

Government of South Australia

The Hon Stephan Knoll MP Member for Schubert

FOI Ref: SKNOLL180039

Hon Tom Koutsantonis MP Member for West Torrens 229 Henley Beach Road TORRENSVILLE SA 5031

Dear Mr Koutsantonis

I refer to your application to the Office of the Minister for Transport, Infrastructure and Local Government, Minister for Planning made under the *Freedom of Information Act 1991* (the Act) which was received 4 November 2019.

You have requested access to:

"All correspondence, emails and sms's regarding the tenure, termination, removal and replacement of Ms Esther Huxtable from Government Boards assigned to Minister Stephan Knoll MP".

A search of documents held by the Office of the Minister for Transport, Infrastructure and Local Government, Minister for Planning was undertaken. I wish to advise that 16 documents have been identified within the scope of your request.

I have determined to grant access to documents 4, 7 and 13.

I have determined to grant partial access to documents 2, 6 and 14. I have removed the personal contact details within those documents that I have determined are exempt, in accordance with clause 6(1) of Schedule 1 of the Act which states:

6—Documents affecting personal affairs

(1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

I have determined to grant partial access to document 1 and 8. I have removed information that contains opinion, advice or recommendations that has been obtained or prepared in the course of, or for the purpose of, the decision-making functions of the Government or Minister, in accordance with clause 9(1)(a)(i) of Schedule 1 of the Act. Information that was out of scope has also been removed from document 1.



Minister for Transport, Infrastructure and Local Government Minister for Planning I have also determined to refuse access to documents 3 and 5 in accordance with clause 9(1)(a)(i) of Schedule 1 of the Act.

In applying this clause I have considered the public interest for and against the release of these documents.

Factors for release include:

- The public interest in fulfilling the objects of the FOI Act, and promoting openness and accountability within government.
- The public interest in scrutiny of government decision making.

Factors against release include:

- The public interest in encouraging the free exchange of ideas during deliberative processes, including the frank and candid assessment of information.
- The need for some confidentiality to allow the agency to operate efficiently.
- The views expressed may not be reflective of the position of the agency.

I have determined to grant partial access to document 16, redacting information that is out of scope.

I have determined to refuse access to documents 9, 12 and 15 that I have determined are exempt, in accordance with clauses 1(1)(a) and (b) of Schedule 1 of the Act which states:

1—Cabinet documents

(1) A document is an exempt document—
(a) if it is a document that has been specifically prepared for submission to Cabinet (whether or not it has been so submitted); or
(b) if it is a preliminary draft of a document referred to in paragraph (a); or

I have determined to refuse access to documents 3, 10 and 11 that I have determined are exempt, in accordance with clause 10(1) of Schedule 1 of the Act which states:

10—Documents subject to legal professional privilege

(1) A document is an exempt document if it contains matter that would be privileged from production in legal proceedings on the ground of legal professional privilege.

Attached is an explanation of the provisions of the Act which details your rights to review and appeal this determination, and the process to be followed.

In accordance with Premier and Cabinet Circular PC045, if you are given access to documents as a result of this FOI application, details of your application, and the documents to which access is given, will be published in the agency's disclosure log within 90 days from the date of this determination. Any private information will be removed. A copy of PC045 can be found at <u>http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars</u>. If you have any

objection to this publication, please contact us within 30 days of receiving this determination.

If you have any questions in relation to the matter, please contact myself on telephone (08) 7109 4830 or via email at <u>ministerknoll@sa.gov.au.</u>

Yours sincerely

Jenna Phillips-Wilkinson Accredited FOI Officer Office of the Minister for Transport, Infrastructure and Local Government Minister for Planning

13 1/2/2019

Encl: Your rights to review and appeal this determination Schedule of documents Documents

FREEDOM OF INFORMATION ACT 1991

YOUR RIGHTS TO REVIEW AND APPEAL

INTERNAL REVIEW

If you are dissatisfied or concerned with the decision of this Department regarding access to documents or the request for amendment to your personal records, you can apply for an Internal Review of that decision.

