



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 4 AUGUST 2022

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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, 4 August 2022

Her Excellency the Governor in Executive Council has been pleased to appoint Dr James Muecke AM as Governor's Deputy of South Australia for the periods from 9.00am on Monday, 8 August 2022 until 4.00pm on Tuesday, 9 August 2022 and 12.00pm on Sunday, 21 August 2022 until 8.30pm on Monday, 22 August 2022.

By command,

CLARE MICHELE SCRIVEN, MLC
For Premier

Department of the Premier and Cabinet
Adelaide, 4 August 2022

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Museum Board, pursuant to the provisions of the South Australian Museum Act 1976:

Member: from 4 August 2022 until 13 July 2025
Theresa Anne Whiting

By command,

CLARE MICHELE SCRIVEN, MLC
For Premier

ART0107-22CS

Department of the Premier and Cabinet
Adelaide, 4 August 2022

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Forestry Corporation Board, pursuant to the provisions of the South Australian Forestry Corporation Act 2000:

Director: from 4 August 2022 until 3 August 2023
Grant Anthony Pelton

By command,

CLARE MICHELE SCRIVEN, MLC
For Premier

F22/000161CS

Department of the Premier and Cabinet
Adelaide, 4 August 2022

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable Anastasios Koutsantonis, MP, Minister for Infrastructure and Transport and Minister for Energy and Mining to be Acting Minister for Health and Wellbeing from 8 August 2022 until 16 August 2022 inclusive, during the absence of the Honourable Christopher James Picton, MP.

By command,

CLARE MICHELE SCRIVEN, MLC
For Premier

HEAC-2022-00040

STATE GOVERNMENT INSTRUMENTS

CROWN LAND MANAGEMENT ACT 2009

SECTION 55

Minister May Make Declaration in Relation to Land

I, Susan Close MP, Minister for Climate, Environment and Water, being the Minister responsible for the *Crown Land Management Act 2009* and the *National Parks and Wildlife Act 1972*, hereby declare under Section 55 of the *Crown Land Management Act 2009* that—

- (a) Sections 61, 62, 63 and 64 of the *Crown Land Management Act 2009* will not apply to the land defined in The Schedule for a period of 24 months from the date of this notice, and
- (b) the following provisions apply to the land defined in The Schedule, during the period specified above, as if it were a national park constituted under the *National Parks and Wildlife Act 1972*:
- *National Parks and Wildlife Act 1972*, Sections 20-26, 43C, 45M, 47, 70, 80
 - *National Parks and Wildlife (National Parks) Regulations 2016*, regulations 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, 19, 22, 23, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42

Dated: 4 August 2022

THE HON DR SUSAN ELIZABETH CLOSE MP
Minister for Climate, Environment and Water

THE SCHEDULE

Sections 41 and 42 in the Hundred of Darling

FISHERIES MANAGEMENT ACT 2007

SECTION 79

Management arrangements for Black Bream in the Lakes and Coorong

Pursuant to section 79 of the *Fisheries Management Act 2007*, I Professor Gavin Begg, Executive Director Fisheries and Aquaculture, delegate of the Minister for Primary Industries and Regional Development, hereby declare that it shall be unlawful for any person to engage in the class of fishing activities specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

1. The act of using or an act preparatory to or involved in the use of Mesh Net within 300 metres of all barrages located in the Coorong (Area 1).

Coorong area 1 comprises the waters of the Coorong separated from the Lower Murray, and from Lake Alexandrina, by the Goolwa, Mundoom Boundary Creek, Ewe Island and Tauwicheere Barrage by a line from the location on Mean High Water Springs closest to 35°35.620' South, 139°01.442' East (Pelican Point) to the location on Mean High Water Springs closest to 35°35.677' South, 139°00.743' East (Gnurlung Point), and separated from the ocean by Sir Richard Peninsula and Young Husband Peninsula, and by a line from the location on Mean High Water Springs closest to the mouth of the River Murray on the northern side of the headland of Sir Richard Peninsula to the location on Mean High Water Springs closest to the northern side of the headland of Younghusband Peninsula.

2. The act of taking or possessing Black Bream (*Acanthopagrus butcheri*) in the Lakes and Coorong as defined in the Fisheries Management (*Lakes and Coorong Fishery*) Regulations 2009.

SCHEDULE 2

From 0001 hours on 1 August 2022 until 2359 hours on 31 January 2023.

For the purpose of this notice all lines are geodesics coordinates are expressed in terms of the Geocentric Datum of Australia 2020 (GDA2020). GDA2020 has the same meaning as in the *National Measurement (Recognised-Value Standard of Measurement of Position) Determination 2017* made under section 8A of the *National Measurement Act 1960* of the Commonwealth.

