

SOUTH AUSTRALIA

**MFP DEVELOPMENT ACT 1992**

*This Act is reprinted pursuant to the Acts Republication Act 1967 and incorporates all amendments in force as at **19 December 1996**.*

*It should be noted that the Act was not revised (for obsolete references, etc.) by the Commissioner of Statute Revision prior to the publication of this reprint.*

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# MFP DEVELOPMENT ACT 1992

being

MFP Development Act 1992 No. 24 of 1992  
[Assented to 14 May 1992]<sup>1</sup>

as amended by

MFP Development (Miscellaneous) Amendment Act 1995 No. 29 of 1995 [Assented to 27 April 1995]<sup>2</sup>  
MFP Development (Miscellaneous) Amendment Act 1996 No. 76 of 1996 [Assented to 21 November 1996]<sup>3</sup>

<sup>1</sup> Came into operation 15 October 1992: *Gaz.* 15 October 1992, p. 1310. (A proclamation under s. 4, to repeal the Technology Development Corporation Act 1982, was made on 1 July 1993: *Gaz.* 1 July 1993, p. 200.)

<sup>2</sup> Came into operation 27 July 1995: *Gaz.* 27 July 1995, p. 292.

<sup>3</sup> Came into operation 19 December 1996: *Gaz.* 19 December 1996, p. 1923.

**NOTE:**

- *Asterisks indicate repeal or deletion of text.*
- *For the legislative history of the Act see Appendix 1. Entries appearing in the Appendix in bold type indicate the amendments incorporated since the last reprint.*

**An Act to provide for the development and promotion of the MFP development project; to establish the MFP Development Corporation and define its functions and powers; to repeal the Technology Development Corporation Act 1982; and for other purposes.**

The Parliament of South Australia enacts as follows:

**PART 1  
PRELIMINARY**

**Short title**

1. This Act may be cited as the *MFP Development Act 1992*.

**Commencement**

2. This Act will come into operation on a day to be fixed by proclamation.

**Interpretation**

3. (1) In this Act, unless the contrary intention appears—

"**Advisory Committee**" means the MFP Community Advisory Committee;

"**Commonwealth Minister**" means the Minister of State of the Commonwealth for the time being nominated by the Prime Minister as the Commonwealth Minister for the purposes of this Act;

"**Corporation**" means the MFP Development Corporation;

"**development area**" means—

- (a) the MFP core site; or
- (b) Science Park Adelaide; or
- (c) Technology Park Adelaide; or
- (d) any other area declared by regulation to be a development area;

"**industry**" includes commerce and services;

"**MFP core site**" means—

- (a) the areas shown in Part A of Schedule 1 within boundaries delineated in bold and more particularly described in Part B of that Schedule;
- (b) where such an area is altered by regulation the area as so altered;

"**MFP development centre**" means—

- (a) the urban and industrial development to be established at the MFP core site;
- (b) a development established or to be established at a development area outside the MFP core site including Science Park Adelaide and Technology Park Adelaide;

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**"Science Park Adelaide"** means—

- (a) the area shown in Part A of Schedule 2 and more particularly described in Part B of that Schedule;
- (b) where the area is altered by regulation, the area as so altered;

**"State Minister"** means the Minister for the time being administering this Act;

**"Technology Park Adelaide"** means—

- (a) the area shown in Part A of Schedule 3 and more particularly described in Part B of that Schedule;
- (b) where the area is altered by regulation, the area as so altered.

(2) The Governor may, by regulation—

- (a) alter any development area; or
- (b) establish, and assign a name to, a new development area.

*Note: For definition of divisional penalties (and divisional expiation fees) see Appendix 2.*

**Repeal and transitional provisions**

**4.** (1) *The Technology Development Corporation Act 1982* is repealed with effect on a day to be fixed by proclamation.

(2) On the repeal of that Act—

- (a) all real and personal property and rights and liabilities of the former Technology Development Corporation are transferred to and vested in the MFP Development Corporation;
- (b) all employees of the former Technology Development Corporation become, without loss of continuity of service or accrued or accruing benefits in respect of employment, employees of the MFP Development Corporation;
- (c) any reference to the former Technology Development Corporation in any instrument or in any judgment, order or process of a court will be taken to be a reference to the MFP Development Corporation;
- (d) any legal proceedings commenced by or against the former Technology Development Corporation may be continued by or against the MFP Development Corporation.

(3) The Registrar-General will, on the application of the MFP Development Corporation and on being furnished with such duplicate certificates of title or other documents as the Registrar-General may require, register the MFP Development Corporation as the proprietor of interests in land vested in the MFP Development Corporation by this section.