To apply for an Internal Review you must write a letter addressed to the Principal Officer or lodge an Internal Review application form with the Principal Officer of this Department. The legislated application fee must accompany all applications, unless the fee was waived in the original Freedom of Information application, in which case there would be no fee payable for the application. The application must be lodged within 30 days after being notified of the decision.

The Department will undertake the Internal Review and advise you of its decision within 14 days of receipt of the application.

Where the decision was made by the Minister or Principal Officer of the Department, you are unable to request an Internal Review but you can apply for an External Review by the Ombudsman, or the District Court.

You are unable to apply for an Internal Review regarding a decision to extend the time limit for dealing with an application but you can apply for an External Review.

EXTERNAL REVIEW BY THE OMBUDSMAN OR THE POLICE COMPLAINTS AUTHORITY

After an Internal Review has been completed, or where you have been unable to apply for an Internal Review, and you are still dissatisfied with the decision you can apply for an External Review by the Ombudsman.

You may also request an External Review by the Ombudsman if you have no right to an Internal Review.

The application for review by the Ombudsman should be lodged within 30 days after the date of a determination. The Ombudsman's Office, at their discretion, may extend this time limit.

Investigations by the Ombudsman are free. Further information is available from the Office of the Ombudsman by telephone on 8226 8699 or toll free 1800 182 150 (within SA).

APPEAL TO THE SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (SACAT)

If you are still dissatisfied with the decision made by the State Government Agency, Local Government Council or University after an Internal Review or after a review by the Ombudsman or, you can appeal to SACAT.

You must exercise your right of appeal to SACAT within 30 calendar days after being advised of the determination or the results of the review. Any costs will be determined by SACAT, where applicable. For more information, contact;

South Australian Civil and Administrative Tribunal (SACAT) Phone: 1800 723 767 Email: sacat@sacat.sa.gov.au

1 - 1 --

SCHEDULE OF DOCUMENTS – FREEDOM OF INFORMATION APPLICATION NUMBER – SKNOLL180039					
Document	Description	Date	Release Determination	Schedule Clause	
Number 1	Email and attachment	8/2/19	Partial Release	9(1)(a)(i), out of scope	
2	Letter	23/5/19	Partial Release	6(1)	
3	Email	29/5/19	Refuse	9(1)(a)(i) and 10(1)	
4	Email	14/6/19	Release		
5	Email	3/7/19	Refuse	9(1)(a)(i)	
6	Letter	5/7/19	Partial Release	6(1)	
7	Email	8/7/19	Release		
8	Email	8/7/19	Partial release	9(1)(a)(i)	
9	Email	9/7/19	Refuse	1(1)(b)	
10	Email	9/7/19	Refuse	10(1)	
11	Email	25/7/19	Refuse	10(1)	
12	Email	31/7/19	Refuse	1(1)(a)	
13	Email	1/8/19	Release		
14	Email and attachment to Ms Huxtable	2/8/19	Partial Release	6(1)	
15	Cabinet submission		Refuse	1(1)(a)	
16	Email	5/8/19	Partial release	Some out of scope	

Taylor, Sarah (DPTI)

From: Sent:	Robert Pitt <robert.pitt@aca.sa.gov.au> Friday, 8 February 2019 4:11 PM</robert.pitt@aca.sa.gov.au>
То:	Taylor, Sarah (DPTI)
Subject:	RE: Notes for Meeting Monday 11 February 2019: Private & Confidential
Attachments:	Notes for Ms Sarah Taylor - Private & Confidential.docx

Good Afternoon Sarah,

Please find attached some notes in preparation for our meeting at 10.00am next Monday morning.

