



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 4 DECEMBER 2008

CONTENTS

	Page		Page
Acts Assented To.....	5296	Public Trustee Office—Administration of Estates	5393
Appointments, Resignations, Etc.....	5296		
Aquaculture (Approval of Fitzgerald Bay Zones Policy) Notice 2008.....	5341	REGULATIONS	
Aquaculture (Approval of Port Neill Zones Policy) Notice 2008.....	5350	Liquor Licensing Act 1997—	
Aquaculture (Approval of Standard Lease Conditions Amendment Policy) Notice 2008.....	5357	(No. 289 of 2008).....	5363
Aquaculture (Standard Lease Conditions) Amendment Policy 2008—Notice.....	5358	(No. 290 of 2008).....	5365
Aquaculture (Zones—Fitzgerald Bay) Policy 2008—Notice.....	5342	(No. 291 of 2008).....	5367
Aquaculture (Zones—Port Neill) Policy 2008—Notice	5351	(No. 292 of 2008).....	5369
Controlled Substances Act 1984—Notice	5296	(No. 293 of 2008).....	5371
Corporations and District Councils—Notices.....	5384	(No. 294 of 2008).....	5373
Crown Lands Act 1929—Notices.....	5296	(No. 295 of 2008).....	5375
Development Act 1993—Notices.....	5297	First Home Owner Grant Act 2000 (No. 296 of 2008)	5377
Electoral Act 1985—Notice	5305	Liquor Licensing Act 1997 (No. 297 of 2008)	5379
Environment Protection Act 1993—Notice	5305	Waterworks Act 1932 (No. 298 of 2008)	5381
Essential Services Commission Act 2002—Notice	5305	Roads (Opening and Closing) Act 1991—Notice.....	5325
Fisheries Management Act 2007—Notices	5305		
Housing Improvement Act 1940—Notices.....	5311	RULES OF COURT	
Land Acquisition Act 1969—Notice	5307	District Court Civil Rules 2006—	
Liquor Licensing Act 1997—Notices.....	5312	Amendment No. 5.....	5326
Mining Act 1971—Notices.....	5315	District Court (Criminal and Miscellaneous)	
Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2008	5316	Rules 1992—	
National Electricity Law—Notice	5325	Amendment No. 5	5327
National Parks and Wildlife (National Parks) Regulations 2001—Notice.....	5325	Amendment No. 6	5330
Petroleum Act 2000—Notices.....	5325	Sewerage Act 1929—[REPUBLISHED].....	5339
Proclamations	5360	State Lotteries Act 1966—Rules	5335
		TafeSA—Notice.....	5337
		Training and Skills Development Act 2008—Notice	5338
		Waterworks Act 1932—	
		Notices	5339
		[REPUBLISHED]	5339
		Workers Rehabilitation and Compensation Act 1986—Notice.....	5340

Department of the Premier and Cabinet
Adelaide, 4 December 2008

HIS Excellency the Governor directs it to be notified for general information that he has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 47 of 2008—Statutes Amendment (Betting Operations) Act 2008. An Act to amend the Authorised Betting Operations Act 2000 and the Lottery and Gaming Act 1936.

No. 48 of 2008—Statutes Amendment (Power to Bar) Act 2008. An Act to amend the Liquor Licensing Act 1997 and the Casino Act 1997.

No. 49 of 2008—Statutes Amendment (Bulk Goods) Act 2008. An Act to amend the Sale of Goods Act 1895 and the Warehouse Liens Act 1990.

No. 50 of 2008—Nursing and Midwifery Practice Act 2008. An Act to protect the health and safety of the public by providing for the registration and enrolment of nurses, midwives and students; to regulate the provision of nursing and midwifery care for the purpose of maintaining high standards of competence and conduct by nurses, midwives, students and services providers; to repeal the Nurses Act 1999 and for other purposes.

By command,

GAIL GAGO, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 4 December 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint Hieu Van Le as Governor's Deputy of South Australia for the period from 12 p.m. on Sunday, 7 December 2008 until 5.30 p.m. on Tuesday, 9 December 2008.

By command,

GAIL GAGO, for Premier

Department of the Premier and Cabinet
Adelaide, 4 December 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Kevin Owen Foley, MP, Deputy Premier, Treasurer, Minister for Industry and Trade and Minister for Federal/State Relations to be also Acting Premier, Acting Minister for Economic Development, Acting Minister for Social Inclusion and Acting Minister for Sustainability and Climate Change for the period from 6 December 2008 to 15 December 2008 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

GAIL GAGO, for Premier

DPC030/96CSPT4

Department of the Premier and Cabinet
Adelaide, 4 December 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Health, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Minister for the Arts for the period from 6 December 2008 to 15 December 2008 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

GAIL GAGO, for Premier

DPC030/96CSPT4

Department of the Premier and Cabinet
Adelaide, 4 December 2008

HIS Excellency the Governor in Executive Council has suspended from the office of Justice of the Peace John Webster Eddy, from 4 December 2008 until 7 November 2010, pursuant to section 10 of the Justices of the Peace Act 2005.

By command,

GAIL GAGO, for Premier

JPS08/067CS

CONTROLLED SUBSTANCES ACT 1984

Prohibition of Administering Prescription Drugs

TAKE notice that on 24 November 2008, I, Keith Evans, Executive Director of Drug and Alcohol Services South Australia, having formed the opinion that Rosalie Carol Porter has administered prescription drugs in an irresponsible manner, exercised the authority delegated by the Minister for Mental Health and Substance Abuse under section 62A of the Controlled Substances Act 1984 and made the following order under section 57 (1) of the Act:

Rosalie Carol Porter

Date of birth: 1 November 1958,

is prohibited from supplying, administering or having possession of any of the following drugs or substances:

- prescription drugs of the benzodiazepine class; and
- the drug zolpidem tartrate.

This order does not apply to any of the above drugs or class of drugs legally supplied or prescribed for treatment of Rosalie Carol Porter by a dentist or medical practitioner or by a veterinary surgeon for administration to an animal in her care.

K. EVANS, Delegate for the Minister,
Mental Health and Substance Abuse

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Dedicate the Crown Land defined in The First Schedule as a Recreation Reserve and declare that such land shall be under the care, control and management of the District Council of Loxton Waikerie.
2. Dedicate the Crown Land defined in The Second Schedule as a Reserve for Effluent Drainage Purposes and declare that such land shall be under the care, control and management of the District Council of Loxton Waikerie.

The First Schedule

Allotment 501 in Deposited Plan 75960, Hundred of Waikerie, County of Albert, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 6023, Folio 749.

The Second Schedule

Allotment 502 in Deposited Plan 75960, Hundred of Waikerie, County of Albert, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 6023, Folio 750, subject to an existing easement over that portion of Allotment 502 marked B on Deposited Plan 75960 to Distribution Lessor Corporation (subject to lease 8890000) (RLG 8523874).

Dated 4 December 2008.

JAY WEATHERILL, Minister for Environment
and Conservation

DEHAA 11/2142

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY resume the land defined in The Schedule.

The Schedule

1. Reserve for School Purposes, not intended for ecclesiastical or denominational purposes, Allotment 6682, Town of Whyalla, Hundred of Randell, County of York, the proclamation of which was published in the *Government Gazette* of 8 July 1976 at page 79, being the whole of the land comprised in Crown Record Volume 5758, Folio 101.
2. Reserve for School Purposes, not intended for ecclesiastical or denominational purposes, Allotment 6588, Town of Whyalla, Hundred of Randell, County of York, the proclamation of which was published in the *Government Gazette* of 28 January 1971 at page 282, being the whole of the land comprised in Crown Record Volume 5758, Folio 99.

Dated 4 December 2008.

JAY WEATHERILL, Minister for Environment and Conservation

DEH 13/1237

DEVELOPMENT ACT 1993, SECTION 26 (9): GOLDEN GROVE RESIDENTIAL & LIGHT INDUSTRY (LOT 53, ARISTOTLE CLOSE, GOLDEN GROVE)—MINOR AMENDMENTS DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan amendment entitled 'Golden Grove Residential & Light Industry (Lot 53, Aristotle Close, Golden Grove)—Minor Amendments Development Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning has decided to approve the Plan Amendment.

NOTICE

PURSUANT to section 26 of the Development Act 1993, I—

- (a) approve the Plan Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Plan Amendment will come into operation.

Dated 4 December 2008.

PAUL HOLLOWAY, Minister for Urban Development and Planning

DEVELOPMENT ACT 1993, SECTION 48: DECISION BY THE DEVELOPMENT ASSESSMENT COMMISSION AS DELEGATE OF THE GOVERNOR

Preamble

1. A proposal from the Cape Jaffa Development Company (hereafter 'the applicant') to develop a multi-component residential marina at Cape Jaffa, on the Limestone Coast has been under consideration under Division 2 of Part 4 of the Development Act 1993.

2. The proposal has been the subject of an Environmental Impact Statement and an Assessment Report under sections 46 and 46B of the Development Act 1993 and is hereafter referred to as the 'proposed Major Development'.

3. The proposed Major Development was the subject of a development application lodged on 20 February 2003, by the applicant. The said application has been amended and expanded upon by the applicant's Environmental Impact Statement, dated April 2005, the applicant's Response to Submissions, dated September 2005 and additional correspondence dated 4 November 2005, 10 November 2005 and 18 April 2006.

4. Reserved matters of (a) the proposed use of the future development site on Figure 3.6 in the EIS and (b) proposed use and extent of the wetland vegetation on the eastern side of the development was granted approval by the Development Assessment Commission as delegate of the Governor on 11 May 2006.

5. Application was made to the Development Assessment Commission as delegate of the Governor, for a decision regarding the division of land for the proposed development. Approval was granted on 17 August 2006.

6. An application for approval for the Building Rules approval for Stage 1 Breakwaters and Waterway Edge construction was made on 14 August 2006. Approval was granted on 7 September 2007.

7. An application for approval for an Industrial Shed was made by the Kingston Council on 26 September 2007. Approval was granted on 18 October 2007.

8. An application for approval for Building Rules Certification for an Industrial Building was made on 12 October 2007.

9. An application for approval for a land division for the Industrial Area and a concrete batching plant was made on 17 May 2007.

10. An application for approval of two land divisions for three allotments and 20 community title allotments for the commercial marina berths was made on 7 December 2007 and 10 December 2007.

11. An application for acknowledgement of 'Substantial Commencement' was made on 30 July 2008.

12. An application for approval of a Signal Mast was made on 20 August 2008.

13. An application for approval of the Lease of Recreational Marina Berths on 28 August 2008.

14. An application for approval of Building Rules Certification of Stage 2 on 29 August 2008.

15. An application for approval of a variation to the EIS covering the relocation of the Borefield and connecting pipes was made on 9 May 2008.

16. An application for acknowledgement that Condition of Approval 12 has been met was made on 9 May 2008.

17. An application for the approval of a variation to an existing retaining wall at Lot 523 to allow for a garage with setback of 5.5 m.

18. The Development Assessment Commission has, in considering the application, had regard to all relevant matters under section 48 (5) of the Development Act 1993.

19. The Development Assessment Commission is satisfied that there is no requirement to prepare a further or amended Environmental Impact Statement.

Decision

PURSUANT to section 48 of the Development Act 1993, the Development Assessment Commission as delegate of the Governor:

- (a) grant a provisional development authorisation in relation to the proposed major development, subject to the Conditions and Notes to the Applicant below;
- (b) pursuant to section 48 (6) and Regulation 64 (1) reserve a decision on the following matters:
 - (i) compliance with the Building Rules in relation to all aspects of the proposed major development (refer to Conditions and Notes to the Applicant below);
 - (ii) specify all matters relating to the provisional development authorisation as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions attached;
 - (iii) specify for the purposes of section 48 (11) (b) the period of two years from the date hereof as the time within which substantial work must be commenced on site, failing which I may cancel this authorisation.

Conditions of Approval

1. Except where minor amendments may be required by other legislation, or by conditions imposed herein, the proposed major development shall be undertaken in strict accordance with:

(a) The following drawings contained in the letter from Simon Tonkin on behalf of the Cape Jaffa Development Company to Planning SA dated 11 November 2005, outlining the final amended application:

- Drawing Titled: 'Figure 3.3—Locality'; February 2005;
- Drawing Titled: 'Figure 3.7—Breakwater Typical Cross section'; February 2005;
- Drawing Titled: 'Figure 3.9—Central Facilities'; August 2004, 9399;
- Drawing Titled: 'Figure 3.10—Boat Ramp'; February 2005;
- Drawing Titled: 'Figure 3.11—Waterway and Wharf Edge Treatment'; August 2004, 9399;
- Drawing Titled: 'Figure 3.12—Reserves and Open Space'; August 2004, 9399-10-a;
- Drawing Titled: 'Figure 3.13—Landscape Concept'; February 2005;
- Drawing Titled: 'Figure 3.14—Landscape Buffers'; February 2005;
- Drawing Titled: 'Figure 3.15—Storm Water Management Concept'; August 2004, 9399-10-a;
- Drawing Titled: 'Figure 3.16—Land Division Plan'; December 2004, 9399-a;
- Drawing Titled: 'Figure 3.17—Main Basin looking South'; February 2005;
- Drawing Titled: 'Figure 3.18—Waterway View looking West'; February 2005;
- Drawing Titled: 'Figure 3.19—Beach Reserve View into the Main Basin'; February 2005;
- Drawing Titled: 'Figure 3.20—Aerial View looking South-East'; February 2005;
- Drawing Titled: 'Figure 3.21—Aerial View looking East'; February 2005;
- Drawing Titled: 'Figure 3.22—Typical Cross Section and Allotment Plan'; August 2004, 9399-02-a;
- Drawing Titled: 'Figure 3.23—Coastal Reserve Walkway'; August 2004, 9399;
- Drawing Titled: 'Figure 3.24—Staging Plan'; August 2004, 9399-10-a;
- Drawing Titled: 'Figure 3.25—Management Structure'; August 2005;
- Drawing Titled: 'Figure 5.12—Irrigation and Storage Site'; August 2004, 9399-01-b;
- Drawing Titled: 'Figure 5.35—Coastal Reserves and Buffers'; August 2004, 9399-01-b; and
- Drawing Titled: 'Figure 5.59—Cape Jaffa Proposed Zones'; February 2005,

or as amended by the following drawings from the Response Document:

- Drawing Titled: 'Figure R1—Concept Plan'; August 2004, 9399-01-b;
- Drawing Titled: 'Figure R2—Infrastructure Area Concept'; July 2005, 9399; and
- Drawing Titled: 'Figure R3—Site Camp Concept'; August 2005, 9399.

In addition, the following drawings in the additional information letter from Masterplan (Simon Tonkin) on 4 November 2005 and appended to the Assessment Report:

- Drawing Titled: 'Figure 1—Water Supply'; October 2005;
- Drawing Titled: 'Figure 2—Vegetation Area B, Buffer; and
- Fencing Plan'; October 2005.

Also

- Drawing Titled: 'Proposed Industrial' Templeton Constructions B07 101 01 Revision A—August 2007;
- Drawing Titled 'Proposed Industrial' Templeton Constructions B07 101 01 Revision A—October 2007 stamped by Professional Building Services, South Plympton, S.A. 5038;
- Drawing Titled: (Land Division) Steed & Pohl Ref. 9163_cd1_B2 11/04/07 attached to letter of 17 May 2007 from Masterplan;
- Development application 640/DO16/07 Steed & Pohl Ref. 9163 mm³_B2 17/12/07 submitted on 7 December 2007; and
- Development application 640/CO17/07 Steed & Pohl Ref. 9163 cp1 B2 13/08/07 submitted on 10 December 2007.

Following information received relating to a variation request for the Borefield and associated pipes location and achieving COA 12 requirements relating to the wastewater treatment facility and storage lagoon, from MasterPlan, 9 May 2008, Ref.: 11655LET02.docx.

Including:

- Figure 1, October 2007, Water Supply Cape Jaffa Anchorage #1124;
- Figure 2, Infrastructure Layout Plan 2008 11242,

and as amended by the following drawings from the attached conditions. The wastewater treatment plant and treated wastewater storage lagoon shall be located and constructed in strict accordance with the plans, drawings and additional information contained in:

- Cape Jaffa Anchorage Marina Wastewater Treatment Plant for the Cape Jaffa Development Company—Tonkin Consulting, Tender Documents July 2007.
- Cape Jaffa Anchorage Marina—WWTP Additional Information letter dated 14 April 2008 from Jeff Tyler, Tonkin Consulting to Planning SA (20050683LA21/JT/JT).
- Cape Jaffa Anchorage Marina—Winter Storage Lagoon letter dated 29 July 2008 from Jeff Tyler, Tonkin Consulting to Masterplan SA (20050683LA37/JT/JT).
- Cape Jaffa Anchorage Stage 1 and 2 Wastewater Storage Lagoon Geometric Setout Plan for Cape Jaffa Development Company by Tonkin Consulting, Job Number 2005.0683, Sheet Number's 115, 116 and 117, Revision B.

(b) The following documents:

- Development application, 'Cape Jaffa Anchorage Marina Development' prepared by Simon Tonkin (Masterplan) on behalf of the Cape Jaffa Development Company dated 20 February 2003, (except to the extent that it may be varied by a subsequent document in this paragraph).
- Environmental Impact Statement, Cape Jaffa Anchorage Marina prepared by the Cape Jaffa Development Company dated February 2005 (except to the extent that it may be varied by a subsequent document in this paragraph).
- Response to Submissions document, Cape Jaffa Anchorage Marina Development prepared by the Cape Jaffa Development Company dated 19 September 2005 (except to the extent that it may be varied by a subsequent document in this paragraph).
- Assessment Report prepared by the Minister for Urban Development and Planning dated December 2005 including an appended report from Simon Tonkin of Masterplan dated 4 November 2005 (except to the extent that it may be varied by a subsequent document in this paragraph).
- Letter from Simon Tonkin of Masterplan dated 11 November 2005, outlining the final amended application and listing appropriate plans.

- Letter from Simon Tonkin of Masterplan dated 18 April 2006, concerning reserved matters (b) (ii) and (b) (iii) from Governor's decision on 12 January 2006.
- Final Land division application 640/D004/06 lodged electronically on EDALA with the Development Assessment Commission on 1 August 2006.
- Building Rules Certification package for Stage 1 Breakwater and Waterway edge construction dated 14 August 2006 by Tecon Australia Pty Ltd.
- Letter from Kingston District Council on 28 September 2007 for an Industrial Building to be constructed by Templeton Constructions.
- An email from Templeton Constructions (Graham Dowie) on 10 October 2007 outlining proposed colour scheme for shed (Colorbond Shale Grey).
- Letter from Kingston District Council on 12 October 2007 for Building Rules Certification for an Industrial Building to be constructed by Templeton Constructions.
- Letter from Masterplan on 17 May 2007 for Concrete Batching Plant, including relevant attached information related to the Concrete Batching Plant.
- Letter from Masterplan on 30 July 2008 for 'Substantial Commencement' of Cape Jaffa Anchorage Marina.
- Letter from Masterplan on 20 August 2008 for a Signal Mast (15 m in height).
- Letter from Kingston District Council on 28 August 2008 for Lease Plan for Recreational Marina Berths.
- Letter from Tecon on 29 August 2008 for Building Rules Certification for Stage 2.
- Letter from Masterplan, 9 May 2008, Ref.: 11655LET02.docx including relevant attached information on the Borefield and associated pipes, wastewater treatment facility and storage lagoon.
- Letter from Masterplan, 3 November 2008, with application for alteration to existing retaining wall for a garage at Lot 523, with setback of 5.5 m.

2. The applicant shall submit further information and application(s) in relation to the matter that has been reserved.

3. Subject to Condition 4, no building works on any part of the development may commence until a favourable decision has been notified to the applicant by the Governor or the Governor's delegate in respect of the reserved matter referred to in subparagraph (i), in paragraph (b) of the Decision section above.

4. The applicant may commence a stage of building works before receiving the Governor's decision concerning building rules compliance for other stages (refer matter (i) in paragraph (b) of the Decision section above). No building works shall commence on a stage of the development until a favourable decision in relation to building rules compliance in respect of that stage has been notified in writing to the applicant by the Governor or the Governor's delegate.

5. A decision on building rules compliance (refer reserved matter (i) in paragraph (b) of the Decision section above) will only be made after a Building Rules assessment and certification has been undertaken and issued by the Kingston District Council or a private certifier, in accordance with the provisions of the Development Act 1993 and after the Minister for Urban Development and Planning receives a copy of all relevant certification documentation, as outlined in Regulation 64 of the Development Regulations 1993 (refer to 'Notes to the Applicant' below for further information).

6. A Management, Maintenance and Monitoring (MMM) Agreement between the Kingston District Council and the Cape Jaffa Anchorage Marina Development Company shall be drafted and finalised, prior to being submitted to the Governor or her delegate (refer to Conditions and Notes below).

7. Before any works commence, a Construction Environmental Management and Monitoring Plan (CEMP) to cover the pre-construction and construction phases shall be prepared in consultation with and approved by the Environment Protection Authority and Planning SA, to address management issues during construction.

8. An Operational Environmental Management and Monitoring Plan (OEMMP) for the operational phase of the development shall be prepared to the reasonable satisfaction of the Environment Protection Authority, other government agencies and the Kingston District Council, prior to it being submitted to the Governor or her delegate (refer to Conditions and Notes to the Applicant below).

9. All works and site activities shall be undertaken in accordance with the approved Construction Environmental Management and Monitoring Plan.

10. Stockpiled soils shall be suitably managed to control dust emissions, erosion and weed infestation.

11. Armour rock used for breakwaters and revetments shall not be contaminated by fine sediment.

12. The wastewater collection and treatment system shall be designed to ensure that the general obligations of the Environment Protection (Water Quality) Policy 2003 are met, and to ensure that effluent does not overflow or escape from drains, pipes, sumps, tanks, storage/treatment basins into any watercourse, or into stormwater drains which do not drain into the effluent collection, treatment and disposal system, except where the effluent complies with criteria in the above policy, or escapes to or is infiltrated from saline groundwater. The treated wastewater storage lagoon leak detection and management system shall be suitably engineered to ensure that it has adequate capacity to capture and contain any potential lagoon liner leakages and groundwater intrusion. The proponent shall submit an 'As Constructed Report' for the wastewater treatment plant and treated wastewater storage lagoon to the Environment Protection Authority within two months of the construction work for these facilities being completed. Approval for the wastewater treatment plant from the relevant authority under the Public and Environmental Health Act 1987, has been obtained, re: letter Tony Farrer (delegate Minister of Health), 19 September 2008, Ref.: WCS 2630.

13. The proponent shall provide underground power supply, public lighting, a sustainable water supply and telephone supply to each allotment in accordance with and to engineering design standard plans approved by the electricity, mains water and telephone public utility authorities.

14. The applicant shall ensure that there is no discharge of stormwater into the marina basins, waterways or marine environment for rainfall less than and including, 1:20 year ARI events.

15. The land to be used for land-based allotments shall be formed to prevent stormwater flows entering into the waterways.

16. Water-sensitive urban design measures and practices shall be adopted for the management of run-off, including stormwater capture and re-use.

17. Undeveloped allotments shall be left in a neat and tidy condition, with soil surfaces stabilised to minimise erosion.

18. Roads, drainage, footpath and intersection designs (i.e. engineering construction plans) shall be finalised in accordance with the requirements of the Department for Transport, Energy and Infrastructure and the Kingston District Council, prior to construction commencing. Road and drainage designs shall include water table levels, drainage inverts and pavement details. The roads and drainage works shall be built according to these designs.

19. Road designs shall not affect existing natural drainage lines in such a way as to cause flooding.

20. The applicant shall bear all costs with providing a Type BAR Treatment (sealed shoulder widening to provide a right turn treatment on the Southern Ports Highway) at the intersection of the Southern Ports Highway/Cape Jaffa Road as shown in the Austroads 'Guide to Traffic Engineering Practice, Part 5—Intersections at Grade' to a standard suitable to the Department of Transport, Energy and Infrastructure before the issue of title occurs for Allotment No. 170 on the attached plan of division.

21. Appropriate navigational aids shall be erected in prominent locations, in consultation with the Department for Transport, Energy and Infrastructure, prior to use of the facility for boating purposes.