(4) No registration fee is payable in respect of an application under subsection (3).

**PART 2  
OBJECTS OF ACT**

**Objects of Act**

**5.** The objects of this Act are to secure the creation or establishment of—

- (a) a model of conservation of the natural environment and resources;
- (b) a model of environmentally sustainable development;
- (c) a model of equitable social and economic development in an urban context;
- (d) a national focus for economic, scientific and technological developments of international significance;
- (e) leading centres of innovation in science, technology, education and the arts;
- (f) a focus for international investment in new and emerging technologies;
- (g) a model of productive interaction between industries and research and development, educational, environmental, community and other organisations and of the use of advanced information and communication systems for that purpose;
- (h) an international centre of innovation and excellence in urban development and in the use of advanced science and technology to serve the community;

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**PART 3  
MFP DEVELOPMENT CORPORATION**

**Establishment of Corporation**

6. (1) The *MFP Development Corporation* is established.

(2) The Corporation—

- (a) is a body corporate with perpetual succession and a common seal; and
- (b) is capable of suing and being sued in its corporate name; and
- (c) has the functions and powers assigned or conferred by or under this Act.

(3) The Corporation is an instrumentality of the Crown and holds its property on behalf of the Crown.

**Ministerial control**

7. (1) The Corporation is subject to control and direction by the State Minister.

(2) Any direction given to the Corporation by the State Minister must be in writing and must be published in the *Gazette* within 14 days after it is given to the Corporation.

**Functions of Corporation**

8. (1) The functions of the Corporation are—

- (a) to plan and manage and coordinate the development of the MFP development centres in accordance with the objects of this Act; and
- (b) to attract and encourage international and Australian investment and developments in the MFP development centres and elsewhere in the State, and (in consultation with the relevant Commonwealth authorities) elsewhere in Australia, with particular emphasis on industries and activities involving new or emerging technologies; and
- (c) to promote and assist scientific and technological research and development; and
- (ca) to promote and assist research, investigations or development programmes in relation to the protection, restoration or enhancement of the environment; and
- (d) to promote and facilitate productive interaction between industries and research and development, educational, environmental, community and other organisations in the MFP development centres together with industries and organisations elsewhere in Australia or overseas; and
- (e) to promote and assist in the establishment of advanced information and communication systems linking industries, organisations and persons in the MFP development centres and elsewhere in Australia or overseas; and
- (f) to promote the MFP development centres and the operations of the Corporation in Australia and internationally; and
- (g) to encourage community involvement in the development of the MFP development centres; and



(h) to promote, assist and co-ordinate economic, social, environmental and cultural development of the MFP development centres; and

(i) to perform any other functions that are necessary or convenient for or incidental to the performance of functions referred to above.

(2) In carrying out its operations, the Corporation may consult with and draw on the expertise of—

(a) administrative units and other instrumentalities of the State; and

(b) Commonwealth Government and local government bodies,

with responsibilities in areas related to or affected by those operations and may draw on the expertise of non-government persons and bodies with expertise in areas related to those operations.

### **Powers of Corporation**

**9.** (1) The Corporation has all the powers of a natural person and may, for example—

(a) acquire, hold, lease and otherwise deal with and dispose of real and personal property;

(b) engage agents and employees;

(c) enter into partnerships and joint venture arrangements;

(d) provide services and make charges for the services;

(e) form, or acquire, deal with and dispose of interests in, companies and other entities;

(f) enter into any other contract or arrangement or acquire or incur any other rights or liabilities.

(2) The Corporation may, with the consent of the State Minister, make use of the services of persons employed by the State.

(3) The Corporation may, with the consent of the Commonwealth Minister, make use of the services of persons employed by the Commonwealth.

### **Chief executive officer**

**10.** (1) There is to be a chief executive officer of the Corporation.

(2) The chief executive officer is, subject to the control of the Corporation, responsible for the management of the operations of the Corporation.

(3) The chief executive officer is to be appointed by the Corporation.

### **Vesting of land within, or excluded from, MFP core site**

**11.** (1) All land within the MFP core site that is—

(a) land not granted in fee simple by the Crown; or

(b) land of an instrumentality of the Crown,

is vested in the Corporation for an estate in fee simple subject to any subsisting interests or rights granted by or on behalf of the Crown.

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(2) Where the MFP core site is altered so as to exclude land that is vested in the Corporation, the Governor may, by regulation, transfer that land to the Crown or an instrumentality of the Crown.