The notes summarise:

- Authority Milestones to18 June (State Budget)
- Current Director's details
- Potential Options

The two attachments are:

- An extract from the Adelaide Cemeteries Authority Act 2001 on the appointment of the Board; and
- Notes to assist drafting a media release.

Please feel free to call me anytime to discuss and I hope the notes are useful.

I look forward to speaking with you on Monday.

Regards

Robert

Robert Pitt Chief Executive Officer

Tel:	08 8139 7423
ax:	08 8139 7473
∠mail:	Robert.Pitt@aca.sa.gov.au
Web:	www.aca.sa.gov.au

Visitors Centre: Enfield Memorial Park, Browning Street, Clearview SA 5085 Postal Address: PO Box 294, Enfield Plaza SA 5085



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PRIVATE & CONFIDENTIAL NOTES FOR MS SARAH TAYLOR CHIEF OF STAFF for THE HON STEPHAN KNOLL MP MINISTER FOR PLANNING MONDAY 11 FEBRUARY 2019

Sarah,

Please find the following notes for Minister Knoll's consideration in relation to the appointment of Directors to the Board of the Adelaide Cemeteries Authority (the Authority).

Out of scope

As a guide, DPC's Boards & Committees Unit have advised that it takes a minimum of three to four weeks to administratively approve via Cabinet, the Governor and then gazette new Directors.

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2. SUMMARY OF THE STATUS OF THE AUTHORITY'S CURRENT DIRECTORS

Director	Contact Details	Term of Appointment
Ester Huxtable (Chair)	Clause 6(1)	Appointed by Minister for Planning 06/02/2018 to 31/12/2021
	Out of scope	

Notes:

1. Out of scope

Out of scope

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2.

4.

3. OPTIONS

The following options are provided for Minster Knoll's consideration. OPTION 1 – REPLACE ALL BOARD DIRECTORS NOW.

Clause 9(1)(a)(i)

OPTION 2 – REPLACE BOARD WITH ADMINISTRATOR

Clause 9(1)(a)(i)

-2- * ;

OPTION 3 – REPLACE SOME DIRECTOR POSITIONS ASAP AND REMAINING DIRECTORS IN JUNE (AFTER STATE BUDGET HANDED DOWN)

Clause 9(1)(a)

OPTION 4 – NO CHANGE. REPLACE ALL DIRECTORS AS REQUIRED IN JUNE (AFTER STATE BUDGET HANDED DOWN)

Clause 9(1)(a)

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Attachment A

Extract from the ADELAIDE CEMETERIES AUTHORITY ACT 2001

Division 2—Board

12—Establishment of board

- (1) A board of directors is established as the governing body of the Authority.
- (2) The board consists of not more than seven directors appointed by the Governor on the nomination of the Minister, of whom—
 - (a) one must be a person with practical knowledge of and experience in local government selected from a panel of three persons nominated by the Local Government Association of South Australia; and
 - (b) the remainder must include
 - (i) three who together have, in the Minister's opinion, the abilities and experience required for the effective performance of the Authority's business and management obligations; and
 - (ii) one with experience in historical and heritage matters; and
 - (iii) one with experience in religious and community affairs; and
 - (iv) one with management experience in government (other than local government).
- (3) The Minister must, in nominating persons for appointment to the board, have regard to the need for the Authority, in carrying out its functions, to be sensitive to the cultural diversity of the State.
- (4) At least two directors must be women and at least two must be men.
- (5) One director will, on the nomination of the Minister, be appointed by the Governor to chair meetings of the board.

13—Conditions of membership

- (1) A director will be appointed for a term, not exceeding four years, specified in the instrument of appointment and will, at the expiration of a term of appointment, be eligible for reappointment.
- (2) However, the term of office of a retiring director will continue until he or she is reappointed or a successor is appointed (as the case may be).
- (3) The Governor may remove a director from office on the recommendation of the Minister.
- (4) The Minister may recommend the removal of a director on any ground that the Minister considers sufficient.
- (5) The office of a director becomes vacant if the director-
 - (a) dies; or

- (b) completes a term of office and is not reappointed; or
- (c) resigns by written notice to the Minister; or
- (d) becomes bankrupt or applies to take the benefit of a law for the relief of insolvent debtors; or
- (e) is convicted of an indictable offence or sentenced to imprisonment for an offence; or

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(f) is removed from office under subsection (3).

