

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Suspension of Petroleum Exploration Licence—PEL 444

Pursuant to Section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned licence has been suspended for the period from 1 August 2020 until 31 July 2021 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 444 is now determined to be 12 January 2024.

Dated: 13 August 2020

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

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

South Australia

Northern Limestone Coast Regional Assessment Panel Notice 2020

under section 84 of the *Planning, Development and Infrastructure Act 2016*

Part 1—Preliminary

1—Short title

This notice may be cited as the *Northern Limestone Coast Regional Assessment Panel Notice 2020*.

2—Commencement

This notice comes into operation on 20 August 2020.

3—Interpretation

In this notice—

Act means the *Planning, Development and Infrastructure Act 2016*;

panel means the assessment panel constituted under clause 4;

relevant council means a council for an area in relation to which the panel is constituted.

Part 2—Constitution of assessment panel

4—Constitution of assessment panel

- (1) For the purposes of section 84(1)(a) of the Act, the *Northern Limestone Coast Regional Assessment Panel* is constituted.
- (2) The panel is constituted in relation to the areas of the following councils:
 - (a) Naracoorte Lucindale Council;
 - (b) District Council of Tatiara;
 - (c) Kingston District Council.

Part 3—Core provisions

5—Core provisions

The following provisions are made for the purposes of section 84(1)(e) of the Act.

6—Number of members

The panel will consist of up to five members.

7—Requirements with respect to the appointment of members

A person who is a member of the Parliament of the State is not eligible for appointment as a member of the panel.

8—Procedures for appointment

- (1) The members of the panel will be appointed by the relevant councils taking into account the following requirements:
 - (a) only 1 member of the panel may be a member of a council; and
 - (b) a person appointed as a member of the panel must be an accredited professional – planning level 2.
- (2) Subclause (1)(b) does not apply if –
 - (a) the person is a member of a council; and
 - (b) the relevant councils are satisfied that the person is appropriately qualified to act as member of the panel on account of the persons experience in local government.
- (3) The process to be adopted for appointing a person as a member of the panel must be set out in an agreement entered into between the councils.

9—Term of office

- (1) The term of office of a member of the panel will be up to 2 years.
- (2) A person may continue to act as a member of the panel after the expiration of a term of office for the purpose of completing any matter before the panel at the time of the expiration of the term.
- (3) A member of a panel is eligible for reappointment at the expiration of a term of office.

10—Conditions of appointment

- (1) It will be a condition of appointment of a member of the panel that the member continues to be an accredited professional while holding office (unless such accreditation was not required at the time of appointment).
- (2) An appointment will be subject to such other conditions (including as to their remuneration) as the relevant councils may specify at the time of the appointment of the member.
- (3) The Minister may, on the recommendation of the relevant councils, remove a member of the panel from office—
 - (a) for breach of, or non-compliance with, a condition of appointment; or
 - (b) for misconduct or neglect of duty; or
 - (c) for failure or incapacity to carry out official duties satisfactorily; or
 - (d) for failing to comply with section 84(1)(f) or (g) of the Act; or

- (e) on the recommendation of the Commission under regulation 11 of the *Planning, Development and Infrastructure (General) Regulations 2017*; or
 - (f) for failure to comply with a condition of appointment set out in a notice of appointment under regulation 11A of the *Planning, Development and Infrastructure (General) Regulations 2017*.
- (4) The office of a member of the panel becomes vacant if the member—
- (a) dies; or
 - (b) completes a term of office and is not reappointed (subject to the operation of clause 9(2)); or
 - (c) resigns by written notice to the relevant councils; or
 - (d) is convicted of an indictable offence or is sentenced to imprisonment for an offence; or
 - (e) becomes bankrupt or applies to take the benefit of a law for the relief of insolvent debtors; or
 - (f) is removed from office under subclause (3).
- (5) The relevant councils will be responsible for the remuneration payable to a member of the panel under an agreement entered into between the councils.
- (6) When there is a vacancy in the membership of the panel, the relevant councils must take steps to fill the vacancy at the earliest opportunity.
- (7) An act or proceeding of the panel is not invalid by reason only of a vacancy in the membership of the panel.

11—Appointment of deputy members

Each member may have a deputy member and deputy members will be appointed in the same way (and be subject to the same terms and conditions) as ordinary members.

12—Appointment of presiding member and acting presiding member

- (1) The presiding member of the panel will be appointed by the relevant councils.
- (2) The presiding member must be an accredited professional – planning level 2.
- (3) An acting presiding member may be appointed by members of the panel.

13—Procedures of panel

- (1) A quorum at a meeting of the panel consists of a number ascertained by dividing the total number of members by half, ignoring any fraction resulting from the division, and adding 1 (and no business may be transacted at a meeting of the panel unless a quorum is present).
- (2) A decision carried by a majority of the votes cast by members at a meeting is a decision of the panel.
- (3) Each member present at a meeting of the panel is entitled to 1 vote on any matter arising for decision and, if votes are equal, the member presiding at the meeting has a second or casting vote.

- (4) A meeting between members constituting a quorum by telephone or audio-visual means is a valid meeting of the panel if—
 - (a) a notice of the meeting is given to all members of the panel in the manner determined by the panel for the purpose; and
 - (b) the system of communication allows a participating member to communicate with any other participating member during the meeting.
- (5) A resolution of the panel—
 - (a) of which notice is given to members in accordance with procedures determined or agreed by members of the panel; and
 - (b) in which at least the majority of members of the panel express their concurrence in writing or by electronic communication,will be taken to be a decision of the panel.
- (6) A person who is taken to be a member of the panel under section 85 of the Act is not to be counted or considered for the purposes of subclauses (2), (3) and (5)(b).
- (7) Subject to this clause and any relevant provisions of regulations made under the Act, the procedures to be observed in relation to the conduct of the business of the panel will be determined by the panel.

Part 4—Sharing of costs

14—Sharing of costs

- (1) This clause sets out a scheme for the purposes of section 84(1)(i) of the Act.
- (2) Except as otherwise agreed between the relevant councils, the costs associated with the Assessment Manager for the panel will be borne by the relevant councils in equal shares.
- (3) In the event of a claim against a member of the panel in respect of the performance, exercise or discharge (or purported performance, exercise or discharge) of their functions, powers or duties under the Act as a member of the panel, the relevant council for the area where the particular development is to be undertaken will be liable for the cost of the claim.
- (4) Except as otherwise agreed between the relevant councils, all other costs will be shared between the relevant councils in equal shares.
- (5) The relevant councils may enter into an agreement relating to the incurring of costs by a particular council on behalf of the other councils, and the provision of invoices for the recovery of costs.

Made by the Executive Director, Planning & Land Use Services, Attorney-General's Department

as Delegate of the Minister for Planning and Local Government

on 12 August 2020