(3) Land transferred by regulation under subsection (2) vests on the commencement of that regulation in the Crown or instrumentality of the Crown (as the case may be) for an estate in fee simple, subject to any subsisting interests or rights granted by or on behalf of the Crown or the Corporation.

(4) Where land is vested in a person or body under this section, the Registrar-General will, on the application of that person or body and on being furnished with such duplicate certificates of title (if any) or other documents as the Registrar-General may require, register that person or body as the proprietor of an estate in fee simple in that land.

**Environmental impact statement for MFP core site**

**12.** The Corporation must not cause or permit any work that constitutes development within the meaning of the *Development Act 1993* to be commenced within the part of the MFP core site shown as Area A in Schedule 1 unless the development is of a kind contemplated by proposals for development in relation to which an environmental impact statement has been prepared under Division 2 of Part 4 of that Act.

**Compulsory acquisition of land**

**13.** (1) The Corporation may, with the consent of the State Minister, acquire land within a development area compulsorily.

(2) Where land acquired compulsorily by the Corporation is within the area of the MFP core site defined in Schedule 1, the value of the land must be assessed for the purpose of determining the compensation payable in respect of the acquisition as if the MFP core site were not subject to development under this Act.

**Delegation**

**14.** (1) The Corporation may, with the consent of the State Minister, delegate any of its functions or powers.

(2) A function or power delegated under this section may, if the instrument of delegation so provides, be further delegated.

(3) A delegation—

- (a) may be made subject to conditions and limitations specified in the instrument of delegation; and
- (b) is revocable at will and does not derogate from the power of the delegator to act in a matter.

(4) A delegate must not act in any matter pursuant to the delegation in which the delegate has a direct or indirect private interest.

Penalty: Division 5 fine or division 5 imprisonment.

(5) It is a defence to a charge of an offence against subsection (3) to prove that the defendant was, at the time of the alleged offence, unaware of his or her interest in the matter.

(6) In subsection (4)—

"**delegate**" includes a member of a body, or of the governing body of a company or other entity, to which any functions or powers of the Corporation have been delegated.

**Composition of Corporation**

**15.** (1) The Corporation is to consist of not more than 7 members appointed by the Governor, of whom—

- (a) one is to be the chief executive officer of the Corporation; and
- (b) the remainder are to be persons nominated by the State Minister.

(2) The membership of the Corporation must include persons who will, in the opinion of the State Minister, provide expertise in areas relevant to the operations of the Corporation.

(3) One member of the Corporation will be appointed by the Governor to chair the Corporation.

(4) A member of the Corporation is to be appointed a term (not exceeding three years) specified in the instrument of appointment and is, on the expiration of a term of office, eligible for reappointment.

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(7) The Governor may remove a member of the Corporation from office for—

- (a) misconduct; or
- (b) incapacity or failure to carry out satisfactorily duties of office.

(8) The office of a member of the Corporation becomes vacant if the member—

- (a) dies; or
- (b) completes a term of office and is not reappointed; or
- (c) resigns by written notice to the State Minister; or
- (d) is convicted of an indictable 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 subsection (7).

(9) On the office of a member becoming vacant, a person may be appointed in accordance with this section to the vacant office.

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**Procedures of Corporation**

**16.** (1) A quorum at a meeting of the Corporation consists of a number of members of the Corporation equal to—

- (a) if the total number of members of the Corporation is even—half that number plus one; or
- (b) if the total number of members of the Corporation is odd—the first integer that is greater than half that number,

and no business may be transacted at a meeting of the Corporation unless a quorum is present.

(2) The member appointed to chair the Corporation will preside at meetings of the Corporation or, in the absence of that member, a member chosen by those present.

(3) A decision carried by a majority of the votes cast by members present at a meeting is a decision of the Corporation.

(4) Each member present at a meeting of the Corporation has one vote on any question arising for decision and, if the votes are equal, the member presiding at the meeting may exercise a casting vote.

(5) A conference between members constituting a quorum by telephone or audio-visual means is a valid meeting of the Corporation if—

- (a) notice of the conference is given to all members in the manner determined by the Corporation for that purpose; and
- (b) each participating member is capable of communicating with every other participating member during the conference.

(6) A decision concurred in by members otherwise than at a meeting of the Corporation is a valid decision of the Corporation if—

- (a) notice of the terms of the decision proposed to be made has been given to all members in the manner determined by the Corporation for that purpose; and
- (b) a number of members not less than that required for a quorum of the Corporation have signified their concurrence in the decision by letter, telegram, telex, facsimile transmission or other method of written communication setting out the terms of the decision.