Dated: 29 July 2022

PROF. GAVIN BEGG
Executive Director
Fisheries and Aquaculture
Delegate of the Minister for Primary Industries and Regional Development

HOUSING IMPROVEMENT ACT 2016

Rent Control

The Minister for Human Services Delegate in the exercise of the powers conferred by the *Housing Improvement Act 2016*, does hereby fix the maximum rental per week which shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each house described in the following table. The amount shown in the said table shall come into force on the date of this publication in the *Gazette*.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per week payable
59 Chapel Road, Modbury North SA 5092	Allotment 518 Deposited Plan 7862 Hundred of Yatala	CT5184/898	\$0.00

Dated: 4 August 2022

CRAIG THOMPSON
Housing Regulator and Registrar
Housing Safety Authority, SAHA
Delegate of Minister for Human Services

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
217 Henley Beach Road, Torrensville SA 5031	Allotment 49 Filed Plan 144277 Hundred of Adelaide	CT5845/737
16 Adelaide Street, Kalangadoo SA 5278	Allotment 62 Town of Kalangadoo Hundred of Grey	CT5775/984
8 Peterswool Road, Elizabeth Park SA 5113	Allotment 24 Deposited Plan 6628 Hundred of Munno Para	CT 5637/832

Dated: 4 August 2022

CRAIG THOMPSON
Housing Regulator and Registrar
Housing Safety Authority, SAHA
Delegate of Minister for Human Services

JUSTICES OF THE PEACE ACT 2005

SECTION 4

*Appointment of Justices of the Peace for South Australia
Notice by the Commissioner for Consumer Affairs*

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below. It being a condition of appointment that the Justices of the Peace must take the oaths required of a justice under the *Oaths Act 1936* and return the oaths of office form to Justice of the Peace Services within three months after the date of appointment:

For a period of ten years for a term commencing on 15 August 2022 and expiring on 14 August 2032:

Georgia Elizabeth Joan HUNTER
Katrina Louise DONALDSON
Caroline Bethany CRAVEN
Sugandhi CHANANA

Dated: 1 August 2022

DINI SOULIO
Commissioner for Consumer Affairs
Delegate of the Attorney-General

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Temporary Cessation of Suspension
Petroleum Exploration Licence—PEL 94
Associated Activities Licence—AAL 200*

Pursuant to Section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the suspension of PEL 94 and AAL 200 dated 8 October 2021 has been temporarily ceased, for the period 29 July 2022 to 7 August 2022 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 94 and AAL 200 remains as 4 November 2023.

Dated: 28 July 2022

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

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 76

*Amendment to the Planning and Design Code**Preamble*

It is necessary to amend the Planning and Design Code (the Code) in operation at 21 July 2022 (Version 2022.13) in order to make changes of form relating to the Code's spatial layers and their relationship with land parcels. NOTE: There are no changes to the application of zone, subzone or overlay boundaries and their relationship with affected parcels or the intent of policy application as a result of this amendment.

1. PURSUANT to section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make changes of form (without altering the effect of underlying policy), correct errors and make operational amendments as follows:
 - a. Undertake minor alterations to the geometry of the spatial layers and data in the Code to maintain the current relationship between the parcel boundaries and Code data as a result of the following:
 - i. New plans of division deposited in the Land Titles Office between 13 July 2022 and 26 July 2022 affecting the following spatial and data layers in the Code:

- A. Zones and subzones
- B. Technical and Numeric Variations
- Building Heights (Levels)
 - Building Heights (Metres)
 - Finished Ground and Floor Levels
 - Gradient Minimum Frontage
 - Gradient Minimum Site Area
 - Interface Height
 - Minimum Primary Street Setback
 - Minimum Side Boundary Setback
 - Future Local Road Widening Setback
 - Minimum Dwelling Allotment Size
 - Minimum Frontage
 - Minimum Site Area
 - Site Coverage
- C. Overlays
- Affordable Housing
 - Character Area
 - Coastal Areas
 - Coastal Flooding
 - Defence Aviation Area
 - Dwelling Excision
 - Environment and Food Production Area
 - Future Local Road Widening
 - Future Road Widening
 - Hazard (Bushfire - High Risk)
 - Hazard (Bushfire - Medium Risk)
 - Hazard (Bushfire - General Risk)
 - Hazard (Bushfire - Urban Interface)
 - Hazard (Bushfire - Regional)
 - Hazard (Bushfire - Outback)
 - Heritage Adjacency
 - Historic Area
 - Limited Dwelling
 - Limited Land Division
 - Local Heritage Place
 - Noise and Air Emissions
 - Regulated and Significant Tree
 - State Heritage Place
 - Stormwater Management
 - Urban Tree Canopy
- b. In Part 13 of the Code – Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the ‘Table of Planning and Design Code Amendments’ to reflect the amendments to the Code as described in this Notice.
2. PURSUANT to section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 1 August 2022

GREG VAN GAANS
Director, Land and Built Environment
Department for Trade and Investment
Delegate of the Minister for Planning

ROAD TRAFFIC ACT 1961

Authorisation to Operate Breath Analysing Instruments

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 11 July, 2022, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

- *Road Traffic Act 1961;*
- *Harbors and Navigation Act 1993;*
- *Security and Investigation Industry Act 1995; and*
- *Rail Safety National Law (South Australia) Act 2012*

