Act 1923*) during the period specified in Schedule 2.

Dated: 1 July 2021

YOLANDE MARKEY
A/Prawn Fisheries Manager
Delegate of the Minister for Primary Industries and Regional Development

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

Whereas the Minister for Human Services Delegate is satisfied that each of the houses described hereunder has ceased to be unsafe or unsuitable for human habitation for the purposes of the *Housing Improvement Act 2016*, notice is hereby given that, in exercise of the powers conferred by the said Act, the Minister for Human Services Delegate does hereby revoke the said Rent Control in respect of each property.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
31 Payne Street, Hope Valley SA 5090	Allotment 33 Filed Plan 3910 Hundred of Yatala	CT4125/758, CT5840/622
9 Hurtle Street, Woods Point SA 5253	Allotment 30 Deposited Plan 4113 Hundred of Brinkley	CT5141/971
3/43 Fifth Avenue, Saint Peters SA 5069	Allotment 847 Filed Plan 21471 Hundred of Adelaide	CT4301/287, CT5808/869

Dated: 8 July 2021

DAVID OSBORNE
Acting Housing Regulator and Registrar
Housing Safety Authority, SAHA
Delegate of Minister for Human Services

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 104 in Deposited Plan No. 46795 comprised in Certificate of Title Volume 5403 Folio 181, and being the whole of the land identified as Allotment 51 in D126940 lodged in the Lands Titles Office.

This notice is given under section 16 of the *Land Acquisition Act 1969*.

2. Compensation

A person who has or had an interest consisting of native title or an alienable interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

2A. Payment of professional costs relating to acquisition (section 26B)

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of \$10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

3. Inquiries

Inquiries should be directed to:

Chris Southam
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2574

Dated: 6 July 2021

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO
Manager, Property Acquisition
(Authorised Officer)
Department for Infrastructure and Transport

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 50 in Deposited Plan No. 30351 comprised in Certificate of Title Volume 5778 Folio 573, and being the whole of the land identified as Allotment 191 in D126987 lodged in the Lands Titles Office.

This notice is given under section 16 of the *Land Acquisition Act 1969*.

2. Compensation

A person who has or had an interest consisting of native title or an alienable interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

2A. Payment of professional costs relating to acquisition (section 26B)

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of \$10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

3. Inquiries

Inquiries should be directed to:

Chris Southam
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2574

Dated: 6 July 2021

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO
Manager, Property Acquisition
(Authorised Officer)
Department for Infrastructure and Transport

DIT 2020/16851/01

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 43 in Deposited Plan No. 123190 comprised in Certificate of Title Volume 6237 Folio 702, and being the whole of the land identified as Allotment 211 in D126988 lodged in the Lands Titles Office.

This notice is given under section 16 of the *Land Acquisition Act 1969*.

2. Compensation

A person who has or had an interest consisting of native title or an alienable interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

2A. Payment of professional costs relating to acquisition (section 26B)

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of \$10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

3. Inquiries

Inquiries should be directed to:

Chris Southam
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2574

Dated: 6 July 2021

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO
Manager, Property Acquisition
(Authorised Officer)
Department for Infrastructure and Transport

DIT 2020/16854/01

LANDSCAPE SOUTH AUSTRALIA ACT 2019

SECTION 71

*Notice of Levy Payable in 2021-22 by Persons who Occupy Land Outside Council Areas
in the South Australian Arid Lands Landscape Region*

Notice is hereby given pursuant to section 71 of the *Landscape South Australia Act 2019* (“the Act”) that, the annual business plan for the South Australian Arid Lands Landscape Board (“Board”) having specified an amount to be contributed by persons who occupy land outside council areas in the South Australian Arid Lands Landscape Region (“rateable land”) toward the costs of the Board performing its functions under the Act in the 2021-2022 financial year, the Board has determined and hereby declares the following levy payable by persons who occupy rateable land, based on the area occupied:

- \$64.94 per rateable property <10 ha
- \$216.44 per rateable property >10 ha - <100 ha
- \$432.94 per rateable property >100 ha - <100,000 ha
- \$757.79 per rateable property >100,000 ha

Dated: 30 June 2021

ROSS SAWERS
Presiding Member
South Australian Arid Lands Landscape Board

MINING ACT 1971

Notice of Intention to Grant Exploration Licences

Notice is hereby given, in accordance with Section 28(5) of the *Mining Act 1971* (SA) as in force immediately before the lodgement date stated below that the delegate of the Minister for Energy and Mining intends to grant Exploration Licences over the areas described below.

Applicant:	Gawler Resources Pty Ltd
Location:	Birthday area—approximately 115km northwest of Port Augusta
Pastoral Leases:	Oakden Hills, Pernatty
Term:	Five years
Area in km ² :	85
Reference number:	2020/00185
Lodgement Date:	20 October 2020
Applicant:	Gawler Resources Pty Ltd
Location:	Yundnapinna area—approximately 90km northwest of Port Augusta
Pastoral Leases:	Yalymboo, Yundnapinna
Term:	Five years
Area in km ² :	492
Reference number:	2020/00186
Lodgement Date:	20 October 2020
Applicant:	Gawler Resources Pty Ltd
Location:	Whittata area—approximately 85km north-northwest of Port Augusta
Pastoral Leases:	Pernatty, Oakden Hills, South Gap, Kootaberra, Yundnapinna
Term:	Five years
Area in km ² :	901
Reference number:	2020/00188
Lodgement Date:	21 October 2020
Applicant:	Gawler Resources Pty Ltd
Location:	Oakden Hills area—approximately 120km northwest of Port Augusta
Pastoral Leases:	Oakden Hills
Term:	Five years
Area in km ² :	181
Reference number:	2020/00189
Lodgement Date:	22 October 2020
Applicant:	Lodestone Mines Pty Ltd; Yukuang Australia (WA) Resources Pty Ltd
Location:	Mutooroo area—approximately 40km southeast of Olary
Pastoral Leases:	Oulnina, Mutooroo
Term:	Five years
Area in km ² :	35
Reference number:	2020/00192
Lodgement Date:	26 October 2020

Plans and co-ordinates can be found on the Department for Energy and Mining website:

http://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the *Mining Act 1971* is available from:

http://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications or hard copy on request to Mineral Tenements.

Dated: 8 July 2021

J. MARTIN
Mining Registrar
Delegate for the Minister for Energy and Mining

MINING ACT 1971
MINING REGULATIONS 2020

*Notice Under Section 30AAA(3)(a) of the Mining Act 1971 and
Regulation 25(a)(ii) of the Mining Regulations 2020*

Notice is hereby given that the notice published on 25 February 2021 in the *South Australian Government Gazette* at page 708 for the purposes of furnishing a return under Section 30AAA(3)(a) of the *Mining Act 1971*, is varied by immediately adding to paragraphs (1) and (2) the following:

- (3) In addition, for exploration licences that are granted under the *Mining Act 1971* and not subject to an amalgamated expenditure arrangement with the Department for Energy and Mining and which are surrendered in full or cancelled prior to the end of the expenditure return period, the return period shall be equivalent to the period ending on the surrender or cancellation date.

In accordance with Regulation 25(a)(ii) of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

Dated: 5 July 2021

P. J. FREEMAN
Deputy Executive Director
Mineral Resources
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Partial Surrender of Geothermal Exploration Licence—GEL 571

Notice is hereby given that I have accepted the partial surrender of the abovementioned geothermal exploration licence under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018:

No of Licence	Licensee	Effective Date of Surrender	Approximate Area Surrendered in km ²	Reference
GEL 571	Torrens Energy (SA) Pty Ltd	25/05/2021	152.69	F2011/000216

Description of Licence Area Remaining

All that part of the State of South Australia, bounded as follows:

Commencing at a point being the intersection of longitude 138°23'45"E GDA94 and latitude 30°52'40"S GDA94, thence south to latitude 31°02'31"S GDA94, east to longitude 138°27'22"E GDA94, south to latitude 31°07'25"S GDA94, east to longitude 138°27'24"E GDA94, south to latitude 31°21'43"S GDA94, west to the eastern boundary of Lake Torrens National Park, thence generally northerly along the boundary of the said National Park to latitude 30°52'40"S GDA94, east to the western boundary of Nilpena Fossil Field Area at a point being 30°52'40"S, 138°05'35.348"E GDA94, south-easterly to 31°01'47.095"S, 138°08'26.115"E GDA2020, easterly to 31°02'06.743"S, 138°12'26.859"E GDA2020, easterly to 31°02'08.069", 138°12'43.312"E GDA2020, north-easterly to 31°01'41.497"S, 138°12'49.653"E GDA2020, north-easterly to 31°01'17.774"S, 138°12'59.521"E GDA2020, north-easterly to 31°01'14.095"S, 138°13'02.823"E GDA2020, north-easterly to 31°01'02.522"S, 138°13'13.134"E GDA2020, north-easterly to 31°00'59.380", 138°13'20.519"E GDA2020, easterly to 31°01'00.001"S, 138°13'35.981"E GDA2020, northerly to 31°00'52.425"S, 138°13'35.069"E GDA2020, north-easterly to 31°00'46.731"S, 138°13'37.102"E GDA2020, north-easterly to 31°00'43.176"S, 138°13'44.210"E GDA2020, north-easterly to 31°00'40.061"S, 138°13'53.385"E GDA2020, north-westerly to 31°00'36.308"S, 138°13'36.338"E GDA2020, northerly to 31°00'33.750", 138°13'35.995"E GDA2020, north-easterly to 31°00'27.533"S, 138°13'42.978"E GDA2020, north-easterly to 31°00'23.863"S, 138°13'55.371"E GDA2020, north-easterly to 31°00'12.676"S, 138°14'08.943"E GDA2020, northerly to 30°59'50.088"S, 138°14'05.877"E GDA2020, north-easterly to 30°59'29.039"S, 138°14'22.967"E GDA2020, north-easterly to 30°58'29.568"S, 138°14'41.375"E GDA2020, north-westerly to 30°58'25.767"S, 138°14'38.925"E GDA2020, north-easterly to 30°58'08.767", 138°14'43.858"E GDA2020, north-westerly to 30°58'06.617"S, 138°14'41.890"E GDA2020, north-westerly to 30°57'10.385"S, 138°13'14.849"E GDA2020, north-westerly to 30°57'00.145"S, 138°12'20.695"E GDA2020, north-westerly to 30°56'22.313"S, 138°12'03.106"E GDA2020, north-westerly to 30°55'21.128"S, 138°10'55.606"E GDA2020, north-westerly to 30°54'18.604"S, 138°10'31.657"E GDA2020, north-westerly to 30°53'45.210"S, 138°10'23.276"E GDA2020, north-westerly to 30°52'45.747"S, 138°10'04.141"E GDA2020, north-westerly to 30°52'40"S, 138°09'59.489"E GDA94 and east to the point of commencement.

AREA: **1,692.54** square kilometres approximately.

Dated: 1 July 2021

NICK PANAGOPOULOS
A/Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Condition—Extension of Licence Term—
Petroleum Retention Licence—PRL 77*

Pursuant to section 76A of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that Condition 14.1 of Petroleum Retention Licence 77 has been suspended for the period from 12 May 2022 to 11 November 2022 inclusive, pursuant to delegated powers dated 29 June 2018.