(7) Subject to this Act, the Corporation may determine its own procedures.

(8) The Corporation must have accurate minutes kept of its proceedings.

**Vacancies or defects in appointment of members**

**17.** An act of the Corporation is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

**Immunity of members**

**18.** (1) A member of the Corporation incurs no liability for anything done honestly and with reasonable care and diligence in the performance or purported performance of functions or duties under this Act.

(2) Any liability that would, but for this section, attach to a member attaches instead to the Crown.

### **Remuneration**

**19.** A member of the Corporation is entitled to such remuneration, allowances and expenses as may be determined by the Governor.

### **Members' duties of honesty, care and diligence, etc.**

**20.** (1) A member of the Corporation must at all times act honestly in the performance of the functions of his or her office, whether within or outside the State.

Penalty: If the contravention was committed with intent to deceive or defraud the Corporation, or creditors of the Corporation or creditors of any other person or for any other fraudulent purpose—Division 4 fine or division 4 imprisonment, or both.

In any other case—Division 6 fine.

(2) A member of the Corporation must at all times exercise a reasonable degree of care and diligence in the performance of his or her functions, whether within or outside the State.

Penalty: Division 6 fine.

(3) A member or a former member of the Corporation must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as such a member to gain, directly or indirectly, an advantage for himself or herself or for any other person or to cause detriment to the Corporation.

Penalty: Division 4 fine or division 4 imprisonment, or both.

(4) A member of the Corporation must not, whether within or outside the State, make improper use of his or her position as a member to gain, directly or indirectly, an advantage for himself or herself or for any other person or to cause detriment to the Corporation.

Penalty: Division 4 fine or division 4 imprisonment, or both.

(5) This section has effect in addition to, and not in derogation of, any rule of law relating to the duty or liability of a member of the governing body of a corporation and does not prevent the institution of any civil proceedings in respect of a breach of such a duty or in respect of such a liability.

(6) For the purposes of section 18, a person will not be taken to have acted honestly if the act constituted or involved contravention by the person of subsection (3) or (4) of this section.

### **Disclosure of interest**

**21.** (1) A member who has a direct or indirect private interest in a matter decided or under consideration by the Corporation—

(a) must disclose the nature of the interest to the Corporation; and

(b) must not take part in any deliberations or decisions of the Corporation on the matter.

Penalty: Division 5 fine or division 5 imprisonment.

(2) It is a defence to a charge of an offence against subsection (1) to prove that the defendant was not, at the time of the alleged offence, aware of his or her interest in the matter.

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- (3) A disclosure under this section must be recorded in the minutes of the Corporation.
- (4) If a member makes a disclosure of interest in respect of a proposed contract and does not take part in any deliberations or decisions of the Corporation on the matter—
  - (a) the contract is not liable to be avoided by the Corporation on the ground of the fiduciary relationship between the member and the Corporation; and
  - (b) the member is not liable to account to the Corporation for profits derived from the contract.

**Common seal and execution of documents**

**22.** (1) A document is duly executed by the Corporation if—

- (a) the common seal of the Corporation is affixed to the document in accordance with this section; or
- (b) the document is signed on behalf of the Corporation by a person or persons in accordance with authority conferred under this section.

(2) The common seal of the Corporation must not be affixed to a document except in pursuance of a decision of the Corporation, and the affixing of the seal must be attested by the signatures of two members of the Corporation.

(3) The Corporation may, by instrument under its common seal, authorise a member or employee of the Corporation or any other person to execute documents on behalf of the Corporation.

(4) An authority under subsection (3) may be given—

- (a) subject to conditions and limitations specified in the instrument of authority;
- (b) so as to authorise two or more persons to execute documents jointly.

**Validity of transactions of Corporation**

**23.** (1) Subject to subsection (2), a transaction to which the Corporation is a party or apparently a party (whether made or apparently made under the Corporation's common seal or by a person with authority to bind the Corporation) is not invalid because of—

- (a) any deficiency of power on the part of the Corporation; or
- (b) any procedural irregularity on the part of the Corporation or a member, employee or agent of the Corporation or any procedural irregularity affecting the appointment of a member, employee or agent of the Corporation.

(2) This section does not validate a transaction in favour of a party—

- (a) who enters into the transaction with actual knowledge of the deficiency or irregularity; or
- (b) who has a connection or relationship with the Corporation such that the person ought to know of the deficiency or irregularity.