PD Number	Officer Name
77194	ANGLEY, David James
11060	KALACKATTU HARI, Arun
10436	KOSIOL, Mitchell Brandon
77360	MCDOUGALL, Jaimee Lynette
77094	MORRIS, Jasper Hamish Guy
75537	PARSONS, Aaron John
76421	VAN DEN HOORN, James Peter
11395	WESTERN, Emily Leila
77327	WINTER, Matilda Jane
77325	ZOUMARAS, Monique Ilse

GRANT STEVENS
Commissioner of Police

Reference: 2022-0103

SOUTH AUSTRALIAN MOTOR SPORT ACT 1984

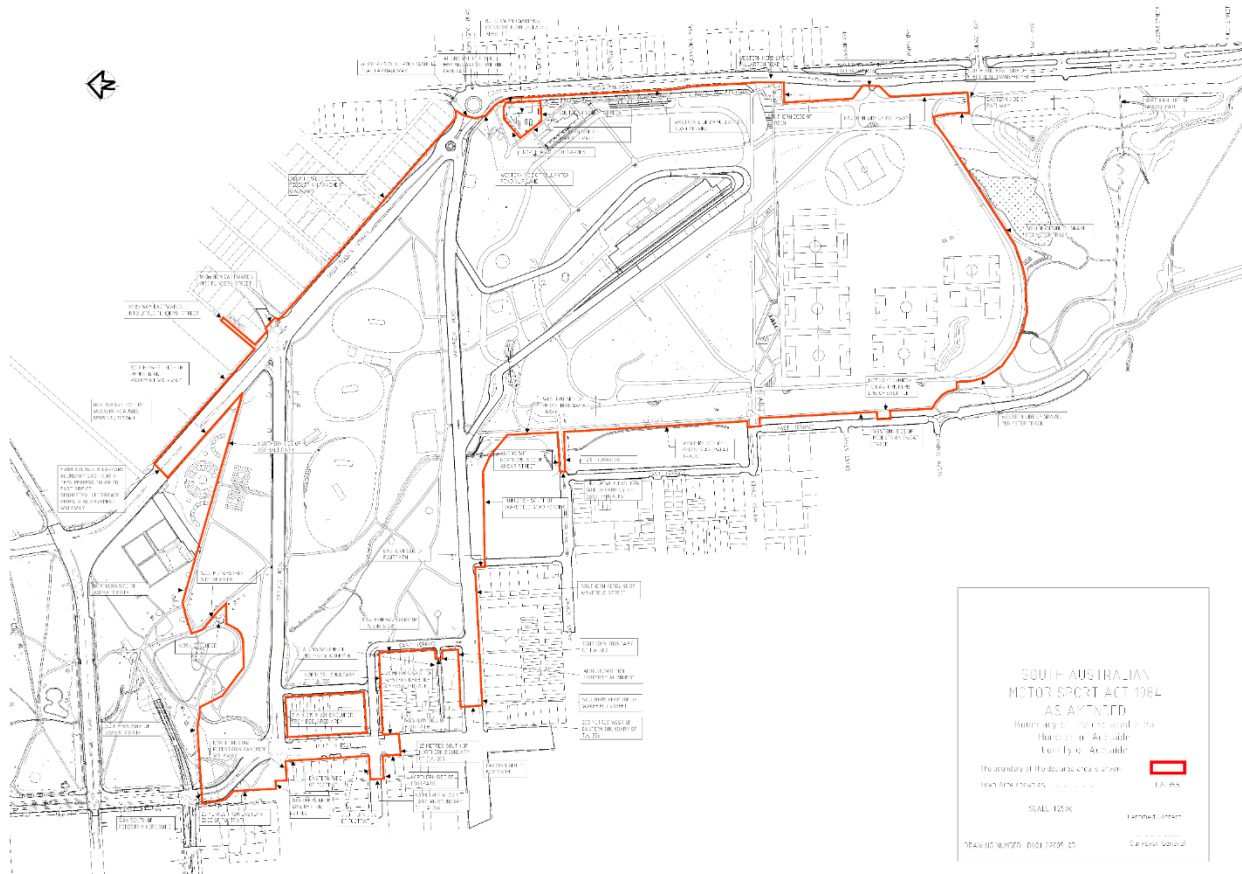
SECTION 20 (1)—DECLARATION OF AREA, PERIOD AND PRESCRIBED WORKS PERIOD

Notice by the Minister

PURSUANT to Section 20 (1) of the *South Australian Motor Sport Act 1984*, I, the Minister to whom the administration of that Act has been committed, in respect of the motor sport event to be promoted by the South Australian Motor Sport Board under the name ‘2022 VALO Adelaide 500’, acting on the recommendation of the Board, declare:

- (a) that the area delineated on the plan in the schedule will be the declared area under the Act for the purposes of the event;
- (b) that the period commencing on 30 November 2022 and ending on 4 December 2022 (both days inclusive) will be the declared period under the Act for the purposes of the event; and
- (c) that the prescribed works period in respect of works necessary for the purpose of staging the VALO Adelaide 500, be the period commencing on 4 August 2022 and concluding on 12 February 2023 inclusive.