22. Access systems for all floating boat moorings shall be capable of adjustment or be readily adaptable to projected long-term sea level rise and all marina mooring structures shall be designed in accordance with the Australian Standard AS 3962-2001 Guidelines for Design of Marinas.

23. The public boat ramp facility shall be designed in accordance with the South Australian Boating Advisory Committee's Guidelines for Planning, Design and Construction of Boat Launching Facilities.

24. Vehicular access to the beach shall not be provided, apart from Emergency vehicles, once the boat ramp is constructed and operational in the marina (as this relates to the Major Developments declared area).

25. The boat refuelling area and marine toilet pump-out facility shall be designed to meet the requirements of the Environment Protection Authority, the Department for Transport, Energy and Infrastructure and the Country Fire Service (CFS) respectively and shall be in place prior to commencement of operation of the marina.

26. The water contained in the marina basin shall be kept to a quality appropriate for secondary contact recreation, public amenity and the maintenance of marine aquatic ecosystems, as stipulated from time to time by the ANZECC Australian Water Quality Guidelines for Fresh and Marine Waters.

27. Normal operating hours for construction activities and truck movements to and from the site shall be from 7 a.m. to 7 p.m., Monday to Saturday inclusive. If it is considered necessary for construction to be undertaken on Sundays, construction hours shall be from 9 a.m. to 6 p.m. on Sundays (refer to Notes to the Applicant relating to Environment Protection Authority noise emission policies).

28. Landscaping and streetscaping of the site with locally endemic plant species shall commence prior to the issuing of Certificates of Title for each stage of the land division and when established must be maintained in good health and condition at all times. A plant must be replaced if or when it dies or becomes seriously diseased within the first growing season after the plant dies or becomes seriously diseased. A weed control program shall also be implemented.

29. The Kingston District Council shall be given seven days notice, prior to the commencement of works, and be provided with the name and contact facilities for the person responsible for coordinating site works by this approval.

30. Road Construction/Design:

(a) Seal

Streets shall be surfaced with a two coat bitumen seal of 14 mm seal overlay with a 7 mm seal, with a total seal width in accordance with Clause (e) below.

(b) Pavement Construction—Base

The following minimum standards shall apply:

- To comply with standard APRG 21 for residential areas.
- Commercial roads will be developed and designed to the reasonable satisfaction of the Kingston District Council.
- To be compacted to 98% dry density ratio (AS1289.5.2.1).
- Minimum soak CBR at above compaction to be 80.
- Minimum thickness of 200 mm.
- Level tolerance on completed course -10 mm, +10 mm.

(c) Seal for Intersections

At the discretion of Council all intersections associated with the development including the circular end of *cul-de-sacs* in residential areas shall be sealed with 25 mm thickness asphaltic concrete (hotmix) laid in compliance with Department for Transport, Energy and Infrastructure standard specifications, and with maximum aggregate size of 10 mm for a distance of 10 m from the intersection or at the entrance to the *cul-de-sac*.

At the discretion of Council, all intersections associated with the development including the circular end of *cul-de-sacs* in commercial areas shall be sealed with 40 mm thickness asphaltic concrete (hotmix) laid in compliance with Department for Transport, Energy and Infrastructure standard specifications and with maximum aggregate size of 10 mm for a distance of 10 m from the intersection or at the entrance to the *cul-de-sac*.

In the case of 'T' intersections or cross road intersections within a development, the specified seal shall be provided at the intersection and for a distance of 10 m from the intersection in each direction on each road.

(d) *Cul-de-sac* Ends

Cul-de-sac ends shall have a seal of 9 m radius to accommodate the operation of refuse collection vehicles and other larger vehicles.

(e) Road Reserve and Road Width

Council requirements for road reserves shall be as follows:

Road Reserves (Entrance to *cul-de-sacs*) 12.5 m.

Road Reserves (Other) 15 m.

Cul-de-sac Ends Road Reserves (circular) 25 m.

Cul-de-sac Ends Road Reserves (other) to be agreed with Kingston District Council.

All Other Streets (e.g. commercial) to be to the reasonable satisfaction of the Kingston District Council.

The following minimum road seal widths shall apply:

All Residential Streets 7 m.

Cul-de-sac (entrance) 6 m.

Cul-de-sac Ends (circular) 9 m radius.

Cul-de-sac Ends (other) to the reasonable satisfaction of the Kingston District Council.

All Other Streets (e.g. commercial) to be agreed with the Kingston District Council.

(f) Footpaths

- Provide interlinking footpaths, walkways and/or bicycle tracks within the development area that shall allow safe passage of pedestrian or bicycle traffic to the reasonable satisfaction of the Kingston District Council.
- Footpaths, walkways and/or bicycle tracks shall have a minimum 3 m width where the track will be used as a dual bicycle and walking thoroughfare and be designed and constructed with appropriate materials to the reasonable satisfaction and approval of the Kingston District Council.

(g) Water Tables and Kerbing

- Both edges of all streets shall be protected by the provision of an extruded kerb and gutter or concrete edge beam of a cross section approved by the Kingston District Council.
- The concrete edge beam shall have top surface set flush with the finished bitumen surface as approved by the Kingston District Council.
- Generally, if raised kerbing is installed, the kerb and gutter shall have a mountable type profile approved by the Kingston District Council.
- Pram ramps complying with the requirements of AS1428-1993, Clause 5.8 shall be constructed wherever a footpath intersects a kerb line and at an opposite street corners.
- Pram ramps shall be of reinforced concrete construction at least 100 mm thick.
- Spoon drains shall be constructed with top profile approved by the Kingston District Council. Spoon drains shall have a minimum thickness at 200 mm and shall be reinforced with F82 mesh centrally placed.
- All concrete used for pram ramps, vehicle access, crossing and spoon drains will be grade 25 mpa/20 mm. Concrete in extruded kerb and gutter and medium kerbing shall have a minimum 28 day strength of 20 mpa.

(h) Drainage

- A detailed drainage design shall be provided for all of the proposed development, and if necessary, due to existing land form, include areas outside the proposed development but within the drainage catchment affecting the development.

- Design shall be in accordance with procedures in the current edition of 'Australian Rainfall and Run-off (IEA)' or to the reasonable satisfaction of the Kingston District Council.
 - As a general rule return period is to be five years, but engineering discretion should be used in areas where storm damage may be more significant (i.e. shopping areas, end of *cul-de-sacs*, etc.).
 - Drainage computations are required to be prepared by a qualified and experienced Engineer and submitted with the detailed engineering drawings for the proposal.
 - All stormwater run-off attributable to the proposal shall be adequately disposed of within the development area in accordance with the development authorisation or variations thereof.
 - As a general rule, side entry pits shall be spaced at no greater than 100 m and at closer spacing if required, depending on conditions and detailed design.
 - Drainage bores and associated settlement tanks shall be constructed to meet the requirements of Council and the Department of Primary Industries and Resources. Drainage capacity of any bore shall exceed the calculated drainage discharge for the designated stormwater system and the bore is to be proved to the reasonable satisfaction of the Kingston District Council.
 - Storage basins capable of holding the run-off of the designated rainfall storm shall be provided at suitable locations if drainage bores prove to be unacceptable.
 - Spoon drains, when required at junctions, shall be constructed to maintain the pavement width of the through street and to ensure continuity of flow of all stormwater. A spoon drain shall not be constructed across a through street.
 - All stormwater storage basins shall be provided with appropriate warning signs to the reasonable satisfaction of the Kingston District Council.
 - Council requires a separate drainage reserve in land divisions of adequate area to provide stormwater treatment and retention for a one in five year storm event in residential areas and a one in 10 year storm event in other zones. Any requirements above these limits may be incorporated into the public open space calculation.
 - Swale drains shall be constructed with side slopes of three horizontal: one vertical to facilitate maintenance slashing. The longer general gradients shall be no steeper than that consistent with avoidance of scouring, have regard to soil type, vegetation cover and the design flow average velocity. Where site conditions are not consistent with this requirement, the drain shall be rock lined, or shall incorporate steps or drop structures, with appropriate protection against local scouring. Details of these provisions shall be subject to the specific approval of the Kingston District Council.
- (i) *Street Lighting*
- Street lighting shall be provided throughout the subdivision. The following minimum categories (AS 1158.0-1997) will apply.
 - Roads B2.
 - The street lights and poles shall be of a type approved by the Kingston District Council.
- (j) *Street Names, Numbers and Signage*
- All naming of roads shall be in accordance with section 219 of the Local Government Act 1999.
 - All numbers assigned to allotments shall be in accordance with section 220 of the Local Government Act 1999.
 - Kingston District Council reserves the right to name all roads.
- Street signs shall be supplied (from an approved supplier) and erected so as to indicate the appropriate streets to the reasonable satisfaction of the Kingston District Council.
- (k) *Landscaping and Tree Planting*
- All proposed landscaping and tree planting proposed as part of the development shall be provided to the reasonable satisfaction of the Kingston District Council.
- (l) *Electricity Supply*
- Electricity supply shall be under-grounded throughout the subdivision. The proponent shall make arrangements with ETSA for the provision of an adequate electricity supply to each allotment.
- (m) *Water Supply*
- Water supply services shall be installed in accordance with Australian Standard AS/NZS 3500.1.2 and any other relevant approvals and standards for the installation of a full reticulated water system, for the provision of an adequate water supply to each created allotment and in accordance with the development authorisation granted by the Governor.
- (n) *Sewer and Waste Water Disposal*
- The proponent shall be responsible for the design and construction of a suitable sewer and waste water system to service the allotments within the subdivision and in accordance with the development authorisation granted by the Governor.
 - The proponent shall provide Council with a full design and specifications for the sewer and waste water disposal system. All design specifications to meet the requirements of the Kingston District Council.
- (o) *Reserves and Easement for Stormwater Drainage and Electricity Supply*
- The requirements of the Electricity's Trust of South Australia with respect to the provision of easements shall be met.
 - Drainage reserves under the control of the Kingston District Council shall be provided over any stormwater retention basin, settling pond, gross pollution trap or like structure, not located on a road reserve.
- (p) *Open Space*
- The proponent, at the discretion of Council, may be required to provide open space associated with the development to satisfy the requirements of the Development Act provisions.
 - The proponent shall provide all open space reserves as shown in the approved layout plan.
 - In the event that the requirements as to the provision of open space are not satisfied, the proponent shall forward the appropriate monetary contribution for the open space requirement to Council as applicable under the Development Act or the State Government Planning and Development Fund. (All contributions received by Council will be appropriated to an open space development reserve fund).
- NOTE:
- The Council, when dealing with land division applications, seeks where appropriate to have open space reserve contributions in parcels of at least 2 000 m². Such areas should link with other reserves where possible and practicable.
 - Open space reserves in the land division area shall be developed in conjunction with and to the reasonable satisfaction of the Kingston District Council.
 - In instances where screening reserves are required, the development approval and/or land management agreement, shall include a requirement for the proponent to fence the screening reserve and develop the reserve in accordance with a plan approved by Council.

(q) Construction Record

The proponent shall supply the Kingston District Council with complete records including:

- Compaction test reports for all bulk earthworks, service trench backfilling and base.
- Material quality test reports (base and backfill).
- As constructed design and levels for stormwater drains, base, top of kerb, etc.

(r) Defects Liability Period

• The proponent shall lodge with Council (unless Council is the construction contractor) a standard agreement to indemnify Council against any defects that occur in the engineering works within 12 months of the date of practical completion. The date of practical completion will be the date that Council accepts the engineering works.

- The agreement shall provide for the faults to be rectified by the applicant or to reimburse Council the full costs of all necessary works.
- Council will notify the proponent in writing of practical completion.
- The proponent is required to notify Council when the following stages of the engineering works have been achieved and will not proceed until such works have been inspected and approved (including appropriate testing if required) by Council:
 - o Base preparation prior to placement of pavement in all roads and footpaths.
 - o Kerb preparation alignment including base compaction and alignment.
 - o Prior to backfilling trenches for underground stormwater and effluent drainage.
 - o Prior to placing seal coat.

(s) Nuisance

The proponent shall control dust and noise nuisance as the project proceeds. In the most adverse climatic conditions, operations shall be suspended if necessary to reduce nuisance and to avoid undesirable environmental impacts. All operations shall be conducted in the most efficient and reasonable manner. The Environment Protection Authority requirements shall be observed.

31. Building

- All fixings shall be suitably corrosion proofed to meet the requirements for a near marine location.
- The Owner/Builder shall give Council a minimum of one business day's notice of the following:
 - (i) commencement of building work on the site;
 - (ii) the intention to place concrete for construction;
 - (iii) completion of the building work and any items required by Development legislation.
- Where the distance between the catwalk and the finished surface below as at low tide exceeds 1 m that part of the catwalk shall have balusters barriers or horizontal wires with openings limited so as not to permit at any time a 125 mm sphere to pass through.

32. Adequate provision shall be made to minimise the effects of extreme storm events on the structural stability of the retaining wall to be located along the frontage of all water front allotments.

33. The proponent shall install the grassed swales and retention basins as outlined in the 'Cape Jaffa Anchorage Environmental Impact Statement, February 2005'.

34. The proponent shall develop and implement a maintenance schedule to ensure that the stormwater treatment device is maintained in a fully operational manner.

35. Stormwater from the site shall be managed to ensure that it does not pollute the underground aquifer.

36. The proponent shall implement the Soil Erosion and Drainage Management Plan prior to the commencement of construction of the site in accordance with the principles outlined in the Stormwater Pollution Prevention Code of Practice for Local, State and Federal Governments. The plan shall be submitted to the planning authority prior to construction commencing.

37. All building allotments shall be capable of connection to sewer.

Concrete Batching Plant

38. The development shall be carried out in accordance with the plans (reference job number 05-10602) and details in the variation to the development authorisation except for as otherwise varied by any conditions that follow.

39. The boundary of the Concrete Batching Plant, shown as the shaded area in Figure 2, Appendix C of the application shall be a minimum of 100 m from the nearest sensitive receptor.

40. All roadways, entrances, loading/unloading areas, and other vehicle traffic areas on the site shall be maintained at all times so that potential for dust generation is minimised and does not create a nuisance off-site.

41. All stockpiles of raw materials shall be located within storage bunkers/bays, and stored below the height of the bunker walls. The storage bunkers/bays shall be oriented to minimise the effects of the prevailing wind (i.e. prevailing wind direction must be taken into account). Sprinklers shall be installed and utilised as required to minimise dust generation.

42. The aggregate bins and hoppers shall be fitted with a three-sided and roofed cover suitable for minimising the potential for generation of windborne material where a front-end loader is used.

NOTE: Covering is considered best practice for the loading of sand and aggregate via a front-end loader. Dust can be further minimised by ensuring gradual feed into the hopper, and by minimising the drop distance of material (i.e. by appropriate management). The use of wetted raw materials in dry weather can further minimise potential for emissions.

43. The cement storage silo shall be fitted with an appropriately sized fabric filter incorporating an effective fabric-cleaning device to eliminate emissions due to the displacement of air whilst filling.

44. The silo shall be fitted with a high level visible and audible alarm, complete with a test circuit, to guard against overfilling. It shall also be fitted with automatic delivery shutdown.

45. Any material likely to degrade water (concrete admixtures, etc.) shall be stored within a roofed and banded compound/area, which has a capacity of at least 120% of the volume of the largest container to be stored within the bund, and which is designed and constructed to prevent the escape of material into surface or underground water resources.

NOTE: Environment Protection Authority Guideline titled Bunding and Spill Management will assist with appropriate design and management of banded areas:

<http://www.epa.sa.gov.au/pdfs/guidebunding.pdf>

46. The operation of the plant shall incorporate an effective wastewater management system to collect, treat as necessary, and re-use wastewater generated at the site. The applicant shall ensure that waste is not discharged to any waters or on land from which it is likely to enter waters either by seepage (or rising water table) or from carriage by wind, rain, or stormwater.

47. Any wastewater (e.g. in the wash out pit) generated by the plant that is not suitable for re-use shall be collected for off-site disposal by a licensed waste depot.

48. The plant may operate from 5 a.m. to 5 p.m., seven days per week during the construction program of the marina provided that no sensitive receptors are located within 200 m of the Concrete Batching Plant, shown as the shaded area in Figure 2, Appendix C of the application. Following the completion of the marina and/or once a sensitive receptor is located within 200 m of the plant; the plant may operate from 6 a.m. to 5 p.m., Monday to Saturday. Operation outside of these hours may only be granted for special projects following application to the Environment Protection Authority.

NOTES TO THE APPLICANT

1. Tenure arrangements for the private moorings should be negotiated with the Department for Transport, Energy and Infrastructure.

2. All construction works shall be undertaken in accordance with the approved Construction Management Plan and Soil Erosion and Drainage Management that form part of the Governor's development authorisation dated 12 January 2006.

3. Binding arrangements (to the reasonable satisfaction of the Development Assessment Commission) need to be made for the permanent management and maintenance of the approved marina proposal as part of the Governor's development authorisation dated 12 January 2006.

4. Two copies of certified survey plans, as required under the Real Property Act 1886, should be lodged with the Development Commission for the issue of Certificate of Title, prior to titles for allotments being granted. The plans should show all easements and reserves.

5. The new sewerage system has been assessed as part of this development application and approved subject under the Public and Environmental Health Act 1987, has been obtained, re: letter Tony Farrer (delegate Minister of Health), 19 September 2008, Ref.: WCS 2630. For the sewage treatment facility and any subsequent irrigation an environmental authorisation will be required under the Environment Protection Act 1993. A licence under the Environment Protection Act 1993, will be required by the proponent prior to operation of the wastewater treatment plant. An Irrigation Management Plan will be required under this licence.

6. The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole of the site, including construction, do not pollute the environment in a way which causes or may cause environmental harm.

In terms of demonstrating the duty, preparation of the following is considered appropriate for construction work on this site:

A Soil Erosion and Drainage Management Plan to address control of run-off of stormwater during earthworks and construction work (to ensure water quality is not detrimentally affected) being prepared by the proponent and being independently certified as meeting the requirements of:

- (a) the general environmental duty as defined in Part 4, section 25 (1) of the Environment Protection Act 1993;
- (b) any relevant Environment Protection Policies made under Part 5 of the Environment Protection Act 1993;
- (c) any relevant Australian Standards or environmental Codes of Practice (such as the Stormwater Pollution Prevention Codes of Practice for the Building and Construction Industry).

Prior to earthworks and construction work commencing, and the works being undertaken in accordance with that plan.

7. The proponent's attention is drawn to the EPA Information Sheet No. 7 'Construction Noise' that provides guidance on minimising the potential for off-site impacts from noise associated with construction and building activities:

http://www.epa.sa.gov.au/pdfs/info_construction.pdf

8. Control measures such as water sprinkling, minimising soil disturbance and discontinuing work during high winds should adequately address potential for dust problems from the construction of the land division.

9. Any information sheets, guideline documents, codes of practice, technical bulletins can be accessed on the following website:

<http://www.epa.sa.gov.au/pub.html>.

10. Approvals will be required for all components of the development not hereby approved, including:

- The land division.
- The marina moorings and other marina facilities.
- The public boat ramp, hard stand, boat maintenance facilities and car park areas.

- The boat refuelling and boat effluent disposal facility.
- Installation of navigational aids.
- All residential, commercial, retail, tourist related and other buildings.

11. Pursuant to Development Regulation 64, the applicant is advised that the Kingston District Council or private certifier conducting a Building Rules assessment must:

- (t) provide the Minister a certification in the form set out in Schedule 12A of the Development Regulations 1993, in relation to the building works in question; and
- (u) to the extent that may be relevant and appropriate:
 - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12;
 - (ii) assign a classification of the building under these regulations; and
 - (iii) ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.

Regulation 64 of the Development Regulations 1993, provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Urban Development and Planning.

12. The Kingston District Council or private certifier undertaking Building Rules assessments must ensure that the assessment and certification are consistent with this provisional development authorisation (including Conditions or Notes that apply in relation to this provisional development authorisation).

13. Should the applicant wish to vary the Major Development or any of the components of the Major Development, an application may be submitted, provided that the development application variation remains within the ambit of the Environmental Impact Statement and Assessment Report referred to in this provisional development authorisation. If an application for variation involves substantial changes to the proposal, it will be processed pursuant to section 47 of the Development Act 1993.

14. The applicant should liaise with the Department of Water, Land and Biodiversity Conservation in relation to any further testing of the proposed water supply and negotiate with DWLBC for provision of the already agreed water supply. It is acknowledged that the proponent has advised by letter (and attached documents) on 9 May of a variation to the EIS whereby the position of the borefield and associated pipeline has been altered.

15. Pursuant to the Harbors and Navigation Act 1993, the Council will be required to negotiate tenure arrangements with the Minister for Transport over the seabed on terms acceptable to the Minister prior to the commencement of construction.

16. The applicant's CEMMP and OEMMP should be prepared taking into consideration, and with explicit reference to, relevant Environment Protection Authority policies and guideline documents, including but not limited to the Environment Protection (Air Quality) Policy 1994, the Environment Protection (Water Quality) Policy 2003, the Occupational Health and Safety Regulations, EPA Guidelines on Odour Assessment, using odour source modelling 2003, EPA Handbook for Pollution Avoidance on Commercial and Residential Building Sites 2004, EPA Bunding and Spill Management Guidelines 2004 and the EPA Stormwater Pollution Prevention Codes of Practice, in addition to other legislative requirements and Guidelines/Australian Standards requiring compliance.

17. The following management and monitoring plans may be incorporated into the CEMMP or OEMMP as appropriate:

- Groundwater Management and Monitoring Plan.
- Irrigation (Reclaimed Water) Monitoring and Management Plan.
- Dredging Monitoring and Management Plan.
- Marine Construction Monitoring and Management Plan.
- Vegetation Monitoring and Management Plan.
- Site Construction Monitoring and Management Plan.
- Acid Sulphate Soils Monitoring and Management Plan.
- Stormwater Monitoring and Management Plan.

The following activities in relation to the components of the development hereby approved and/or requiring future approval will require licences under the Environment Protection Act 1993:

- Earthworks Drainage: the conduct of earthworks operations in the course of which more than 100 kilolitres of waste water containing suspended solids in a concentration exceeding 25 milligrams per litre is discharged directly or indirectly to marine waters or inland waters.
- Marinas and Boating Facilities: the conduct of:
 - (1) facilities comprising pontoons, jetties, piers or other structures (whether on water or land) designed or used to provide moorings or dry storage for 50 or more powered vessels at any one time; or
 - (2) works for the repair or maintenance of vessels with the capacity to handle five or more vessels at any one time or vessels 12 m or more in length.
- Dredging: removing solid matter from the bed or any marine waters by any digging or suction apparatus, but excluding works carried out for the establishment of a visual aid to navigation and any lawful fishing or recreational activity.

18. It is likely that as a condition of such licences the Environment Protection Authority will require the licensee to carry out specified environmental monitoring of water quality and to make reports of the results of such monitoring to it.

19. It is also likely that the Environment Protection Authority will require the identification to it of any vessels that visit the marina from international ports or from ports beyond Adelaide and the surrounding area, together with details of the routes travelled by such vessels (for the purpose of identifying the potential introduction of harmful marine species).

20. All works associated with the rehabilitation and remediation of the site must be undertaken in accordance with the General Environmental Duty as defined in Part 4, section 25 (1) of the Environment Protection Act 1993, the Environment Protection (Water Quality) Policy 2003 and other relevant Environment Protection Policies made under Part 5 of the Environment Protection Act 1993, the ANZECC Best Practice Guidelines for Waste Reception Facilities at Ports, Marinas and Boat Harbours in Australia and New Zealand, draft guideline Environmental Management of On-Site Remediation and other relevant Environment Protection and Authorisation publications and guidelines.

21. The proponent is advised of the General Environmental Duty under section 25 of the Environment Protection Act 1993, which requires that a person must not undertake any activity, which pollutes, or may pollute without taking all reasonable and practical measures to prevent or minimise harm to the environment.

22. The Management Plan for Acid Sulphate Soils should comply with Guidelines issued by the Coast Protection Board.

23. (a) The applicant is reminded of its obligations under the Aboriginal Heritage Act 1988, whereby during any works conducted, if an Aboriginal site, object or remains are found, authorisation from the Minister for Aboriginal Affairs and Reconciliation, is required to damage, disturb, interfere or remove the object, site or remains (pursuant to section 23 of the Aboriginal Heritage Act 1988).
- (b) The applicant should also have regard for the section 23 authorisation (December 2004) and attendant conditions signed by the Minister for Aboriginal Affairs and Reconciliation in relation to the Cape Jaffa Anchorage proposal.