The term of Petroleum Retention Licence 77 has been extended by a period corresponding to the period of suspension, such that PRL 77 will now expire on 11 November 2022.

Dated: 30 June 2021

BARRY A. GOLDSTEIN
Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

LOCAL GOVERNMENT INSTRUMENTS

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999

Adelaide Central Market Authority Charter 2021

The City of Adelaide has resolved to amend the Charter for the Adelaide Central Market Authority subsidiary, established pursuant to Section 42 of the *Local Government Act 1999*.

Pursuant to Clause 3 of Part 1 of Schedule 2 of the *Local Government Act 1999*, the Charter of the Adelaide Central Market Authority, as amended is set out below.

Dated: 8 July 2021

CLARE MOCKLER
Acting Chief Executive Officer

LOCAL GOVERNMENT ACT 1999

Adelaide Central Market Authority Charter 2021

1. INTRODUCTION

1.1 *Name of Authority*

The name of the Authority is the Adelaide Central Market Authority.

1.2 *Dictionary*

In this Charter:

- 1.2.1 **ACMA General Manager** means the person appointed by the City of Adelaide to that role to manage the business of the Authority and the Board;
- 1.2.2 **Act** means the *Local Government Act 1999* and all relevant Regulations made thereunder;
- 1.2.3 **Annual Business Plan** means the annual business plan adopted by the Authority and approved by Council;
- 1.2.4 **Authority** means the Adelaide Central Market Authority established as a single Council subsidiary pursuant to Section 42 of the Act;
- 1.2.5 **Board** means the Board of Management established under this Charter;
- 1.2.6 **Board Member** means a member of the Board;
- 1.2.7 **Budget** means the Annual Budget adopted by the Authority and approved by Council;
- 1.2.8 **Car Park** means the car park owned by the Corporation of the City of Adelaide above the Market which is essential ancillary infrastructure for the Market to support visitation and encourage economic growth;
- 1.2.9 **Chairperson** means the current appointed Chairperson of the Board;
- 1.2.10 **Charter** means this charter of the Authority prepared and approved by the Council;
- 1.2.11 **Council** means the body corporate consisting of members appointed or elected to the council in accordance with the Local Government Act or the *Local Government (Elections) Act 1999* (the elected body of the Corporation of the City of Adelaide);
- 1.2.12 **Deliberative Vote** means a vote cast by each Board Member (including the Chairperson) for the purpose of deciding a matter under deliberation;
- 1.2.13 **Council's CEO** means the person occupying the office of Chief Executive Officer of the Corporation of the City of Adelaide, or their delegate;
- 1.2.14 **Financial Year** means 1 July in each year to 30 June in the subsequent year;
- 1.2.15 **Gazette** means the *South Australian Government Gazette*;
- 1.2.16 **Headlease** means the lease granted by the Council to the Authority in respect of the Market;
- 1.2.17 **Market** means the property owned by the Council situated at Grote Street, Adelaide as described in the Annexure to this Charter;
- 1.2.18 **Simple Majority** means a majority of those present and entitled to vote; and
- 1.2.19 **TAG** means the Traders Advisory Group which comprises sub-lessees/licensees of ACMA at the Market and is established by the Authority for the purpose of engagement and communication in relation to the activities of the Authority.

1.3 *Interpretation*

In this Charter:

- 1.3.1 the singular includes the plural and vice versa and words importing a gender include other genders;
- 1.3.2 words importing natural persons include corporations;
- 1.3.3 reference to a Section(s) is to a section of the Act and includes any section that substantially replaces that Section and deals with the same matter;
- 1.3.4 headings are for ease of reference only and do not affect the construction of this Charter.

2. THE AUTHORITY

2.1 *Establishment*

2.1.1 The Authority is established as a single council subsidiary pursuant to Section 42 of the Act.

2.1.2 The establishment of the Authority does not derogate from the power of Council to act independently in relation to a matter within the jurisdiction of the Authority.

2.2 *Corporate Status*

The Authority is a body corporate under the Act and in all things acts through the Board which has the responsibility to manage the business and other affairs of the Authority ensuring that the Authority acts in accordance with the Act and this Charter.

2.3 *About this Charter*

2.3.1 This Charter is the charter of the Authority.

2.3.2 The Charter binds the Authority and the Council.

2.3.3 Despite any other provision in the Charter:

2.3.3.1 if the Act prohibits a thing being done, the thing may not be done;

2.3.3.2 if the Act requires or permits a thing to be done, Board approval is given for that thing to be done;

2.3.3.3 if a provision of the Charter is, or becomes, inconsistent with the Act, that provision must be read down, or failing that severed from the Charter to the extent of the inconsistency.

2.3.4 The Charter may not be amended except by the Council passing a resolution in the same terms. An amendment is not effective unless and until a copy of the Charter, as amended, is published in the *South Australian Government Gazette*.

2.3.5 This Charter may be reviewed by the Council at any time and must in any event be reviewed at least once in every four years or whenever it is relevant to do so.

2.3.6 The Council's CEO has determined that a copy of the Charter must be published on the website of the CoA and the Authority.

2.3.7 This Charter must be read in conjunction with Schedule 2 of the Act. The Authority must conduct its affairs in accordance with Schedule 2 of the Act except as modified by this Charter as permitted by Schedule 2 of the Act.

2.3.8 Nothing in this Charter shall be construed as limiting or altering the existence of any right or entitlement of the Council under the Act including under Schedule 2 of the Act.

2.4 *Objects and Purposes*

The Authority is established as a management and marketing entity to:

2.4.1 ensure the management and operation of the Market in accordance with the:

2.4.1.1 Charter;

2.4.1.2 Council's Strategic Plan; and

2.4.1.3 Headlease;

and, to the extent of any inconsistency, the order of precedence for interpretation for the purposes of such management and operation must be first this Charter, second the Council's Strategic Plan, and third the Headlease;

2.4.2 be responsible for maintaining and enhancing the iconic standing of the Market for the benefit of all stakeholders;

2.4.3 be responsible for encouraging the use of the Market by South Australian residents, visitors and the community in general and for the Market being recognised locally and internationally as a leading, vibrant, diverse and unique fresh produce market community that is commercially sustainable for Market sub-lessees and/or licensees and the Corporation of the City of Adelaide;

2.4.4 contribute to the development of the wider market district; and

2.4.5 be financially self-sufficient in terms of its operations.

2.5 *Property*

2.5.1 All property held by the Authority is held by it on behalf of and on trust for the Corporation of the City of Adelaide.

2.5.2 The Authority may acquire or dispose of or otherwise deal with chattels, plant and equipment provided that such dealing is consistent with and permitted in the Council approved Annual Business Plan or the Budget, or is otherwise expressly approved in writing by the Council's CEO.

2.6 *National Competition Policy*

The Authority must undertake any commercial activities which constitute a significant business activity in accordance with the principles of competitive neutrality.

3. POWERS, FUNCTIONS AND DUTIES

3.1 Subject to the Charter the powers, functions and duties of the Authority are to be exercised for the purpose of performing the Authority's Objects and Purposes. In addition to those specified in the Act, the Authority shall have the following powers, functions and duties:

3.1.1 comply with the Headlease including to make all payments due under the Headlease and to grant subleases, licences and other rights of occupation over any areas of the Market including those which may become vacant from time to time and to market the same, in accordance with the terms of and subject to the Headlease;

3.1.2 enter into contracts, purchase, sell, lease, hire, rent or otherwise acquire or dispose of any chattel, plant or equipment for the Authority and the Market;

3.1.3 actively engage and communicate with the Market sub-lessees and/or licensees in relation to the activities of the Authority;

3.1.4 manage risk for the Market and to ensure that the Authority and the Market comply with all relevant legislative and compliance requirements including those expressed by the Council's CEO;

3.1.5 exercise such other powers and functions as are expressly delegated to the Authority in writing by the Council and Council's CEO from time to time;

- 3.1.6 proactively manage, operate, market and conduct the Market under the trading name ‘Adelaide Central Market’ including to meet the objective the Authority be financially self-sufficient in terms of its operations;
- 3.1.7 do anything else reasonably necessary or convenient for or incidental to the exercise, performance or discharge of the Authority’s powers, functions or duties; and
- 3.1.8 determine the minimum operational hours and operational requirements of the Car Park to support visitation, encourage economic activity to gain maximum patronage at the Market and the achievement of the objectives of the Charter and the Authority’s/Council’s Strategic Plan.
- 3.2 The Authority is not authorised to act outside the area of the Corporation of the City of Adelaide unless the prior express written approval of the Council is obtained.
- 3.3 To the extent that a matter arises concerning the Authority for which the Authority does not have an adopted policy (which policies must be consistent with those of the Corporation of the City of Adelaide) the Authority must comply with this Charter and with any and all adopted policies of the Council that exist in relation to that matter, except where the Council has resolved otherwise or where the Council policy provides otherwise.
- 3.4 *Delegations*
- 3.4.1 In accordance with and subject to the Act, the Council may delegate to the Authority a power or function vested or conferred on the Council under the Act or another Act.
- 3.4.2 The Authority may, in accordance with the Act and this Charter, delegate such of its powers, functions and duties under this Charter as it determines to:
- 3.4.2.1 a committee;
- 3.4.2.2 an employee of the Corporation of the City of Adelaide; or
- 3.4.2.3 a person for the time being occupying a particular office or position within the Authority.
- 3.4.3 The Authority must adopt and regularly review a formal written policy which sets out those powers, functions and duties which are to be the subject of delegation including the terms and conditions of such delegation and the limits and restrictions on the exercise of the relevant powers, functions and duties delegated.
- 3.4.4 The Authority may not delegate:
- 3.4.4.1 the power to impose charges;
- 3.4.4.2 the power to approve expenditure of money on the works, services or operations of the Authority not set out or included in a Budget;
- 3.4.4.3 the power to approve the reimbursement of expenses or payment of remuneration fees to Board Members;
- 3.4.4.4 the power to adopt the Budget;
- 3.4.4.5 the power to adopt or revise financial estimates or reports; or
- 3.4.4.6 the power to make any application or recommendation to a Minister.
- 3.4.5 A delegation by the Authority is:
- 3.4.5.1 subject to conditions and limitations determined by the Authority or specified by the regulations;
- 3.4.5.2 revocable at will by the Authority and does not prevent the Authority from acting in a matter which has been delegated.
- 3.5 *Committees*
- 3.5.1 The Board may establish a committee of the Board for the purpose of:
- 3.5.1.1 enquiring into and reporting to the Board on any matter within the Authority’s functions and powers and as detailed in the terms of reference given by the Board to the committee; or
- 3.5.1.2 exercising, performing or discharging delegated powers, functions or duties.
- 3.5.2 The Board may authorise the formation, terms of reference and membership for any committee (and any changes to the terms of reference or membership of any existing committee) in each case as it sees fit.
- 3.5.3 Any committee formed by the Board must conform to any resolution, regulations or policies that may be imposed by the Board in the exercise of the powers and functions delegated and entrusted to the committee.
- 3.5.4 A member of a committee established by the Board holds office at the pleasure of the Board provided that the Chairperson is an ex-officio member of any committee or advisory committee established by the Board.
- 3.5.5 Without limiting the powers of the Board with respect to the formation of committees, the Board must establish a committee to be known as the Traders Representation Committee as follows:
- 3.5.5.1 The Traders Representation Committee shall consist of a maximum of seven members to be appointed as follows:
- (a) two Board Members, one of whom will be the Chair of the Traders Representation Committee;
- (b) three members of the TAG, one of whom should be the Chair of TAG, and
- (c) up to two other members.
- 3.5.5.2 The Traders Representation Committee must meet at least quarterly to provide guidance to the Board regarding matters pertaining to the operations of the Market and to receive information from the Board on marketing activities and plans.
- 3.5.5.3 The minutes of the Traders Representation Committee must be tabled at the next meeting of the Board.
- 3.5.6 The Board may establish advisory committees consisting of or including persons who are not Board Members for enquiring into and reporting to the Board on any matter within the Authority’s functions and powers and as detailed in the terms of reference which must be given by the Board to the advisory committee.
- 3.5.7 The meetings and proceedings of any committee or advisory committee are governed by the provisions in this Charter for regulating meetings and proceedings of the Board so far as those provisions are applicable and not affected by any resolution, regulations or policies made by the Board under clauses 3.5.2 and 3.5.3.