SCHEDULE



Dated: 30 July 2022

HON. PETER BRYDEN MALINAUSKAS MP
Premier

SOUTH AUSTRALIAN MOTOR SPORT ACT 1984

SECTION 26 (1)—AVAILABILITY OF PLANS FOR PUBLIC INSPECTION

Notice by the Minister

PURSUANT to Section 26 of the *South Australian Motor Sport Act 1984*, I, the Minister to whom the administration of that Act has been committed, hereby designates the offices of the South Australian Motor Sport Board, Level 5, 182 Victoria Square Adelaide SA 5000, as the place at which may be inspected by members of the public plans of all works proposed to be carried out by the South Australian Motor Sport Board in relation to the event known as the ‘VALO Adelaide 500’.

Dated: 30 July 2022

HON. PETER BRYDEN MALINAUSKAS MP
Premier

SOUTH AUSTRALIAN MOTOR SPORT REGULATIONS 2014

REGULATION 11—PERMITS ETC. MAY BE SUBJECT TO CONDITIONS

*Notice by the South Australian Motor Sport Board (SAMSAB)***Conditions imposed on Permits, Authorisations and Tickets****2022 VALO Adelaide 500**

PURSUANT to regulation 11 of the *South Australian Motor Sport Regulations 2014* (SA), the Minister to whom the administration of the *South Australian Motor Sport Act 1984* (SA) (Act) has been committed hereby imposes the following conditions in respect of a permit, authorisation or ticket (collectively, Ticket) sold or granted by the SAMSAB allowing entry to the motor sport event known as the VALO Adelaide 500 (Event), in addition to any term stated or referred to in the Ticket. Every Ticket allowing entry to the Event is subject to: (a) these conditions, as amended by the SAMSAB from time to time (displayed at Event entrances and available at <https://adelaide500.com.au>); (b) the Act and regulations made under the Act; (c) any applicable law, regulation and government direction, including but not limited to emergency declarations and directions related to the COVID-19 Pandemic; and (d) any reasonable direction issued by SAMSAB, its employees, officers, agents, professional advisers, or any person appointed as an authorised person pursuant to regulation 20 under the Act (Authorised Person), (collectively, Conditions). Any person who, at any time, holds, purchases or otherwise acquires a Ticket (Patron) to enter the Event accepts and understands as binding the Conditions and any accompanying risks, obligations and responsibilities. It is each Patron's responsibility to inform themselves of all the Conditions.

1. Motor Sport Activities are inherently dangerous recreational activities and there is significant risk of injury, disability or death.

If you do not wish to be exposed to such risks, then you should not attend at or participate in Motor Sport Activities.

WARNING: If you participate in these activities your rights to sue the supplier under the *Competition and Consumer Act 2010* if you are killed or injured because the activities were not supplied with due care and skill or were not reasonably fit for their purpose, are excluded, restricted or modified in the way set out in or on this sign.

In exchange for being able to attend or participate in the Motor Sport Activities, you agree:

- to release the SAMSAB, the Crown in the right of South Australia, Motorsport Australia (MA) and the Entities* to the extent that any or all of them are providing Recreational Services from all liability for: a) your death; b) any physical or mental injury (including the aggravation, acceleration or recurrence of such an injury); c) the contraction, aggravation or acceleration of a disease including but not only COVID-19; d) the coming into existence, the aggravation, acceleration or recurrence of any other condition, circumstance, occurrence, activity, form of behaviour, course of conduct or state of affairs: i. that is or may be harmful or disadvantageous to you or the community; or ii. that may result in harm or disadvantage to you or the community, e) any claim for any costs and expenses you may incur as a consequence of any of the above; howsoever arising from your participation in or attendance at the Motor Sport Activities;
- to indemnify and hold harmless and keep indemnified SAMSAB, the Crown in the Right of South Australia, MA and each of the Entities to the maximum extent permitted by law in respect of any Claim by any person; and
- to attend at or participate in the Motor Sport Activities at your own risk.

NOTE: The change to your rights, as set out in or on this sign, does not apply if your death or injury is due to reckless conduct on the supplier's part. "Reckless Conduct" means conduct where the supplier of the recreational services is aware, or should reasonably have been aware, of a significant risk that the conduct could result in personal injury to another person and engages in the conduct despite the risk and without adequate justification. See section 139A of the *Competition and Consumer Act 2010*.

* "Entities" means event and competition organisers/promoters/managers, land and track owners/managers/administrators/lessees, MA affiliated clubs, state and territory governments and insured listed in MA public/product/professional indemnity insurance policies and each of their related bodies corporate (including their related bodies corporate) and each of their organs and agencies, officers/president/directors/executives, employees, servants, agents, partners, providers, members, competitors, drivers, co-drivers, navigators, officials, crew members, pit crew, delegates, licence holders, representatives, commissions, committees, advisers, trustees, councils, panels, shareholders, volunteers, officials, appointees, delegated bodies and sponsors.