24. The applicant and all agents, employees and contractors, such as construction crews, must be conversant with the provisions of the Aboriginal Heritage Act 1988, particularly the requirement to immediately contact the Department of Aboriginal Affairs and Reconciliation in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.

25. The applicant and the Council after hand-over, must comply with the Public and Environmental Health Act 1987, in regard to the maintenance of suitable water quality within the marina basin (and any stormwater holding ponds) to protect public health and amenity.

26. The expression 'secondary contact recreation' includes activities such as wading, boating and fishing in which some human contact with the water may occur, but in which the probability of bodily immersion or the intake of significant amounts of water is minimal.

27. If foreign vessels are allowed to berth in the marina the proponent would need to consult with the Department for Transport, Energy and Infrastructure (Marine Safety section) to address any requirements of the Australian Quarantine Service (AQIS) and the Australian Customs Service.

28. It is recommended that the applicant approach the Kingston District Council with a view to the Council enacting of by-laws to manage activities associated with:

- The entrance channel and waterways to ensure safe navigation and to protect water quality.
- The boat ramp, washdown, slipways and hardstand.
- Refuelling facility and marine toilet pump-out facility.
- The residential development and reserves (including storm-water management devices).

29. The Kingston District Council will need to review and amend the zoning policies in the relevant Development Plan to reflect any development approved by the Governor and for future assessment and decision-making for buildings and structures not part of this provisional development authorisation.

30. Noise generated from the non-residential components of the development should not exceed:

- (1) 52dB(A) between the hours of 7 a.m. and 10 p.m. measured and adjusted at the nearest existing residential property in accordance with the Environmental Protection (Industrial Noise) Policy 1994.
- (2) 45dB(A) between the hours of 10 p.m. and 7 a.m. measured and adjusted at the nearest residential property in accordance with the Environment Protection (Industrial Noise) Policy 1994.
- (3) A short term typical maximum noise level of 60dB(A) when measured at the nearest existing residential property.

31. In a land division, provision shall be made for a set back distance of 2 m from the top of the edge treatments (for the construction of coastal protection works if required in the future).

32. A common building scheme encumbrance or equivalent device for the purpose of ensuring compliance with design standards for residential and other buildings will be required prior to the lodgement of development applications.

33. Binding legal arrangements (e.g. easements, encumbrances, charge-back arrangements, etc., as appropriate) between the proponent and allotment owners must be put in place, prior to application to the Registrar-General for the issue of new Certificates of Title, to ensure financial and management responsibilities related to the maintenance of edge treatments, the design and appearance of structures and the installation of future coast protection works are clearly allocated. These arrangements should be to the reasonable satisfaction of the Development Assessment Commission.

34. Any further upgrading of the intersection of the Southern Ports Highway/Cape Jaffa Road shall be borne by the Department of Transport, Energy and Infrastructure and/or Council. The applicant will not be required to contribute to any further upgrading as this relates to the currently approved development.

35. An environmental authorisation in the form of a licence is required for the operation of the Concrete Batching Plant. The New Licence Application that was submitted in May 2007 is considered to remain valid unless the information contained within the application changes. Please submit the necessary copy of development approval (i.e. this notice) for the Concrete Batching Plant.

36. A licence may be refused when the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.

37. Any information sheets, guideline documents, codes of practice, technical bulletins, etc. that are referenced in these notes can be accessed at <http://www.epa.sa.gov.au>.

38. Based upon current knowledge and information the proposed development and development site is at some risk of coastal erosion and inundation due to extreme tides notwithstanding any recommendations or advice herein, or may be at future risk. Neither erosion nor the effect of sea level change on this can be predicted with certainty. Also mean sea level rise may rise by more than the 0.3 m assumed in assessing the land division applications. Accordingly neither the South Australian Coast Protection Board nor any of its servants, agents or officers accepts any responsibility for any loss of life and property that may occur as a result of such circumstances.

39. The Minister has a specific power to require testing, monitoring and auditing under section 48C of the Development Act 1993.

Given under my hand at Adelaide, 4 December 2008.

R. BARUA, Secretary, Development
Assessment Commission

ELECTORAL ACT 1985: PART 3, DIVISION 4

District Polling Places

PURSUANT to section 18 of the Electoral Act 1985, I, Kay Marie Mousley, Electoral Commissioner, hereby abolish the polling places described in the notice contained on pages 4278 and 4279 of the *Government Gazette*, dated 15 December 2005, and appoint the following places to be polling places for the House of Assembly District of Frome:

District of Frome

Auburn, Blyth, Brinkworth, Clare, Crystal Brook, Georgetown, Gladstone, Laura, Lochiel, Manoora, Marrabel, Napperby, Port Broughton, Port Pirie South, Port Pirie West, Redhill, Risdon Park East, Risdon Park South, Riverton, Saddleworth, Snowtown, Solomontown, Tarlee, Watervale, Yacka.

Dated 4 December 2008.

K. MOUSLEY, Electoral Commissioner

SEO 281/2008

ENVIRONMENT PROTECTION ACT 1993

Impose Additional Condition of Approval

I, ANDREA KAYE WOODS, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority, pursuant to section 69 (6) of the Environment Protection Act 1993 (SA) hereby:

Impose additional condition of approval on existing approval Collection Depots:

Vary the approval of all collection depots previously approved under section 69 of the Act, to impose the following additional condition:

‘The holder of an approval must not pay a refund on, or seek reimbursement, for containers that the approval holder knows were not purchased in South Australia’.

ESSENTIAL SERVICES COMMISSION ACT 2002

Variations to the Electricity Metering Code

NOTICE is hereby given that:

1. Pursuant to section 28 (2) of the Essential Services Commission Act 2002, the Essential Services Commission has varied the Electricity Metering Code (an industry code made by the Essential Services Commission under section 28 (1) of the Essential Services Commission Act 2002).

2. The variations to the Electricity Metering Code:

Amend Clause 1.3.2 thus:

Subject to Clause 1.3.4, the persons bound by this industry code and retailers, distributors and generators (to the extent provided in this industry code).

Insert new Clause 1.3.4 thus:

A provision of, or requirement or obligation imposed under, this industry code will only apply to a person where:

- (a) that provision, requirement or obligation is not inconsistent (directly or indirectly) with a substantially equivalent provision, requirement or obligation arising under the Metrology Procedure made by NEMMCO in accordance with Clause 7.14 of the National Electricity Rules (as in force from time to time); or
- (b) there is no substantially equivalent provision, requirement or obligation arising under the Metrology Procedure made by NEMMCO in accordance with Clause 7.14 of the National Electricity Rules (as in force from time to time).

3. The variations to the Electricity Metering Code take effect on and from 1 January 2009.

4. A copy of the Electricity Metering Code (as varied, reference EMT/05) may be inspected or obtained from the Essential Services Commission, 8th Floor, 50 Pirie Street, Adelaide and is also available at www.escosa.sa.gov.au.

5. Queries in relation to the Electricity Metering Code may be directed to the Essential Services Commission, 8th Floor, 50 Pirie Street, Adelaide. Telephone (08) 8463 4444 or Freecall 1800 633 592 (mobiles and SA only).

P. WALSH, Chairperson, Essential Services
Commission

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 4 March 2008, referring to the West Coast Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery Licence to use prawn trawl nets in the waters specified in Schedule 1, under the conditions specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The waters of the West Coast Prawn Fishery adjacent to Venus Bay.

SCHEDULE 2

1. Each licence holder must ensure that a representative sample of the catch (a ‘bucket count’) is taken for each trawl shot carried out during the fishing activity.

2. Each ‘bucket count’ sample must be accurately weighed to 7 kg where possible and the total number of prawns contained in the bucket must be recorded on the attached data sheet, marked ‘West Coast Prawn Fishery Bucket Count Data Sheet’.

3. The information recorded on the ‘WCPF Bucket Count Data Sheet’ must be returned to SARDI Aquatic Sciences within 15 days of the fishing activity being completed.

4. Fishing must cease if one or both of the following limits are reached:

- (a) The average catch per vessel, per night (for all three vessels) drops below 300 kg for two consecutive nights.
- (b) The average prawn ‘bucket count’ for all three vessels exceeds 250 prawns per bucket on any single fishing night in the Venus Bay fishing area.

5. The fleet must nominate a licence holder to provide a daily update by telephone or SMS message to the PIRSA Fisheries Manager, to report the total prawn catch per night and the average prawn ‘bucket count’ information.

SCHEDULE 3

From 2030 hours on 28 November 2008 to 0630 hours on 30 November 2008.

Dated 28 November 2008.

S. SLOAN, Program Leader, Fisheries
Management

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 7 December 2007, referring to the Gulf St Vincent Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Gulf St Vincent Prawn Fishery Licence to use prawn trawl nets in the area specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

1. The waters of the Gulf St Vincent Prawn Fishery, within the following co-ordinates: latitude 34°56.00'S, longitude 138°16.00'E, then to position latitude 34°56.00'S, longitude 138°11.00'E, then to position latitude 35°05.00'S, longitude 138°10.00'E, then to position latitude 35°04.00'S, longitude 138°18.50'E, then returning to position latitude 34°56.00'S, longitude 138°16.00'E.

SCHEDULE 2

From 2030 hours on 28 November 2008 to 0600 hours on 30 November 2008.

Dated 28 November 2008.

S. SLOAN, Program Leader, Fisheries Management

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, dated 29 October 2008, referring to the Spencer Gulf Prawn Fishery, is hereby varied such that it will be unlawful for a person fishing pursuant to a Spencer Gulf Prawn Fishery Licence to use prawn trawl nets in the areas specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery that are:

1. North of the following co-ordinates: latitude 33°29.20'S, longitude 137°16.00'E, then to position latitude 33°29.20'S, longitude 137°34.00'E, then to position latitude 33°38.00'S, longitude 137°34.00'E, then to position latitude 33°46.00'S, longitude 137°44.00'E.

2. South of the following co-ordinates: latitude 33°41.00'S, longitude 137°06.00'E, then to position latitude 33°52.00'S, longitude 137°15.00'E, then to position latitude 33°55.00'S, longitude 137°10.10'E, then to position latitude 33°58.30'S, longitude 137°12.60'E, then to position latitude 34°11.00'S, longitude 136°58.00'E, then to position latitude 34°27.00'S, longitude 136°49.00'E, then to position latitude 34°27.00'S, longitude 136°41.00'E, then to position latitude 34°04.00'S, longitude 136°49.00'E, then to position latitude 33°52.00'S, longitude 136°40.00'E.

3. Within the following co-ordinates adjacent to Wardang Island: latitude 34°19.00'S, longitude 137°30.00'E, then to position latitude 34°19.00'S, longitude 137°20.00'E, then to position latitude 34°23.00'S, longitude 137°15.00'E, then to position latitude 34°54.00'S, longitude 137°15.00'E.

SCHEDULE 2

From 2030 hours on 3 December 2008 to 0600 hours on 5 December 2008.

Dated 3 December 2008.

S. SLOAN, Program Leader, Fisheries Management

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, dated 24 November 2008, referring to the Spencer Gulf Prawn Fishery, is hereby revoked.

Take note that the notice made under section 79 of the Fisheries Management Act 2007, dated 29 October 2008, referring to the Spencer Gulf Prawn Fishery, is hereby varied such that it will be unlawful for a person fishing pursuant to a Spencer Gulf Prawn Fishery Licence to use prawn trawl nets in the areas specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery that are:

1. North of the following co-ordinates: latitude 33°29.00'S, longitude 137°16.00'E, then to position latitude 33°29.00'S, longitude 137°34.00'E, then to position latitude 33°38.00'S, longitude 137°34.00'E, then to position latitude 33°46.00'S, longitude 137°44.00'E.

2. South of the following co-ordinates: latitude 33°41.00'S, longitude 137°06.00'E, then to position latitude 33°52.00'S, longitude 137°15.00'E, then to position latitude 33°55.00'S, longitude 137°09.00'E, then to position latitude 33°59.00'S, longitude 137°12.00'E, then to position latitude 34°11.00'S, longitude 136°58.00'E, then to position latitude 34°27.00'S, longitude 136°49.00'E, then to position latitude 34°27.00'S, longitude 136°41.00'E, then to position latitude 34°04.00'S, longitude 136°49.00'E, then to position latitude 33°52.00'S, longitude 136°40.00'E.

3. Within the following co-ordinates adjacent to Wardang Island: latitude 34°19.00'S, longitude 137°30.00'E, then to position latitude 34°19.00'S, longitude 137°20.00'E, then to position latitude 34°23.00'S, longitude 137°15.00'E, then to position latitude 34°54.00'S, longitude 137°15.00'E.

SCHEDULE 2

From 2030 hours on 24 November 2008 to 0600 hours on 3 December 2008.

Dated 27 November 2008.

S. SLOAN, Program Leader, Fisheries Management

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 7 December 2007, referring to the Gulf St Vincent Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Gulf St Vincent Prawn Fishery Licence to use prawn trawl nets in the area specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

1. The waters of the Gulf St Vincent Prawn Fishery, within the following co-ordinates: latitude 34°55.00'S, longitude 138°15.00'E, then to position latitude 34°55.00'S, longitude 138°11.00'E, then to position latitude 35°05.00'S, longitude 138°10.00'E, then to position latitude 35°04.00'S, longitude 138°17.00'E, then returning to position latitude 34°55.00'S, longitude 138°15.00'E.

SCHEDULE 2

From 2030 hours on 26 November 2008 to 0600 hours on 1 December 2008.

Dated 26 November 2008.

S. SLOAN, Program Leader, Fisheries Management

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 7 December 2007, referring to the Gulf St Vincent Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Gulf St Vincent Prawn Fishery Licence to use prawn trawl nets in the area specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

1. The waters of the Gulf St Vincent Prawn Fishery, within the following co-ordinates: latitude 34°55.00'S, longitude 138°15.00'E, then to position latitude 34°55.00'S, longitude 138°11.00'E, then to position latitude 35°05.00'S, longitude 138°10.00'E, then to position latitude 35°04.00'S, longitude 138°17.00'E, then returning to position latitude 34°55.00'S, longitude 138°15.00'E.

SCHEDULE 2

From 2030 hours on 26 November 2008 to 0600 hours on 1 December 2008.

Dated: 26 November 2008.

S. SLOAN, Program Leader, Fisheries Management

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, those classes of persons specified in Schedule 1 are exempt from Regulations 7 and 10 and Clauses 58, 73 and 125 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as they may use one or more rock lobster pots that are not registered and may have Southern Rock Lobster (*Jasus edwardsii*) in the rock lobster pots when placed in the water ('the exempted activity'), subject to the conditions specified in Schedule 2, from 21 November 2008 until 30 June 2009, unless varied or revoked earlier.

SCHEDULE 1

- All fisheries officers attached to the Strategic Operations Group of PIRSA Fisheries Services.
- Fisheries officers acting with and under the direction of a fisheries officer attached to the Strategic Operations Group of PIRSA Fisheries Services.

SCHEDULE 2

1. Fisheries officers must not carry out the exempted activity unless it is for the purposes of undertaking any covert surveillance operation that involves the use of unregistered rock lobster pots.

2. The maximum number of pots deployed in the water at any one time must not exceed two pots for each fisheries officer on board the boat from which the covert surveillance is being carried out.

3. Any rock lobster taken shall be returned to the water prior to the retrieval of the vessel from which the covert surveillance is carried out.

Dated 24 November 2008.

W. ZACHARIN, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007 : SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Thierry Laperousaz from the Division of Natural Science, South Australian Museum, North Terrace, Adelaide, S.A. 5000 (the 'exemption holder') or a person acting as his agent, are exempt from the provisions of section 70 of the Fisheries Management Act 2007, but only insofar as the exemption holders may collect aquatic organisms from the waters described in Schedule 1, using the gear specified in Schedule 2 or by using chemical anaesthetics (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 1 December 2008 until 30 November 2009, unless varied or revoked earlier.

SCHEDULE 1

South Australia coastal waters including intertidal 'rocky' reefs but excluding aquatic reserves and the waters of the Adelaide Dolphin Sanctuary.

SCHEDULE 2

- 3 hoop nets
- 5 shrimp traps
- 3 octopus pots
- 2 dab nets
- 1 mussel dredge
- 2 plankton nets
- 1 hand spear per person
- 1 spear gun per person

SCHEDULE 3

1. The specimens collected by the exemption holders are to be used for scientific purposes only and must not be sold.

2. The exempted activity may only involve the collection of marine invertebrates.

3. A maximum of three people, including the exemption holder, may undertake the exempted activity at any one time.

4. Before conducting the exempted activity, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902197.

5. Within 14 days of each collection of organisms pursuant to this notice, the exemption holder must provide a report in writing to the Director of Fisheries, (G.P.O. Box 1625, Adelaide, S.A. 5001), giving the following details:

- the date and time of collection;
- the description of all species collected; and
- the number of each species collected.

6. While engaged in the exempted activity, the exemption holders and their agents must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007 or any regulations made under that Act, except where specifically exempted by this notice.

Dated 25 November 2008.

W. ZACHARIN, Director of Fisheries

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an unencumbered estate in fee simple in that piece of land situated at 1-11 Jobson Road, Bolivar, being portions of Allotment 102 in Deposited Plan 55134 comprised in certificate of title volume 5807, folio 429 and being the whole of the land numbered '121' and '123' on an unapproved plan numbered D76644 that has been lodged in the Lands Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Chris Southam
P.O. Box 1
Walkerville, S.A. 5081
Telephone: (08) 8402 1730.

Dated 27 November 2008.

The Common Seal of the Commissioner of Highways is hereto affixed by direction of the Commissioner of Highways in the presence of:

A. HARTLEY, Acting Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

DTEI 2007/12808/01

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2008

	\$		\$
Agents, Ceasing to Act as.....	41.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	27.25
Incorporation	20.80	Discontinuance Place of Business	27.25
Intention of Incorporation	51.50	Land—Real Property Act:	
Transfer of Properties	51.50	Intention to Sell, Notice of.....	51.50
Attorney, Appointment of.....	41.00	Lost Certificate of Title Notices	51.50
Bailiff's Sale.....	51.50	Cancellation, Notice of (Strata Plan)	51.50
Cemetery Curator Appointed.....	30.50	Mortgages:	
Companies:		Caveat Lodgement.....	20.80
Alteration to Constitution	41.00	Discharge of.....	21.80
Capital, Increase or Decrease of	51.50	Foreclosures.....	20.80
Ceasing to Carry on Business	30.50	Transfer of	20.80
Declaration of Dividend.....	30.50	Sublet.....	10.50
Incorporation	41.00	Leases—Application for Transfer (2 insertions) each	10.50
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each	30.50
First Name.....	30.50	Licensing.....	61.00
Each Subsequent Name.....	10.50	Municipal or District Councils:	
Meeting Final.....	34.25	Annual Financial Statement—Forms 1 and 2	574.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	408.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	81.50
First Name.....	41.00	Each Subsequent Name.....	10.50
Each Subsequent Name.....	10.50	Noxious Trade.....	30.50
Notices:		Partnership, Dissolution of.....	30.50
Call.....	51.50	Petitions (small).....	20.80
Change of Name	20.80	Registered Building Societies (from Registrar-	
Creditors.....	41.00	General).....	20.80
Creditors Compromise of Arrangement	41.00	Register of Unclaimed Moneys—First Name.....	30.50
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	10.50
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	51.50	Rate per page (in 8pt)	261.00
Release of Liquidator—Application—Large Ad.....	81.50	Rate per page (in 6pt)	345.00
—Release Granted	51.50	Sale of Land by Public Auction.....	52.00
Receiver and Manager Appointed.....	47.50	Advertisements.....	2.90
Receiver and Manager Ceasing to Act	41.00	¼ page advertisement	122.00
Restored Name.....	38.50	½ page advertisement	244.00
Petition to Supreme Court for Winding Up.....	71.50	Full page advertisement.....	478.00
Summons in Action.....	61.00	Advertisements, other than those listed are charged at \$2.90 per	
Order of Supreme Court for Winding Up Action.....	41.00	column line, tabular one-third extra.	
Register of Interests—Section 84 (1) Exempt.....	92.00	Notices by Colleges, Universities, Corporations and District	
Removal of Office.....	20.80	Councils to be charged at \$2.90 per line.	
Proof of Debts.....	41.00	Where the notice inserted varies significantly in length from	
Sales of Shares and Forfeiture.....	41.00	that which is usually published a charge of \$2.90 per column line	
Estates:		will be applied in lieu of advertisement rates listed.	
Assigned	30.50	South Australian Government publications are sold on the	
Deceased Persons—Notice to Creditors, etc.....	51.50	condition that they will not be reproduced without prior	
Each Subsequent Name.....	10.50	permission from the Government Printer.	
Deceased Persons—Closed Estates	30.50		
Each Subsequent Estate	1.35		
Probate, Selling of	41.00		
Public Trustee, each Estate	10.50		

All the above prices include GST

GOVERNMENT GAZETTE NOTICES

ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@dpc.sa.gov.au*. Send as attachments in Word format. Please include date the notice is to be published and to whom the notice will be charged. **The Government Gazette is available online at: www.governmentgazette.sa.gov.au.**

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2008

Acts, Bills, Rules, Parliamentary Papers and Regulations						
Pages	Main	Amends	Pages	Main	Amends	
1-16	2.50	1.15	497-512	34.75	33.75	
17-32	3.35	2.10	513-528	35.75	34.50	
33-48	4.35	3.10	529-544	37.00	35.75	
49-64	5.50	4.20	545-560	38.00	37.00	
65-80	6.45	5.35	561-576	38.75	38.00	
81-96	7.50	6.20	577-592	40.00	38.50	
97-112	8.55	7.30	593-608	41.25	39.75	
113-128	9.55	8.40	609-624	42.00	41.00	
129-144	10.70	9.45	625-640	43.25	41.50	
145-160	11.70	10.50	641-656	44.25	43.25	
161-176	12.80	11.50	657-672	44.75	43.75	
177-192	13.90	12.60	673-688	46.75	44.75	
193-208	15.00	13.80	689-704	47.50	45.70	
209-224	15.80	14.60	705-720	48.25	47.00	
225-240	16.90	15.60	721-736	50.00	48.00	
241-257	18.10	16.50	737-752	50.50	49.00	
258-272	19.10	17.60	753-768	51.50	50.00	
273-288	20.20	18.90	769-784	52.50	51.50	
289-304	21.00	19.80	785-800	53.50	52.50	
305-320	22.30	20.90	801-816	54.50	53.00	
321-336	23.20	21.90	817-832	55.50	54.50	
337-352	24.40	23.10	833-848	56.50	55.50	
353-368	25.25	24.20	849-864	57.50	56.00	
369-384	26.50	25.25	865-880	59.00	57.50	
385-400	27.50	26.25	881-896	59.50	58.00	
401-416	28.50	27.00	897-912	61.00	59.50	
417-432	29.75	28.25	913-928	61.50	61.00	
433-448	30.75	29.50	929-944	62.50	61.50	
449-464	31.50	30.25	945-960	63.50	62.00	
465-480	32.00	31.25	961-976	65.50	63.00	
481-496	33.75	32.00	977-992	66.50	63.50	
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 Box 9, Plaza Level, Riverside Centre, North Terrace, Adelaide, S.A. 5000
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Christmas/New Year Holiday Publishing Information

Last Gazette for 2008 will be Thursday, 18 December 2008

Closing date for notices for publication will be
4 p.m. Tuesday, 16 December 2008

First Gazette for 2009 will be Thursday, 8 January 2009

Closing date for notices for publication will be
4 p.m. Tuesday, 6 January 2008

*(There will **NOT** be a Gazette in the period between these two dates)*

It would be appreciated if *Government Gazette* notices for publication be addressed to:

Email address for *Government Gazette* notices:

governmentgazette@dpc.sa.gov.au

When sending a document via Email please confirm your transmission with a faxed copy, including the date the notice is to be published.