Attachment B

DRAFT MEDIA NOTES FOR THE MINISTER RE ADELAIDE CEMETERIES AUTHORITY BOARD

DRAFT

Clause 9(1)(a)

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END of NOTES

Ester Huxtable

Clause 6(1)

23 May 2019

The Honourable Stephan Knoll MP Minister for Planning GPO Box 464 ADELAIDE SA 5000

Dear Minister,

WITHOUT PREJUDICE

Re: Future Direction of The Adelaide Cemeteries Authority Board

Firstly Minister, I thank you for your call on the 17th May 2019.

In that call you expressed your view that the Board should take a new direction. However, no mention was made as to what the new direction was and how that direction differed from the current direction of the Board. Furthermore nothing was said as to why it was necessary for myself and other Board members to be removed to carry out the new direction.

I note that at our first meeting since you became our Minister and subsequently, you have complimented the Board and the Authority on our achievements and goals.

My term as Chair of ACA expires on the 31st December 2021 and I had intended to continue as Chair until that time and would have welcomed a further term thereafter. I am still happy to continue as Chair and will embrace whatever new directions you wish the Board to take. I would look forward to working with you to achieve that new direction.

As you are aware, the Authority has a number of major projects planned for the next 2 to 3 years that will put the Authority at the forefront of the cemetery industry. If these major projects, especially that planned for Enfield Memorial Park, will be included in your new direction, I would be very disappointed in not being Chair when they come to fruition.

However, if you desire the Board to have a new Chair, along with other new Directors as well, then it would not be unreasonable for me to be paid out for the balance of my term plus an exgratia payment for my 7 plus years of service on the Board and the various Committees (for which there has been no remuneration). On my calculations ,if I continued as Chair until 31st December 2021 I would have received at least a further \$52,541.00 inclusive of superannuation and I seek this amount as well as an ex gratia payment of \$25,000.

Again, I wish to stress that my desire is to continue to remain as Chair of the Authority for the remainder of my term and to be able to work with the Board in any new direction you are considering.

Regards

QC

Ester Huxtable Chair, Adelaide Cemeteries Authority

Taylor, Sarah (DPTI)

From:
Sent:
To:
Subject:

Taylor, İsarah (DPTI) Friday, 14 June 2019 9:21 AM Robert Pitt Re: ACA Board

Hi Robert

The intention is to have the new board in place within the next 4 weeks, subject to the Cabinet process.

Do you have a board meeting scheduled prior to the planning day?

Kind Regards

Sarah

Kind Regards

Sent from my iPhone

On 14 Jun 2019, at 9:02 am, Robert Pitt <<u>Robert.Pitt@aca.sa.gov.au</u>> wrote:

Good Morning Sarah,

Hope you are well and thank you for following up the advice re Estimates.

Our annual day long Board Planning Day is scheduled for Tuesday 6 August and I am wondering if there has or will be any progress on the appointment of Board Directors before we finalise our Planning Day.

Regards

Robert Pitt

Sent from my iPhonel

Robert Pitt Chief Executive Officer

 Tel:
 08 8139 7423

 Email:
 <u>Robert.Pítt@aca.sa.gov.au</u>

 Web:
 www.aca.sa.gov.au

Visitors Centre: Enfield Memorial Park, Browning Street, Clearview SA 5085 Postal Address: PO Box 294, Enfield Plaza SA 5085

<u><ACALogo 74466deb-f301-41f3-93c2-eaf2f83b0b8f.png></u> <<u>Sunset bd325f53-9d3d-4770-999c-b90c302bbc4c.png></u>

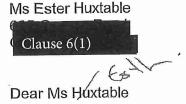
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Government of South Australia

The Hon Stephan Knoll MP Member for Schubert

19MPL0391



Thank you for your letter regarding your membership on the Adelaide Cemeteries Authority Board.