4. BOARD OF MANAGEMENT

4.1 *Role of Board*

The Authority is a body corporate and is governed by a Board of Management which has the responsibility to manage the business and other affairs of the Authority in accordance with this Charter, all relevant legislation and any delegations made to it. A decision of the Board is a decision of the Authority.

4.2 *Functions of the Board*

In addition to the functions of the Board set out in the Act, the Board has the following functions, duties and powers:

- 4.2.1 formulating and observing strategic plans and strategies to achieve the objects and purposes of the Authority;
- 4.2.2 providing professional input and policy direction to the Authority;
- 4.2.3 providing input and support to the Council's CEO regarding monitoring, measuring and overseeing the performance of the ACMA General Manager;
- 4.2.4 ensuring that a code of conduct dealing with ethical behaviour and integrity is established and implemented in all business dealings of the Authority and Board Members;
- 4.2.5 exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons;
- 4.2.6 ensuring that the Council's CEO is advised, as soon as practicable, of any material risk or situation that affects the financial or operating capacity of the Authority;
- 4.2.7 ensuring that all information furnished to the Council and the Council's CEO is accurate;
- 4.2.8 ensuring that the Authority acts in a professional and ethical manner, ensuring integrity, transparency and accountability in its decision making, and preventing actual or perceived corruption, maladministration and misconduct; and
- 4.2.9 ensuring that the activities of the Authority are conducted efficiently and effectively and that the assets of the Authority are properly managed and maintained.

4.3 *Membership of the Board*

- 4.3.1 A Board Member appointed under Clause 4.4 must be a natural person, but need not be an officer, employee or elected member of the Corporation of the City of Adelaide.
- 4.3.2 It is intended that Board Members collectively have relevant experience and commercial acumen.

4.4 *Appointment of Board Members*

- 4.4.1 The Board shall consist of a maximum of seven Board Members to be appointed by the Council following an expression of interest process as follows:
 - 4.4.1.1 one Board Member must be a Council Member; and
 - 4.4.1.2 up to another six Board Members must be appointed by the Council as follows:
 - (a) one Board Member with board leadership experience will be nominated by a Board Member selection panel, comprising the Council's CEO, the Council's senior manager in charge of human resources, and two Council Members, to be a Board Member and Chairperson; and
 - (b) up to five Board Members with an appropriate range of skills and experience will be nominated by a Board Member selection panel comprising the Council's CEO, the Council's senior manager in charge of human resources, the Chairperson and two Council Members.
- 4.4.2 The Board Members (non-members of the Council) shall be appointed for a maximum three-year term as determined by the Council, provided that the Council shall endeavour that no more than half of the Board Members' terms of office expire in the same year.
- 4.4.3 Board members who are members of the Council shall be appointed for a maximum two-year term as determined by the Council.
- 4.4.4 A Board Member is eligible for re-appointment at the expiration of their term of office.
- 4.4.5 The Council's CEO must give to the Authority a written notice of appointment, termination or revocation of appointment of a Board Member.
- 4.4.6 Each Board Member must give to the Council's CEO a signed written consent to act as a Board Member.
- 4.4.7 The Board will appoint a Board Member, other than the Chairperson, to be the Deputy Chairperson and will notify the Council's CEO of this appointment.
- 4.4.8 The Chairperson shall preside at all meetings of the Board and in the event of the Chairperson being absent from a meeting the Deputy Chairperson shall preside and in the event of both the Chairperson and the Deputy Chairperson being absent from a meeting the Board Members present shall appoint a Board Member from amongst them who shall preside for that meeting or until the Chairperson or the Deputy Chairperson is present.
- 4.4.9 In the event that the Chairperson:
 - 4.4.9.1 resigns; or
 - 4.4.9.2 is removed from office by the Council; or
 - 4.4.9.3 is no longer eligible to act as a Board Member,then the Deputy Chairperson shall act in that office or, in the event of the Deputy Chairperson refusing or being unable to act as Chairperson, the Board shall appoint from amongst the Board Members a Chairperson who shall hold office as Chairperson until a Chairperson has been appointed by the Council whereupon the person so appointed will hold office for the duration of the original appointment or such other term as determined by the Council and permitted by this Charter.
- 4.4.10 The Chairperson and the Deputy Chairperson are eligible to apply for re-appointment at the expiration of their term of office in accordance with Clause 4.4.1.
- 4.4.11 If any vacancy occurs in the membership of the Board during a term, the Council's CEO can appoint a Board Member for the remainder of the term at their discretion.

4.5 *Removal of Board Members*

- 4.5.1 Neither the Authority nor the Board may remove a Board Member.
- 4.5.2 The Council may remove a Board Member from office by giving to the Authority and the Board Member a written notice of removal of the Board Member.
- 4.5.3 The Council's CEO may remove a Board Member who is absent, without leave of the Board, from three consecutive ordinary meetings of the Board.
- 4.5.4 Council may remove a Board Member either of its own volition or upon recommendation of the Board passed by a two thirds majority vote of the Board Members present (excluding the Board Member subject to this Clause 4.5.4) for:
 - 4.5.4.1 any behaviour of the Board Member which, in the opinion of the Board or the Council amounts to impropriety;
 - 4.5.4.2 serious neglect of duty in attending to the responsibilities of a Board Member;
 - 4.5.4.3 breach of fiduciary duty to the Authority and/or the Corporation of the City of Adelaide;
 - 4.5.4.4 breach of the duty of confidentiality to the Authority and/or the Corporation of the City of Adelaide;
 - 4.5.4.5 breach of the propriety requirements of the Board; or
 - 4.5.4.6 any other behaviour which may discredit the Board, the Authority or the Corporation of the City of Adelaide.

4.6 *Vacation of the Office of Board Member*

- 4.6.1 A person vacates office as a Board Member if and when:
 - 4.6.1.1 Clause 4.5 requires;
 - 4.6.1.2 Schedule 2, Clause 4(3) of the Act requires or permits; or
 - 4.6.1.3 the person was, when appointed, an elected Member of the Council and ceases to be an elected Member of the Council.
- 4.6.2 A Board Member may retire from office at any time by giving notice to the Council and to the Board.

4.7 *Remuneration and Expenses of Board Members*

- 4.7.1 The Authority is entitled to pay appropriate remuneration fees to all Board Members as expressly approved by resolution of the Council.
- 4.7.2 All Board Members will receive from the Authority reimbursement of expenses properly incurred in performing or discharging official functions and duties as determined by the Authority and set out in a policy adopted by the Authority for the purposes of this clause.
- 4.7.3 Attendance of meetings as members of committees established by the Board can be remunerated subject to prior Council approval.

4.8 *Register of Interests*

A Board Member is required to submit returns to the Authority under Chapter 5, Part 4, Division 2 of the Act.

4.9 *Saving Provision*

- 4.9.1 In accordance with Schedule 2, Clause 40 of the Act no act or proceeding of the Authority is invalid by reason of:
 - 4.9.1.1 a vacancy or vacancies in the membership of the Board; or
 - 4.9.1.2 a defect in the appointment of a Board Member.

4.10 *Governance Issues for Members of the Board*

- 4.10.1 The principles regarding conflict of interest prescribed in the Act apply to all Board Members in the same manner as if the Authority was a council and the Board Member was an elected member of a council.
- 4.10.2 The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties as required by Chapter 5, Part 4, Division 1 of the Act and Schedule 2, Part 1, Clause 7 to the Act.
- 4.10.3 The Authority must, in consultation with the Council's CEO or delegate, maintain relevant policies necessary for the effective management of the Authority and to meet the Authority's legislative obligations.

4.11 *Meetings of the Board*

- 4.11.1 Subject to Schedule 2, Clause 5 of the Act, the Board may determine its own procedures for meetings, which must be fair and contribute to free and open decision making.
- 4.11.2 An ordinary meeting of the Board must take place at such times and places as may be fixed by the Board from time to time and in any event not less than once per quarter.
- 4.11.3 A Board meeting must be held at a reasonable time and, if the meeting is to be held in person, at a reasonable place.
- 4.11.4 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the ordinary meeting.
- 4.11.5 Telecommunications Meeting
 - 4.11.5.1 For the purposes of this Clause 4.11.5 the contemporary linking together by telephone, audio-visual or other instantaneous means (telecommunications meeting) of a number of the Board Members, provided that at least a quorum is present, is deemed to constitute a meeting of the Board and is deemed attendance for those respective Board Members taking part.
 - 4.11.5.2 Each of the Board Members taking part in the telecommunications meeting must at all times during the telecommunications meeting be able to hear and be heard by each of the Board Members present.
 - 4.11.5.3 At the commencement of the meeting each Board Member must announce their presence to all other Board Members taking part in the meeting.
 - 4.11.5.4 A Board Member must not leave a telecommunications meeting by disconnecting their telephone, audio-visual or other communication equipment unless that Board Member has previously notified the Chairperson of the meeting.