Facsimile transmission of notices:

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Attention: *Government Gazette* Section

Inquiries telephone: 8207 1045

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DX 56508

Postal address:

Government Publishing SA
Box 9
Plaza Level
Riverside Centre
North Terrace, Adelaide, S.A. 5000

HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, the South Australian Housing Trust in the exercise of the powers conferred by the said Part, does hereby fix as 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 opposite the description of such house and this notice shall come into force on the date of this publication in the *Gazette*.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
3 Dally Road, Gilles Plains	Allotment 64 in Deposited Plan 7771, Hundred of Yatala	5503	173	25.9.08, page 4700	145.00
368 Federal Road, Wallaroo Mines	Section 2169, Hundred of Wallaroo	5730	632	11.1.96, page 110	180.00
9 Fifth Street, Port Pirie	Allotment 60 in Deposited Plan 895, Hundred of Pirie	5814	144	25.9.08, page 4700	86.00
6, Lane 2, Kadina	Allotment 751 in Deposited Plan 198122, Hundred of Wallaroo	5805	416	15.12.08, page 4282	170.00
59 Milner Street, Prospect	Allotment 37 in Deposited Plan 696, Hundred of Yatala	5758	214	7.1.99, page 7	275.00
143 Murray Road, Port Noarlunga	Allotment 1123 in Deposited Plan 4942, Hundred of Noarlunga	5313	805	11.9.08, page 4259	195.00
1 Nalara Avenue, Rostrevor	Allotment 134 in Deposited Plan 3603, Hundred of Adelaide	5272	781	25.9.08, page 4700	96.00
92 Queen Street, Peterborough	Allotment 601 in Filed Plan 185493, Hundred of Yongala	5664	92	11.9.08, page 4259	52.00
42 Teasdale Crescent, Parafield Gardens	Allotment 113 in Deposited Plan 10604, Hundred of Yatala	5079	944	9.10.08, page 4766	165.00
37 Tottenham Court Road, Port Elliot	Allotment 91 in Filed Plan 162355, Hundred of Goolwa	5301	576	11.9.08, page 4259	130.00
35 Tudor Crescent, Smithfield Plains	Allotment 121 in Deposited Plan 46414, Hundred of Munno Para	5403	34	22.5.08, page 1690	120.00
5 Twelfth Avenue, Woodville North	Allotment 61 in Deposited Plan 4177, Hundred of Yatala	5789	918	25.9.08, page 4700	128.00

Dated at Adelaide, 4 December 2008.

D. HUXLEY, Director, Corporate and Board Services

HOUSING IMPROVEMENT ACT 1940

NOTICE is hereby given that the South Australian Housing Trust in the exercise of the powers conferred by the Housing Improvement Act 1940, does hereby declare the houses described in the table hereunder to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940.

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
27 Beauchamp Street	Kurralta Park	Allotment 334 in Filed Plan 19503, Hundred of Adelaide	5168	987
11 Harrow Crescent	Salisbury North	Allotment 8 in Deposited Plan 43808, Hundred of Munno Para	5310	300
Lot 40 (39-40) Main Street	Lipson	Allotment 40, Town of Lipson, Hundred of Yaranyacka	5506	830
5 Princess Street	Findon	Allotment 44 in Deposited Plan 3004, Hundred of Yatala	—	—

Dated at Adelaide, 4 December 2008.

D. HUXLEY, Director, Corporate and Board Services

HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table, the South Australian Housing Trust did declare the houses described in the following table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, and whereas the South Australian Housing Trust is satisfied that each of the houses described hereunder has ceased to be substandard, notice is hereby given that, in exercise of the powers conferred by the said Part, the South Australian Housing Trust does hereby revoke the said declaration in respect of each house.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
Section 43, Cucumunga Street, Renmark	Allotment 43 in Deposited Plan 23028, Hundred of Renmark	5439	399	27.5.93, page 1784
7 Devon Avenue, Newton	Allotment 23 in Deposited Plan 7476, Hundred of Adelaide	5221	984	5.6.08, page 1844
63 Phillis Street, Maylands	Allotment 34 in Filed Plan 134985, Hundred of Adelaide	5820	795	2.11.67, page 1971
53 Redward Avenue, Greenacres	Allotment 46 in Deposited Plan 4945, Hundred of Yatala	5668	267	9.10.08, page 4766
188-190 Sturt Street, Adelaide	Allotment 2 in Filed Plan 14111, Hundred of Adelaide	5993 5993 5993	456 457 458	1.5.03, page 1835
37 Tanunda Road, Nuriootpa	Allotment 6 in Deposited Plan 33334, Hundred of Moorooroo	5225	245	28.9.95, page 831
30 Tusmore Drive, Onkaparinga Hills	Allotment 88 in Deposited Plan 34800, Hundred of Noarlunga	5976	100	2.3.06, page 766
Unit 5, 8 Victoria Street, Klemzig	Allotment 69 in Filed Plan 127903, Hundred of Yatala	5534	481	10.4.08, page 1256
Unit 1, 75 Witton Road, Christies Beach	Allotment 46 in Deposited Plan 2394, Hundred of Noarlunga	5593	634	24.11.05, page 3997

Dated at Adelaide, 4 December 2008.

D. HUXLEY, Director, Corporate and Board Services

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Daly Hotel Group Pty Ltd has applied to the Licensing Authority for a Redefinition and an extension of Trading Area Licence in respect of premises situated at 126 Port Road, Hindmarsh, S.A. 5007 and known as Lady Daly Hotel.

The application has been set down for callover on 12 December 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Redefinition of Gaming Area as per plans lodged with this office.
- Extension of Trading Area to include the verandah at the front of the Hotel.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least one day before the callover date (viz: 11 December 2008).

The applicant's address for service is c/o Duncan Basheer Hannon, G.P.O. Box 2, Adelaide, S.A. 5001 (Attention: John Caruso).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Domaine Jardin Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at Lot 2, Research Road, Nuriootpa, S.A. 5355 and to be situated at 28B Moculta Road, Angaston, S.A. 5353 and known as Domaine Jardin.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o David Watts and Associates, 1 Cator Street, Glenside, S.A. 5065.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 21 November 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Fraser McKinley has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Section 234, Lot 3, Seppeltsfield Road, Seppeltsfield, S.A. 5355 and to be known as Sami-Odi.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o David Watts and Associates, 1 Cator Street, Glenside, S.A. 5065.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 21 November 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Reservoir Range Pty Ltd, 190 Fullarton Road, Dulwich, S.A. 5065 has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Reservoir Range Pty Ltd.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o Declan Rowan, 190 Fullarton Road, Dulwich, S.A. 5065.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 24 November 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Woolshed on Hindley Pty Ltd has applied to the Licensing Authority for a Redefinition and variation to Extended Trading Authorisation in respect of premises situated at 94 Hindley Street, Adelaide, S.A. 5000 and known as Woolshed on Hindley.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Conditions

The following licence conditions are sought:

- Redefinition to include a building and a new beer garden at the rear of the premises as per plans lodged with this office.
- Variation to Extended Trading Authorisation to include the abovementioned areas.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least one day before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o Brett McMillan, 94 Hindley Street, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that C. R. Linder Nominees Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at 119 Murray Street, Tanunda, S.A. 5352 and to be situated at 72 Murray Street, Tanunda, S.A. 5352 and known as C. R. Lindner Nominees.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o Teusner & Co., P.O. Box 70, Tanunda, S.A. 5352 (Attention: Jane Evans).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 1 December 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Developed Charters Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 1 Banyan Court, Greenwith, S.A. 5125 and to be known as Arete Wines.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o Developed Charters Pty Ltd, 1 Banyan Court, Greenwith, S.A. 5125.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 1 December 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Simply Organoleptic Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 28B Moculta Road, Angaston, S.A. 5353 and to be situated at 16 Gramp Avenue, Angaston, S.A. 5353 and known as Simply Organoleptic.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o David Watts and Associates, 1 Cator Street, Glenside, S.A. 5065.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 2 December 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Stephen Jonathon Mylius and Michelle Francine Mylius have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 108, in DP 16614, Bethany Road, Tanunda, S.A. 5352 and to be known as S. J. & M. F. Mylius.

The application has been set down for hearing on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants' address, at least seven days before the hearing date (viz: 2 January 2009).

The applicants' address for service is c/o Heuzenroeder & Heuzenroeder, P.O. Box 60, Tanunda, S.A. 5352 (Attention: Oliver Portway).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 1 December 2008.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Lucindale Karting Club Inc. has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at Naracoorte Lucindale Road, Lucindale, S.A. 5272 and to be known as Lucindale Karting Club Inc.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o Lucindale Karting Club Inc., P.O. Box 254, Lucindale, S.A. 5272.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 November 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Maciej Marcin Gebarski has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 5/226 Tapleys Hill Road, Seaton, S.A. 5023 and to be known as Knajpa Polish Restaurant.

The application has been set down for callover on 9 January 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 2 January 2009).

The applicant's address for service is c/o Maciej Gebarski, P.O. Box 48, Royal Park, S.A. 5014.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 25 November 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that CHMJ Pty Ltd as trustee for the CH Family Trust and the MJ Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at T20 Seaford Shopping Centre, Commercial Road, Seaford, S.A. 5169, known as Caffè Primo Seaford and to be known as Caffè Acqua.

The application has been set down for hearing on 12 January 2009 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 5 January 2009).

The applicant's address for service is c/o Georgiadis Lawyers, 3rd Floor, 185 Victoria Square, Adelaide, S.A. 5000 (Attention: Brenton Grant).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 November 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that George Mavrojanis and Katina Mavrojanis have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Shop 258-259 West Lakes Mall, West Lakes, S.A. 5021 and known as Billy Baxter's Cafe.

The application has been set down for hearing on 12 January 2009 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 5 January 2009).

The applicants' address for service is c/o 25 Bali Court, West Lakes, S.A. 5021.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 25 November 2008.

Applicants

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Dominion Gold Operations Pty Ltd
Location: Barton West area—Approximately 210 km west-north-west of Tarcoola.
Term: 1 year
Area in km²: 659
Ref.: 2008/00150

Plan and co-ordinates can be found on the PIRSA website: http://www.pir.sa.gov.au/minerals/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

H. THOMAS, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Dominion Gold Operations Pty Ltd
Location: Barton East area—Approximately 180 km north-west of Tarcoola.
Term: 1 year
Area in km²: 1 484
Ref.: 2008/00151

Plan and co-ordinates can be found on the PIRSA website: http://www.pir.sa.gov.au/minerals/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

H. THOMAS, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Curnamona Energy Ltd
Location: Yalkalpo area—Approximately 150 km north of Olary.
Pastoral Lease: Quinyambie.
Term: 1 year
Area in km²: 195
Ref.: 2008/00220

Plan and co-ordinates can be found on the PIRSA website: http://www.pir.sa.gov.au/minerals/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

H. THOMAS, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Investigator Minerals Pty Ltd
Location: Lake Carnanto area—Approximately 140 km north-north-east of Olary.
Pastoral Lease: Quinyambie and Mulyungarie.
Term: 2 years
Area in km²: 854
Ref.: 2008/00437

Plan and co-ordinates can be found on the PIRSA website: http://www.pir.sa.gov.au/minerals/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

H. THOMAS, Mining Registrar

South Australia

Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2008

under the *Motor Vehicles Act 1959*

1—Short title

This notice may be cited as the *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2008*.

2—Commencement

This notice will come into operation on the date of publication in this *Gazette*.

3—Approved motor bikes and motor trikes

For the purposes of Schedules 2 and 3 of the *Motor Vehicles Regulations 1996* and the transitional provisions of the *Motor Vehicles Variation Regulations 2005* (No. 233 of 2005), the motor bikes and motor trikes specified in Schedule 1 are approved.

Schedule 1—Approved motor bikes and motor trikes

1—Motor bikes and motor trikes with an engine capacity not exceeding 260 ml

All motor bikes and motor trikes with an engine capacity not exceeding 260 milliliters and a power to weight ratio not exceeding 150 kilowatts per tonne other than the following:

Suzuki RGV250

Kawasaki KR250 (KR-1 and KR1s models)

Honda NSR250

Yamaha TZR250

Aprilia RS250.

2—Motor bikes and motor trikes with an engine capacity not less than 261 ml and not exceeding 660 ml

The motor bikes and motor trikes listed in the table below.

Make	Model
AJS	Model 18 Model 30
Aprilia	Moto 6.5 Pegaso 650 Pegaso 650 I.E. Scarabeo 400 Scarabeo 500 Sportcity 300
Ariel	Huntmaster Red Hunter 350 Red Hunter 500
Benelli	Velvet 400
Bultaco	Sherpa
BMW	F650 F650CS F650GD F650GS (Not including models manufactured after November 2007 with 800ml engine) F650ST G450X R50 R60 R60/5 R60/6 R65 R69

Make	Model
BSA	B33 B50SS Gold Star Empire Star Gold Star M24 Gold Star post-war 350 singles Golden Flash Lightning M20 500 M21 600 Spitfire MKIII Thunderbolt
Cagiva	410TE 610TE 610TE-E Canyon 500 Canyon 600 River 600 W16 600
Cossack	650
Dneper	K650
Douglas	Post-war 350
Ducati	400 SS Junior 600 Supersport 600 Superlight DM450 DM500 M600 Monster M620ie (24kw Lite) SL 500 Pantah SL 600 Pantah
Enfield	Bullet Deluxe Bullet STD Taurus
Gasgas	EC400 FSE400 SM400 Supermotard
Gilera	Nexus 500
Harley	SS350
Honda	600V Transalp Bros CB350 CB350F CB400 CB400F CB400N

Make	Model
	CB400T CB500 CBX550F CRF450 CRF450X CX500 Deauville 650 FT500 NX650 Revere RVF400 Silverwing SL350 SWH300 VF400F VT500 VT600C XBR500 XL350 XL500 XL600 XL650 Transalp XR350 XR350R XR400R XR500 XR600 XR600R XR650L
Husaberg	FE(Enduro)4E8 FE(Enduro)5E8 FE(Enduro)7E8 FE400 FE450 FE501 FE550 FE600 FE650 FS450 FS650
Husqvarna	DBD34 Gold Star SM 450ie SM 510ie SM610 TE 310ie TE 450ie TE 510ie

Make	Model
	TE610 WR300 350TE 400TE 410TE 430WR 510TE 610TE 610TE-E
Hyosung	Aquila GV650L Comet GT650L Comet GT650RL Comet GT650SL
Jawa	350
Kawasaki	EN450 ER500A ER500C EX400 EX500A KL600 KL650A KL650B KL650C KLE500A KLE500B KLR650 KLX300B KLX400B KLX450A KLX650B KLX650C KZ400 KZ440 KZ500 KZ550 LTD440 Z600A Z650B ZR550B Z500
KTM	350 EXC Special-R 625 SMC 660 SMC EXC Series 300 EXC Series 360 EXC Series 380

Make	Model
	EXC Series 400 EXC Series 510 EXC Series 525 GS Series 300 GS Series 400 GS Series 450 GS Series 500 GS Series 550 GS Series 600 LC4 Series 300 LC4 Series 400 LC4 Series 500 LC4 Series 540 LC4 Series 550 LC4 Series 600 LC4 Series 625 LC4 Series 650
Kymco	T70000 (500) T70020 (500i) T70020 (500Ri)
Matchless	600 650 G80 Major
Montesa	Cota
Moto Morini	350 Sport 500 Strada 500W
Moto Guzzi	V35 V50 V65
MuZ	Baghira 660 Scorpion Replica Skorpion Sport Skorpion Tour
MV Agusta	350
Norton	Model 50 Dominator Model 88 Dominator Model 90 ES2
Oz Trike	Fun 500
Panther	600 650

Make	Model
Piaggio	MP3 400 X9 500 XEVO 400ie X8 400
Peugeot	Geopolis 400 Satelis 400 Satelis 500
Royal Enfield	650 Bullet 500 Bullet 350 Diesel 324 Electra 500 Lightning 500
Rudge- Whitworth	650
Sherco	S4 Enduro
Suzuki	AN400 AN400A AN650 DR350 DR350S DR500 DR600R DR600S DR650R DR650RE DR650RL DR650RSL DR650SE DR-Z400 DR-Z400E DR-Z400S DR-Z400SM GR650 GS450E GS450S GS450SX GS500 GS500E GS500F GS500K GS550 GSX400E GSX400F GSX650FU LS650

Make	Model
	RE5 SV650SU XF650
SYM	Citycom 300
TM	300 Enduro 450 530 TM300 TM400
Triumph	Bonneville 650 Speed Twin T100 Tiger T100R Daytona 500 Thunderbird 650 Trophy 500 Trophy 650 TRW25 Note: Only includes models manufactured up to and including 1983.
Ural	650
Velocette	MAC 350 MSS 500 Venom
Vespa	GTS300
VOR	400 Enduro 450 Enduro 500 Enduro 530 Enduro
Xingyue	XY400Y
Yamaha	RD350 RD350LC RD400 SR500 SRX600 SZR660 TT350 TT600 TT600E TT600R TX650 WR400F WR426F WR450 WR450F XJ550

Make	Model
	XJ650
	XJR400
	XP500 – T Max
	XS400
	XS650
	XT225
	XT350
	XT500
	XT550
	XT600
	XT600Z
	XT660R
	XT660X
	XTZ660
	XV535
	XVS650
	XVS650A
	XZ550
	YP 400

Schedule 2—Revocation

The *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2008* made on 23 October 2008 (*Gazette* No. 61, 23 October 2008, p4909) is revoked.

Made by Ron Shanks, Deputy Registrar of Motor Vehicles

28 November 2008

NATIONAL ELECTRICITY LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law of the following matters.

Under section 107, the period of time for the making of the final determination on the proposed *National Electricity Amendment (Cost Allocation Arrangements for Transmission Services) Rule 2008* has been extended to **29 January 2009**.

Under sections 102 and 103, the making of the *National Electricity Amendment (Registration Changes for Traders, Reallocators and Transfer of Registration) Rule 2008 No. 15* and related final determination. All provisions commence on **1 January 2009**.

Further details on the above matters are available on the AEMC's website www.aemc.gov.au. All documents in relation to the above matters are published on the AEMC's website and are available for inspection at the offices of the AEMC.

John Tamblyn
Chairman
Australian Energy Market Commission
Level 5, 201 Elizabeth Street
Sydney, N.S.W. 2000
Telephone: (02) 8296 7800
Facsimile: (02) 8296 7899

4 December 2008.

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS)
REGULATIONS 2001*Closure of Gawler Ranges National Park*

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, close to the public, the whole of Gawler Ranges National Park from 6 a.m. on Saturday, 7 February 2009 until 6 p.m. on Saturday, 14 February 2009.

The purpose of the closure is to ensure the safety of the public during a pest control and monitoring program within the reserve during the period indicated.

Use of Firearms within the Reserve

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, grant permission to members of the Sporting Shooters Association of Australia Hunting & Conservation Branch (SA) Inc. in possession of both a current Hunting Permit and a firearm to enter and remain in Gawler Ranges National Park from 6 a.m. on Saturday, 7 February 2009 until 6 p.m. on Saturday, 14 February 2009, for the purpose of taking feral animals.

This permission is conditional upon the observance by each of those persons of the requirements of the National Parks and Wildlife Act 1972, National Parks and Wildlife (National Parks) Regulations 2001 and the National Parks and Wildlife (Hunting) Regulations 1996, including those requiring compliance with the Director's requests, requirements and orders of a Warden.

Dated 2 December 2008.

E. G. LEAMAN, Director of National Parks
and Wildlife

PETROLEUM ACT 2000

Suspension of Exploration Licence—PEL 101

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that the abovementioned Exploration Licence has been suspended under the provisions of the Petroleum Act 2000, from and including 26 September 2008 until 25 March 2009, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of Exploration Licence PEL 101 is now determined to be 22 July 2009.

Dated 25 November 2008.

B. A. GOLDSTEIN,
Director Petroleum and Geothermal
Minerals and Energy Resources
Primary Industries and Resources SA
Delegate of the Minister for Mineral
Resources Development

PETROLEUM ACT 2000

*Application for the Grant of an Associated Facilities Licence—
AFL 148*

PURSUANT to section 65 (6) of the Petroleum Act 2000 (the Act) and Delegation dated 28 March 2002, *Gazetted* 11 April 2002, page 1573, notice is hereby given that an application for the grant of an Associated Facilities Licence over the area described below have been received from Torrens Energy Limited.

Description of Application Area—AFL 148

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

Commencing at a point being the intersection of latitude 31°07'30"S GDA94 and longitude 138°27'20"E GDA94, thence east to longitude 138°29'00"E GDA94, south to latitude 31°08'00"S GDA94, west to longitude 138°27'20"E GDA94 and north to the point of commencement.

Area: 2.45 km² approximately.

Dated 2 December 2008.

B. A. GOLDSTEIN,
Director Petroleum and Geothermal
Minerals and Energy Resources
Primary Industries and Resources SA
Delegate of the Minister for Mineral
Resources Development

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Closure
Hundred of Warrow near Coultra*

BY Road Process Order made on 20 June 2008, the District Council of Lower Eyre Peninsula ordered that:

1. Portion of the Public Road between allotment 6 in Filed Plan 108467 and section 30, Hundred of Warrow, more particularly delineated and lettered 'A' in Preliminary Plan No. 08/0007 be closed.

2. The whole of the land subject to closure be transferred to John Arnold Foster and Rose-Marie Foster in accordance with agreement for transfer dated 23 May 2008 entered into between the District Council of Lower Eyre Peninsula and J. A. and R. Foster.

On 1 October 2008 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 78420 being the authority for the new boundaries.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 4 December 2008.

P. M. KENTISH, Surveyor-General

RULES OF COURT

District Court Civil Rules 2006

Amendment No. 5

BY virtue and in pursuance of Section 51 of the *District Court Act 1991* and all other enabling powers, we, Terence Anthony Worthington, Chief Judge, and Andrea Simpson and Dean Ernest Clayton, Judges of the District Court of South Australia, make the following Rules of Court:

1. These rules may be cited as the *District Court Civil Rules 2006 (Amendment No. 5)*.
2. The *District Court Civil Rules 2006* as amended by these Rules, may be cited as the '*District Court Civil Rules 2006*'.
3. These Rules come into operation on 1 January 2009, or upon their gazettal, whichever is the later.
4. A new Rule 173A is inserted immediately after Rule 173 as follows:
'173A—Alteration of date for attendance or production
 - (1) The issuing party may give notice to the addressee of a date or time later than the date or time specified in a subpoena as the date or time for attendance or for production or for both.
 - (2) When notice is given under sub-rule (1), the subpoena has the effect as if the date or time notified appeared in the subpoena instead of the date or time which appeared in the subpoena.'
5. Rule 176 is amended by:
 - (1) Deleting the word 'requirement' appearing in sub-rule (1) and inserting in its place the word 'requirements'.
 - (2) Deleting the whole of sub-rule (4) and inserting in its place:
 - (4) The addressee must comply with a subpoena to produce:
 - (a) by attending at the date, time and place specified for production or, if the addressee has received notice of a later date or time from the issuing party, at that later date or time and producing the subpoena or a copy of it and the document or thing to the Court or to the person authorised to take evidence in the proceeding as permitted by the Court; or
 - (b) by delivering or sending the subpoena or a copy of it and the document or thing to the Registrar at the address specified for the purpose in the subpoena, or, if more than one address is so specified, at any one of those addresses, so that they are received not less than two clear days before the date specified in the subpoena for attendance and production or, if the addressee has received notice of a later date or time from the issuing party, before that later date.
 - (3) Deleting from sub-rule (5) the words 'who is required to give evidence'.

Dated 28 November 2008.

T. A. WORTHINGTON, CJ
A. SIMPSON, J
D. E. CLAYTON, J

DISTRICT COURT (CRIMINAL AND MISCELLANEOUS) RULES 1992 (Amendment No. 5)

BY virtue and in pursuance of Section 51 of the District Court Act 1991 and all other enabling powers, We, Terence Anthony Worthington, Chief Judge, and Andrea Simpson and Dean Ernest Clayton, Judges of the District Court of South Australia, do hereby make the following Rules of Court:

1. These Rules may be cited as the *District Court (Criminal and Miscellaneous) Rules 1992 (Amendment No. 5)*.
2. The *District Court (Criminal and Miscellaneous) Rules 1992* as amended by these Rules may be cited as the *District Court (Criminal and Miscellaneous) Rules 1992*.
3. This *Amendment No. 5* is to come into effect on 1 December 2008, or the date of its gazettal, whichever is the later.
4. Immediately after Rule IV-26 there shall appear the following notation:
‘**Note:** there are no rules 27 to 29’
5. The following new rule is inserted after IV-26:

APPLICATIONS FOR SPECIAL ARRANGEMENTS FOR THE GIVING
OF EVIDENCE BY VULNERABLE WITNESSES UNDER SECTION
13A OF THE *EVIDENCE ACT 1929*

IV-30.01 An application for special arrangements for the giving of evidence by a vulnerable witness shall be made by issuing and serving on the other party (‘the respondent’) an application in Form 21.