I would like to take this opportunity to thank you for your time served on the Board as the Chair and the great contribution you have made during this time.

I acknowledge that you were reappointed just prior to the state election, but advise that in accordance with the Adelaide Cemetries Act Division 2(12)(4), I have made the decision to end your appointment effective immediately.

With regard to your request to be paid out for your remaining term, that request is not accepted. Under neither the Act or your letter of appointment is compensation for early termination stated.

Again, I thank you for your service and wish you well in the future.

Yours-sincerely

HON \$TEPHAN KNOLL MP MINISTER FOR TRANSPORT, INFRASTRUCTURE AND LOCAL GOVERNMENT MINISTER FOR PLANNING

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Minister for Transport, Infrastructure and Local Government Minister for Planning

5 17 12019

Roma Mitchell House Adelaide SA 5000 | GPO Box 1533 Adelaide SA 5001 DX 171 Tel 08 7109 8430 | Email ministerknoll@sa.gov.au

Edwards, Kathrine (DPTI)

From:	Ester Huxtable <ehuxtable@humetaylor.com.au></ehuxtable@humetaylor.com.au>
Sent:	Monday, 8 July 2019 4:03 PM
To:	DPTI:Minister Knoll
Subject:	19MPL0391 - NEW CORRO - Ester Huxtable - RE: Future direction of Adelaide
	Cemeteries Authority - Termination of contract

Dear Minister Knoll

I refer to your letter to me of the 5th July 2019 received by email on today's date.

First of all, I point out that s12(4)of the Act does not authorise you to immediately end my appointment

If you intended to rely on s13 (4) of the Act you still have no authority to end my appointment immediately. Under that section you can only recommend my removal as a Director on a sufficient ground. It can only be the Governor ;pursuant to s13(3) who can remove me from office, and he has not done so.

In your letter you also claim that neither the Act nor my letter of appointment states that compensation is available for early termination. In this regard I remind you that s13(1) of the Act provides that a Director is appointed for a 4 year term and would be eligible for reappointment at the expiration of that term. This, in law, is equivalent to a contract and, by law, I am entitled to be compensated for my contract being terminated early.

I also note that you again thank me for the time I have served on the Board and the great contribution I have made during this time.

I intend to pursue this matter.

Regards

Ester Huxtable Chair Adelaide Cemeteries Authority

Ester Huxtable | Special Counsel

Hume Taylor & Co | Lawyers 84 Flinders Street, Adelaide SA 5000 P (08) 8223 3199 www.humetaylor.com.au

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Taylor, Sarah (DPTI)

From:	Taylor, Sarah (DPTI)
Sent:	Monday, 8 July 2019 7:15 PM
То:	Phillips-Wilkinson, Jenna (DPTI)
Cc:	Henderson, Cameron (DPTI)
Subject:	Re: 19MPL0391 - NEW CORRO - Ester Huxtable - RE: Future direction of Adelaide
F	Cemeteries Authority - Termination of contract

Thank you Jenna.

Cam please can you refer to CSO for advice. The advice Clause 9(1)(a)(i)

Sent from my iPhone

On 8 Jul 2019, at 4:28 pm, Phillips-Wilkinson, Jenna (DPTI) < Jenna.Phillips-Wilkinson@sa.gov.au > wrote:

From: Ester Huxtable [mailto:ehuxtable@humetaylor.com.au] Sent: Monday, 8 July 2019 4:03 PM To: DPTI:Minister Knoll <<u>MinisterKnoll@sa.gov.au</u>> Subject: 19MPL0391 - NEW CORRO - Ester Huxtable - RE: Future direction of Adelaide Cemeteries Authority - Termination of contract

Dear Minister Knoll

I refer to your letter to me of the 5th July 2019 received by email on today's date.