2. At the Event, Patrons must not: (a) post, stick or place any poster, placard, bill, banner, print, paper or any advertising material on any building, structure, fence or tree; (b) promote any advertising or promotional material, samples of goods or services or any other matter or thing or otherwise engage in ambush marketing; (c) disrupt, interrupt or behave in any manner that may disrupt or interrupt any official or employee or contractor of the SAMSAB, or any race, event or activity; (d) act or conduct oneself in such a way as to hinder, obstruct or interfere with a driver of any vehicle taking part in a race or to adversely affect the safety of the public; (e) deliberately obstruct the view of any Patron seated in a seat in the immediate vicinity, or cause unreasonable inconvenience to any Patron, official or employee or contractor of the SAMSAB, or interfere with the comfort of any Patron or their enjoyment of the Event; (f) use racist, indecent or obscene language or threatening or insulting words or otherwise behave in a threatening, abusive, riotous, indecent or insulting manner; (g) interfere with, obstruct or hinder the SAMSAB or an Authorised Person in the exercise of their powers, functions or duties; (h) ignite any flare or firework, explosive or smoke bomb; (i) become intoxicated, use banned drugs or supply alcohol to minors; (j) smoke in a designated 'no smoking' area; or (k) refuse to follow any reasonable direction issued by the SAMSAB.
3. Patrons must not have in their possession at the Event, or bring into the Event any: (a) alcoholic beverage (unless purchased at the Event); (b) glass bottle or glass container (unless purchased at the Event); (c) beverage container with the manufacturer's seal broken (unless purchased at the Event); (d) hard cased esky or ice box (cooler bags acceptable); (e) chair, lounge, bench or stool, other than a folding chair or folding stool; (f) clothing bearing any racist, indecent or obscene language or images, patch, insignia or logo (Colours); (g) prohibited or controlled weapon, firearm, or any dangerous goods; (h) animal, other than an assistance dog; (i) flare, firework, laser pointer, or distress signal; or (j) item the possession of which does not have an ordinary and reasonable use by a Patron at the Event and which may be used to damage or deface property, buildings or any part of the area used for the Event (including without limitation any spray paint), disrupt or interrupt the Event, hinder, obstruct or interfere with any driver taking part in the Event, adversely affect public safety, excavate any part of the area used for the Event or erect any structure.
4. The SAMSAB may, at any time, require a Patron to open for inspection any vehicle, bag, basket or other receptacle, or turn out their pockets. Patrons who fail to comply with such a request may be refused entry or directed to leave the Event.
5. The SAMSAB may direct any Patron at any time at the Event to produce a valid Ticket.
6. At all times, Tickets remain the property of the SAMSAB.
7. The SAMSAB may set aside (a) certain areas as reserved areas; (b) certain blocks of seats as reserved blocks of seats; and (c) certain seats as reserved seats. A person who is not the holder of a Ticket conferring an entitlement to: (a) enter and remain in a reserved area; or (b) occupy a seat in a reserved block of seats; or (c) occupy a reserved seat, must not enter or remain in that area or occupy that seat.

8. Each Patron must keep his or her Ticket safe and in good condition, as the SAMSB is not obliged to replace any Ticket under any circumstances, including but not limited to loss or theft – however the SAMSB may, in its sole and absolute discretion, replace a Ticket which has been lost or stolen (and may charge a fee for that replacement).
9. Each Patron's entry to the Event is not transferable. If a Patron is exiting the Event and seeks re-entry, the Patron must produce a valid Ticket for that day and/or the Patron's hand must be stamped to regain entry on the same day. The stamp must be shown together with a valid Ticket for that day to regain entry.
10. Patrons holding a concession ticket must provide identification confirming concession status at the time of entry.
11. Unless otherwise authorised by the SAMSB, every child entering the Event must be accompanied by an adult Patron (18 years of age or over) at all times during attendance at the Event. The SAMSB or its representatives may require evidence of the child Patron's age or make a reasonable assessment of the Patron's age in which case SAMSB's or its representative's assessment will be final and determinative. If the SAMSB (or its representative) assesses any child Patron to be older than the age applicable to the policy applicable to child entry, the SAMSB may: (a) refuse entry or direct the Patron to leave the Event without refund; or (b) direct the person to purchase a Ticket that is available to persons of that age. Patrons who accompany children at the Event are responsible for the care, conduct and supervision of those children and must keep those children within sight at all times. Children may not be permitted to enter certain areas at the Event as determined or advised by the SAMSB in its absolute discretion.
12. The SAMSB reserves the right to add, withdraw or substitute any drivers, performers or activities including any concerts or other entertainment associated with the Event, vary programs, other conveniences and attractions and audience capacity from time to time.
13. The SAMSB will not be liable to any Patron for any loss or damage (including indirect or consequential loss or damage) suffered as a result of or arising from or in any way connected to cancellation, postponement or change to the Event (or any part of the Event).
14. The SAMSB will refund payments made by Patrons to the SAMSB for Tickets only if the entire Event is cancelled and cannot be rescheduled.
15. Patrons must not, without the written approval of the SAMSB: (a) broadcast, telecast or transmit by any means whatsoever any sound or moving image of the Event or any part of the Event; or (b) make any sound recording or any visual record or moving images of the Event or any part of the Event for profit or gain, from within or outside the Event area.
16. Patrons acknowledge that the SAMSB and third parties authorised by the SAMSB may make, create, store, record, transmit, reproduce or use recordings and images or any likenesses at or in relation to the Event (including, without limitation, of Patrons). Each Patron grants the SAMSB and third parties authorised by it, permission to use any recordings, images or likenesses of the Patron in any media world-wide and for any purpose without identification, compensation or payment of any kind.
17. The SAMSB, its representatives, including any Authorised Person, may refuse entry to any Patron or direct any Patron to leave the Event. Any person who does not comply with the Conditions may be refused entry or directed to leave the Event.
18. Patrons acknowledge and agree that any part or parts of these Conditions that is illegal or unenforceable may be severed from these Conditions and the remaining part or parts of the Conditions continue in force.
19. A person who contravenes or fails to comply with these Conditions is subject to a maximum penalty of \$1,250.
20. These Conditions are governed by, and are to be construed in accordance with, the law of the state of South Australia.