IV-30.02 The application shall be filed in the Court not less than 28 days before the commencement of the trial, or at such earlier time as may be directed by the Court at a directions hearing, and must be served on the respondent within 14 days of being filed.

IV-30.03 When the respondent objects to the application, a notice of objection shall be made in Form 22.

IV-30.04 The notice of objection must be filed in the Court and served on the applicant within 14 days of the service of the application on the respondent.’
6. The Schedule is amended:
 - (1) by adding immediately after Form 16 the notation ‘**Note:** There are no Forms 17 to 20’;
 - (2) by adding after Form 16 the following new Forms:

Form No. 21

File No.:

The Queen v**APPLICATION FOR A VULNERABLE WITNESS PROTECTION
ORDER UNDER SECTION 13A OF THE EVIDENCE ACT 1929**

[Insert name of party] applies to the Court for an order that special arrangements be made for taking the evidence of *[insert name of witness]*.

The applicant seeks the following order:

[Set out the special arrangements which are sought]

The application is made on the following grounds:

[Set out the nature of the vulnerability of the witness and the reasons for the special arrangements which are sought]

Dated the day of , 20 .

.....
[Signed by the applicant]

NOTE:

This application must be filed in the Court not less than 28 days before the commencement of the trial, or at such earlier time as may be directed by the Court at a directions hearing, and served on the respondent within 14 days of being filed.

The respondent may file a notice in Form 22 objecting to the application on the ground that the witness is not a vulnerable witness as defined in Section 4 of the *Evidence Act 1929*. The notice must be filed within 14 days of the service of the application.

Form No. 22

File No.:

The Queen v

**OBJECTION TO APPLICATION FOR A VULNERABLE WITNESS
PROTECTION ORDER UNDER SECTION 13A OF THE EVIDENCE
ACT 1929**

[Insert name of respondent] objects to the application of *[insert name of applicant]* for an order that special arrangements be made for taking the evidence of *[insert name of witness]*.

The grounds of the objection are as follows:

[Set out the grounds of objection]

Dated the day of , 20 .

.....
[Signed by the respondent]

NOTE:
This notice of objection must be filed in the Court and served on the applicant within 14 days of the service of the application on the respondent.'

Dated 24 November 2008.

T. A. WORTHINGTON, CJ
A. SIMPSON, J
D. E. CLAYTON, J

RULES OF COURT
District Court (Criminal and Miscellaneous)
Rules 1992
Amendment No. 6

BY virtue and in pursuance of Section 51 of the District Court Act 1991 and all other enabling powers, we, Terence Anthony Worthington, Chief Judge, and Andrea Simpson and Dean Ernest Clayton, Judges of the District Court of South Australia, do hereby make the following Rules of Court:

1. These Rules may be cited as the *District Court (Criminal and Miscellaneous) Rules 1992 (Amendment No. 6)*.
2. The *District Court (Criminal and Miscellaneous) Rules 1992* as amended by these Rules may be cited as the '*District Court (Criminal and Miscellaneous) Rules 1992*'.
3. These Rules are to come into effect on 1 January 2009, or upon their gazettal, whichever is the later.
4. A new Rule IV-11.03A is inserted immediately after Rule IV-11.03 as follows:

'IV-11.03A—Alteration of date for attendance or production

 - (1) The issuing party may give notice to the addressee of a date or time later than the date or time specified in a subpoena as the date or time for attendance or for production or for both.
 - (2) When notice is given under sub-rule (1), the subpoena has the effect as if the date or time notified appeared in the subpoena instead of the date or time which appeared in the subpoena.'
5. Rule IV-11.06 is amended by:
 - (1) Deleting the word 'requirement' appearing in sub-rule (1) and inserting in its place the word 'requirements'.
 - (2) Deleting the whole of sub-rule (4) and inserting in its place:
 - (4) The addressee must comply with a subpoena to produce:
 - (a) by attending at the date, time and place specified for production or, if the addressee has received notice of a later date or time from the issuing party, at that later date or time and producing the subpoena or a copy of it and the document or thing to the Court or to the person authorised to take evidence in the proceeding as permitted by the Court; or
 - (b) by delivering or sending the subpoena or a copy of it and the document or thing to the Registrar at the address specified for the purpose in the subpoena, or, if more than one address is so specified, at any one of those addresses, so that they are received not less than 2 clear days before the date specified in the subpoena for attendance and production or, if the addressee has received notice of a later date or time from the issuing party, before that later date.
 - (3) Deleting from sub-rule (5) the words 'who is required to give evidence'.
6. Form 8 in the Schedule is deleted and the following form inserted in its place:

**‘FORM 8
SUBPOENA**

To: [name]
[address]

YOU ARE ORDERED:

- *to attend to give evidence—see Section A of this form; or
- *to produce this subpoena or a copy of it and the documents or things specified in the Schedule—see Section B of this form; or
- *to attend to give evidence and to produce this subpoena or a copy of it and the documents or things specified in the Schedule—see Section C of this form.

** Select one only of these three options.*

Failure to comply with this subpoena without lawful excuse is a contempt of Court and may result in your arrest.

The last date for service of this subpoena is: (See Note 1)

Please read Notes 1 to 15 at the end of this subpoena.

[Seal or authentication]

Date:

Issued at the request of [name of party], whose address for service is:

A Details of subpoena to attend to give evidence only

Date, time and place at which you must attend to give evidence unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place:

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

B Details of subpoena to produce only

You must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than 2 clear days before the date specified for attendance and production. (See Notes 5-11)

Date, time and place at which you must attend to produce the subpoena or a copy of it and documents or things unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place:

Address, or any address, to which the subpoena (or copy) and documents or things may be delivered or posted:

The Registrar
[Name of Court ... etc. as the case may be]

Schedule

The documents or things you must produce are as follows:
[If insufficient space attach list]

C Details of subpoena both to attend to give evidence and to produce

Insofar as you are required by this subpoena to attend to give evidence, you must attend as follows unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place:

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

Insofar as you are required by this subpoena to produce the subpoena or a copy of it and documents or things, you must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than 2 clear days before the date specified for attendance and production.
(See Notes 5-11)

Date, time and place at which you must attend to produce the subpoena or a copy of it and the documents or things unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place:

Address, or any address, to which the subpoena or a copy of it and documents or things may be delivered or posted:

The Registrar
[Name of Court ... etc. as the case may be]

Schedule

The documents and things you must produce are as follows:
[If insufficient space attach list]

NOTES

Last day for service

1. You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

Informal service

2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

Conduct money

4. You need not comply with the subpoena insofar as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date on which your attendance is required.

Production of subpoena or copy of it and documents or things by delivery or post

5. Insofar as this subpoena requires production of the subpoena or a copy of it and a document or thing, instead of attending to produce the subpoena or a copy of it and the document or thing, you may comply with the subpoena by delivering or sending the subpoena or a copy of it and the document or thing to the Registrar at the address specified in the subpoena for the purpose or if there more than one address is so specified, at any one of those addresses, so that they are received not less than 2 clear days before the date specified in the subpoena for attendance and production or, if you receive notice of a later date or time from the issuing party, before that later date or time.
6. If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the Registrar in writing of your objection and of the grounds of your objection.
7. Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the Registrar may permit the parties to the proceeding to inspect the document or thing.

Production of a number of documents or things

8. If you produce more than one document or thing, you must, if requested by the Registrar, produce a list of the documents or things produced.

Production of copy instead of original

9. You may, with the consent of the issuing party, produce a copy, instead of the original, of any document that the subpoena requires you to produce.

Return or destruction of documents or copies

10. You may, at the time of production, inform the Court that any document or copy of a document produced need not be returned and may be destroyed.
11. If you have so informed the Court, the Registrar may destroy the document or copy instead of returning it to you.

Applications in relation to subpoena

12. You have the right to apply to the Court:
- (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and
 - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Loss or expense of compliance

13. If you are not a party to the proceeding, you may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness' expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

Contempt of Court—arrest

14. Failure to comply with the subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
15. Note 14 is without prejudice to any power of the Court under any Rules of the Court (including any Rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.'

Dated 28 November 2008.

T. A. WORTHINGTON, CJ

A. SIMPSON, J

D. E. CLAYTON, J

STATE LOTTERIES ACT 1966**LOTTERIES (KENO) RULES**1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Keno) Amendment Rules 2008 (No. 3).
- 1.2 The Lotteries (Keno) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 13 March 2008, as amended by the amendments published in the *Government Gazette* on 4 September 2008, are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from 25 November 2008 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 10*

Rule 10 of the Principal Rules is deleted and the following is substituted therefor:

10. *Prize Claims*

- 10.1 In the case of Spots 8, 9 and 10 prizes:
 - 10.1.1 prize money will be distributed after the claim period has elapsed;
 - 10.1.2 claims lodged within the claim period and determined by the central computer to be prize winning entries and any entries subsequently identified within the claim period as prize winning entries will share equally in the prize pool available to winners in the respective Spot; and
 - 10.1.3 any player who claims to be entitled to a prize must lodge a claim with the Commission.
- 10.2 In the case of prizes other than Spots 8, 9 and 10 prizes:
 - 10.2.1 prize money will be paid as soon as practicable after the draw either at the Commission or through any SA Lotteries selling point terminal for entries purchased from SA Lotteries, or at SA TAB or through any of its sub-agencies selling Keno tickets, for entries purchased from SA TAB, on presentation of the ticket or record of electronic entry and evaluation by a terminal subject to these Rules.
 - 10.2.2 Any player who claims to be entitled to a prize but:
 - 10.2.2.1 whose entry has not been identified by the central computer system as a prize winning entry;
 - 10.2.2.2 claims that their entry has been incorrectly evaluated by the Commission; or
 - 10.2.2.3 has not on application to a selling point terminal obtained confirmation that their entry has won the prize,must lodge a claim with the Commission.
- 10.3 A claim under Rule 10.1.3 or 10.2.2:
 - 10.3.1 may be lodged with the Commission either personally or by registered mail;
 - 10.3.2 must reach the Commission within the claim period;
 - 10.3.3 must be accompanied by the ticket or record of electronic entry in respect of which the claim is made, clearly endorsed with the claimant's full name and address; and

- 10.3.4 if posted, must be accompanied by a self-addressed envelope bearing the correct postage.
- 10.4 The Commission:
- 10.4.1 will not be obliged to recognise any claim not identified as a prize winning entry by the central computer within 12 months of the relevant day; and
- 10.4.2 may in its absolute discretion accept or refuse to accept a claim in whole or in part.
- 10.5 The Commission will keep the results of each draw for a period of 12 months from the relevant day and make the results available for perusal at any time during that period.

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 13 November 2008.

(L.S.) WAYNE JACKSON, Commission Member

STEPHEN SHIRLEY, Commission Member

Approved,

GAIL GAGO, Minister for Government Enterprises


tafeSA
CHRISTMAS CLOSURE TIMES 2008 - 2009

TAFE SA REGIONAL	
CLOSING	
FRIDAY 19 DECEMBER 2008	
Jamestown	Ceduna
Yorketown	Peterborough
Coober Pedy	Kangaroo Island
Waikerie	Kimba
Cleve	Kingston
Bordertown	Wudinna
Narungga	
THURSDAY 25 DECEMBER 2008	
All other campuses	
OPENING (with skeleton staff)	
MONDAY 5 JANUARY 2009	
Barossa Valley	Mount Gambier
Berri	Whyalla
Clare	Kadina
Port Augusta	Port Pirie
Mount Barker	Murray Bridge
Victor Harbor	Renmark
Port Lincoln	Naracoorte
Roseworthy	Urrbrae
Gawler	
MONDAY 12 JANUARY 2009	
Jamestown	Ceduna
Roxby Downs	Millicent
MONDAY 19 JANUARY 2009	
Yorketown	Peterborough
Coober Pedy	Kangaroo Island
Waikerie	Kimba
Cleve	Wudinna
MONDAY 26 JANUARY 2009	
Bordertown	Kingston
Narungga	
All other sites	

TAFE SA ADELAIDE NORTH	
CLOSING	
TUESDAY 16 DECEMBER 2008	
Cheltenham	
FRIDAY 19 DECEMBER 2008	
Parafield	
THURSDAY 25 DECEMBER 2008	
All other campuses	
OPENING	
MONDAY 5 JANUARY 2009 (with skeleton staff)	
Elizabeth	Regency Park
Gilles Plains	Parafield
MONDAY 12 JANUARY 2009	
Croydon	Salisbury
Port Adelaide	Tea Tree Gully
MONDAY 19 JANUARY 2009	
Cheltenham	

TAFE SA ADELAIDE SOUTH	
CLOSING	
THURSDAY 25 DECEMBER 2008	
All campuses	
OPENING	
MONDAY 5 JANUARY 2009	
All campuses	

ADRIAN MARRON, Executive Director, TAFE SA, Adelaide North
 STEPHEN CONWAY, Executive Director, TAFE SA, Adelaide South
 DENISE JANEK, Executive Director, TAFE SA, Regional

TRAINING AND SKILLS DEVELOPMENT ACT 2008

Part 4 – Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following:

Trades or Declared Vocations in addition to the gazettals of:

1. 25 September 2008
2. 23 October 2008
3. 13 November 2008

which set out the Trades or Declared Vocations and the terms and conditions applicable to the Trades or Declared Vocations.

Trades or Declared Vocations required Qualifications and Contract of Training Conditions for the

Water Industry Training Package (NWP07)

*Trade/ #Declared Vocation	National Code	Qualification	Term of Contract	Probationary Period
#Water Industry Operator	NWP20107	Certificate II in Water Operations	12 Months	1 month
#Water Industry Operator	NWP30107	Certificate III in Water Operations	30 Months	2 months
#Water Industry Operator	NWP40107	Certificate IV in Water Operations	42 Months	3 months
#Water Industry Operator	NWP50107	Diploma in Water Operations	54 Months	3 months

[REPUBLISHED]

NOTICE in *Government Gazette* No. 66 dated 20 November 2008, on page 5168, *should* be replaced with this notice.

SEWERAGE ACT 1929

Addition of Land to Port Lincoln Drainage Area

PURSUANT to section 18 of the Sewerage Act 1929, the South Australian Water Corporation:

- (a) adds to the Port Lincoln Drainage Area all the land contained in Allotments 16 and 256; and
- (b) declares that this notice will have effect from 1 July 2008.

Dated 11 November 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. SHEEDY, General Manager Shared Services

In the presence of:

N. MORALES, Billing Manager

SAWATER 08/12126 D1387

[REPUBLISHED]

NOTICE in *Government Gazette* No. 29 dated 5 June 2008, on page 1866, second column, first notice appearing, *should* be replaced with this notice.

SEWERAGE ACT 1929

Addition of Land to Victor Harbor Country Drainage Area

PURSUANT to section 18 of the Sewerage Act 1929, the South Australian Water Corporation:

- (a) adds to the Victor Harbor Country Drainage Area all the land contained in allotments 1 to 50 inclusive, allotments 300 to 304 inclusive (reserves), allotments 400 to 403 inclusive (roads), allotment pieces 500 to 504 inclusive in Deposited Plan 75057; and
- (b) declares that this notice will have effect from 1 July 2009.

Dated 1 December 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. SHEEDY, Manager Shared Services

In the presence of:

N. MORALES, Billing Manager

SAWATER 08/03814 D1382

[REPUBLISHED]

NOTICE in *Government Gazette* No. 29 dated 5 June 2008, on page 1867, first column, third notice appearing, *should* be replaced with this notice.

WATERWORKS ACT 1932

Addition of Land to the Adelaide Water District

PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) adds to the Adelaide Water District all the land contained in:
 - (i) allotments 98 inclusive, in Filed Plan 215216; and
 - (ii) declares that this notice has effect from 1 July 2009.

Dated 12 May 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. SHEEDY, General Manager Shared Services

In the presence of:

N. MORALES, Billing Manager

SAWATER 08//03816 W1376

[REPUBLISHED]

NOTICE in *Government Gazette* No. 29 dated 5 June 2008, on page 1867, first column, second notice appearing, *should* be replaced with this notice.

WATERWORKS ACT 1932

Removal of Land from Morgan-Whyalla Country Lands Water District and Addition to Clare Water District

PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) removes from the Morgan-Whyalla Country Lands Water District and adds to the Township of Clare Water District all the land contained in:
 - (i) allotments 1 to 3 inclusive in Deposited Plan 76917; and
 - (b) declares that this notice will have effect from 1 July 2009.

Dated 1 December 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. SHEEDY, General Manager Shared Services

In the presence of:

N. MORALES, Manager Billing and Collection

SAWATER 07/09475 W1380

WATERWORKS ACT 1932

Removal of Land from Yorke Peninsula Country Lands Water District and Addition to Maitland Water District

PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) removes from the Yorke Peninsula Country Lands Water District and adds to the Maitland Water District all the land contained in:
 - (i) allotments 1 to 5 inclusive, in Deposited Plan 76011; and
 - (ii) declares that this notice has effect from 1 July 2008.

Dated 27 November 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. SHEEDY, Manager Shared Services

In the presence of:

N. MORALES, Billing Manager

SAWATER 07/07902 W1365

WATERWORKS ACT 1932

Removal of Land from Encounter Bay Country Lands Water District and Addition to Port Elliot Water District

PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) adds to the Port Elliot Water District Area all the land contained in allotments 1 to 50 inclusive, allotments 300 to 304 inclusive (reserves), allotments 400 to 403 inclusive (roads), allotment pieces 500 to 504 inclusive in Deposited Plan 75057; and
- (b) declares that this notice will have effect from 1 July 2008.

Dated 27 November 2008.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. SHEEDY, Manager Shared Services

In the presence of:

N. MORALES, Billing Manager

SAWATER 08/05608 W1385

WORKERS REHABILITATION AND COMPENSATION
ACT 1986

Workers Compensation Tribunal Rules 2005

I, WILLIAM DAVID JENNINGS, President of the Workers Compensation Tribunal of South Australia, by virtue of the provisions of section 88E of the Workers Rehabilitation and Compensation Act 1986 and all the enabling powers, do hereby make Rule 20A, Expert Evidence, as set out below and consequential amendments to Rule 21 namely delete sub rules (5) (d), (e) and (f), to commence on Monday, 5 January 2009.

Given under my hand and the seal of the Workers Compensation Tribunal of South Australia.

Dated 27 November 2008.

(L.S.) JUDGE W. D. JENNINGS, President,
Workers Compensation Tribunal

RULE TWENTY A

Expert Evidence

- (1) Any party intending to adduce expert evidence at judicial determination must promptly seek directions from the Tribunal in that regard.
- (2) Directions under this rule may be sought at any directions hearing or prehearing conference or, if no such hearing or conference has been fixed or is imminent by application for directions.
- (3) Unless the Tribunal otherwise orders, expert evidence may not be adduced at trial:
 - (a) unless directions have been sought in accordance with this Rule, and
 - (b) if any such directions have been given by the Tribunal, otherwise in accordance with those directions.
- (4) Without limiting its powers to give directions the Tribunal may at any time give such directions, as it considers appropriate in relation to the use of expert evidence in proceedings. Such directions may include any of the following:
 - (a) a direction as to the time for service of expert reports;
 - (b) a direction that expert evidence may not be adduced on a specific issue;
 - (c) a direction that expert evidence may not be adduced on a specified issue except by permission of the Tribunal;
 - (d) a direction that expert evidence may be adduced on specified issues only;
 - (e) a direction limiting the number of expert witnesses who may be called to give evidence on a specified issue;
 - (f) a direction providing for the appointment and instruction of a court appointed expert in relation to a specified issue;
 - (g) a direction requiring experts in relation to the same issue to confer, either before or after preparing expert's reports in relation to a specified issue;
 - (h) a direction that an expert who has prepared more than one experts report in relation to any proceedings is to prepare a single report that reflects his or her evidence in chief;
 - (i) a direction that the experts give evidence concurrently; and
 - (j) any other direction that may assist an expert in the exercise of the expert's functions.
- (5) Unless the Tribunal orders otherwise expert witnesses evidence in chief must be given by the tender of one or more expert's report.
- (6) The Tribunal may direct expert witnesses:
 - (a) to confer, either generally on specified matters;
 - (b) to endeavour to reach agreement on any matters in issue;
 - (c) to prepare a joint report, specifying matters agreed and matters not agreed and reasons for any disagreement; and
 - (d) to base any joint report on specified facts or assumptions of fact,
 and may do so at anytime, whether before or after the expert witnesses have furnished their experts reports.
- (7) Unless the parties affected agree the contents of the conference between the expert witnesses must not be referred to at any hearing.

South Australia

Aquaculture (Approval of Fitzgerald Bay Zones Policy) Notice 2008

under section 12 of the *Aquaculture Act 2001*

1—Short title

This notice may be cited as the *Aquaculture (Approval of Fitzgerald Bay Zones Policy) Notice 2008*.

2—Approval of aquaculture policy

- (1) The *Aquaculture (Zones-Fitzgerald Bay) Policy 2008* is approved.
- (2) The policy comes into operation on the day on which this notice is published in the Gazette.

Made by the Minister for Agriculture, Food and Fisheries

on 4 December 2008

South Australia

Aquaculture (Zones—Fitzgerald Bay) Policy 2008

under the *Aquaculture Act 2001*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Interpretation
- 3 Object of policy
- 4 Prescription of criteria does not limit matters that may be taken into account
- 5 Certain amendments may be made by Gazette notice only

Part 2—Fitzgerald Bay aquaculture zone

- 6 Identification of aquaculture zone
- 7 Class of permitted aquaculture
- 8 Prescribed criteria
- 9 Variation or revocation of Gazette notice

Part 3—Fitzgerald Bay aquaculture exclusion zone

- 10 Identification of aquaculture exclusion zone

Schedule 1—Descriptions of zones

- 1 Description of Fitzgerald Bay aquaculture zone
- 2 Description of Fitzgerald Bay aquaculture exclusion zone

Schedule 2—Map of zones

Schedule 3—Amendment of policy by Gazette notice

- 1 Insertion of Part 2A
 - Part 2A—Fitzgerald Bay (north) aquaculture zone
 - 9A Identification of aquaculture zone
 - 9B Class of permitted aquaculture
 - 9C Prescribed criteria
- 2 Amendment of Schedule 1

Schedule 4—Revocation of *Fitzgerald Bay Aquaculture Management Policy*

Part 1—Preliminary

1—Short title

This policy may be cited as the *Aquaculture (Zones—Fitzgerald Bay) Policy 2008*.

2—Interpretation

- (1) In this policy—

Act means the *Aquaculture Act 2001*;

algae means eukaryotic macroalgae;

Eastern Fitzgerald sector means the area within the Fitzgerald Bay aquaculture zone described in Schedule 1 clause 1(b);

finfish means all members of the classes *Actinopterygii*, *Elasmobranchii* and *Myxini*;

lease means an aquaculture lease;

leased area, in an aquaculture zone or a sector in an aquaculture zone, means the total area in the zone or sector subject to lease;

licence means an aquaculture licence;

prescribed wild caught tuna means members of the genera *Allothunnus*, *Auxis*, *Euthunnus*, *Katsuwonus*, and *Thunnus* that have been taken from the wild;

Western Fitzgerald sector means the area within the Fitzgerald Bay aquaculture zone described in Schedule 1 clause 1(a).

- (2) For the purposes of identification of zones or sectors in this policy, unless the contrary intention appears, all lines are geodesics based on the *Geocentric Datum of Australia 1994 (GDA94)* as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995 and all co-ordinates are expressed in terms of GDA94.

Note—

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

3—Object of policy

Pursuant to section 11 of the Act, this policy—

- (a) identifies aquaculture zones and an aquaculture exclusion zone; and
- (b) specifies for an aquaculture zone—
 - (i) the classes of aquaculture permitted in the zone; and
 - (ii) prescribed criteria to be taken into account in the determination of applications for licences or in the making of other decisions under the Act in relation to the zone.