First of all, I point out that s12(4)of the Act does not authorise you to immediately end my appointment

If you intended to rely on s13 (4) of the Act you still have no authority to end my appointment immediately. Under that section you can only recommend my removal as a Director on a sufficient ground. It can only be the Governor ,pursuant to s13(3) who can remove me from office, and he has not done so.

In your letter you also claim that neither the Act nor my letter of appointment states that compensation is available for early termination. In this regard I remind you that s13(1) of the Act provides that a Director is appointed for a 4 year term and would be eligible for reappointment at the expiration of that term. This, in law, is equivalent to a contract and, by law, I am entitled to be compensated for my contract being terminated early.

I also note that you again thank me for the time I have served on the Board and the great contribution I have made during this time.

I intend to pursue this matter.

Regards

Ester Huxtable Chair Adelaide Cemeteries Authority

Ester Huxtable | Special Counsel

Hume Taylor & Co | Lawyers 84 Flinders Street, Adelaide SA 5000 P (08) 8223 3199 www.humetaylor.com.au

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Phillips-Wilkinson, Jenna (DPTI)

From:	Henderson, Cameron (DPTI)		
Sent:	Thursday, 1 August 2019 11:08 AM		
To:	Davis, Kimberly (DPTI)		
Cc:	Phillips-Wilkinson, Jenna (DPTI)		
Subject:	SENSITIVE: Adelaide Cemeteries Authority		
Importance:	High		

Hi Kim,

Can we please get the below onto some letters to the members who will be removed from the ACA Board.

Dear [name]

I write to inform you that, pursuant to section 13(4) of the *Adelaide Cemeteries Authority Act 2001* (the Act), I recommended that the Governor remove you as [director/chair] of the board of the Adelaide Cemeteries Authority. On [*insert date*] the Governor removed you from office under section 13(3) of the Act effective from that date. The terms of your appointment were governed entirely by the Act, including any determination by the Governor as to remuneration under section 15 of the Act, accordingly, there was no implied contract relating to your appointment. As previously indicated, neither the Act nor the determination of the Governor make any allowance for a termination payment or compensation for early termination.

Once again, I thank you for your time served as [director/chair] of the board.

Yours sincerely,

HON STEPHAN KNOLL MP MINISTER FOR TRANSPORT, INFRASTRUCTURE AND LOCAL GOVERNMENT MINISTER PLANNING

Many thanks,

Cameron Henderson Ministerial Adviser to the Hon. Stephan Knoll MP Minister for Transport, Infrastructure and Local Government Minister for Planning T 08 7109 8004 • E cameron.henderson@sa.gov.au

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DPTI:Minister Knoll

From: Sent: To: Subject: Attachments: DPTI:Minister Knoll Friday, 2 August 2019 3:54 PM 'ehuxtable@humetaylor.com.au' Letter from Minister Knoll Letter to Ester Huxtable - ACA.pdf

Please find attached a letter from Minister Knoll to yourself.

Regards Minister Knoll's Office Department of Planning, Transport and Infrastructure Level 12, 136 North Terrace • PO Box 1533, Adelaide SA 5001 • DX 171 • <u>www.dpti.sa.gov.au</u>

BO D MISOUTH

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We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their ancestors and to their Elders.

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Government of South Australia

The Hon Stephan Knoll MP Member for Schubert

19MPL0644

Ms Ester Huxtable

Clause 6(1)

Dear Ms Huxtable

I write to inform you that, pursuant to section 13(4) of the Adelaide Cemeteries Authority Act 2001 (the Act), I recommended that the Governor remove you as chair of the board of the Adelaide Cemeteries Authority.

On 2 August 2019, the Governor removed you from office under section 13(3) of the Act effective from that date.