Dated: 30 July 2022

HON. PETER BRYDEN MALINAUSKAS MP
Premier

LOCAL GOVERNMENT INSTRUMENTS

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999

Adelaide Central Market Authority Charter 2022

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(5)(c) of Schedule 2 of the *Local Government Act 1999*, the Charter of the Adelaide Central Market Authority, as amended is available at www.adelaidecentralmarket.com.au/about/. The Charter as amended is set out below.

Dated: 4 August 2022

CLARE MOCKLER
Chief Executive Officer

LOCAL GOVERNMENT ACT 1999

Adelaide Central Market Authority Charter 2022

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 that 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 then 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 provide 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 ensure 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 ensure 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 November 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



THE FLINDERS RANGES COUNCIL

Adoption of Valuations and Declaration of Rates

Notice is given that at the Council meeting on 1 August 2022, the Council resolved for the year ending 30 June 2023:

1. To adopt, for rating purposes, the most recent valuations made by the Valuer-General in relation to all land in the area of the Council with total valuations being \$318,520,900 comprising \$309,042,080 of rateable land and \$9,478,820 of non-rateable land.
2. Declares differential general rates based on the assessed capital values of all rateable land within the Council area by reference to land use and locality of the land as follows:

The Quorn Township, Quorn Rural Area, Hawker Township, Hawker Rural Area a differential general rate of:

- (1) 0.685 cents in the dollar for residential land use;
 - (2) 0.815 cents in the dollar for commercial - shop land use;
 - (3) 0.940 cents in the dollar for commercial - office land use;
 - (4) 0.940 cents in the dollar for commercial - other land use;
 - (5) 0.940 cents in the dollar for industry - light land use;
 - (6) 1.040 cents in the dollar for industry - other land use;
 - (7) 0.528 cents in the dollar for primary production land use;
 - (8) 0.685 cents in the dollar for vacant land use;
 - (9) 1.045 cents in the dollar for other land use.
3. Fixed a minimum amount of \$850.00 payable by way of general rates.

4. Imposed Annual Service Charges based on the level of usage of the service upon the land to which it provides the prescribed service of the collection and disposal of “wet” and “recyclable” waste as follows:
 - (1) \$200.00 for occupied properties in Quorn, Hawker and Cradock for “wet” waste; and
 - (2) \$135.00 for occupied properties in Quorn, Hawker and Cradock for “recyclable” waste.
5. Imposed Annual Service Charges based on the nature of the service and varying according to whether the land is vacant or occupied upon the land to which it provides or makes available the prescribed service of a Community Wastewater Management System, of:
 - (a) \$435.00 per unit in respect of each piece of occupied land serviced by the Quorn Community Wastewater Management Systems;
 - (b) \$425.00 per unit in respect of each piece of vacant land serviced by the Quorn Community Wastewater Management Systems;
 - (c) \$435.00 per unit in respect of each piece of occupied land serviced by the Hawker Community Wastewater Management Systems; and
 - (d) \$425.00 per unit in respect of each piece of vacant land serviced by the Hawker Community Wastewater Management Systems.
6. In order to reimburse the Council for amounts contributed to the South Australian Arid Lands Landscape Board, being \$48,116 declared a Regional Landscape Levy of 0.0158 cents in the dollar, based on the capital value of all rateable properties in the area of the Council.

Dated: 2 August 2022

E. BROWN
Chief Executive Officer

DISTRICT COUNCIL OF KAROONDA EAST MURRAY

Notice of Casual Vacancy

Notice is hereby given in accordance with Section 54(6) of the *Local Government Act 1999*, that a vacancy has occurred in the office of Councillor for the District Council of Karoonda East Murray, due to the passing of Councillor Burdett, effective 22 July 2022. In accordance with Section 6(2) of the *Local Government (Elections) Act 1999*, a supplementary election is not required to be held as a result of this vacancy and it is policy of the Council that it will not fill a casual vacancy until the next election.