**PART 4**  
**MFP COMMUNITY ADVISORY COMMITTEE**

**Establishment of MFP Community Advisory Committee**

**24.** The *MFP Community Advisory Committee* is established.

**Functions of Advisory Committee**

**25.** The Advisory Committee is to advise the Corporation either on its own initiative or at the request of the Corporation on—

- (a) programmes that are being, or should be, undertaken to ensure the appropriate infrastructure for community development in the MFP development centres; and
- (b) means of ensuring appropriate levels of community and local government involvement in the development of the MFP development centres; and
- (c) social issues raised by the development of the MFP development centres.

**Composition of Advisory Committee**

**26.** (1) The Advisory Committee is to consist of eight members appointed by the State Minister.

(2) The members of the Advisory Committee must include—

- (a) a person selected by the State Minister from a panel of three nominated by the Local Government Association of South Australia; and
- (b) a person selected by the State Minister from a panel of three nominated by the Conservation Council of South Australia Incorporated; and
- (c) a person selected by the State Minister from a panel of three nominated by the South Australian Council of Social Service Incorporated; and
- (d) a person selected by the State Minister from a panel of three nominated by the Chamber of Commerce and Industry S.A. Incorporated; and
- (e) a person selected by the State Minister from a panel of three nominated by the United Trades and Labor Council of South Australia; and
- (f) a person who will, in the opinion of the State Minister, provide expertise in matters relating to education; and
- (g) a person who will, in the opinion of the State Minister, provide expertise in matters relating to environmental health; and
- (h) a person who will, in the opinion of the State Minister, appropriately represent the interests of local communities in the area of or adjacent to the MFP core site.

(3) One member of the Advisory Committee will be appointed by the State Minister to chair the Committee.

(4) A member of the Advisory Committee is to be appointed for a term (not exceeding three years) specified in the instrument of appointment and is, on the expiration of a term of office, eligible for reappointment.

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(5) The State Minister may appoint a person to be a deputy of a member of the Advisory Committee and the deputy may act as a member of the Advisory Committee in the absence of that member.

(6) Where a person is appointed as a member of the Advisory Committee on the nomination of a body, or to provide expertise or represent interests, referred to in subsection (2), a person appointed as his or her deputy must also be appointed on the nomination of that body, or to provide the same expertise or represent the same interests, as the case may require.

(7) The State Minister may remove a member from office for—

(a) misconduct; or

(b) incapacity or failure to carry out satisfactorily duties of office.

(8) The office of a member of the Advisory Committee becomes vacant if the member—

(a) dies; or

(b) completes a term of office and is not reappointed; or

(c) resigns by written notice to the State Minister; or

(d) is removed from office under subsection (7).

(9) On the office of a member becoming vacant, a person may be appointed in accordance with this section to the vacant office.

**Procedures of Advisory Committee**

**27.** (1) The Advisory Committee may meet at times and places determined by the Committee but must meet at least four times per year.

(2) Five members of the Advisory Committee constitute a quorum of the Committee and no business may be transacted at a meeting of the Committee unless a quorum is present.

(3) The member appointed to chair the Advisory Committee will preside at meetings of the Committee or, in the absence of that member, a member chosen by those present.

(4) Subject to this Act, the Advisory Committee may determine its own procedures.

(5) The Advisory Committee must have accurate minutes kept of its proceedings.

(6) The Advisory Committee must cause a copy of its minutes and of any report made to the Corporation by the Advisory Committee to be forwarded to the State Minister who must keep them available for public inspection during ordinary office hours at an office determined by the State Minister.

**Remuneration**

**28.** A member of the Advisory Committee is entitled to such remuneration, allowances and expenses as may be determined by the State Minister.



**PART 5  
FINANCIAL PROVISIONS**

**Banking and investment**

**29.** (1) The Corporation may establish and operate banking accounts.

(2) Any money of the Corporation that is not immediately required for its operations may be invested in a manner approved by the Treasurer.

**Borrowing**

**30.** (1) The Corporation may, for the purposes of this Act, borrow money from the Treasurer, or, with the consent of the Treasurer, from any other person.

(2) A liability incurred by the Corporation under subsection (1) with the consent of the Treasurer is guaranteed by the Treasurer.

(3) A liability of the Treasurer under a guarantee arising by virtue of subsection (2) is to be satisfied out of the General Revenue of the State, which is appropriated by this section to the necessary extent.

**Accounts and audit**

**31.** (1) The Corporation must cause proper accounts to be kept of its financial affairs and financial statements to be prepared in respect of each financial year.

(2) The Auditor-General may at any time, and must at least once in every year, audit the accounts of the Corporation.