- 4.11.6 Written Resolution
- 4.11.6.1 A proposed resolution in writing and given to all Board Members in accordance with proceedings determined by the Board will be a valid decision of the Board where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the ACMA General Manager or otherwise giving written notice of their consent and setting out the terms of the resolution to the ACMA General Manager.
- 4.11.6.2 The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.
- 4.11.7 Notice of ordinary meetings of the Board must be given by the ACMA General Manager to each Board Member not less than three clear business days prior to the holding of the meeting.
- 4.11.8 Notice of any meeting of the Board must:
- 4.11.8.1 be in writing; and
- 4.11.8.2 set out the date, time and place of the meeting; and
- 4.11.8.3 be issued by the ACMA General Manager; and
- 4.11.8.4 contain or be accompanied by the agenda for the meeting; and
- 4.11.8.5 be accompanied by a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).
- 4.11.9 The ACMA General Manager must maintain a record of all notices of meetings given to Board Members.
- 4.11.10 The Chairperson may convene urgent general meetings of the Board at the Chairperson's discretion.
- 4.11.11 The Chairperson shall convene other meetings of the Board as a general meeting may direct.
- 4.11.12 A majority of the Board Members present at a meeting of the Board may adjourn the meeting from time to time and from place to place.
- 4.11.13 *Quorum and Voting*
- 4.11.13.1 The quorum for any meeting of the Board, including special meetings and the Annual General Meeting, is four Board Members and no business may be transacted at a meeting of the Board unless a quorum is present.
- 4.11.13.2 Each Board Member present at a Board meeting has one vote on a question arising for decision at that meeting and, if the votes are equal, the Chair or other person presiding at the meeting may exercise a casting vote.
- 4.11.13.3 Subject to the Act and this Charter each Board Member validly present at a Board meeting must vote on a matter arising for decision at that meeting.
- 4.11.14 Subject to Clause 4.14 and to the absolute discretion of the Board to conduct any meeting or part of any meeting in public, meetings of the Board will not be conducted in a place open to the public and Chapter 6 Part 3 of the Act does not extend to the Authority.
- 4.12 *Special Meeting*
- 4.12.1 The Council or any Board Member may by e-mail request to the ACMA General Manager require a special meeting of the Board to be held.
- 4.12.2 On receipt of the request the ACMA General Manager shall issue a notice of the special meeting to all Board Members at least 24 hours prior to the commencement of the special meeting.
- 4.12.3 The request by any Board Member to the ACMA General Manager of the Authority requiring a special meeting to be held must be accompanied by the proposed agenda for the meeting and any written reports intended to be considered at the meeting (and if the proposed agenda is not provided the request is of no effect).
- 4.13 *Minutes*
- 4.13.1 The ACMA General Manager must cause minutes to be kept of the proceedings at every meeting of the Board, including special meetings and the Annual General Meeting.
- 4.13.2 Other than the minutes of an AGM which are dealt with in accordance with clause 4.14.6, for every meeting of the Board, including special meetings, the minutes must be:
- 4.13.2.1 prepared and distributed to Board Members and the Council's CEO within five business days of the meeting to which they relate; and
- 4.13.2.2 presented to the next ordinary meeting of the Board for confirmation.
- 4.13.3 Where the ACMA General Manager is excluded from attendance at a meeting of the Board the person presiding at the meeting shall cause the minutes to be kept.
- 4.14 *Annual General Meeting*
- 4.14.1 An Annual General Meeting of the Board shall be held prior to October in each year at a place and time determined by a resolution of the Board.
- 4.14.2 Notice of the Annual General Meeting will be given by:
- 4.14.2.1 placing a copy of the notice and agenda on public display at the principal office of the Authority and at the Corporation of the City of Adelaide; and
- 4.14.2.2 in such other manner as the ACMA General Manager considers appropriate.
- 4.14.3 The notice and agenda must be placed on public display for at least 14 clear days before the Annual General Meeting and must be available to the public:
- 4.14.3.1 for inspection, without charge;
- 4.14.3.2 by provision of a copy on the Authority's website; and
- 4.14.3.3 on public display until completion of the Annual General Meeting.

- 4.14.4 A reasonable number of copies of the notice and agenda and any document or report supplied to Board Members for the Annual General Meeting must be available for members of the public at the meeting.
 - 4.14.5 The Annual General Meeting will be conducted in a place open to the public and will consider and deal with business of a general nature aimed at reviewing the progress and direction of the Authority over the immediately preceding Financial Year and shall include the following:
 - 4.14.5.1 Chairperson's report;
 - 4.14.5.2 ACMA General Manager's report;
 - 4.14.5.3 the audited financial statements of the Authority for the previous Financial Year; and
 - 4.14.5.4 any other general business determined by the Board to be considered at the Annual General Meeting.
 - 4.14.6 The minutes of the Annual General Meeting must be available to the public within five days of the Annual General Meeting for inspection or by provision of a copy on the Authority's website and be presented to the next Annual General Meeting of the Board for confirmation.
- 4.15 *Board Annual Performance Review*
- 4.15.1 The Board of the Authority will undertake an annual performance evaluation of the Authority.
 - 4.15.2 The Board will provide the Council with a report on the outcome of the annual performance review.
- 5. ACMA GENERAL MANAGER**
- 5.1 *Appointment of General Manager*
- 5.1.1 The Council's CEO will lead a selection panel to determine and undertake an expression of interest process to appoint a person to be the ACMA General Manager, on terms and conditions determined by the Council's CEO, to manage the business of the Authority.
 - 5.1.2 The ACMA General Manager selection panel members will be the Chairperson and the Council's CEO.
 - 5.1.3 In the absence of the ACMA General Manager for any period, the Council CEO may, in consultation with the Authority, appoint a suitable person to act in the position of ACMA General Manager during the absence of the ACMA General Manager.
- 5.2 *Duties and Powers of the ACMA General Manager*
- 5.2.1 The ACMA General Manager is responsible for the day to day management of the Authority and will ensure that:
 - 5.2.1.1 sound business management practices are applied in the efficient and effective management of the operations of the Authority; and
 - 5.2.1.2 records are kept of the business and financial affairs of the Authority in accordance with this Charter in addition to other duties provided for by this Charter and those specified in the terms and conditions of appointment of the ACMA General Manager.
 - 5.2.2 The duties, functions, responsibilities and authority of the ACMA General Manager will be specified in the terms and conditions of their appointment entered into with the Corporation of the City of Adelaide and will include:
 - 5.2.2.1 attending all meetings of the Board unless excluded by resolution of the Board;
 - 5.2.2.2 inviting any person to attend at any meeting to act in an advisory capacity;
 - 5.2.2.3 ensuring that the lawful decisions of the Board are implemented in a timely and efficient manner;
 - 5.2.2.4 providing information to assist the Board to assess the Authority's performance against its strategic management plans and the Annual Business Plan and Budget;
 - 5.2.2.5 providing advice and reports to the Authority and Board Members on the exercise and performance of its powers and functions under this Charter, the Act or any other legislation;
 - 5.2.2.6 ensuring that the Authority is at all times complying with Schedule 2 of the Act;
 - 5.2.2.7 ensuring that the Authority's Annual Report is prepared for approval by the Authority and distributed to Council in conformity with this Charter;
 - 5.2.2.8 co-ordinating and initiating proposals for consideration of the Authority including, but not limited to, continuing improvement of the operations of the Authority;
 - 5.2.2.9 ensuring that the assets and resources of the Authority are properly managed and maintained;
 - 5.2.2.10 exercising, performing or discharging other powers, functions or duties conferred on the ACMA General Manager by or under the Act or any other Act and performing other functions lawfully directed by the Authority;
 - 5.2.2.11 achieving financial outcomes in accordance with adopted plans and budgets of the Authority;
 - 5.2.2.12 such other duties, functions, responsibilities and powers contained in this Charter or under the Act.
- 5.3 *Delegation by the General Manager*
- 5.3.1 The ACMA General Manager may delegate or sub-delegate to an employee seconded to the Authority (including an employee for the time being occupying a particular office or position), or a committee comprising employees seconded to the Authority, any power or function vested in the ACMA General Manager.
 - 5.3.2 Any delegation or sub-delegation by the ACMA General Manager may be subject to any conditions or limitations as determined by the ACMA General Manager.
 - 5.3.3 Where a power or function is delegated to an employee seconded to the Authority or an employee for the time being occupying a particular office or position, that person is then responsible to the ACMA General Manager for the efficient and effective exercise or performance of that power or function.
 - 5.3.4 The ACMA General Manager must keep a written record of all delegations and sub-delegations at all times.

6. MANAGEMENT

6.1 *Strategic Management Plans*

- 6.1.1 The Authority must prepare the following strategic management plans:
 - 6.1.1.1 a Strategic Plan with an operational period of four years which sets out the goals, objectives, strategies, priorities and relevant key performance indicators of the Authority for the period; and
 - 6.1.1.2 a Long Term Financial Plan for a period of at least 10 years.
- 6.1.2 The Authority must ensure that the strategic management plans are aligned and consistent with the Council's current strategic management plans.
- 6.1.3 The Authority must review the Strategic Plan annually in consultation with the Council.

6.2 *Annual Business Plan and Budget*

- 6.2.1 It is intended that the operations of the Authority shall be funded from annual payments made by the Corporation of the City of Adelaide to the Authority in an amount substantially equivalent to the rents, licences and permit fees and other moneys which will be payable by lessees, licensees and occupiers of the Market to the Authority either as a Concurrent Lessee (in respect of those tenancies in existence as at the date of the grant of the Headlease) or as Underlessor (in respect of those tenancies granted by the Authority after the date of the grant of the Headlease);
- 6.2.2 The Authority must, before the end of June in each Financial Year, prepare an Annual Business Plan and Budget for the ensuing Financial Year in accordance with the Act and Regulations.
- 6.2.3 The Annual Business Plan and Budget must be consistent with the Charter and the Strategic Plan and submitted to Council for approval by a date nominated by the Council's CEO from time to time in accordance with the Council's budgetary approval process.
- 6.2.4 Reports summarising the financial position and performance of the Authority against the Annual Budget shall be prepared and presented to the Board no less than once in every three calendar months.
- 6.2.5 Neither the Annual Business Plan nor the Budget shall be amended without reasonable consultation with the Council and the prior express written approval of the Council.

6.3 *Reporting*

- 6.3.1 The Authority must submit to the Council by 30 September in each year a report on the work and operations of the Authority detailing achievement of the aims and objectives of its Strategic Plan and Annual Business Plan and Budget and incorporating the audited financial statements of the Authority and any other information or reports required by the Council or the Council's CEO.
- 6.3.2 Within 14 business days of the end of each quarter the Authority must submit to the Council's CEO a quarterly report on progress against the strategic milestones and key performance indicators outlined in the Strategic Plan and the Annual Business Plan and Budget.
- 6.3.3 The Authority shall submit to Council or the Council's CEO any other information or reports required by Council or the Council's CEO in a timeframe determined by Council or the Council's CEO.
- 6.3.4 The Chairperson and/or ACMA General Manager shall attend meetings of the Council or any Committee as requested.

6.4 *Financial Management*

- 6.4.1 The Corporation of the City of Adelaide shall keep proper books of accounts on behalf of the Authority in accordance with the requirements of the Act and the *Local Government (Financial Management) Regulations 2011* (the Finance Regulations).
- 6.4.2 The Authority must review its Budget in accordance with the requirements of the Finance Regulations at least three times in each Financial Year at intervals of not less than three months between 30 September and 31 May (inclusive).
- 6.4.3 The Authority's books of account must be available for inspection by any Board Member or authorised representative of the Corporation of the City of Adelaide at any reasonable time on request.
- 6.4.4 All payments made on account of the Authority must be authorised by the ACMA General Manager in accordance with delegated authority or by resolution of the Board.
- 6.4.5 The ACMA General Manager must act prudently in the handling of all financial transactions for the Authority and must provide quarterly financial and corporate reports to the Authority.

6.5 *Audit*

- 6.5.1 The Corporation of the City of Adelaide's auditor will be the auditor of the Authority.
- 6.5.2 The Auditor will have the same powers and responsibilities as set out in the Act in relation to the Corporation of the City of Adelaide.
- 6.5.3 The audit of the financial statements of the Authority, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Council.
- 6.5.4 The books of account and financial statements shall be audited at least once per year.
- 6.5.5 The Audit Committee of the Corporation of the City of Adelaide will act as the Audit Committee of the Authority.