Dated: 2 August 2022

MARTIN BORGAS
Chief Executive Officer

MUNICIPAL COUNCIL OF ROXBY DOWNS

Adoption of Valuations and Declaration of Rates 2022-2023

NOTICE is hereby given that the Municipal Council of Roxby Downs at its meeting held on 27 July 2022, resolved:

Adoption of Valuations

That pursuant to Section 12(6)(b) of the *Roxby Downs (Indenture Ratification) Act 1982* and Section 167(2)(a) of the *Local Government Act 1999* the Council adopted for rating purposes the capital valuations made by the Valuer-General within Council’s area totalling \$547,506,100.00 of which \$481,240,141.00 represents rateable land.

Declaration of a Fixed Charge—General Rates

That pursuant to section 152(1)(c) of the *Local Government Act 1999* an annual fixed charge of \$712.00 is imposed in respect of each separate piece of rateable land in the Council area.

Declaration of Differential General Rates

That, having taken into consideration Sections 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, pursuant to Sections 152 and Section 153 of the *Local Government Act 1999* for the year ending 30 June 2023, differential general rates in respect of all rateable land within its area (in addition to the fixed charge referred to above) as follows:

- I. Residential - a differential rate of 0.57525 cents in the dollar
- II. Commercial Shops - a differential rate of 1.78249 cents in the dollar
- III. Commercial Office - a differential rate of 2.26557 cents in the dollar
- IV. Commercial Other - a differential rate of 1.86866 cents in the dollar
- V. Industrial Light - a differential rate of 1.35083 cents in the dollar
- VI. Industrial Other - a differential rate of 0.93994 cents in the dollar
- VII. Vacant Land - a differential rate of 1.67610 cents in the dollar
- VIII. Other - a differential rate of 1.02579 cents in the dollar

Declaration of Service Charges

Pursuant to section 155 of the *Local Government Act 1999* a service charge of \$493.77 is imposed upon each separate piece of rateable land to which the Council makes available a service for the collection, treatment, recycling, and disposal of domestic waste (excluding organics), 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.

In accordance with section 155(3)(b) of the *Local Government Act 1999* and Regulation 12(4)(a) of the *Local Government (General) Regulations 2013*, this service charge will only apply to land of the Residential category.

In accordance with Clause 29(5) of the Schedule to the *Roxby Downs (Indenture Ratification) Act 1982*, this service charge is fixed having regard to the reasonable costs incurred or likely to be incurred in providing such services and to charges paid by other industrial users and country area consumers respectively in the State and includes all such allowances, discounts and subsidies as may from time to time be granted or given to such users and consumers.

Declaration of Separate Rates—Regional Landscape Levy

Pursuant to Part 5 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, a separate rate based on a fixed charge of \$67.17 is declared on all rateable land in the Council area to raise the amount of \$125,077.00 on behalf of the SA Arid Lands Landscape Board.

Declaration of a Maximum Increase

That Council, pursuant to Section 153(3) and (4) of the *Local Government Act 1999*, has determined to fix a maximum increase in general rates, for the year ending 30 June 2023 charged upon any rateable land which constitutes the principal place of residence of a principal ratepayer at 10% over and above the general rates levied for the 2021/2022 financial year provided that each of the following criteria are met:

- I. the property has been the principal place of residence of the principal ratepayer since at least 1 July 2021;
- II. the property has not been subject to a change in land use since 1 July 2021;
- III. the property has not been subject to improvements with a value of more than \$20,000 since 1 July 2021; and
- IV. an owner of the property makes an application in writing addressed to Municipal Council of Roxby Downs on or before 15 September 2022 claiming the benefit of the maximum increase.

Due Dates for Payment of Rates

In accordance with Section 181 of the *Local Government Act 1999*, the 2022/2023 General Rates (Fixed and Differential Rate), Service Charge and Separate Rate shall be due in four (4) equal or approximately equal instalments payable on 15 September 2022, 15 December 2022, 15 March 2023 and 15 June 2023.

Rateability and Approvals under Roxby Downs (Indenture Ratification) Act 1982

It is noted that:

- Any land excluded from rating pursuant to clause 29(1) of the Schedule to the *Roxby Downs (Indenture Ratification) Act 1982* is in accordance with Section 147(2)(h) of the *Local Government Act 1999*, not rateable land,
- The rates resolved herein are operative with the agreement of the Joint Venturers under clause 29(3)(a) of the Schedule to the *Roxby Downs (Indenture Ratification) Act 1982*.
- No rates or charges adopted herein are discriminatory to the Joint Venturers.
- The budget adopted herein attracts the operation of clause 29(3)(b) of the Schedule to the *Roxby Downs (Indenture Ratification) Act 1982* with the approval of the State and the Joint Venturers.