**Exemption from rates and taxes**

**32.** Subject to the regulations, the Corporation is exempt from rates and taxes under any law of the State.

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**PART 6  
MISCELLANEOUS**

**Reference of Corporation's operations to Parliamentary Committees**

**33.** (1) The Corporation's budgets are subject to annual scrutiny by the Estimates Committees of the Parliament.

(2) The economic and financial aspects of the Corporation's operations and the financing of those operations are referred to the Economic and Finance Committee of the Parliament.

(3) The environmental, resources, planning, land use, transportation and development aspects of the Corporation's operations are referred to the Environment, Resources and Development Committee of the Parliament.

(4) The Corporation must, on or before 31 August in each year, present a report to both the Economic and Finance Committee and the Environment, Resources and Development Committee on the operations of the Corporation during the period of 12 months that ended on the preceding 30 June.

(5) The Corporation may, when presenting a report to a Committee under this section, indicate that a specified matter contained in the report should, in the opinion of the Corporation, remain confidential, and, in that event, the Committee and its members must ensure that the matter remains confidential unless the Committee, after consultation with the Corporation and the State Minister, determines otherwise.

(6) The Economic and Finance Committee must report to the House of Assembly not less frequently than once in every 12 months on the matters referred to it under this section.

(7) The Environment, Resources and Development Committee must report to both Houses of Parliament not less frequently than once in every 12 months on the matters referred to it under this section.

**Annual report**

**34.** (1) The Corporation must, on or before 30 September in each year, deliver to the State Minister a report on the operations of the Corporation during the period of 12 months that ended on the preceding 30 June.

(2) The Corporation must set out in its report—

(a) all directions given to the Corporation by the State Minister; and

(b) details of the remuneration, allowances and expenses payable to each member of the Corporation and to the chief executive officer of the Corporation, together with details of any benefit of a pecuniary value provided to such a person in connection with that person's office or employment as a member or as chief executive officer of the Corporation; and

(c) details of all functions and powers of the Corporation delegated by the Corporation (together with details of the delegates and any conditions or limitations attached to the delegations),

during the period to which the report relates.

(3) The report must incorporate the audited accounts and financial statements of the Corporation for the period to which the report relates.

(4) The State Minister must cause a copy of the report to be laid before each House of Parliament within 12 sitting days after his or her receipt of the report.

**Regulations**

**35.** (1) The Governor may make regulations for the purposes of this Act.

(2) A regulation may prescribe a penalty not exceeding a division 8 fine for breach of the regulation.

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**SCHEDULE 1**

**PART A**

*Plan of MFP Core Site*

**SCHEDULE 1** (continued)

**PART B**

*More Particular Description of MFP Core Site*

*AREA A*

Comprising that portion of the Hundred of Port Adelaide, County of Adelaide, bounded as follows:

Commencing at a point on a western boundary of the road (Port Wakefield Road), east of and adjoining the land contained in Filed Plan No. 40030, being a south-eastern corner of allotment 62 (Filed Plan No. 40030), Hundred of Port Adelaide; thence south-westerly along the south-eastern boundary of the said allotment to the northern boundary of the road (Kidman Road) south of and adjoining the said allotment; easterly, south-westerly and westerly along the northern, south-eastern and southern boundaries of Kidman Road to the eastern boundary of allotment 60 (Filed Plan No. 40030); southerly along the latter boundary and generally south-westerly along the south-eastern and eastern boundaries of the said allotment 60 to its intersection with the production easterly through allotment 58 (Filed Plan No. 40030) of the northern boundary of the road south of and adjoining section 433; westerly along the latter production and boundary and the northern boundary of the road south of and adjoining sections 334 and 471 and allotments 2 and 3 (Deposited Plan No. 18683) to the north-eastern boundary of the road (North Arm Road) north-east of and adjoining allotment 4 (Deposited Plan No. 18683); south-easterly along the north-eastern boundary of North Arm Road to its intersection with the production north-easterly of the south-eastern boundary of allotment 4 (Deposited Plan No. 18683); south-westerly along the latter production and boundary; north-westerly along the south western boundary of allotment 4 (Deposited Plan No. 18683) and a south-western boundary of allotment 9 (Deposited Plan No. 13932) and its production through section 646 and the road (Whicker Road) north-west of and adjoining section 646 to the north-western boundary of Whicker Road; north-easterly along the north-western boundary of Whicker Road and its production and along the south-eastern boundaries of allotment 1 (Filed Plan No. 4586) and allotment 8 (Deposited Plan No. 12579); north-easterly along the production of the south-eastern boundary of allotment 8 (Deposited Plan No. 12579) through allotment 15 (Deposited Plan No. 15063) for 193.00 metres; north-westerly at right angles to the north-western boundary of allotment 13 (Deposited Plan No. 15063—Grand Trunkway); south-westerly along the north-western boundary of allotment 13 for 60.00 metres; north-westerly at right angles along a straight line through allotment 15 (Deposited Plan No. 15063), sections 361 and 618 and Block 55 to a northern boundary of Block 55 (a point on the eastern shore of Port Adelaide River—Low Water Mark); generally northerly along the said eastern shore of Port Adelaide River and generally easterly along the southern shore of North Arm (Low Water Mark) to the eastern boundary of the Grand Trunkway; southerly along the latter boundary to the northern boundary of Levee Bank (High Water Mark); generally south-easterly, generally north-westerly and generally north-easterly along the north-eastern, north-western, south-western and western boundaries of the said Levee Bank (High Water Mark) intersecting and or adjoining sections 413 and 918, allotment 3 (Deposited Plan No. 18613) and sections 454, 334, 626, 355 and 625 to its intersection with the production north-westerly of a south-western boundary of section 587; south-easterly along the latter production and boundary and a further south-western boundary of section 587 to the north-western corner of the southern portion of allotment 2 (Filed Plan No. 2871); north-easterly and south-easterly along the north western and north-eastern boundaries of the said southern portion of allotment 2 and production south-easterly and along the north-eastern boundary of allotment 1 (Filed Plan No. 2871) to the western boundary of the road (Port Wakefield Road) east of and adjoining the said allotment 1; thence generally southerly along the eastern boundary of Port Wakefield Road to the point of commencement and crossing all intervening roads and railways.