6.6 *Borrowings and Expenditure*

- 6.6.1 The Authority does not have the power to borrow.
- 6.6.2 The Authority has the power to incur expenditure as follows:
 - 6.6.2.1 in accordance with a Budget of the Authority; or
 - 6.6.2.2 with the prior approval of the Council or the Council's CEO; or
 - 6.6.2.3 in accordance with the Act, in respect of expenditure not contained in a Budget adopted by the Board for a purpose of genuine emergency or hardship.

7. MISCELLANEOUS

7.1 *Insurance*

- 7.1.1 The Authority shall be a member of the Local Government Association's Mutual Liability Scheme and the Authority must comply with the Rules of that Scheme unless expressly directed otherwise in writing by the Council's CEO.
- 7.1.2 The Authority shall advise the Council's CEO of its insurance needs so the Corporation of the City of Adelaide can take out appropriate insurance cover on behalf of the Authority.

7.2 *Winding Up*

- 7.2.1 The Authority may be wound up by the Minister acting upon a resolution of the Council or by the Minister in accordance with Schedule 2, Part 1, Clause 16(1)(b) of the Act.
- 7.2.2 In the event of a winding up of the Authority:
- 7.2.2.1 any surplus assets after payment of all expenses shall be returned to the Council prior to the passing of the resolution to wind up; and
- 7.2.2.2 the Headlease shall, at the election of the Council, be either transferred by the Authority to the Council or surrendered.

7.3 *Common Seal*

- 7.3.1 The Authority shall have a common seal upon which its corporate name shall appear in legible characters.
- 7.3.2 The common seal must not be used without the express authorisation of a resolution of the Board and every use of the common seal shall be recorded in the minute book of the Authority.
- 7.3.3 The affixing of the common seal shall be witnessed by the Chairperson or the Deputy Chairperson or such other person as the Authority may appoint for the purpose.
- 7.3.4 The common seal shall be kept in the custody of the ACMA General Manager or such other person as the Authority may from time to time direct.

7.4 *Principal Office*

The Authority's principal office is located at Adelaide Central Market or as the Authority may otherwise determine.

7.5 *Service of Documents*

- 7.5.1 A document to be given by the Authority to the Council or the Council's CEO or by the Council or the Council's CEO to the Authority may be given in a manner that Section 280 of the Act permits.
- 7.5.2 A written notice given by the Authority to the Council or the Council's CEO must be marked 'Attention: Chief Executive Officer'.

7.6 *Access to Information/Records*

- 7.6.1 As a matter of record, Schedule 2, Clause 11 of the Act entitles Council or the Council's CEO to be furnished with information or records of the Authority.
- 7.6.2 The Council or the Council's CEO and a Board Member each have a right to inspect and take copies of the books and records of the Authority.

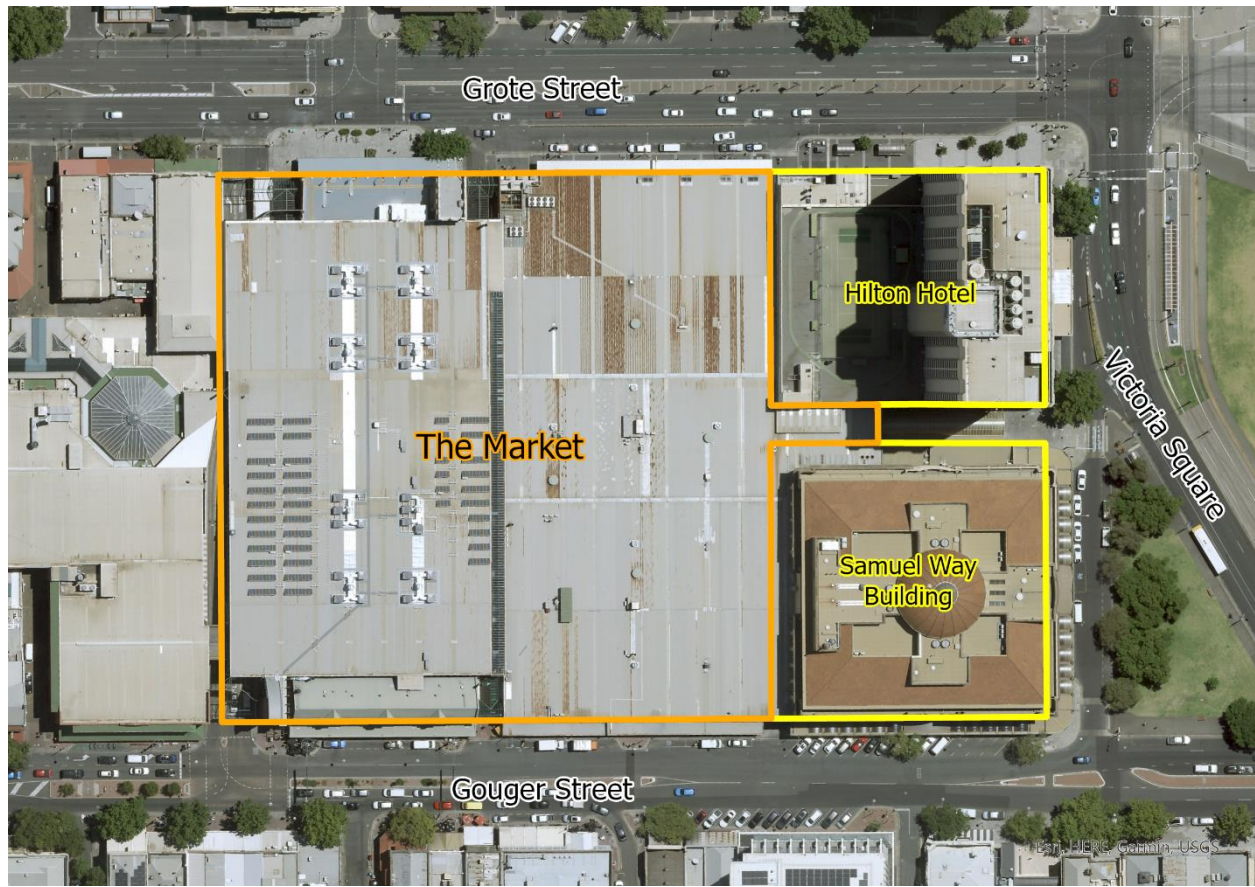
8. CIRCUMSTANCES NOT PROVIDED FOR

- 8.1 If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions the Chairperson may decide the action to be taken to ensure achievement of the objects of the Authority and its effective administration.
- 8.2 The Chairperson shall report any such decision at the next ordinary meeting of the Authority and the Authority shall subsequently report any such decision to the Council at the next ordinary meeting of the Council.

9. PERFORMANCE AND ACCOUNTABILITY OF AUTHORITY

- 9.1 The Council and the Council's CEO shall be entitled on an ongoing basis to review the performance of the Authority and the Board in the conduct of their respective activities under this Charter.
- 9.2 Without limiting the Council's or the Council's CEO's powers under the Act, if at any time the Council or the Council's CEO is of the view that either the Authority and/or the Board is not performing its duties under this Charter, the Council or the Council's CEO shall be entitled to provide a notice in writing to the Board (Council Notice) identifying those matters in respect of the performance by the Authority and/or the Board of its duties under this Charter which are not satisfactory to the Council or the Council's CEO together with details of any corrective action which the Council or Council's CEO requires the Authority and/or the Board to take in order to rectify the identified performance issues.
- 9.3 The Board shall within 30 days of receipt of the Council Notice provide a written response to the Council or the Council's CEO as to the matters raised in the Council Notice (Notice in Response) which shall identify any corrective action which the Authority and/or the Board intends to undertake in order to address the issues raised in the Council Notice.
- 9.4 The Council's CEO and the Chairperson of the Board shall meet within 14 days of receipt by the Council or the Council's CEO of the Notice in Response to discuss the matters raised in the Council Notice and the Notice in Response.
- 9.5 Either:
- 9.5.1 following the meeting between the Council's CEO and the Chairperson of the Board and having considered the matters raised in the Council Notice and the Notice of Response and the matters discussed between the Council's CEO and the Chairperson of the Board at their meeting; or
- 9.5.2 if the Board does not provide a Notice in Response,
- the Council shall be entitled to take such further action (if any) as it determines with respect to the matters raised in the Council Notice which action may include, but shall not be limited to, the removal of the Board and the appointment of a replacement Board in accordance with the provisions of this Charter.

ANNEXURE A

The Market

CITY OF BURNSIDE

Adoption of Valuations and Declaration of Rates

Notice is hereby given that on the 22 June 2021 the Council of the City of Burnside, pursuant to the provisions of the *Local Government Act 1999*, for the year ending 30 June 2022.

Adoption of Valuations

Adopted, the capital valuations to apply in its area for rating purposes for the 2021-2022 financial year as supplied by the Valuer-General totalling \$18,924,474,280.

Declaration of Rates

Declared differential general rates in the dollar based on capital value as follows:

- (a) 0.21445 cents in the dollar on rateable land of Category 1—Residential, Category 2—Commercial Shop, Category 3—Commercial Office, Category 4—Commercial Other, Category 5—Industrial Light, Category 6—Industrial Other, Category 7—Primary Production and Category 9—Other.
- (b) 0.42885 cents in the dollar on rateable land of Category 8—Vacant Land.

Resolved that the minimum amount payable by way of general rates in respect of rateable land within the area for the year ending 30 June 2022 be \$875; and

Declared a Separate Rate (Regional Landscape Levy) of 0.0095 cents in the dollar on all rateable land in the Council's area and within the area of the Adelaide Green Landscape Board Area;

The Council resolved that rates will be payable in four equal or approximately equal instalments, and that the due dates for those instalments will be 1 September 2021, 1 December 2021, 1 March 2022 and 1 June 2022.

Dated: 8 July 2021

C. COWLEY
Chief Executive Officer

CITY OF BURNSIDE

Representation Review

Notice is hereby given that the City of Burnside has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of council.

Representation Review Report

Pursuant to section 12(8a) of the *Local Government Act 1999* the Council has prepared a Representation Review Report which details the review process, public consultation undertaken and a proposal for the Council's elected representation that it considers could be carried into effect. A copy of this Report is available on the Council's website at engage.burnside.sa.gov.au and for inspection at:

- Civic Centre, 401 Greenhill Road, Tasmore or
- by contacting Wendy Matthews on 8366 4200 or by email burnside@burnside.sa.gov.au

Written Submissions

Written submissions are invited from interested persons from Thursday, 8 July 2021 and must be received by 5pm Wednesday, 4 August 2021.

Written submissions should be addressed to:

Representation Review, City of Burnside

Mail to: PO Box 9 Glenside SA 5065

Email to: burnside@burnside.sa.gov.au

Online to: engage.burnside.sa.gov.au

In person: Civic Centre, 401 Greenhill Road, Tasmore

Any person(s) making a written submission will be invited to appear before a meeting of council or council committee to be heard in respect of their submission on Tuesday, 24 August 2021. Information regarding the representation review can be obtained by contacting Wendy Matthews on 8366 4200 or email burnside@burnside.sa.gov.au.