Dated: 29 July 2022

ROY D. BLIGHT
Chief Executive

DISTRICT COUNCIL OF TUMBY BAY

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that the District Council of Tumby Bay at its Special Council Meeting held on 1 August 2022, resolved for the financial year ending 30 June 2023 the following:

1. Adopted for rating purposes the most recent valuations of the Valuer-General of the site value of rateable land within the Council's area, totalling \$1,314,652,900.
2. Declared differential general rate as follows:
 1. 0.52732 cents in the dollar on all rateable land within all the Townships in the Council's area excluding any such land with a land use Commercial-Shop, Commercial Office, Commercial-Other, Industry-Light and Industry-Other;
 2. 0.43002 cents in the dollar on all rateable land with a land use of Commercial-Shop, Commercial-Office, Commercial-Other, Industry-Light and Industry-Other;
 3. 8.08000 cents in the dollar on all rateable land within the Employment (Bulk Handling) Zone under the Planning and Design Code (the code);
 4. 0.18038 cents in the dollar on all other rateable land within the Council's area not included in subparagraphs (1), (2) or (3) above.
3. Declared a fixed charge of \$774 on all rateable land.
4. Declared a differential separate rate for the purpose of making available and maintaining the Port Neill War Memorial Hall as follows:
 - 0.017894 cents in the dollar on all rateable land within the Port Neill Township.
 - 0.004011 cents in the dollar on all rateable land outside the Port Neill Township and within the Hundred of Dixson.
5. Declared a separate rate for the Regional Landscape Levy, based on a fixed charge of
 - \$81.25 on all rateable land with a land use of Residential, Other and Vacant Land;
 - \$121.87 on all rateable land with a land use of Commercial-Shop, Commercial-Office, Commercial-Other, Industry-Light and Industry-Other;
 - \$162.50 on all rateable land with a land use of Primary Production.
6. Declared an annual service charge:
 - (a) within the townships of Tumby Bay, Port Neill, Lipson and Ungarra for the collection, treatment or disposal of waste in the amount of:
 - (i) \$256 for each occupied allotment;
 - (ii) \$256 for each additional 140 litre bin requested per property; and
 - (b) for the provision of the Community Wastewater Management Scheme of \$566 per property unit.

Dated: 1 August 2022

R. E. HAYES
Chief Executive Officer

PUBLIC NOTICES

NATIONAL ELECTRICITY LAW

*Notice of Final Rule
Notice of Draft Determination
Initiation of an Urgent Rule Change Request*

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

Under ss 102 and 103, the making of the *National Electricity Amendment (Improving consultation procedures in the rules) Rule 2022 No. 6* (Ref. ERC0323) and related final determination. All provisions commence on **11 August 2022**.

Under s 99, the making of a draft determination and related draft rule on the *Establishing revenue determinations for Intending TNSPs* proposal (Ref. ERC0343). Submissions must be received by **15 September 2022**.

Under s 95, Alinta Energy has requested the *Amending the administered price cap* (Ref. ERC0347) proposal. The proposal seeks to amend the administered price cap.

The AEMC intends to expedite the proposal under s 96 as it considers the proposed Rule is urgent, subject to requests not to do so. Written requests not to expedite the proposal must be received by **18 August 2022**. Submissions must be received by **1 September 2022**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website. Submissions should be made in accordance with the AEMC's Guidelines for making written submissions on Rule change proposals. The AEMC publishes all submissions on its website, subject to confidentiality.

Written requests should be sent to submissions@aemc.gov.au and cite the reference in the title. Before sending a request, please review the AEMC's privacy statement on its website.

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: 4 August 2022

NATIONAL ENERGY RETAIL LAW

Notice of Final Determination

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

Under s 259, the making of the final determination on the *Improving consultation procedures in the rules* (Ref. RRC0043) proposal.

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: 4 August 2022

NATIONAL GAS LAW

Notice of Final Rule

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

Under ss 311 and 313, the making of the *National Gas Amendment (Improving consultation procedures in the rules) Rule 2022 No. 2* (Ref. GRC0060) and related final determination. All provisions commence on **11 August 2022**.

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: 4 August 2022

TRUSTEE ACT 1936

DECEASED ESTATE

Notice to Creditors and Claimants

Ivan Keith Siviour late of 4 Heron Place, South Yunderup, Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the deceased, who died on 5 September 2021, are required by the Executors, David Paul Read and Erin Michel Read, care of P A Martino, PO Box 564, West Perth, WA, 6872 to send particulars of their claim by **Monday 12 September 2022**, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated: 1 August 2022

P. A. MARTINO,
Barrister and Solicitor, on behalf of
DAVID PAUL READ and ERIN MICHEL READ, as executors

NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

Notices must be emailed by 4 p.m. Tuesday, the week of publication.

Submissions are formatted per the gazette style and a proof will be supplied prior to publication, along with a quote if applicable. Please allow one day for processing notices.

Alterations to the proof must be returned by 4 p.m. Wednesday.

Gazette notices must be submitted as Word files, in the following format:

- Title—the governing legislation
- Subtitle—a summary of the notice content
- Body—structured text, which can include numbered lists, tables, and images
- Date—day, month, and year of authorisation
- Signature block—name, role, and department/organisation authorising the notice

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