4—Prescription of criteria does not limit matters that may be taken into account

This policy does not limit the matters that may be taken into account in the determination of applications for licences or in the making of other decisions under the Act.

5—Certain amendments may be made by Gazette notice only

Pursuant to section 14 of the Act, the Minister may, by notice in the Gazette, amend this policy as prescribed in Schedule 3.

Part 2—Fitzgerald Bay aquaculture zone

6—Identification of aquaculture zone

The Fitzgerald Bay aquaculture zone (consisting of the Western Fitzgerald and Eastern Fitzgerald sectors) comprises the State waters described in Schedule 1 clause 1.

7—Class of permitted aquaculture

The classes of aquaculture permitted in the Fitzgerald Bay aquaculture zone are—

- (a) the farming of aquatic animals (other than prescribed wild caught tuna) in a manner that involves regular feeding; and
- (b) the farming of bivalve molluscs; and
- (c) the farming of algae.

8—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Fitzgerald Bay aquaculture zone, the following prescribed criteria must be taken into account:

- (a) the leased area in the zone must not exceed 550 hectares;
- (b) the leased area in the Western Fitzgerald sector must not exceed 150 hectares;
- (c) of the area leased or available for lease in the zone, at least 5 hectares must be used or available for use for the farming of aquatic organisms for the purposes of research or for the purposes of trade, or a business, established for educational purposes;
- (d) the biomass of the aquatic animals (other than prescribed wild caught tuna) being farmed in the zone in a manner that involves regular feeding must not exceed—
 - (i) an amount that would, in the opinion of the Minister, have an environmental impact on the zone equivalent to the environmental impact that 4 250 tonnes of finfish would have on the zone; or
 - (ii) if some other amount is specified by the Minister by notice in the Gazette, that other amount;
- (e) the biomass of the aquatic animals (other than prescribed wild caught tuna) being farmed in the Western Fitzgerald sector in a manner that involves regular feeding must not exceed—
 - (i) an amount that would, in the opinion of the Minister, have an environmental impact on the sector equivalent to the environmental impact that 2 250 tonnes of finfish would have on the sector; or
 - (ii) if some other amount is specified by the Minister by notice in the Gazette, that other amount;
- (f) the biomass of the aquatic animals (other than prescribed wild caught tuna) being farmed in the Eastern Fitzgerald sector in a manner that involves regular feeding must not exceed—
 - (i) an amount that would, in the opinion of the Minister, have an environmental impact on the sector equivalent to the environmental impact that 3 200 tonnes of finfish would have on the sector; or

- (ii) if some other amount is specified by the Minister by notice in the Gazette, that other amount;
- (g) the biomass of the bivalve molluscs being farmed in the zone must not exceed—
 - (i) 1 500 tonnes; or
 - (ii) if some other amount is specified by the Minister by notice in the Gazette, that other amount.

9—Variation or revocation of Gazette notice

- (1) The Minister may vary or revoke a notice in the Gazette made under clause 8 by subsequent notice in the Gazette.
- (2) The power to vary or revoke a notice under subclause (1) is exercisable in the same way, and subject to the same conditions, as the power to make the notice.

Part 3—Fitzgerald Bay aquaculture exclusion zone

10—Identification of aquaculture exclusion zone

The Fitzgerald Bay aquaculture exclusion zone comprises the State waters described in Schedule 1 clause 2.

Schedule 1—Descriptions of zones

1—Description of Fitzgerald Bay aquaculture zone

The Fitzgerald Bay aquaculture zone comprises sectors as follows:

- (a) the Western Fitzgerald sector, comprising the State waters contained within and bounded by a line commencing at 32°56'09.78" South, 137°45'25.74" East (Point 1), then north-easterly to 32°55'39.43" South, 137°46'58.97" East (Point 2), then easterly to 32°55'37.52" South, 137°48'24.16" East (Point 3), then southerly to 32°58'03.05" South, 137°48'28.76" East (Point 4), then westerly to 32°58'05.51" South, 137°46'38.54" East (Point 5), then north-westerly to 32°57'26.60" South, 137°46'04.41" East (Point 6), then north-westerly to the point of commencement; and
- (b) the Eastern Fitzgerald sector, comprising the State waters contained within and bounded by a line commencing at 32°52'38.02" South, 137°49'19.83" East (Point 7), then easterly to 32°52'38.02" South, 137°51'23.21" East (Point 8), then southerly to 32°57'08.34" South, 137°51'24.50" East (Point 9), then westerly to 32°57'08.48" South, 137°49'20.82" East (Point 10), then northerly to 32°56'20.00" South, 137°49'21.17" East (Point 11), then westerly to 32°56'19.91" South, 137°49'08.35" East (Point 12), then northerly to 32°53'26.58" South, 137°49'07.39" East (Point 13), then easterly to 32°53'26.58" South, 137°49'19.83" East (Point 14), then northerly to the point of commencement.

Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Fitzgerald Bay aquaculture zone.

2—Description of Fitzgerald Bay aquaculture exclusion zone

The Fitzgerald Bay aquaculture exclusion zone comprises the State waters contained within and bounded by—

- (a) a line commencing at mean high water springs closest to 32°50'34.23" South, 137°48'37.01" East (Point 18), then easterly to a location 1 000 metres seaward of mean high water springs closest to 32°50'28.14" South, 137°49'14.89" East (Point 15), then beginning southerly following a line 1 000 metres seaward of mean high water springs to the location closest to 32°55'55.35" South, 137°45'48.09" East (Point 16), then south-westerly to the location on mean high water springs closest to 32°56'01.81" South, 137°45'11.02" East (Point 17), then beginning north-westerly following the line of mean high water springs to the point of commencement; and
- (b) a line commencing at mean high water springs closest to 32°58'40.92" South, 137°46'39.87" East (Point 22), then north-easterly to a location 1 000 metres seaward of mean high water springs closest to 32°58'20.18" South, 137°47'09.84" East (Point 19), then beginning south-easterly following a line 1 000 metres seaward of mean high water springs to the location closest to 33°00'09.42" South, 137°46'13.97" East (Point 20), then northerly to the location on mean high water springs closest to 32°59'37.00" South, 137°46'13.41" East (Point 21), then beginning north-easterly following the line of mean high water springs to the point of commencement,

but does not include the State waters contained within and bounded by a line commencing at 32°52'31.93" South, 137°47'54.95" East (Point 23), then southerly to 32°52'49.85" South, 137°47'57.52" East (Point 24), then north-westerly to 32°52'46.94" South, 137°47'50.13" East (Point 25), then northerly to 32°52'29.02" South, 137°47'47.56" East (Point 26), then south-easterly to the point of commencement.

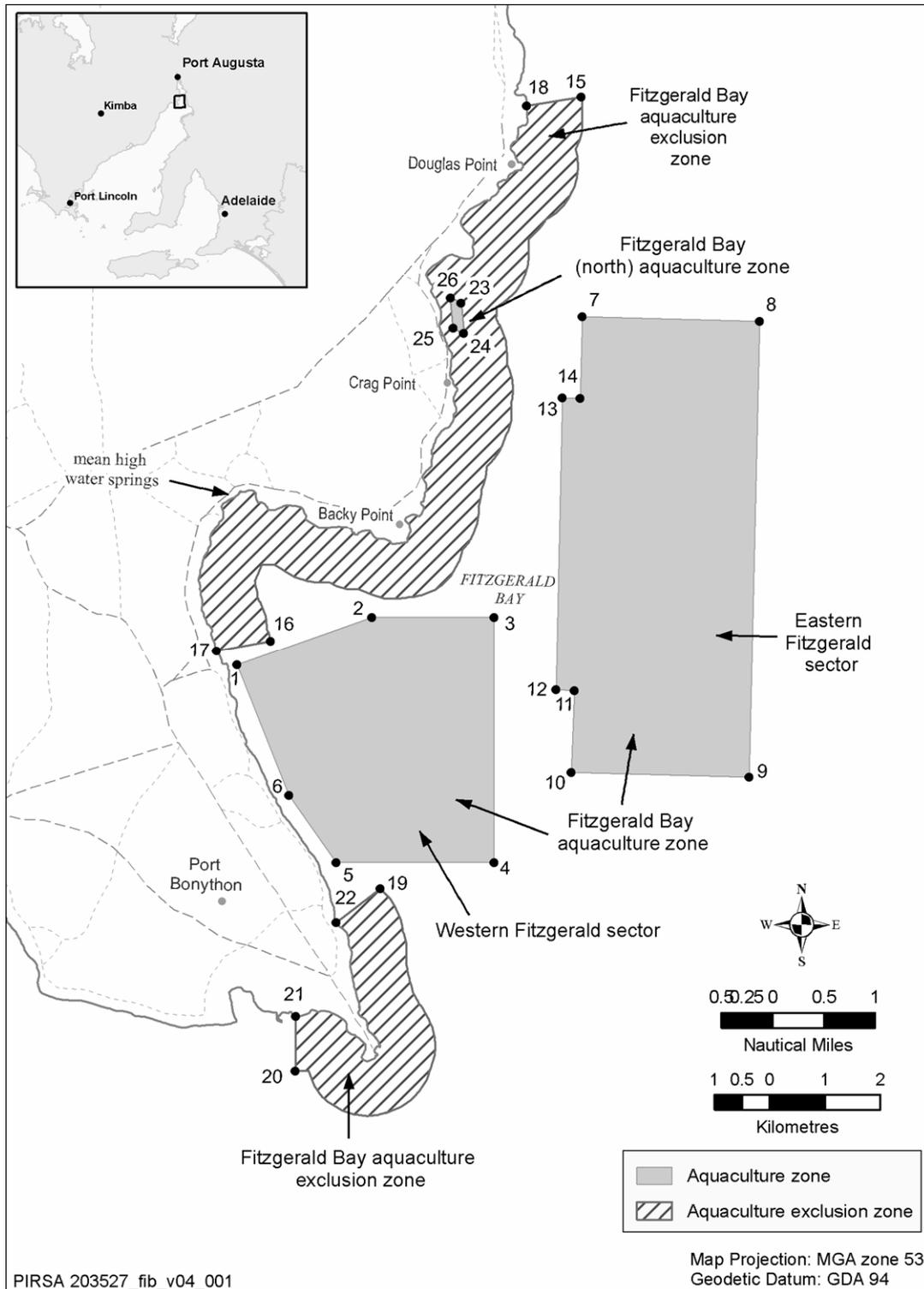
Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Fitzgerald Bay aquaculture exclusion zone.

Schedule 2—Map of zones

The map in this Schedule is provided for convenience of reference only.

Map of all zones



Schedule 3—Amendment of policy by Gazette notice

1—Insertion of Part 2A

After Part 2 insert:

Part 2A—Fitzgerald Bay (north) aquaculture zone

9A—Identification of aquaculture zone

The Fitzgerald Bay (north) aquaculture zone comprises the State waters described in Schedule 1 clause 1A.

9B—Class of permitted aquaculture

The classes of aquaculture permitted in the Fitzgerald Bay (north) aquaculture zone are—

- (a) the farming of bivalve molluscs; and
- (b) the farming of algae.

9C—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Fitzgerald Bay (north) aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 10 hectares.

2—Amendment of Schedule 1

- (1) Schedule 1—after clause 1 insert:

1A—Description of Fitzgerald Bay (north) aquaculture zone

The Fitzgerald Bay (north) aquaculture zone comprises the State waters contained within and bounded by a line commencing at 32°52'31.93" South, 137°47'54.95" East (Point 23), then southerly to 32°52'49.85" South, 137°47'57.52" East (Point 24), then north-westerly to 32°52'46.94" South, 137°47'50.13" East (Point 25), then northerly to 32°52'29.02" South, 137°47'47.56" East (Point 26), then south-easterly to the point of commencement.

Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Fitzgerald Bay (north) aquaculture zone.

- (2) Schedule 1 clause 2—delete clause 2 and substitute:

2—Description of Fitzgerald Bay aquaculture exclusion zone

The Fitzgerald Bay aquaculture exclusion zone comprises the State waters contained within and bounded by—

- (a) a line commencing at mean high water springs closest to 32°50'34.23" South, 137°48'37.01" East (Point 18), then easterly to a location 1 000 metres seaward of mean high water springs closest to 32°50'28.14" South, 137°49'14.89" East (Point 15), then beginning southerly following a line 1 000 metres seaward of mean high water springs to the location closest to 32°55'55.35" South, 137°45'48.09" East (Point 16), then south-westerly to the location on mean high water springs closest to 32°56'01.81" South, 137°45'11.02" East (Point 17), then beginning north-westerly following the line of mean high water springs to the point of commencement; and
- (b) a line commencing at mean high water springs closest to 32°58'40.92" South, 137°46'39.87" East (Point 22), then north-easterly to a location 1 000 metres seaward of mean high water springs closest to 32°58'20.18" South, 137°47'09.84" East (Point 19), then beginning south-easterly following a line 1 000 metres seaward of mean high water springs to the location closest to 33°00'09.42" South, 137°46'13.97" East (Point 20), then northerly to the location on mean high water springs closest to 32°59'37.00" South, 137°46'13.41" East (Point 21), then beginning north-easterly following the line of mean high water springs to the point of commencement,

but does not include the Fitzgerald Bay (north) aquaculture zone.

Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Fitzgerald Bay aquaculture exclusion zone.

Schedule 4—Revocation of *Fitzgerald Bay Aquaculture Management Policy*

The *Fitzgerald Bay Aquaculture Management Policy* (see *Gazette 4.11.2004 p4150*) is revoked.

South Australia

Aquaculture (Approval of Port Neill Zones Policy) Notice 2008

under section 12 of the *Aquaculture Act 2001*

1—Short title

This notice may be cited as the *Aquaculture (Approval of Port Neill Zones Policy) Notice 2008*.

2—Approval of aquaculture policy

- (1) The *Aquaculture (Zones-Port Neill) Policy 2008* is approved.
- (2) The policy comes into operation on the day on which this notice is published in the Gazette.

Made by the Minister for Agriculture, Food and Fisheries

on 4 December 2008

South Australia

Aquaculture (Zones—Port Neill) Policy 2008

under the *Aquaculture Act 2001*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Interpretation
- 3 Object of policy
- 4 Prescription of criteria does not limit matters that may be taken into account

Part 2—Port Neill aquaculture zone

- 5 Identification of aquaculture zone
- 6 Class of permitted aquaculture
- 7 Prescribed criteria
- 8 Variation or revocation of Gazette notice

Part 3—Port Neill aquaculture exclusion zone

- 9 Identification of aquaculture exclusion zone

Schedule 1—Descriptions of zones

- 1 Description of Port Neill aquaculture zone
- 2 Description of Port Neill aquaculture exclusion zone

Schedule 2—Map of zones

Part 1—Preliminary

1—Short title

This policy may be cited as the *Aquaculture (Zones—Port Neill) Policy 2008*.

2—Interpretation

- (1) In this policy, unless the contrary intention appears—

Act means the *Aquaculture Act 2001*;

algae means eukaryotic macroalgae;

bivalve molluscs includes clams, cockles, mussels, oysters, pipis and scallops;

finfish means all members of the classes *Actinopterygii*, *Elasmobranchii* and *Myxini*;

lease means an aquaculture lease;

licence means an aquaculture licence;

prescribed wild caught tuna means members of the genera *Allothunnus*, *Auxis*, *Euthunnus*, *Katsuwonus*, and *Thunnus* that have been taken from the wild.

- (2) For the purposes of identification of zones in this policy, unless the contrary intention appears, all lines are geodesics based on the *Geocentric Datum of Australia 1994* (GDA94) as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995 and all co-ordinates are expressed in terms of GDA94.

Note—

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

3—Object of policy

Pursuant to section 11 of the Act, this policy—

- (a) identifies an aquaculture zone and an aquaculture exclusion zone; and
- (b) specifies for an aquaculture zone—
 - (i) the classes of aquaculture permitted in the zone; and
 - (ii) prescribed criteria to be taken into account in the determination of applications for licences or in the making of other decisions under the Act in relation to the zone.

4—Prescription of criteria does not limit matters that may be taken into account

This policy does not limit the matters that may be taken into account in the determination of applications for licences or in the making of other decisions under the Act.

Part 2—Port Neill aquaculture zone

5—Identification of aquaculture zone

The Port Neill aquaculture zone comprises the State waters described in Schedule 1 clause 1.

6—Class of permitted aquaculture

The classes of aquaculture permitted in the Port Neill aquaculture zone are—

- (a) the farming of aquatic animals (other than prescribed wild caught tuna) in a manner that involves regular feeding; and
- (b) the farming of prescribed wild caught tuna broodstock; and
- (c) the farming of bivalve molluscs; and
- (d) the farming of algae.

7—Prescribed criteria

- (1) In the determination of applications for licences and in the making of other decisions under the Act in relation to the Port Neill aquaculture zone, the following prescribed criteria must be taken into account:
- (a) the total area in the zone subject to lease must not exceed 565 hectares of which at least 5 hectares must be used or available for use for the farming of aquatic organisms for the purposes of research or for the purposes of trade, or a business, established for educational purposes;

- (b) the biomass of the aquatic animals (other than prescribed wild caught tuna) being farmed in the zone in a manner that involves regular feeding must not exceed—
 - (i) an amount that would, in the opinion of the Minister, have an environmental impact on the zone equivalent to the environmental impact that 8 000 tonnes of finfish would have on the zone; or
 - (ii) if some other amount is specified by the Minister by notice in the Gazette, that other amount;
 - (c) the biomass of prescribed wild caught tuna broodstock being farmed in the zone must not exceed 30 tonnes, or, if some other amount is specified by the Minister by notice in the Gazette, that other amount;
 - (d) the biomass of bivalve molluscs being farmed in the zone must not exceed 1 000 tonnes, or, if some other amount is specified by the Minister by notice in the Gazette, that other amount.
- (2) However, a notice under subclause (1)(d) must not increase the biomass of bivalve molluscs that may be farmed in the zone unless the Minister is satisfied that the increase would not compromise the overall productivity of the bivalve mollusc industry being carried on in the zone.

8—Variation or revocation of Gazette notice

- (1) The Minister may vary or revoke a notice in the Gazette made under clause 7 by subsequent notice in the Gazette.
- (2) The power to vary or revoke a notice under subclause (1) is exercisable in the same way, and subject to the same conditions, as the power to make the notice.

Part 3—Port Neill aquaculture exclusion zone

9—Identification of aquaculture exclusion zone

The Port Neill aquaculture exclusion zone comprises the State waters described in Schedule 1 clause 2.

Schedule 1—Descriptions of zones

1—Description of Port Neill aquaculture zone

The Port Neill aquaculture zone comprises—

- (a) the State waters of or near Dutton Bay contained within and bounded by a line commencing at 34°08'06" South, 136°27'14" East (Point 1), then south-westerly to 34°13'10" South, 136°23'55" East (Point 2), then north-westerly to 34°11'16.56" South, 136°20'29.89" East (Point 3), then north-easterly to 34°09'34.23" South, 136°21'37.51" East (Point 4), then north-easterly to 34°09'18.78" South, 136°22'51.37" East (Point 5), then north-easterly to 34°08'12.57" South, 136°23'58.85" East (Point 6), then easterly to the point of commencement; and
- (b) the areas that are subject to the leases that have, at the commencement of this policy, the following registration numbers:
 - LA00071;
 - LA00072,

(while those areas remain subject to lease, regardless of whether any of the leases are given a different registration number as a consequence of their subdivision or conversion to a different class of lease).

Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Port Neill aquaculture zone.

2—Description of Port Neill aquaculture exclusion zone

The Port Neill aquaculture exclusion zone comprises the State waters of or near Dutton Bay contained within and bounded by—

- (a) a line commencing at the line of mean high water springs closest to $34^{\circ}02'26.17''$ South, $136^{\circ}23'58.36''$ East (Point 7), then south-easterly to $34^{\circ}03'51.97''$ South, $136^{\circ}24'47.79''$ East (Point 8), then south-westerly to $34^{\circ}05'49''$ South, $136^{\circ}24'08''$ East (Point 9), then southerly to $34^{\circ}08'12.57''$ South, $136^{\circ}23'58.85''$ East (Point 6), then south-westerly to $34^{\circ}09'18.78''$ South, $136^{\circ}22'51.37''$ East (Point 5), then south-westerly to $34^{\circ}09'34.23''$ South, $136^{\circ}21'37.51''$ East (Point 4), then south-westerly to $34^{\circ}11'16.56''$ South, $136^{\circ}20'29.89''$ East (Point 3), then south-westerly to $34^{\circ}12'21''$ South, $136^{\circ}18'25''$ East (Point 10), then north-westerly to the location on mean high water springs closest to $34^{\circ}12'14.15''$ South, $136^{\circ}17'53.22''$ East (Point 11), then generally north-easterly following the line of mean high water springs to the point of commencement; and
- (b) a line commencing at the line of mean high water springs closest to $34^{\circ}14'37.08''$ South, $136^{\circ}16'11.51''$ East (Point 12), then south-easterly to $34^{\circ}14'53''$ South, $136^{\circ}16'44''$ East (Point 13), then south-easterly to $34^{\circ}15'53''$ South, $136^{\circ}16'53''$ East (Point 14), then south-westerly to $34^{\circ}16'30''$ South, $136^{\circ}16'13''$ East (Point 15), then westerly to the location on mean high water springs closest to $34^{\circ}16'27.74''$ South, $136^{\circ}15'10.87''$ East (Point 16), then generally north-easterly following the line of mean high water springs to the point of commencement,

but does not include the areas that are subject to the leases that have, at the commencement of this policy, the following registration numbers:

LA00071;

LA00072,

(while those areas remain subject to lease, regardless of whether any of the leases are given a different registration number as a consequence of their subdivision or conversion to a different class of lease).

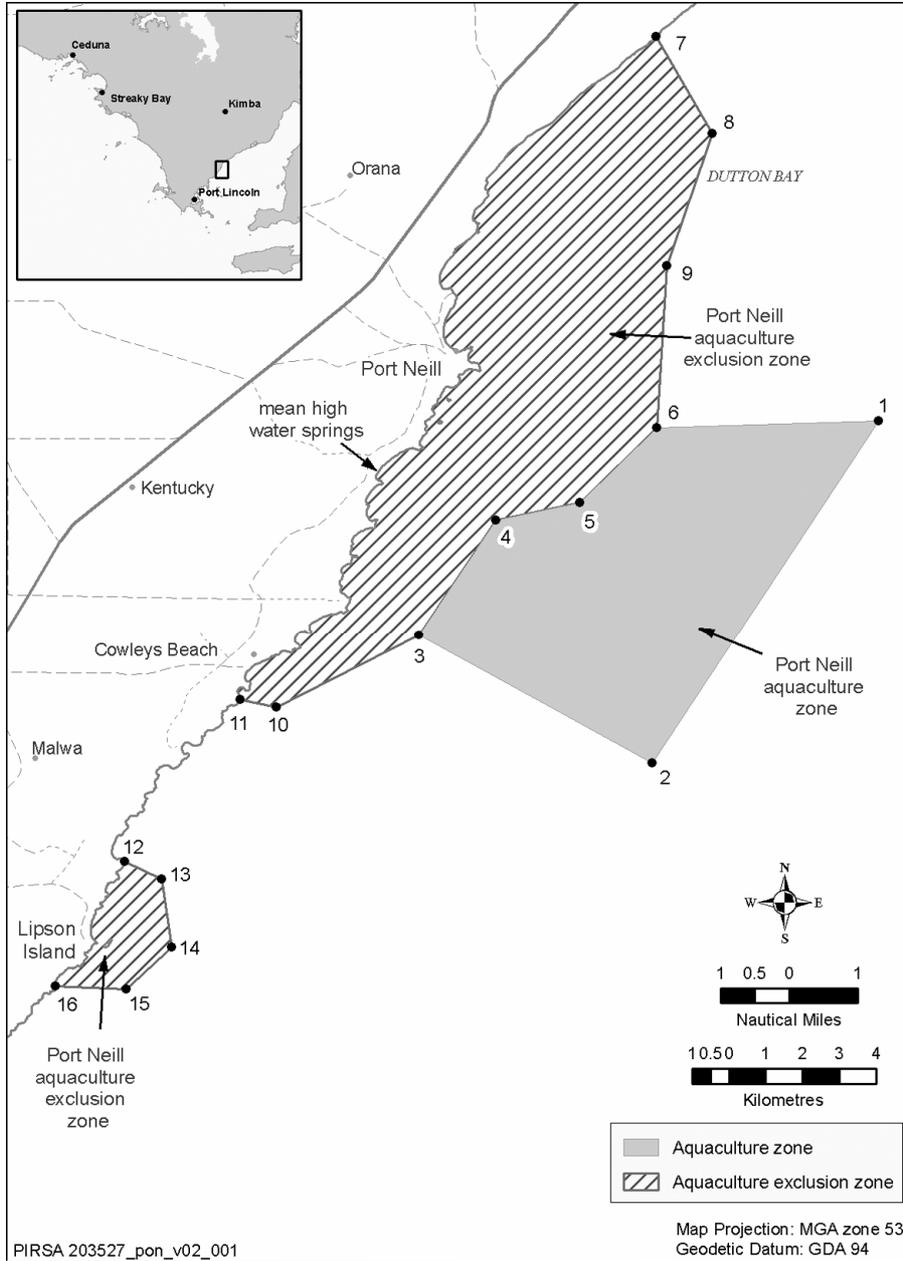
Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Port Neill aquaculture exclusion zone.