Dated: 8 July 2021

CHRIS COWLEY
Chief Executive Officer

RURAL CITY OF MURRAY BRIDGE

Adoption of Valuations and Declaration of Rates 2021-2022

Notice is hereby given that the Rural City of Murray Bridge at a meeting held on 15 June 2021, resolved:

Adoption of Annual Business Plan and Budget 2021-2022

That pursuant to Section 123(6) and (7) of the *Local Government Act 1999* and Regulation 6 of the *Local Government (Financial Management) Regulations 2011*, having considered submissions in accordance with Section 12(6) of the *Local Government Act 1999* and having regard to all relevant information in the possession of the Council, the Council adopts the Annual Business Plan and Budget for 2021-2022.

Adoption of Valuations

That pursuant to Section 167(2) of the *Local Government Act 1999* the most recent valuations of the Valuer-General available to Council of the capital value of land within Council's area totalling \$3,715,729,920 be adopted for rating purposes with the total capital value of rateable land within Council's area for 2021-2022 being \$3,580,949,590.

Declaration of Rates

That, having taken into consideration the general principles of rating contained in Section 150 of the *Local Government Act 1999* and having observed the requirements of Section 153 of the *Local Government Act 1999*, and in accordance with Regulation 14 of the *Local Government (General) Regulations 2013*, the Council declares, for the year ending 30 June 2022, differential rates in respect of all rateable land within its area as follows:

- 0.68351 cents in the dollar of the Capital Value of rateable land of Categories (a) and (i) uses (residential and "other" categories)
- 1.09361 cents in the dollar of the Capital Value of rateable land of Categories (b), (c) and (d) uses (commercial categories)
- 0.95691 cents in the dollar of the Capital Value of rateable land of Categories (e) and (f) uses (industrial categories)
- 0.61515 cents in the dollar of the Capital Value of rateable land of Category (g) use (primary production category)
- 0.88856 cents in the dollar of the Capital Value of rateable land of Category (h) use (vacant land category)

Declaration of Minimum Rates

That pursuant to Section 158(1)(a) of the *Local Government Act 1999* the Council fixes in respect to the year ending 30 June 2022, a minimum amount payable by way of general rates of \$988.

Regional Landscape Levy

That pursuant to Part 5 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, the Council declares, in respect of the year ending 30 June 2022, a separate rate of 0.0222343 cents in the dollar, based on the capital value of rateable land within the Council's area and within the area of the Murraylands and Riverland Landscape Board in order to recover the amount payable to the Board.

*Declaration of Annual Service Charges and Service Rates
Community Waste Water Management and Water Supply Schemes*

Woodlane

That pursuant to Section 155(2) of the *Local Government Act 1999*, a total of \$69,945 is to be levied against the properties within the area defined as "Woodlane" to which Council provides the prescribed services of septic tank effluent disposal and water supply. A service charge of \$799 per assessment plus the relevant per kilolitre charge is imposed on rateable and non rateable land and a service rate of 0.168183 cents in the dollar of the capital value of rateable land is declared on Allotments 1 to 18 in Deposited Plan DP48073, Allotments 191 and 192 in Deposited Plan DP75292, Allotments 1 to 4, 7 to 37 and 40 in Deposited Plan DP51229, Allotment 50 in Deposited Plan DP53034 and Allotment 200 in Deposited Plan DP62423, being land which the septic tank effluent disposal and the water supply schemes are provided.

The relevant per kilolitre charge for the supply of water is \$3.007 per kL for any usage above 130kL per annum.

Riverglen

To be notified in a subsequent Notice.

Waste Collection

That pursuant to Section 155(2) of the *Local Government Act 1999* the following variable annual service charges are imposed according to the nature of the service as follows, subject (where relevant) to the application of Regulation 13 of the *Local Government (General) Regulations 2013*:

- Kerbside Recycling and Green Waste Service
- An annual service charge of \$89 will be applied in 2021-22 to those properties Council provides or makes available a kerbside recycling service.
- An annual service charge of \$56 will be applied in 2021-22 to those properties in Murray Bridge, Callington, Jervois, Mypolonga, Wellington and Woodlane that Council provides or makes available a green waste collection service.

That pursuant to Section 188 of the *Local Government Act 1999* the following fees and charges are imposed:

(1) New Garbage Collection Service

For the supply of a mobile garbage bin to land to which the new service is provided, a service charge of \$84 per bin in respect of the year ending 30 June 2022.

(2) Replacement Bins

For the replacement of lost, damaged or stolen bins, a service charge of \$84 per bin in respect of the year ending 30 June 2022.

(3) Additional Garbage Collection Service

For the supply of additional mobile garbage bin/s to land to which the service is provided, an annual service charge of \$140 per bin in respect of the year ending 30 June 2022.

Payment of Rates

That pursuant to Section 181(11) of the *Local Government Act 1999* rates for the year ended 30 June 2022 will fall due in four equal or approximately equal instalments on 6 September 2021, 1 December 2021, 1 March 2022 and 1 June 2022.

Dated: 8 July 2021

M. SEDGMAN
Chief Executive Officer

CITY OF PORT LINCOLN

Adoption of Valuations and Declaration of Rates 2021-2022

Notice is hereby given that at its meeting on 28 June 2021, the City of Port Lincoln Council resolved for the year ending 30 June 2022 as follows:

- to adopt (effective from 1 July 2021) the valuations made by the Valuer-General of Site Values of all land within the area of the Council valued at \$1,120,742,800 that are to apply for rating purposes;
- to declare differential general rates in respect of all rateable land within its area varying according to its land use as follows:
 - (i) Residential 0.8215 cents in the dollar
 - (ii) Commercial—Shop, Office, Other 0.8215 cents in the dollar
 - (iii) Industry—Light, Other 0.8215 cents in the dollar
 - (iv) Vacant Land 0.8215 cents in the dollar
 - (v) Marina Berths 0.8215 cents in the dollar
 - (vi) Other 0.8215 cents in the dollar
 - (vii) Primary Production 0.8215 cents in the dollar
- to impose a Fixed Charge of \$465.00 in respect of all rateable land;
- to declare a Waste Annual Service Charge of \$265.80 based on the nature of the service;
- to declare a Recycling Annual Service Charge of \$53.80 based on the nature of the service (excludes vacant land and marina berths);
- to declare a separate rate based on a fixed charge, which will be determined by land use as follows:
 - (i) \$80.30 fixed charge for Residential, Other and Vacant Land
 - (ii) \$120.45 fixed charge for Commercial and Industrial Land
 - (iii) \$160.60 fixed charge for Primary Producers

on all rateable land within the Council area and the area of the Eyre Peninsula Landscape Board in order to reimburse the Council the amount contributed to the Eyre Peninsula Landscape Board.

Dated: 8 July 2021

M. MORGAN
Chief Executive Officer

CITY OF PROSPECT

Adoption of Valuation and Declaration of Rates 2021-2022

Notice is hereby given that City of Prospect, at a meeting of Council held on 29 June 2021 for the year ending 30 June 2022 resolved as follows:

Adoption of Valuations

That the Council of the City of Prospect, pursuant to Section 167(2)(a) of the *Local Government Act 1999*, adopts valuations of capital value made by the Valuer-General in relation to the area of the Council on 1 July 2021 and specifies that the total of the values that are to apply within the area for rating purposes for the year ending 30 June 2022 is \$6,707,236,800.

Declaration of Differential General Rates

That the Council of the City of Prospect, pursuant to Sections 152(1)(a), 153(1)(b) and 156(1)(c) of the *Local Government Act 1999*, hereby declares differential general rates on rateable land within the area, which rates vary by reference to the uses of land designated by Regulation 14 of the *Local Government (General) Regulations 2013*.

- (a) Residential: A rate of 0.302250 cents in the dollar on the capital value of such rateable land.
- (b) Commercial—Shop: A rate of 0.628350 cents in the dollar on the capital value of such rateable land.
- (c) Commercial—Office: A rate of 0.628350 cents in the dollar on the capital value of such rateable land.
- (d) Commercial—Other: A rate of 0.628350 cents in the dollar on the capital value of such rateable land.
- (e) Industry—Light: A rate of 0.628350 cents in the dollar on the capital value of such rateable land.
- (f) Industry—Other: A rate of 0.628350 cents in the dollar on the capital value of such rateable land.
- (g) Primary Production: A rate of 0.628350 cents in the dollar on the capital value of such rateable land.
- (h) Vacant Land (Residential Planning Zone): A rate of 0.377813 cents in the dollar on the capital value of such rateable land.
- (i) Vacant Land (Non-Residential Planning Zone): A rate of 0.785438 cents in the dollar on the capital value of such rateable land.
- (j) Other: A rate of 0.628350 cents in the dollar on the capital value of such rateable land.

Declaration of a Minimum Amount

That the Council of the City of Prospect, pursuant to Section 158(1)(a) of the *Local Government Act 1999*, hereby fixes, in respect of the year ending 30 June 2022, a minimum amount of \$1,287 that shall be payable by way of general rates on rateable land within the Council's area.

Declaration of a Separate Rate (Prospect Village Heart Marketing Fund)

City of Prospect, pursuant to Sections 154(1) and 154(2)(c) of the *Local Government Act 1999*, hereby declares separate rate by fixed charge of \$150.00 on rateable land within Land Uses of 2, 3, 4, 5, 6 and 9 on Prospect Road, Prospect South Australia bordered at the North by Gladstone Road and Alpha Road and the South by Buller Street and Ballville Street.

Declaration of a Separate Rate (Regional Landscape Levy)

That pursuant to Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, Council, in order to reimburse to the Council the amount contributed to the Regional Landscape Levy of \$608,912, declares for the year ending 30 June 2022 a separate rate of 0.009425 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Prospect.

Payment of Rates

Notice is hereby given that pursuant to Section 181 of the *Local Government Act 1999*, the rates shall be payable in four equal or approximately equal instalments due and payable on 1 September 2021, 1 December 2021, 1 March 2022 and 1 June 2022.

Dated: 1 July 2021

N. MCBRIDE
Chief Executive Officer

CITY OF SALISBURY

Adoption of Valuations and Declaration of Rates

Notice is given that the City of Salisbury at a meeting held on Monday, 28 June 2021:

1. Adopted the Valuer-General's valuation of rateable capital values, being \$22,799,011,938 for the year ending 30 June 2022. The valuation shall, from 28 June 2021, become and be the valuation of the Council for rating purposes.
2. Declared differential general rates on property within its area for the financial year ending on the 30 June 2022, which rates shall vary by reference to the use of the rateable property in accordance with Regulation 14 of the *Local Government (General) Regulations 2013* as follows:
 - (a) In respect of rateable land which is used for "Commercial—Shop", "Commercial—Office", "Commercial—Other", "Industrial—Light", "Industrial—Other", "Marina Berth" Land uses, a Differential General Rate of 0.6345 cents in the dollar for the assessed capital value of such land.
 - (b) In respect of rateable land which is used for "Vacant Land" Land use, a Differential General Rate of 0.5482 cents in the dollar for the assessed capital value of such land.
 - (c) In respect of all other rateable land in the area used for purposes other than as stated in paragraph (a) and (b) hereof, a Differential General Rate of 0.4217 cents in the dollar on the assessed capital value of such land.
3. Fixed a Minimum amount of \$1,044 which shall be payable by way of rates on any one assessment within the municipality in respect of the year ending 30 June 2022.
4. Declared the following differential separate rates in accordance with Section 154 of the *Local Government Act 1999*, for the year ending 30 June 2022.