The terms of your appointment were governed entirely by the Act, including any determination by the Governor as to remuneration under section 15 of the Act, accordingly, there was no implied contract relating to your appointment.

As previously indicated, neither the Act nor the determination of the Governor make any allowance for a termination payment or compensation for early termination.

Once again, I thank you for your time served as chair of the board.

Yours sincerely

HON STEPHAN KNOLL MP MINISTER FOR TRANSPORT, INFRASTRUCTURE AND LOCAL GOVERNMENT MINISTER PLANNING

2 18/2019



Minister for Transport, Infrastructure and Local Government Minister for Planning

Roma Mitchell House Adelaide SA 5000 | GPO Box 1533 Adelaide SA 5001 DX 171 Tel 08 7109 8430 | Email ministerknoll@sa.gov.au

Taylor, Sarah (DPTI)

From: Sent: To: Cc: Subject:	Taylor, Sarah (DPTI) Monday, 5 August 2019 11:19 A 'Robert Pitt' Paula Pothoven RE: ACA Board Matters	AΜ	~
Hi Robert			
Thank you for your email.			
		out of scope	
		eneral de la	out of scope
With regard to the Heritage and Monument Committee, we are happy to wait for advice from the Chair. Similarly, we will leave the Chair to appoint the other sub-committees.			
Kind Regards			

Sarah

From: Robert Pitt [mailto:Robert.Pitt@aca.sa.gov.au] Sent: Monday, 5 August 2019 10:38 AM To: Taylor, Sarah (DPTI) <Sarah.Taylor@sa.gov.au> Cc: Paula Pothoven <Paula.Pothoven@aca.sa.gov.au> Subject: ACA Board Matters

Good Morning Sarah,

Thank you for the advice regarding the appointment of a new Chair and Directors to the Board of the Adelaide Cemeteries Authority. We look forward to working with the new Board as the Authority seeks to solidify its long-term future.

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Please find the following queries regarding Director appointments for Minister Knoll's consideration.

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	out of scope
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3/ Heritage & Monument Committee

Section 19 of the Adelaide Cemeteries Authority Act 2001 requires the Authority's Minister to "establish the Adelaide Cemeteries Authority Heritage and Monument Committee". To date, this has been a Sub-Committee of the Authority's Board. Current gazetted appointees to this committee are the following three former Directors:

- Ms Sue Clearihan Chair
- Ms Ester Huxtable Committee Member
- Ms Mary Patetsos Committee Member
- Proxy Member Vacant

As per the Act, appointments to this Committee are made and gazetted by the Minister:

19—Adelaide Cemeteries Authority Heritage and Monument Committee

- (1) The Minister will establish the Adelaide Cemeteries Authority Heritage and Monument Committee.
- (2) The Committee will consist of not less than three, nor more than five, members appointed by the Minister, of whom—
 - (a) one must be a director; and
 - (b) the remainder must include persons who together have, in the Minister's opinion, the abilities and experience required for the effective performance of the Committee's functions.
- (3) The members of the Committee will hold office on such terms and conditions as the Minister thinks fit.

This Committee generally meets 3-4 time a year. There are currently no pressing items for this Committee's urgent attention.

It is my recommendation that the Minister waits to receive advice from the Authroity's new Chair, Mr Tristan Just regarding which Director or Directors or other persons the new Board wish to nominate for the Minister's consideration for the Heritage and Monument Committee.

The Authority has two other Board Sub-Committees:

- Finance Audit & Risk Management;
- Performance & Remuneration

To date, both of these committees have been appointed by the Board Directors.

Please don't hesitate to contact me if you require any further information regarding these or any other ACA matters.

I advise that I have arranged to meet with Tristan Just tomorrow.

Kind regards

Robert Pitt

Robert Pitt Chief Executive Officer

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Visitors Centre: Enfield Memorial Park, Browning Street, Clearview SA 5085 Postal Address: PO Box 294, Enfield Plaza SA 5085



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