Schedule 2—Map of zones

The map in this Schedule is provided for convenience of reference only.

Port Neill aquaculture zone and Port Neill aquaculture exclusion zone



South Australia

Aquaculture (Approval of Standard Lease Conditions Amendment Policy) Notice 2008

under section 12 of the *Aquaculture Act 2001*

1—Short title

This notice may be cited as the *Aquaculture (Approval of Standard Lease Conditions Amendment Policy) Notice 2008*.

2—Approval of aquaculture policy

- (1) The *Aquaculture (Standard Lease Conditions) Amendment Policy 2008* is approved.
- (2) The policy comes into operation on the day on which this notice is published in the Gazette.

Made by the Minister for Agriculture, Food and Fisheries

on 4 December 2008

South Australia

Aquaculture (Standard Lease Conditions) Amendment Policy 2008

under section 12 of the *Aquaculture Act 2001*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

Part 2—Amendment of *Aquaculture (Standard Lease Conditions) Policy 2005*

- 3 Amendment of clause 2—Standard conditions of aquaculture lease
 - 4 Insertion of clause 2A
 - 2A Renewal of lease
 - 5 Amendment of clause 3—Variation of lease or lease conditions
-

Part 1—Preliminary

1—Short title

This policy may be cited as the *Aquaculture (Standard Lease Conditions) Amendment Policy 2008*.

2—Amendment provisions

In this policy, a provision under a heading referring to the amendment of specified policy amends the policy so specified.

Part 2—Amendment of *Aquaculture (Standard Lease Conditions) Policy 2005*

3—Amendment of clause 2—Standard conditions of aquaculture lease

Clause 2—after its present contents (now to be designated as subclause (1)) insert:

- (2) In the event of an inconsistency between the provisions of this policy and any other conditions of a lease, the provisions of this policy will prevail to the extent of the inconsistency.

4—Insertion of clause 2A

After clause 2 insert:

2A—Renewal of lease

An application for renewal of an aquaculture lease—

- (a) must be made to the Minister in the manner and form determined by the Minister; and

- (b) must be accompanied by the amount of the fee fixed for an application for renewal of an aquaculture lease in the *Aquaculture Regulations 2005*.

5—Amendment of clause 3—Variation of lease or lease conditions

- (1) Clause 3(1)—delete "at the request" and substitute:

on application by

- (2) Clause 3—after subclause (1) insert:

- (1a) An application for a variation under subclause (1)—

- (a) must be made to the Minister in the manner and form determined by the Minister; and
- (b) must be accompanied by the amount of the relevant fee fixed for an application to vary an aquaculture lease or its conditions in the *Aquaculture Regulations 2005*.

South Australia

Water (Commonwealth Powers) Act (Commencement) Proclamation 2008

1—Short title

This proclamation may be cited as the *Water (Commonwealth Powers) Act (Commencement) Proclamation 2008*.

2—Commencement of Act

The *Water (Commonwealth Powers) Act 2008* (No 43 of 2008) will come into operation on 4 December 2008.

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

MRMCS08/113

South Australia

Administrative Arrangements (Administration of Water (Commonwealth Powers) Act) Proclamation 2008

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Water (Commonwealth Powers) Act) Proclamation 2008*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Administration of Act committed to Minister for the River Murray

The administration of the *Water (Commonwealth Powers) Act 2008* is committed to the Minister for the River Murray.

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

MRMCS08/113

South Australia

Administrative Arrangements (Constitution of Minister as Body Corporate) Proclamation 2008

under section 7 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Constitution of Minister as Body Corporate) Proclamation 2008*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Constitution of Minister for the Status of Women as body corporate

The Minister for the Status of Women is constituted as a body corporate.

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

DPC08/014CS

South Australia

Public Sector Management (Shared Services (7)) Proclamation 2008

under section 7 of the *Public Sector Management Act 1995*

1—Short title

This proclamation may be cited as the *Public Sector Management (Shared Services (7)) Proclamation 2008*.

2—Commencement

This proclamation will come into operation on 8 December 2008.

3—Incorporation of employee into Department of Treasury and Finance (for Shared Services SA)

- (1) The public sector employee employed to perform functions in connection with the operations or activities of the Country Health SA Hospital Incorporated referred to in Schedule 1 is incorporated into the Department of Treasury and Finance.
- (2) For the purposes of determining entitlements with respect to recreation leave, sick leave and long service leave of the employee referred to in subclause (1)—
 - (a) the service of the employee in her previous employment in connection with the Country Health SA Hospital Incorporated will be taken to have been service under the *Public Sector Management Act 1995*; and
 - (b) the employee will be taken to have continuity of employment without termination of the employee's service.

Schedule 1—Employee employed in connection with Country Health SA Hospital Incorporated being incorporated into Department of Treasury and Finance

Marie Reynolds

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

T&F08/075CS

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

Schedule 1, item headed "Adelaide—Area 1 (Bonython Park)", column headed "Period"—delete "4 p.m. on 11 January 2008 to 1 a.m. on 13 January 2008." and substitute:

4 p.m. on 9 January 2009 to 1 a.m. on 11 January 2009.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 289 of 2008

OLGCS0245/06

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

- (1) Schedule 1, item headed "Robe—Area 1", column headed "Period"—delete "1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008." and substitute:
 - 1 p.m. on 31 December 2008 to 12.01 a.m. on 2 January 2009.
- (2) Schedule 1, item headed "Robe—Area 2", column headed "Period"—delete "1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008." and substitute:
 - 1 p.m. on 31 December 2008 to 12.01 a.m. on 2 January 2009.
- (3) Schedule 1, item headed "Robe—Area 3", column headed "Period"—delete "1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008." and substitute:
 - 1 p.m. on 31 December 2008 to 12.01 a.m. on 2 January 2009.

- (4) Schedule 1, item headed "Robe—Area 4", column headed "Period"—delete "1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008." and substitute:

1 p.m. on 31 December 2008 to 12.01 a.m. on 2 January 2009.

- (5) Schedule 1, item headed "Robe—Area 5", column headed "Period"—delete "1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008." and substitute:

1 p.m. on 31 December 2008 to 12.01 a.m. on 2 January 2009.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 290 of 2008

OLGCCS2074/01

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

- (1) Schedule 1, item headed "Alexandrina Council—Area 1 (Chiton Rocks)", column headed "Period"—delete "6 p.m. on 31 December 2007 to 6 a.m. on 1 January 2008." and substitute:
6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009.
- (2) Schedule 1, item headed "Alexandrina Council—Area 2 (Port Elliot)", column headed "Period"—delete "6 p.m. on 31 December 2007 to 6 a.m. on 1 January 2008." and substitute:
6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009.
- (3) Schedule 1, item headed "Alexandrina Council—Area 3 (Middleton)", column headed "Period"—delete "6 p.m. on 31 December 2007 to 6 a.m. on 1 January 2008." and substitute:
6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009.

- (4) Schedule 1, item headed "Alexandrina Council—Area 4 (Goolwa Beach Carpark)", column headed "Period"—delete "6 p.m. on 31 December 2007 to 6 a.m. on 1 January 2008." and substitute:

6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009.

- (5) Schedule 1, item headed "Alexandrina Council—Area 5 (Rotunda Reserve Area)", column headed "Period"—delete "6 p.m. on 31 December 2007 to 6 a.m. on 1 January 2008." and substitute:

6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009.

- (6) Schedule 1, item headed "Alexandrina Council—Area 6 (Basham Beach Area)", column headed "Period"—delete "6 p.m. on 31 December 2007 to 6 a.m. on 1 January 2008." and substitute:

6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 291 of 2008

OLGCCS0156/97

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

Schedule 1, item headed "Adelaide—Area 2 (Elder Park)", column headed "Period"—delete "6 p.m. on 31 December 2007 to 6 a.m. on 1 January 2008." and substitute:

6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 292 of 2008

OLGCS0425/07

South Australia

Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2008

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Long Term) Regulations 1997*

- 4 Variation of Schedule 1—Long term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Long Term) Regulations 1997*

4—Variation of Schedule 1—Long term dry areas

- (1) Schedule 1, item headed "Clare—Area 1", column headed "Period"—delete "1 December 2008" and substitute:
4 December 2011
- (2) Schedule 1, item headed "Clare—Area 2", column headed "Period"—delete "1 December 2008" and substitute:
4 December 2011

- (3) Schedule 1, item headed "Clare—Area 3", column headed "Period"—delete "1 December 2008" and substitute:
4 December 2011
- (4) Schedule 1, item headed "Clare—Area 4", column headed "Period"—delete "1 December 2008" and substitute:
4 December 2011

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 293 of 2008

OLGCCS0456/97

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

Schedule 1, item headed "Glenelg—Area 1", column headed "Period"—delete "9 p.m. on 31 December 2007 to 6 a.m. on 1 January 2008." and substitute:

9 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 294 of 2008

OLGCCS399/97

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

- (1) Schedule 1, item headed "Walleroo—Area 1", column headed "Period"—delete "12 noon on 31 December 2007 to 12 noon on 1 January 2008." and substitute:

12 noon on 31 December 2008 to 7 a.m. on 1 January 2009.
- (2) Schedule 1, item headed "Walleroo—Area 2", column headed "Period"—delete "12 noon on 31 December 2007 to 12 noon on 1 January 2008." and substitute:

12 noon on 31 December 2008 to 7 a.m. on 1 January 2009.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 295 of 2008

OLGCS0056/99

South Australia

First Home Owner Grant Variation Regulations 2008

under the *First Home Owner Grant Act 2000*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *First Home Owner Grant Regulations 2000*

- 4 Variation of regulation 4—Recognition of non-conforming interest as relevant interest (section 5(4))
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *First Home Owner Grant Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *First Home Owner Grant Regulations 2000*

4—Variation of regulation 4—Recognition of non-conforming interest as relevant interest (section 5(4))

Regulation 4—after subregulation (1) insert:

- (1a) Pursuant to section 18B(6)(b) of the Act, if a licence or right of occupancy over land given to a person by a relative is recognised under subregulation (1) as a relevant interest because the person has commenced building a home or is having a home built on the land without entering into a comprehensive home building contract, the market value of the home will be taken to be the actual costs to build the home as determined by the Commissioner.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 296 of 2008

T&F08/048CS

South Australia

Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2008

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Long Term) Regulations 1997*

- 4 Variation of Schedule 1—Long term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Long Term) Regulations 1997*

4—Variation of Schedule 1—Long term dry areas

- (1) Schedule 1, item headed "Brighton—Area 1", column headed "Period"—delete "2008" and substitute:
2011
- (2) Schedule 1, item headed "Glenelg—Area 1", column headed "Period"—delete "2008" and substitute:
2011

- (3) Schedule 1, item headed "Seacliff—Area 1", column headed "Period"—delete "2008" and substitute:
2011
- (4) Schedule 1, item headed "Seacliff—Area 3", column headed "Period"—delete "2008" and substitute:
2011
- (5) Schedule 1, item headed "Seacliff—Area 4", column headed "Period"—delete "2008" and substitute:
2011

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 297 of 2008

OLGCCS0399/97

South Australia

Waterworks Variation Regulations 2008

under the *Waterworks Act 1932*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Waterworks Regulations 1996*

- 4 Insertion of regulation 46
 - 47 Determining, levying and collecting water rates on a pro rata basis
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Waterworks Variation Regulations 2008*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Waterworks Regulations 1996*

4—Insertion of regulation 46

After regulation 46 insert:

47—Determining, levying and collecting water rates on a pro rata basis

- (1) For the purposes of determining, levying or collecting the water rates to be paid in any case, any component of the water rates that relate to the volume of water supplied to land over any particular period may, depending on—
 - (a) when meters are read; or
 - (b) the form or nature of the component of any of the rates; or

- (c) the operation or effect of any notice of the Minister published under Part 5 of the Act (including so as to provide for a reduction in water rates over a specified period or until a specified date),
be calculated on a pro rata basis.
- (2) In connection with the operation of subregulation (1), any determination, calculation or adjustment of any amount (whether in the nature of a water rate or in relation to the supply of water) over or in respect of any period or on a pro rata basis may assume that water has been supplied at a uniform daily rate over any relevant period.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 4 December 2008

No 298 of 2008

MWSCS08/111

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CITY OF NORWOOD, PAYNEHAM & ST PETERS

Declaration of Public Road

NOTICE is hereby given pursuant to section 210 of the Local Government Act 1999, that at a meeting of the Council held on 13 October 2008, the Corporation of the City of Norwood, Payneham & St Peters declared the pieces of land comprised in certificate of title register book volume 5877, folio 464, (allotment 1 in DP 59337) in the name of Daniel Fisher (deceased) and in certificate of title register book volume 5699, folio 63 (piece 51 in FP 217498) in the name of Clayton Church Homes Inc., known commonly as Percival Street, Norwood to be public road known as 'Percival Street'.

M. BARONE, Chief Executive Officer

CITY OF NORWOOD, PAYNEHAM & ST PETERS

Breaker Street, Gage Street, Third, Fourth, Fifth and Seventh Avenues, St Morris—Proposed Declaration of Public Roads

NOTICE is hereby given pursuant to section 210 of the Local Government Act 1999, that at a future meeting of the Council, the Corporation of the City of Norwood, Payneham & St Peters intends to declare the pieces of road comprised in partially cancelled certificates of title register book volume 1220, folio 35 (Allotments 97 to 101 in Deposited Plan 2589) and register book volume 2143, folio 13 (Allotments 45, 46 and 47 in Deposited Plan 2477) to be public roads.

M. BARONE, Chief Executive Officer

PORT AUGUSTA CITY COUNCIL

Appointment of CDAP Public Officer

NOTICE is hereby given that in accordance with section 56A (22 and 23) of the Development Act 1993, Council at its meeting held on 24 November 2008, resolved to appoint the Acting City Manager as its Public Officer to Council's Development Assessment Panel.

The Acting City Manager, Michael Dunemann can be contacted on (08) 8641 9100 or in writing to the following address:

Michael Dunemann
Public Officer
Council Development Assessment Panel
Port Augusta City Council
P.O. Box 1704
Port Augusta, S.A. 5700

M. J. DUNEMANN, Acting City Manager

TOWN OF GAWLER

ROADS (OPENING AND CLOSING) ACT 1991

Bellevue Court, Gawler East

NOTICE is hereby given that pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the Town of Gawler hereby gives notice of its intent to make a road process order to:

Close the whole of Bellevue Court adjoining Allotment 43 in Deposited Plan 29580, Allotment 24 in Deposited Plan 1816, Allotment 6 in Deposited Plan 28362, Allotment 21 in Deposited Plan 1816 and Allotment 300 in Deposited Plan 45883 more particularly delineated and lettered 'A' on Preliminary Plan No. 08/0113. The closed road lettered 'A' is to be transferred to Southern Cross Care (SA) Incorporated and merged with Allotment 43 in Deposited Plan 29580, Allotment 24 in Deposited Plan 1816, Allotment 6 in Deposited Plan 28362, Allotment 21 in Deposited Plan 1816 and Allotment 300 in Deposited Plan 45883 and form one allotment.

A copy of the preliminary plan and statement of persons affected are available for public inspection at the Council Office, 89 Murray Street, Gawler or the Adelaide office of the Surveyor-General during normal office hours.

An application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, P.O. Box 130, Gawler, S.A. 5118, within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

S. KERRIGAN, Chief Executive Officer

CLARE & GILBERT VALLEYS COUNCIL

DEVELOPMENT ACT 1993

Clare & Gilbert Valleys Council Development Plan—Better Development Plan (BDP) Conversion and General Development Plan Amendment—Draft for Public Consultation

NOTICE is hereby given that the Clare & Gilbert Valleys Council has prepared a draft Development Plan Amendment (DPA) to amend the Clare & Gilbert Valleys Council Development Plan.

The DPA converts existing Development Plan policy by adopting the relevant planning policy modules, structure and format of the Better Development Plan (BDP) project promoted by Planning SA. The DPA will, as a result, be easier to navigate and comprehend and thereby help improve the clarity and understanding of Development Plan policy. The DPA also deals with several minor zoning anomalies associated with development within the Council area and introduces a new zone (Caravan and Tourist Parks Zone) to cover the existing Caravan Parks at Clare and Riverton.

The draft Development Plan Amendment and statement will be available for public inspection and purchase during normal office hours at the Clare & Gilbert Valleys Council Offices, 4 Gleeson Street, Clare and is available on Council's website at:

www.claregilbertvalleys.sa.gov.au

from Thursday, 4 December 2008 until 5 p.m. on Friday, 13 February 2009. A copy of the Development Plan Amendment can be downloaded free from the website; a hard copy purchased on request from Council for \$50; or a CD-ROM copy purchased for \$5.

Written submissions regarding the draft amendment will be accepted by the Clare & Gilbert Valleys Council until 5 p.m. on Friday, 13 February 2009. All submissions should be addressed to the Chief Executive Officer, Clare & Gilbert Valleys Council, 4 Gleeson Street, Clare, S.A. 5453. The written submission should clearly indicate whether you will wish to speak at the public hearing on your submission.

Copies of all written submissions received will be available for inspection by interested persons at Council's offices from Wednesday, 18 February 2009 until the date of the public hearing. A public hearing may be held if required at the Council Chambers, 4 Gleeson Street, Clare on Monday, 2 March 2009 commencing at 7 p.m..

The public hearing may not be held if no submission indicates an interest in speaking at the public hearing.

Dated 3 December 2008.

R. D. BLIGHT, Chief Executive Officer

LIGHT REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

TO provide for a permit system for Council By-laws, to fix maximum and continuing penalties for breaches of Council By-laws, to clarify the construction of such by-laws, and to repeal certain by-laws.

1. *Repeal of By-laws*

All by-laws previously made or adopted by the Council prior to the date this by-law is made, are hereby repealed from the day on which this by-law comes into operation.

2. *Definition*

In this by-law 'person' includes a natural person, a body corporate, an incorporated association and an unincorporated association.

3. *Permits*

- 3.1 In any by-law of the Council, unless the contrary intention is clearly indicated, the word 'permission' means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, granted in writing prior to the act, event or activity to which it relates.
- 3.2 Where a by-law requires that permission be obtained any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.
- 3.3 The Council, or such other person as the Council may by resolution authorise for that purpose, may attach such conditions (including time limits, renewal and transfer requirements as it thinks fit) to a grant of permission and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.
- 3.4 Any person granted permission must comply with every such condition.
- 3.5 The Council, or such other person as the Council may by resolution authorise for that purpose, may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

4. *Offences and Penalties*

- 4.1 Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999, that may be fixed by by-law for any breach of a by-law.
- 4.2 Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and, in addition to any other penalty that may be imposed, shall be liable to a further penalty for every day on which the offence or breach of the by-law continues, such penalty being the maximum amount referred to in the Local Government Act 1999, that may be fixed by by-law for a breach of any by-law of a continuing nature.

5. *Construction*

- 5.1 Every by-law of the Council shall be subject to any Act of Parliament and Regulations made thereunder.
- 5.2 In any by-law of the Council, 'the Council' means the Light Regional Council.

This foregoing by-law was duly made and passed at a meeting of the Light Regional Council held on 18 November 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. CARR, Chief Executive Officer

LIGHT REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO set standards for moveable signs on roads and to provide conditions for design, construction, appearance and placement of such signs.

1. *Definitions*

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Banner' means a strip of cloth hung up or carried on a pole, fence or other structure.
- 1.3 'Boundary' means that line between private property and the Road or Road Related Area.
- 1.4 'Footpath Area' means that part of the Road between the Boundary of the Road and the edge of the carriageway on the same side as that Boundary.

- 1.5 'Local Government Land' means land owned by the Council or under the Council's care, control and management.
- 1.6 'Moveable Sign' has the same meaning as in the Local Government Act 1999.
- 1.7 'Road' has the same meaning as in the Local Government Act 1999.
- 1.8 'Road Related Area' has the same meaning as in the Road Traffic Act 1961 and the Australian Road Rules.
- 1.9 'Vehicle' has the same meaning as in the Road Traffic Act 1961 and the Australian Road Rules.

2. *Design and Construction*

A Moveable Sign displayed on a Road must:

- 2.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an inverted 'T' sign or a flat sign, or, with the permission of the Council, a sign of some other kind;
- 2.2 be designed, constructed and maintained in good quality and condition so as not to present a hazard to any member of the public;
- 2.3 be of strong construction so as to be stable when in position, able to keep its position and not able to be blown over in adverse weather conditions;
- 2.4 not contain sharp or jagged edges or corners;
- 2.5 not be unsightly or offensive in appearance or content;
- 2.6 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 2.7 not rotate or contain flashing parts or lights;
- 2.8 not have balloons, flags, streamers or other material attached to it;
- 2.9 not exceed 1 200 mm in height, 800 mm in width or 800 mm in depth;
- 2.10 not have a display area on any side exceeding 1 m²; and
- 2.11 in the case of an 'A' Frame or Sandwich Board sign:
 - 2.11.1 be hinged or joined at the top; and
 - 2.11.2 be of such construction that its sides shall be securely fixed or locked in position when erected; and
- 2.12 in the case of an inverted 'T' sign, not contain any struts or members that run between the display area and the base of the sign.

3. *Appearance*

A Moveable Sign displayed on a Road must, in the opinion of an Authorised Person:

- 3.1 be painted or otherwise detailed in a competent and professional manner;
- 3.2 be aesthetically appealing, legible and simply worded to convey a precise message;
- 3.3 be of such design and contain such colours as are compatible with the architectural design of the premises adjacent to the Moveable Sign and which relate well to the townscape and overall amenity of the locality in which it is situated; and
- 3.4 contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

4. *Position*

A Moveable Sign must:

- 4.1 only be positioned on the Footpath Area of a Road;
- 4.2 not be placed on the sealed part of a Footpath Area if there is any unsealed part of the Footpath Area on which the Moveable Sign may be placed in accordance with this by law;
- 4.3 be placed no closer than 400 mm from the edge of the carriageway of a Road;

- 4.4 not be placed within 1.2 m of any other structure (other than another Moveable Sign), fixed object, vehicle, tree, bush or plant (except a building adjacent to the Moveable Sign);
- 4.5 not be placed within 10 m of the corner of a Road;
- 4.6 not be placed on a Footpath Area that is less than 2.1 m wide;
- 4.7 not be placed on a Footpath Area with a minimum height clearance, of a structure above it of less than 2 m;
- 4.8 not be placed on a Footpath Area less than 2 m from any other Moveable Sign;
- 4.9 be placed no closer than 1m from an entrance or exit to premises adjacent to the Moveable Sign;
- 4.10 not be placed so as to interfere with the reasonable movement of persons using the Footpath Area in the vicinity of or adjacent to where the Moveable Sign is positioned;
- 4.11 in the case of a flat sign, the message of which only contains newspaper headlines and the name of the newspaper, be placed resting against the premises of the business to which the Moveable Sign relates;
- 4.12 not be placed on the sealed part of any Footpath Area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare for pedestrians of a width of at least 1.8 m;
- 4.13 be adjacent to the persons, premises or business to which it relates; and
- 4.14 not be placed so as to obstruct or impede a vehicle door when opened, provided that the vehicle is parked lawfully on the carriageway.