Salisbury Business Association Separate Rate

A separate rate of 0.050542 cents in the dollar on the capital value of rateable land in that area with a local government code classified as Commercial—Shop, Commercial—Office, Commercial—Other, Industrial—Light and Industrial—Other.

The purpose of this separate rate is to provide a fund to promote and enhance business viability, profitability trade and commerce in that part of the Council's area, which is the subject of the separate rate.

Globe Derby Separate Rate

A separate rate of \$110.00 for each share of common land being 1 share for each allotment numbered Lots 1-23 and Lots 26-32 of DP9830, 1 share for each allotment numbered Lots 50-51 DP18972, 1 share for each allotment numbered Lots 33-34 and Lots 38-64 of DP9831, 1 share for allotment numbered lot 2 of FP14624, and 1 share in total for Lots 1 on FP14624 and 37 on DP9831 combined of portion of Section 3070 of Hundred of Port Adelaide (laid out as Bolivar).

The purpose of this separate rate is to provide a fund to the Globe Derby Community Club for the purpose of maintaining the common land, being Lot 65 in Deposited Plan No. 9832.

Green Adelaide Board Regional Landscape Levy Separate Rate

A separate rate of 0.009258 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Salisbury.

The purpose of this separate rate is to reimburse to Council the amount contributed to the Green Adelaide Board as required under Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*.

Dated: 28 June 2021

J. HARRY
Chief Executive Officer

CITY OF TEA TREE GULLY

Adoption of Valuations and Declaration of Rates 2021-2022

Notice is hereby given that on 29 June 2021 the City of Tea Tree Gully, adopted and declared as follows for the year ending 30 June 2022:

1. Capital valuations for rating purposes as supplied by the Valuer-General totalling \$20,079,339,480 (rateable properties \$19,349,577,972).
2. A minimum amount of \$1,245 payable by way of general rates on rateable properties within the area of the City of Tea Tree Gully.
3. Differential general rates based upon the use of the land as follows:
 - 3.1 "Commercial—Shop", "Commercial—Office", "Commercial—Other", "Industrial—Light" and "Industrial—Other": 0.601013 cents in the dollar;
 - 3.2 "Vacant Land": 0.801350 cents in the dollar;
 - 3.3 "Residential", "Primary Production" and "Other": 0.400675 cents in the dollar;
4. An annual service charge for all properties serviced by Council's Community Wastewater Management System of:
 - 4.1 \$505 for all properties where the occupied property is charged a SA Water sewer service charge or the land is vacant; and
 - 4.2 \$725 for all other properties.
5. A separate rate of 0.009465 cents in the dollar on the capital value of all rateable land within the area of City of Tea Tree Gully to reimburse the amount contributed to the Green Adelaide Board.
6. A separate rate of \$505 in order to reimburse the cost of the conversion from Community Wastewater Management System (CWMS) to SA Water sewer on specified assessments.

Dated: 29 June 2021

J. MOYLE
Chief Executive Officer

CITY OF WHYALLA

Advice of Amendment to Roads and Public Place Naming

Notice is hereby given that under Section 219 of the *Local Government Act 1999*, Council at its meeting held on Monday, 28 June 2021, resolved to alter the Roads and Public Place Naming Policy (formerly the Nomenclature Policy), which provides guidelines for the allocation of names for public roads, and public places within the Whyalla City Council Local Government Area.

The Policy can be viewed via Council's website www.whyalla.sa.gov.au.

Dated: 8 July 2021

ANDREA MALONE
Manager Governance

ADELAIDE HILLS COUNCIL

Adoption of Valuation and Declaration of Rates 2021-22

Notice is given that at the meeting held on 22 June 2021, the Council, for the financial year ending 30 June 2022, resolved as follows:

Determination of Valuation—2021-22

To adopt for rating purposes the most recent valuations of the State Valuation Office of the capital value of land within the Council area, amounting to \$11,179,522,160.

Declaration of General Rates

1. To declare general rates based upon the capital value of rateable land:
 - (a) with a category (a), (g), (h) and (i) (Residential, Primary Production, Vacant Land and Other) land use, a rate of 0.2453 cents in the dollar; and
 - (b) with a Category (b), (c), (d), (e) and (f) (Commercial-Shop, Commercial-Office, Commercial-Other, Industry-Light and Industry-Other) land use, a rate of 0.2821 cents in the dollar.
2. To declare a fixed charge of \$699 in respect of all rateable land.

Declaration of a Separate Rate—Regional Landscape Levy

To declare the following separate rate based upon the capital value of rateable land:

0.009002 cents in the dollar in the area of the Hills and Fleurieu Region.

Service Charges

To impose annual service charges of \$897 for occupied land and \$450 for vacant land based on the nature of the service and the level of usage of the service where the Council provides or makes available the following prescribed services:

- (a) the Woodside Community Wastewater Management System;
- (b) the Woodside Extension Community Wastewater Management System;
- (c) the Birdwood and Mt Torrens Community Wastewater Management System;
- (d) the Kersbrook Community Wastewater Management System;
- (e) the Charleston Community Wastewater Management System;
- (f) the Verdun Community Wastewater Management System;
- (g) the Mt Lofty Ward Community Wastewater Management System;

Declaration of a Separate Rate—Stirling Business

- (a) To declare a separate rate of 0.0949 cents in the dollar on the capital value of rateable land within the precinct known as the District Centre (Stirling) Zone and businesses fronting both sides of Mt Barker Road east of the District Centre (Stirling) Zone to Pine Street, but excluding land with the land use Category 1 (Residential) and otherwise government owned land; and
- (b) To fix a minimum amount payable of \$284; and
- (c) To fix a maximum amount payable of \$2,538.

Dated: 8 July 2021

A. AITKEN
Chief Executive Officer

COORONG DISTRICT COUNCIL

PUBLIC CONSULTATION

Review of Elector Representation

Notice is hereby given that the Coorong District Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

As an outcome of this review Council proposes the following:

1. The principal member of Council be a Mayor elected by the community.
2. The Council area not be divided into wards (i.e. wards be abolished).
3. The future elected body of Council comprise the Mayor and seven (7) area councillors, all of whom shall represent the whole of the Council area and shall be elected by the community at council-wide elections.

Report

Council has prepared a Representation Review Report which details the review process, the public consultation undertaken, and the proposal Council considers should be carried into effect. A copy of the report is available on the Council's website (www.coorong.sa.gov.au); and for inspection and/or purchase at the Council offices at 95-101 Railway Terrace, Tailem Bend.

Written Submissions

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, PO Box 399, Tailem Bend 5260 or emailed to council@coorong.sa.gov.au by close of business on Friday, 30 July 2021. Alternatively, electronic submissions can be made via the Council website.

Any person who makes a written submission will be afforded the opportunity to address Council, either in person or by a representative, in support of their submission.

Information regarding the elector representation review can be obtained by contacting the Director Community & Corporate on telephone 1300 785 277 or email council@coorong.sa.gov.au.

Dated: 8 July 2021

BRIDGET MATHER
Chief Executive Officer

KINGSTON DISTRICT COUNCIL

Adoption of Valuation and Declaration of Rates 2021/2022

Notice is given that at the meeting held on 29 June 2021, the Council for the financial year ending 30 June 2022 resolved as follows:

1. Adopted the capital values made by the Valuer General totalling \$1,677,149,460.
2. Declared the following differential general rates for all rateable land within the Council area:
 - A differential general rate of 0.3388 cents in the dollar on rateable land of Category (a) (Residential) Land Use;
 - A differential general rate of 0.32186 cents in the dollar on rateable land of Category (b) (Commercial—Shop), Category (c) (Commercial—Office) and Category (d) (Commercial—Other) Land Use;
 - A differential general rate of 0.32186 cents in the dollar on rateable land of Category (e) (Industrial—Light) and Category (f) (Industrial—Other) Land Use;

- A differential general rate of 0.2541 cents in the dollar on rateable land of Category (g) (Primary Production) Land Use;
 - A differential general rate of 0.4235 cents in the dollar on rateable land of Category (h) (Vacant Land) Land Use;
 - A differential general rate of 0.3388 cents in the dollar on rateable land of Category (i) (Other) Land Use;
 - A differential general rate of 0.32186 cents in the dollar on rateable land of Category (j) (Marina Berth) Land Use.
3. Fixed a minimum amount payable by way of rates of \$598.60.
 4. Declared a differential separate rate based upon a fixed charge dependent upon the use of the land to reimburse itself the contribution to the Limestone Coast Landscape Board as follows:
 - \$80.50 fixed charge on rateable land of Category (a) (Residential), Category (h) (Vacant), Category (i) (Other) and Category (j) (Marina Berth) Land Use.
 - \$121.00 fixed charge on rateable land of Category (b) (Commercial—Shop), Category (c) (Commercial—Office) and Category (d) (Commercial—Other) Land Use.
 - \$193.00 fixed charge on rateable land of Category (e) (Industrial—Light) and Category (f) (Industrial—Other) Land Use.
 - \$354.00 fixed charge on rateable land of Category (g) (Primary Production) Land Use.
 5. Imposed an annual service charge on all land to which Council provides or makes available the prescribed service known as the Kingston Community Wastewater Management System (CWMS) as follows:
 - \$450.00 per unit on each occupied allotment
 - \$300.00 per unit on each vacant allotment
 based upon the CWMS Property Units Code and varying according to whether land is vacant or occupied.
 6. Imposed an annual service charge on all land to which the Council provides or makes available the prescribed service of Mobile Garbage Bin Collection and Disposal:
 - \$261.00 per mobile garbage bin service collected from each allotment
 based upon the level of usage of the service and being charged in accordance with Council's Mobile Garbage Bin Collection and Disposal Policy.

Dated: 1 July 2021

NAT TRAEGER
Chief Executive Officer

LIGHT REGIONAL COUNCIL

Adoption of Valuation and Declaration of Rates and Charges

Notice is hereby given that at its Meeting held on 22 June 2021, in relation to the financial year ending 30 June 2022, the Light Regional Council, in exercise of the powers contained within Chapter 10 of the *Local Government Act 1999*, made the following resolutions:

Adoption of Valuation

Council, pursuant to Section 167(2)(a) of the *Local Government Act 1999*, adopted for rating purposes (subject to alteration), the most recent valuations of the Valuer-General of South Australia available to the Council of the capital value of land within the area of the Council, with such valuations totalling \$4,021,717,520 of which \$3,960,966,275 is rateable.

Declaration of General Rate

Council, pursuant to sections 153(1)(b) and 156(1)(a) of the *Local Government Act 1999*, declared the following differential general rates based on the capital value of rateable land varying according to the land use category:

- (i) on all rateable land attributed Land Use Category 1—Residential, and Land Use Category 9 - Other, a rate of 0.4479404 cents in the dollar of the capital value of the land;
- (ii) on all rateable land attributed Land Use Category 2—Commercial Shop, or Land Use Category 3—Commercial Office, or Land Use Category 8—Vacant Land, a rate of 0.7838957 cents in the dollar of the capital value of the land;
- (iii) on all rateable land attributed Land Use Category 4—Commercial Other, a rate of 0.8958808 cents in the dollar of the capital value of the land;
- (iv) on all rateable land attributed Land Use Category 5—Industrial Light, or Land Use Category 6—Industrial Other, a rate of 1.2318360 cents in the dollar of the capital value of the land;
- (v) on all rateable land attributed Land Use Category 7—Primary Production, a rate of 0.3359553 cents in the dollar of the capital value of the land.