**MFP Development Act 1992**

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*AREA B*

Comprising that portion of the Hundred of Port Adelaide, County of Adelaide, bounded as follows:

Commencing at the westernmost corner of allotment 1 (Deposited Plan No. 21006), Hundred of Port Adelaide; thence north-easterly, northerly and north-easterly along the north-western and western boundaries of allotment 1 and the north-western boundaries of allotments 2 and 3 (Deposited Plan No. 21006) and production north-easterly to the north-eastern boundary of the road (Mersey Road) south-west of and adjoining Pt. Block 4; north-westerly along the north-eastern boundary of Mersey Road to its intersection with the production easterly of the northern boundary of allotment 41 (Deposited Plan No. 7372); easterly along the production of the northern boundary of allotment 41 through sections 360 and 633 to the western shore of Port Adelaide River (Low Water Mark); generally southerly along the western shore of Port Adelaide River to its intersection with the production easterly through Mersey Road and Pt. Block 4 of the southern boundary of allotment 143 (Deposited Plan No. 7964); westerly along portion of the latter production to the eastern boundary of the road (Mersey Road) east of and adjoining the land contained in Deposited Plan No. 7964; northerly along the eastern boundary of Mersey Road to its intersection with the production easterly of a southern boundary of the land contained in Deposited Plan No. 21006 (the northern boundary of Wandilla Street); thence westerly along the latter production and boundary, the southern boundary of section 573 and southern and south-eastern boundaries of the land contained in Deposited Plan No. 21006 to the point of commencement and crossing all intervening roads and railways.

*AREA C*

Comprising that portion of the Hundred of Port Adelaide, County of Adelaide, bounded as follows:

Commencing at a point on the western shore of Port Adelaide River (Low Water Mark), being the southernmost corner of allotment 19 (Deposited Plan No. 21409), Hundred of Port Adelaide; thence north westerly along the south-western boundary of allotment 19 and its production to the north-western boundary of Right of Way marked G on Deposited Plan No. 21409; south-westerly along the said boundary of Right of Way to its intersection with the production easterly of the southern boundary of allotment 21 (Deposited Plan No. 21409); westerly along the latter production and boundary and its production through allotment 16 (Deposited Plan No. 16255) and allotments 4 and 3 (Deposited Plan No. 20023) to the eastern boundary of the road (Victoria Road) west of and adjoining the land contained in Deposited Plan No. 20023; northerly and north-westerly along the eastern and north-eastern boundaries of Victoria Road west of and adjoining the land contained in Deposited Plan No. 20023 and south-west of and adjoining the land contained in Deposited Plan No. 13512 and Block 30 to its intersection with the production north-easterly of the north-western boundary of allotment 1044 (Deposited Plan No. 10953); south-westerly along the latter production and boundary and the north-western boundaries of the land contained in Deposited Plan Nos. 10953 and 10919 to a south-eastern boundary of allotment 103 (Deposited Plan No. 26263); generally south-westerly along the south-eastern, eastern and north-eastern boundaries of allotment 103 and the south-eastern boundary of allotment 104 (Deposited Plan No. 26263) to a north-eastern corner of the road (Lady Gowrie Drive) south-west of and adjoining allotment 104; generally north-westerly, generally north-easterly and generally south-easterly along the north-eastern boundary of Lady Gowrie Drive, the north-eastern boundary of the road (Lady Ruthven Drive) south-west of and adjoining the land contained in Deposited Plan No. 24406, the south-eastern boundary of the road (Oliver Rogers Road) north-west of and adjoining the land contained in Deposited Plan No. 24406 and the south-western boundary of the road (Victoria Road) intersecting Block 30 to its intersection with the production south-westerly of a north-western boundary of allotment 1 (Deposited Plan No. 28523—to be accepted for deposit); north-easterly along the latter production and boundary and continuing north-easterly along the north-western boundaries of allotment 1 and production north-easterly through allotment 17 (Deposited Plan No. 13512) to the western corner of allotment 5 (Deposited Plan No. 28523); north-easterly along a north-western boundary of allotment 5 and its production to the western corner of allotment 6 (Deposited Plan No. 28523); north-easterly, south-easterly and north-easterly along the north-western boundaries of allotments 6 and 7 and the north-western and north-eastern boundaries of allotment 8 (Deposited Plan No. 28523) to the western shore of Port Adelaide River (Low Water Mark); thence generally southerly along the said shore to the point of commencement and crossing all intervening roads and railways.

*AREA D*

Comprising that portion of the Hundred of Port Adelaide, County of Adelaide, bounded as follows:

All that portion of Garden Island to High Water Mark.

**SCHEDULE 2**

**PART A**

*Plan of Science Park Adelaide*

**PART B**

*More particular description of Science Park Adelaide*

The land comprised in allotments numbered 61, 62, 63, 64, 65, 66, 67, 68 and 69 on Lands Titles Registration Office Deposited Plan No. 28859.

**MFP Development Act 1992**

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**SCHEDULE 3**

**PART A**

*Plan of Technology Park Adelaide*

**PART B**

*More particular description of Technology Park Adelaide*

The land comprised in allotments numbered 101 and 104 on Lands Titles Registration Office Filed Plan No. 14368.



## APPENDIX 1

### LEGISLATIVE HISTORY

#### Transitional Provisions

*(Transitional provision from MFP Development (Miscellaneous) Amendment Act 1996, s. 6)*

6. The offices of all members of the Corporation and the Advisory Committee become vacant on the commencement of this section.

#### Legislative History

*(entries in bold type indicate amendments incorporated since the last reprint)*

Section 5:	amended by 29, 1995, s. 3
Section 8(1):	amended by 29, 1995, s. 4
Section 11(2):	substituted by 29, 1995, s. 5
Section 11(3) and (4):	inserted by 29, 1995, s. 5
Section 12:	amended by 29, 1995, s. 6
<b>Section 15(1):</b>	<b>amended by 29, 1995, s. 7(a); 76, 1996, s. 3(a), (b)</b>
<b>Section 15(2):</b>	<b>substituted by 29, 1995, s. 7(b); 76, 1996, s. 3(c)</b>
<b>Section 15(5):</b>	<b>repealed by 76, 1996, s. 3(d)</b>
<b>Section 15(6):</b>	substituted by 29, 1995, s. 7(c); <b>repealed by 76, 1996, s. 3(d)</b>
<b>Section 26(1):</b>	<b>amended by 76, 1996, s. 4</b>
<b>Section 27(2):</b>	<b>substituted by 76, 1996, s. 5</b>
Section 33(4):	substituted by 29, 1995, s. 8

**MFP Development Act 1992****APPENDIX 2****DIVISIONAL PENALTIES AND EXPIATION FEES**

At the date of publication of this reprint divisional penalties and expiation fees are, as provided by section 28A of the *Acts Interpretation Act 1915*, as follows:

Division	Maximum imprisonment	Maximum fine	Expiation fee
1	15 years	\$60 000	—
2	10 years	\$40 000	—
3	7 years	\$30 000	—
4	4 years	\$15 000	—
5	2 years	\$8 000	—
6	1 year	\$4 000	\$300
7	6 months	\$2 000	\$200
8	3 months	\$1 000	\$150
9	-	\$500	\$100
10	-	\$200	\$75
11	-	\$100	\$50
12	-	\$50	\$25

*Note: This appendix is provided for convenience of reference only.*