Application of Rate Capping

That Council determined not to fix a maximum increase in the general rate to be charged on rateable land in accordance with Section 153(3) of the *Local Government Act 1999*, within its rating policy for the financial year ending 30 June 2022.

Declaration of Minimum Rate

Council, pursuant to Section 158(1)(a) of the *Local Government Act 1999*, fixed a minimum amount payable by way of the general rate of \$875.00 in respect of all rateable land within the council area.

Declaration of Community Wastewater Management System Annual Service Charge

Council, pursuant to Section 155 of the *Local Government Act 1999*, declared the following annual service charges based on the nature of the service on each assessment, whether vacant or occupied, to which the Council provides or makes available a Community Wastewater Management System service:

System	Annual Service Charge
Kapunda	\$570
Freeling	\$570
Freeling (Hanson Street Estates Sewer System)	\$570
Greenock	\$570
Nuriootpa	\$570
Roseworthy	\$570

Declaration of Domestic Refuse and Recycling Annual Service Charge

Council, pursuant to Section 155 of the *Local Government Act 1999* declared an annual service charge based on the nature of the services for refuse collection and recycling of \$317.00 per assessment in respect of all land to which Council makes available the 3-bin service, and of \$214.00 per assessment in respect of all land to which Council provides or makes available the 2-bin service on the basis that the sliding scale provided for in Regulation 13 of the *Local Government (General) Regulations 2013* will be applied to reduce the service charge payable, as prescribed.

Declaration of Separate Rate—Gawler Water Reuse Scheme

Council, pursuant to Section 154 of the *Local Government Act 1999*, declared a separate rate (based on a fixed charge against the land subject to the rate) of \$1,800,000 to be levied against the rateable assessment number 6512, Valuer-General of South Australian assessment number 3120415503, described as Allotment 100 of Filed Plan 35604, Certificate of Title Volume 5253 Folio 627.

Declaration of Separate Rate for Regional Landscape Levy

Council, pursuant to the powers contained in the *Landscape South Australian Act 2019*, and Section 154 of the *Local Government Act 1999*, and in order to reimburse the Council for the amount contributed to the Northern & Yorke Landscape Board, being \$340,661 declared a separate rate of 0.00008852 cents in the dollar of the Capital Value of land, in respect of all rateable land in the Council's area and in the area of that Board, the Capital Value of such land totalling \$3,960,966,275.

Dated: 8 July 2021

B. CARR
Chief Executive Officer

DISTRICT COUNCIL OF ORROROO CARRIETON

Adoption of Valuations and Declaration of Rates 2021-2022

Notice is given that the Council at an Ordinary meeting held on the 23 June 2021, in respect of the financial year ending 30 June 2022, resolved as follows:

Adoption of Valuations

To adopt, for rating purposes, the most recent valuations of the Valuer-General available to Council of the Capital Value of land within the Council's area totalling \$283,928,800 of which \$276,457,600 is the total Capital Value of rateable land.

Fixed Charge

To declare a fixed charge of \$330.00 on all rateable land within the Council area.

General Rates

That pursuant to Sections 153 and 156 of the *Local Government Act 1999*, determines that the following rates for the year ending 30 June 2022, be declared on rateable land within its area, based on the capital value of the land.

- (a) 0.28360 cents in the dollar for Primary Production land located within the Council area
- (b) 0.37580 cents in the dollar for all other forms of land use located within the Council area

*Annual Service Charges***Waste Management Collection**

To impose an annual services charge for waste management collection of \$390.00 to be applied to all properties to which the service is provided or is made available, with a charge of \$89.00 for each additional bin.

Community Waste Water Scheme

To impose an annual service charge based on the level of usage of the service of \$1,314 per property unit in respect of all land to which the Council provides the Community Wastewater Management scheme.

Separate Rate—Regional Landscape Levy

To declare a separate rate of 0.016020 cents in the dollar on all rateable land within the Council area to recover the amount payable to the Landscape Administration Fund.

Dated: 23 June 2021

DYLAN STRONG
Chief Executive Officer

TATIARA DISTRICT COUNCIL

Adoption of Valuations and Declaration of Rates

Notice is hereby given that the Tatiara District Council at its Special Meeting held on 29 June 2021 resolved the following:

Adoption of Valuations

To adopt for rating purposes the most recent valuations of the Valuer-General available to the Council of the capital values of land within the Council area, totalling \$2,659,378,260, comprising \$2,624,446,800 in respect of rateable land and \$34,931,460 in respect of non-rateable land.

Declaration of Differential General Rates

To declare differential general rates on rateable land within the Council area according to the use of the land as follows:

- 0.487 cents in the dollar in respect of all rateable land with land use categories (a) (Residential), (h) (Vacant Land) and (i) (Other).
- 0.445 cents in the dollar in respect of all rateable land with land use categories (b) (Commercial—Shop), (c) (Commercial—Office) and (d) (Commercial—Other) (e) (Industry—Light) and (f) (Industry—Other); and
- 0.2869 cents in the dollar in respect of all rateable land with land use category (g) (Primary Production).

Minimum Rate

To fix a minimum amount of \$560.00 shall be payable by way of general rates on rateable land within the Council area.

Regional Landscape Levy

To declare a separate rate based on a fixed charge on rateable land in the area of the Council and in the area of the Board of:

- \$82.00 in respect of rateable land with land use Categories (a), (h) and (i)
- \$130.00 in respect of rateable land with land use Categories (b), (c) and (d)
- \$193.00 in respect of rateable land with land use Categories (e) and (f)
- \$354.00 in respect of rateable land with land use Categories (g)

Community Wastewater Management Schemes

To impose service charges on all land within its area to which Council provides or makes available the Community Wastewater Management System varying according to whether the land is vacant or occupied:

Bordertown CWMS	Vacant Land	\$185.00
	Occupied Land	\$350.00
Keith CWMS	Vacant Land	\$185.00
	Occupied Land	\$350.00
Mundulla CWMS	Vacant Land	\$185.00
	Occupied Land	\$350.00
Wolseley CWMS	Vacant Land	\$185.00
	Occupied Land	\$350.00

Waste Management and Recycling Collection Annual/Service Charge

To declare an annual service charge of \$340.00 based on the nature of the service in respect of all land to which it provides or makes available the service of a 3 bin Garbage, Green Waste and Recycling Collection Service.

Dated: 29 June 2021

A. CHAMPNESS
Chief Executive Officer

WUDINNA DISTRICT COUNCIL

PUBLIC CONSULTATION

Review of Elector Representation

Notice is hereby given that the Wudinna District Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

As an outcome of this review Council proposes the following.

1. Whilst the provisions of the *Statutes Amendment (Local Government Review) Act 2021* (the Act) require the principal member of Council to be an elected Mayor, the principal member of Council will continue to be a Chairperson (with the title of Mayor) who is to be selected/appointed by and from amongst the elected members, until such time as the relevant provisions of the Act come into effect.
2. The Council continue to comprise seven (7) area councillors.
3. The Council area not be divided into wards (i.e. the existing "no wards" structure be retained).

Report

Council has prepared a Representation Review Report which details the review process, the public consultation undertaken and the proposal Council considers should be carried into effect. A copy of the report is available on the Council's website www.wudinna.sa.gov.au and for inspection and/or purchase at the Council office at 11 Burton Terrace, Wudinna.

Written Submissions

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, PO Box 6, Wudinna 5652; or emailed to admin@wudinna.sa.gov.au by the close of business on Friday, 30 July 2021. Alternatively, electronic submissions can be made via the Council website.

Information regarding the elector representation review can be obtained by contacting the Chief Executive Officer on telephone 8680 2002 or email admin@wudinna.sa.gov.au.

Any person(s) making a written submission will be given the opportunity to appear before a meeting of Council or a committee thereof to be heard in support of their submission.

Dated: 1 July 2021

ALAN F. MCGUIRE
Chief Executive Officer

PUBLIC NOTICES

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

In the matter of the estates of the undermentioned deceased persons:

CONRICK James Desmond late of 6 Booth Avenue Linden Park of no occupation who died 17 October 2017
CRAILL Edward Hodder late of 150 Reynell Road Woodcroft Retired Electrical Fitter who died 14 December 2020
GUSTER Frederick Keith late of 56-58 High Street Grange Retired Metalwork Instructor who died 1 January 2021
KERR Dora late of 156 Main North Road Prospect of no occupation who died 9 November 2020
LARCOMBE Lorna Ruby late of 26 Crouch Street South Mount Gambier of no occupation who died 29 January 2021
TINDAL Myra Kathleen late of 61 Silkes Road Paradise Retired Clerical Officer who died 23 January 2021
WITCOMB Sheila late of 10 Vernon Street Port Noarlunga South Retired Credit Manager who died 28 February 2021

Notice is hereby given pursuant to the *Trustee Act 1936*, the *Inheritance (Family Provision) Act 1972* and the *Family Relationships Act 1975* that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee at GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 6 August 2021 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated: 8 July 2021

N. S. RANTANEN
Public Trustee

NATIONAL ELECTRICITY LAW

*Notice of Extension of Final Determination
Publication of Final Determination and Final Rule*

The Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law as follows:

Under s 107, the time for the making of the final determination on the *Access, pricing and incentive arrangements for distributed energy resource* (Ref. ERC0311) proposal has been extended to **12 August 2021**.

Under ss 102 and 103, the making of the *National Electricity Amendment (Connection to dedicated connection assets) Rule 2021 No. 7* (Ref. ERC0294) and related final determination. Schedule 5 of the rule commences operation on 8 July 2021. Schedules 1 to 4 of the rule commence operation on 22 July 2021.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission

Level 15, 60 Castlereagh St
Sydney NSW 2000

Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 8 July 2021

NATIONAL ENERGY RETAIL LAW

Notice of Extension of Final Determination

The Australian Energy Market Commission (AEMC) gives notice under the National Energy Retail Law as follows:

Under s 266, the time for the making of the final determination on the *Access, pricing and incentive arrangements for distributed energy resources (retail)* (Ref. RRC0039) proposal has been extended to **12 August 2021**.

Australian Energy Market Commission

Level 15, 60 Castlereagh St
Sydney NSW 2000

Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 8 July 2021

NOTICE SUBMISSION

The South Australian Government Gazette is compiled and published each Thursday.

Notices must be submitted before 4 p.m. Tuesday, the week of intended publication.

All submissions are formatted per the gazette style and proofs are supplied as soon as possible. Alterations must be returned before 4 p.m. Wednesday.

Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

Gazette notices should be emailed as Word files in the following format:

- Title—name of the governing Act/Regulation
- Subtitle—brief description of the notice
- A structured body of text
- Date of authorisation
- Name, position, and government department/organisation of the person authorising the notice

Please provide the following information in your email:

- Date of intended publication
- Contact details of at least two people responsible for the notice content
- Name of the person and organisation to be charged for the publication (Local Council and Public notices)
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All instruments appearing in this gazette are to be considered official, and obeyed as such