5. Restrictions

- 5.1 A Moveable Sign must:
 - 5.1.1 only display material which advertises a business being conducted on premises which is immediately adjacent to the Moveable Sign, or the products available from that business;
 - 5.1.2 be limited to one Moveable Sign per business;
 - 5.1.3 only be displayed when the business to which the Moveable Sign relates is open;
 - 5.1.4 not be tied, fixed or attached to anything;
 - 5.1.5 not be placed in a position or in such circumstances that the safety of any person or user of the Road or Road Related Area is at risk;
 - 5.1.6 not be placed on a Road in a wind or other adverse weather conditions unless it cannot be blown over or swept away;
 - 5.1.7 not be displayed during the hours of darkness unless it is in a clearly lit area and clearly visible; and
 - 5.1.8 not be displayed on a median strip, traffic island or on the carriageway of a Road.
- 5.2 If in the opinion of the Council a Footpath Area or other area forming the Boundary of any Road is unsafe for any Moveable Sign to be displayed or placed, the Council may by resolution prohibit or restrict the display or placement of a Moveable Sign or the times a Moveable Sign may be displayed or placed in that area.

6. Banners

A Banner must:

- 6.1 only be displayed on a Road, Footpath Area or Road Related Area;
- 6.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 6.3 not, without the Council's permission be attached to any building, structure, fence, vegetation or other item owned by the Council on a Road, Footpath Area or Road Related Area or other improvement owned by the Council on a Road, Footpath Area or Road Related Area;

- 6.4 only advertise an event to which the public are invited;
- 6.5 not be displayed more than one month before and two days after the event it advertises;
- 6.6 must not be displayed for a continuous period of more than one month and two days in any 12 month period; and
- 6.7 must not exceed 3 m² in size.

7. Signs on Council Land

A person must not, without the Council's permission, display a Moveable Sign on any Local Government Land or resting on or attached to a Vehicle parked on any Local Government Land except a Moveable Sign:

- 7.1 attached to a licensed taxi;
- 7.2 on or attached to a Vehicle belonging to any Council and which has been placed on or attached to the Vehicle with the consent of the Council to which the Vehicle belongs;
- 7.3 on or attached to a bus greater than 6 m in length;
- 7.4 on or attached to a Vehicle which only has a sign or signs painted on or glued to it the main purpose of which is to identify it as belonging to a business; or
- 7.5 comprising a sunscreen on a Vehicle, where any message or trade name or mark on the sunscreen does not advertise a business being carried on in the vicinity of the place the Vehicle is parked, or the products available from that business.

8. Exemptions

- 8.1 Subparagraphs 5.1.1, 5.1.2 and 5.1.4 of this by-law do not apply to a Moveable Sign which is displayed and used:
 - 8.1.1 to advertise a garage sale taking place from residential premises provided that no more than four Moveable Signs per residential premises may be displayed at any one time in relation to a garage sale taking place at that residential premises; or
 - 8.1.2 as a directional sign to a short term (less than three days) event run by a community/charitable body or an unincorporated association.
- 8.2 Subparagraphs 5.1.1, 5.1.2, 5.1.3 and 5.1.4 of this by-law do not apply to a flat sign the message of which only contains a newspaper or magazine headlines and the name of the newspaper or magazine.
- 8.3 A requirement of this by-law will not apply where the Council has granted permission for the Moveable Sign to be displayed contrary to the requirement.
- 8.4 This by-law will not apply to a Moveable Sign which is:
 - 8.4.1 placed on a Road pursuant to an authorisation under the Local Government Act 1999, or another Act;
 - 8.4.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease;
 - 8.4.3 related to a State or Commonwealth election and is displayed during the period commencing on the issue of writ or writs for the election and ending at the close of polls on polling day; or
 - 8.4.4 related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day.

9. Removal of Unauthorised Moveable Signs

- 9.1 If:
 - 9.1.1 the design or construction of a Moveable Sign that has been placed on a Road does not comply with a requirement of this by-law;

- 9.1.2 the positioning of a Moveable Sign does not comply with a requirement of this by-law;
- 9.1.3 any other relevant requirement of this by-law is not complied with;
- 9.1.4 the Moveable Sign unreasonably:
- 9.1.4.1 restricts the use of the Road; or
- 9.1.4.2 endangers the safety of members of the public,
- an Authorised Person may order the owner of the Moveable Sign to remove the Moveable Sign from the Road.

- 9.2 A person must comply with an order of an Authorised Person made pursuant to subparagraph 9.1 of this by-law.
- 9.3 If the Authorised Person cannot find the owner, or the owner fails to comply immediately with the order, the Authorised Person may remove and dispose of the Moveable Sign.
- 9.4 The owner or other person entitled to recover a Moveable Sign removed pursuant to subparagraph 9.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the Moveable Sign before being entitled to recover the Moveable Sign.

10. Removal of Authorised Moveable Signs

- 10.1 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person if, in the reasonable opinion of that Authorised Person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the Moveable Sign.
- 10.2 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person for the purpose of special events, parades, road works or in any other circumstances which, in the reasonable opinion of the Authorised Person, requires relocation or removal of the Moveable Sign to protect public safety or to protect or enhance the amenity of a particular locality.

The foregoing by-law was duly made and passed at a meeting of the Light Regional Council held on 18 November 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. CARR, Chief Executive Officer

LIGHT REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Roads

FOR the management of the use of roads in the Council's area.

1. Definitions

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Road' has the same meaning as in the Local Government Act 1999.

2. Activities Requiring Permission

A person must not, without the permission of the Council undertake any of the following activities, on any Road:

2.1 Advertising

Display any sign other than a moveable sign which is displayed on a Road in accordance with the Council's Moveable Signs By-law.

2.2 Amplification

Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to broadcast announcements or advertisements.

2.3 Animals

- 2.3.1 Cause or allow any animal to stray onto, move over, graze or be left unattended on any Road.
- 2.3.2 Lead, drive or exercise any horse or other animal in such a manner as to endanger the safety of any person.

2.4 Donations

Ask for or receive or indicate that he or she desires a donation of money or any other thing, or otherwise solicit for charitable purposes.

2.5 Obstruction of a Road

Erect, install or place or cause to be erected, installed or placed any structure, item or material of any kind so as to obstruct the Road or any footway, water channel, or water course in a Road.

2.6 Posting of Bills

Post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on a Road except for any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State election and is posted during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is posted during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or is posted during the course of and for the purpose of a Referendum.

2.7 Preaching

Preach, harangue or otherwise solicit for religious purposes.

2.8 Public Exhibitions and Displays

- 2.8.1 Sing, busk or play any recording or use any musical instrument.
- 2.8.2 Conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.
- 2.8.3 Cause any public exhibitions or displays.

2.9 Tents and Camping

- 2.9.1 Erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation.
- 2.9.2 Camp or sleep overnight.

2.10 Working on vehicles

Perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of vehicle breakdown.

3. Prohibited Activities

A person who owns or is in charge of any cattle or horse must, if the cattle or horse defecates on a Road, immediately remove the faeces and dispose of them in a lawful and suitable manner.

4. Exemptions

The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to the driver of an emergency vehicle when driving an emergency vehicle as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules 1999.

5. Directions

A person must comply with any reasonable direction or request from an Authorised Person relating to:

- 5.1 that person's use of the Road;
- 5.2 that person's conduct and behaviour on the Road;

- 5.3 that person's safety on the Road;
- 5.4 the safety and enjoyment of the Road by other persons.

6. Removal of Animals and Persons

- 6.1 If any animal is found on any part of a Road in breach of a by-law:
 - 6.1.1 any person in charge of the animal, must immediately remove it from that part of the Road on the direction of an Authorised Person; and
 - 6.1.2 an Authorised Person may remove the animal from the Road if the person fails to comply with the request, or if no person is in charge of the animal;
 - 6.1.3 a person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the Road;
 - 6.1.4 an Authorised Person may remove any person from a Road who is committing a breach of a by-law of the Council but may not use force in doing so.

The foregoing by-law was duly made and passed at a meeting of the Light Regional Council held on 18 November 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. CARR, Chief Executive Officer

LIGHT REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Local Government Land

FOR the management and regulation of access to and use of land owned by the Council or under the care, control and management of the Council (other than roads).

1. Definition

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Camp' includes setting up a camp, or allowing a caravan or tent to remain on the land whether or not any person is in attendance or sleeps on the land.
- 1.3 'Children's Playground' means any enclosed area in a recreation area in which there is equipment or other installed devices for the purpose of children's play (or any area in a recreation area within 3 m of such devices if there is no enclosed area).
- 1.4 'Local Government Land' means all land owned by or under the care, control and management of the Council except Roads.
- 1.5 'Park' has the same meaning as in the Local Government Act 1999.
- 1.6 'Public Place' means a place (including a place on private land) to which the public has access but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996.
- 1.7 'Recreation Area' means and includes parklands, plantations, ornamental grounds, reserves, land or other property owned by or held in trust for or under the care, control and management of the Council for recreation purposes, or any part thereof.
- 1.8 'Reserve' has the same meaning as in the Local Government Act 1999.
- 1.9 'Road' has the same meaning as in the Local Government Act 1999.
- 1.10 'Vehicle' has the same meaning as in the Road Traffic Act 1961 and the Australian Road Rules.
- 1.11 'Waters' includes any body of water including a pond, lake, river, creek or wetlands.

2. Activities Requiring Permission

A person must not without the permission of the Council undertake any of the following activities on any Local Government Land:

2.1 Access to Water

- 2.1.1 Subject to the provisions of the Harbors and Navigation Act 1993, use a boat, other object or device in or on any Waters except:
 - 2.1.1.1 in an area which the Council has by resolution determined may be used for such purpose; and
 - 2.1.1.2 in accordance with any conditions that the Council may have determined by resolution apply to such use;

2.2 Advertising

Display or erect any sign or hoarding, for the purpose of commercial advertising or any other purposes;

2.3 Amplification

Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to broadcast announcements or advertisements;

2.4 Animals

- 2.4.1 Cause or allow any animal to stray onto, move over, graze or be left unattended on any Local Government Land;
- 2.4.2 Cause or allow any animal to enter, swim, bathe or remain in any Waters located on Local Government Land to which this subparagraph applies;

2.5 Attachments

Attach anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government Land except for any electoral matter attached to a tree, plant, equipment, fence post, structure or fixture by or with the authority of a candidate which is related to a Commonwealth or State election and is attached during the period commencing on the issue of the writ or writs for the election and ending at close of polls on polling day or is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is attached during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or is posted during the course of and for the purposes of a Referendum;

2.6 Aquatic Life

Take, interfere with, introduce or disturb any aquatic life in any Waters located on Local Government Land, to which this subparagraph applies;

2.7 Bees

Place any hive of bees on such land, or allow it to remain thereon;

2.8 Boats

- 2.8.1 Launch, propel, float or otherwise use any boat, raft, pontoon or watercraft, including a model boat on or in any Waters located on Local Government Land to which this subparagraph applies;
- 2.8.2 Launch or retrieve a boat to or from any Waters on Local Government Land to which this subparagraph applies;
- 2.8.3 Hire out a boat, raft, pontoon or watercraft or similar device or otherwise use such device for commercial purposes;

2.9 Bridge Jumping

Jump or dive from any bridge on Local Government Land;

2.10 Buoys, etc.

Place a buoy, cable, chain, hawser, rope or net in or across any Waters on Local Government Land;

2.11 *Busking and Entertaining*

- 2.11.1 Sing, busk or play any recording or use any musical instrument for the apparent purpose of either entertaining others or receiving money such as to cause a public nuisance;
- 2.11.2 Conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or other similar activity;

2.12 *Camping and Tents*

- 2.12.1 Erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
- 2.12.2 Camp or sleep overnight except where a person is in a caravan park on Local Government Land, the proprietor of which has been given permission to operate the caravan park on that land;

2.13 *Canvassing*

Convey any advertising, religious or other message to any bystander, passer-by or other person except for any message or material that is related to a Commonwealth or State election and is conveyed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is conveyed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or that is related to and conveyed during the course of and for the purpose of a Referendum;

2.14 *Closed lands*

- 2.14.1 Enter or remain on any part of Local Government Land:
- 2.14.1.1 at any time during which the Council has declared that part to be closed to the public and which is indicated by a sign to that effect on or adjacent to the land;
- 2.14.1.2 where the land is enclosed with fences and/or walls and gates, that have been closed and locked;
- 2.14.1.3 where admission charges are payable for a person to enter that part, without paying those charges;

2.15 *Defacing Property*

Deface, paint, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign or property of the Council on Local Government Land;

2.16 *Distribution*

Place on any vehicle (without the consent of the owner of the vehicle), or give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter that is related to a Commonwealth or State election and is placed, given out or distributed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is placed, given out or distributed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum;

2.17 *Donations*

Ask for or receive or indicate that he or she desires a donation of money or any other thing or otherwise solicit for charitable purposes;

2.18 *Fires*

- 2.18.1 Subject to the Fire and Emergency Services Act 2005:
- 2.18.1.1 in a place provided by the Council for that purpose;
- 2.18.1.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 m;

2.19 *Fishing*

- 2.19.1 Fish in any waters on Local Government Land to which this subparagraph applies;
- 2.19.2 Fish from any bridge or other structure on Local Government Land;

2.20 *Flora and Fauna*

- 2.20.1 Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:
- 2.20.1.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
- 2.20.1.2 lead or drive any animal or stand or walk on any flower bed or garden plot;
- 2.20.1.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 2.20.1.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;
- 2.20.1.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
- 2.20.1.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
- 2.20.1.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature;

2.21 *Games*

- 2.21.1 Play any organised competition or sport, as distinct from organised social play, to which this subparagraph applies which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land;
- 2.21.2 Play or practice any game which involves kicking, hitting or throwing a ball or other object on Local Government Land to which this subparagraph applies which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land;
- 2.21.3 Play or practice the game of golf on Local Government Land to which this subparagraph applies;

2.22 *Liquor*

Consume, carry or be in possession or charge of any liquor on Local Government Land comprising Parks or Reserves to which this subparagraph applies;

2.23 *Model Aircraft and Cars*

- 2.23.1 Fly or operate a model aircraft;
- 2.23.2 Operate a model car;

2.24 *Overhanging Articles or Displaying Personal Items*

Suspend or hang any article or object from any building, verandah, pergola, post or other structure on Local Government Land where it might present a nuisance or danger to any person using the land or be of an unsightly nature;

2.25 *Playing Area*

2.25.1 Use or occupy any playing area:

2.25.1.1 in such a manner as to damage or be likely to damage the surface of the playing area;

2.25.1.2 in any manner contrary to the purpose for which the playing area was intended to be used or occupied;

2.25.1.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;

2.26 *Pontoons*

Install or maintain a pontoon, fixed floating jetty or other jetty;

2.27 *Posting of Bills etc.*

Post any bills, advertisements or other papers or items on a building or structure on Local Government Land except for any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State election and is posted during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is posted during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or is posted during the course of and for the purpose of a Referendum;

2.28 *Preaching*

Preach, harangue or solicit for religious purposes;

2.29 *Smoking*

Smoke tobacco or any other substance in any building on Local Government Land to which this subparagraph applies;

2.30 *Swimming*

Swim, bathe or enter any Waters located on Local Government Land to which this subparagraph applies;

2.31 *Toilets*

2.31.1 In any toilet:

2.31.1.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;

2.31.1.2 smoke tobacco or any other substance;

2.31.1.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;

2.31.1.4 use it for a purpose for which it was not designed or constructed;

2.31.1.5 enter any toilet that is set aside for use by the opposite sex except in the case of:

(a) a child under the age of five years who is accompanied by an adult person of that opposite sex; or

(b) providing assistance to a disabled person;

2.32 *Trading*

Sell, buy, offer or display anything for sale;

2.33 *Vehicles*

Except on an area properly constructed for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part;

2.34 *Weddings, Funerals or Special Events*

Conduct or participate in a marriage ceremony, funeral or special event;

2.35 *Working on vehicles*

Perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of vehicle breakdown.

3. *Prohibited Activities*

A person must not undertake any of the following activities on any Local Government Land:

3.1 *Animals*

3.1.1 Cause or allow any animal to enter, swim, bathe or remain in any Waters to the inconvenience, annoyance or danger of any other person bathing or swimming;

3.1.2 Cause or allow any animal to damage any flower bed, garden, pot, tree, lawn or other item located thereon;

3.2 *Annoyances*

Unreasonably annoy or interfere with any other person's use of the land by making a noise, being annoying, offensive, indecent or creating a disturbance;

3.3 *Damaging Property*

Damage or remove a building, structure or fixture located on the land;

3.4 *Interference with permitted use*

Interrupt, disrupt or interfere with any other person's use of Local Government Land which is permitted or for which permission has been granted;

3.5 *Playing games*

3.5.1 Play or practice a game:

3.5.1.1 which is likely to cause damage to the land or anything in it;

3.5.1.2 which endangers the safety or interferes with the comfort of any person;

3.5.1.3 in any area where a sign indicates that the game is prohibited;

3.6 *Throwing Objects*

Except where otherwise permitted by this by-law, throw, roll, discharge or project a stone, substance or other missile;

3.7 *Use of equipment*

Use any item of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it;

3.8 *Waste*

3.8.1 Deposit or leave thereon:

3.8.1.1 anything obnoxious or offensive;

3.8.1.2 any offal, dead animal, dung or filth;

3.8.1.3 any mineral, mineral waste, industrial waste or bi-products;

3.8.2 foul or pollute any waters situated thereon;

3.8.3 deposit any rubbish other than in receptacles provided by the Council for that purpose;

3.8.4 deposit in any receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

4. Exemptions

The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to the driver of an emergency vehicle when driving an emergency vehicle as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations and the Australian Road Rules 1999.

5. Directions

A person must comply with any reasonable direction or request from an Authorised Person of the Council relating to:

- 5.1 that person's use of the land;
- 5.2 that person's conduct and behaviour on the land;
- 5.3 that person's safety on the land;
- 5.4 the safety and enjoyment of the land by other persons.

6. Removal of Animals, Persons and Objects

- 6.1 If any animal, person or object is found on any part of Local Government Land in breach of a by-law:
 - 6.1.1 any person in charge of the animal, person or object shall forthwith remove it from that part of the land on the request of an Authorised Person; and
 - 6.1.2 an Authorised Person may remove the animal or object from the land if the person in charge of it fails to comply with the request, or if no person is in charge of it.
- 6.2 A person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the Local Government Land.
- 6.3 An Authorised Person may remove any person from Local Government Land who is committing a breach of a by-law but may not use force in doing so.

7. Application

- 7.1 Any of subparagraphs and of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with section 246 (3) (e) of the Local Government Act 1999.

The foregoing by-law was duly made and passed at a meeting of the Light Regional Council held on 18 November 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. CARR, Chief Executive Officer

LIGHT REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999 AND THE DOG AND CAT MANAGEMENT ACT 1995

By-law No. 5—Dogs

TO limit the number of dogs that can be kept on premises and to provide for the control and management of dogs in the Council's area.

1. Definitions

In this by-law:

- 1.1 'Approved Kennel Establishment' means a building, structure, premises or area approved by the relevant authority pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis.
- 1.2 'Disability Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.3 'Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.4 'Guide Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.5 'Hearing Dog' has the same meaning as in the Dog and Cat Management Act 1995.

1.6 'Local Government Land' means land owned by the Council or under the Council's care, control and management.

1.7 'Small Dwelling' means the premises of a self contained dwelling either:

- 1.7.1 commonly known as a flat, service flat, home unit, courtyard home or the like; or
- 1.7.2 which is contained in a separate strata title.

2. Limit on Dog Numbers

- 2.1 A person must not, without the Council's permission keep:
 - 2.1.1 in a Small Dwelling more than one Dog;
 - 2.1.2 in any other dwelling more than two Dogs;
- 2.2 Where a female dog is kept in circumstances not amounting to a breach of subparagraph 2.1 of this by-law and has a litter of young then that young may be kept in the same dwelling as the female parent until the young attain the age of three months.

3. Kennel Establishments

- 3.1 The limit set out in subparagraphs 2.1 and 2.2 of this by-law do not apply to an Approved Kennel Establishment provided:
 - 3.1.1 it is operating in accordance with all required approvals and consents; and
 - 3.1.2 any business involving the dogs is registered in accordance with the Dog and Cat Management Act 1995.

4. Dog Free Areas

A person must not without the Council's permission on Local Government Land to which this paragraph applies, cause, suffer or permit any Dog under that person's control, charge or authority (except a Disability Dog, Guide Dog or Hearing Dog), to be or remain in that place.

5. Dogs on Leashes Area

A person must not without the Council's permission on Local Government Land to which this paragraph applies, cause, suffer or permit any Dog under that person's control, charge or authority to be or remain in that place unless such Dog is restrained by a strong chain, cord or leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the Dog and preventing it from being a nuisance or danger to other persons.

6. Dog Exercise Areas

- 6.1 A person must not enter any part of Local Government Land to exercise a Dog under that person's control except on Local Government Land to which this subparagraph applies and subject to subparagraph 6.2 of this by-law.
- 6.2 A person must only enter upon any such part of Local Government Land in accordance with paragraph 6.1 of this by-law for the purpose of exercising a Dog under that person's control and must ensure that the Dog or Dogs remain under effective control either by means of a physical restraint or by command, the dog being in close proximity to the person and the person being able to see the Dog at all times while on that land.

7. Application of Paragraphs

Paragraphs 4, 5 and 6 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct (in accordance with section 246 (3) (e) of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Regional Light Council held on 18 November 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. CARR, Chief Executive Officer

LIGHT REGIONAL COUNCIL

BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT 1995 AND THE LOCAL GOVERNMENT ACT 1999

By-law No. 6—Cats

TO limit the number of cats that can be kept on premises.

1. *Definitions*

In this by-law:

- 1.1 'Approved Kennel Establishment' means a building, structure, premises or area approved by the relevant authority pursuant to the Development Act 1993, for the keeping of Cats on a temporary or permanent basis.
- 1.2 'Cat' has the same definition as in the Dog and Cat Management Act 1995.
- 1.3 'Keep' includes the provision of food and shelter.
- 1.4 'Premises' includes land and part of any premises or land whether used or occupied for domestic or non-domestic purposes except an Approved Kennel Establishment.

2. *Limit on Cat Numbers*

A person must not, without the Council's permission, keep on any Premises more than four Cats.

The foregoing by-law was duly made and passed at a meeting of the Light Regional Council held on 18 November 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. CARR, Chief Executive Officer

LIGHT REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 7—Nuisances Caused by Building Sites

TO prevent and suppress certain kinds of nuisance caused by rubbish escaping from land on which building work is being undertaken.

1. *Definitions*

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Building Work' has the same meaning as in the Development Act 1993.

2. *No Unauthorised Discharge*

- 2.1 The person in charge of Building Work on land shall take whatsoever steps necessary to ensure that all paper, plastic or other building materials (not including soil, sand or stones) on the land associated with the Building Work is secure so that the same does not blow from the land in a wind.
- 2.2 The obligation contained within subparagraph 2.1 of this by-law does not extend to the prevention of such things blowing from the land in a wind of such velocity and nature that material from other properties in the area generally are blown from such land.

3. *Removal of Discharge*

- 3.1 If paper, plastic or other building materials (not including soil, sand or stones) blows from the land in a wind, the person in charge of the Building Work must remove all such materials from adjacent land at the request in writing of an Authorised Person.
- 3.2 If the person in charge of Building Work on land fails to comply with subparagraph 3.1 of this by-law, then the Council may undertake the work itself and, recover the cost of doing so from that person.

The foregoing by-law was duly made and passed at a meeting of the Light Regional Council held on 18 November 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. CARR, Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

ROADS (OPENING AND CLOSING) ACT 1991

Jubilee Drive, Coffin Bay

NOTICE is hereby given that pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the District Council of Lower Eyre Peninsula hereby gives notice of its intent to make a Road Process Order to close the portion of public road marked 'A' and 'B' as delineated on Preliminary Plan No. 08/0118. The closed road marked 'A' is to be transferred to CLECO Nominees No. 247 Pty Ltd and merged with Allotment 20 in Deposited Plan 33622. The closed road marked 'B' is to be transferred to Lincoln Building Supplies Pty Ltd and merged with Allotment 21 in Deposited Plan 33622.

A copy of the preliminary plan and statement of persons affected are available for public inspection at the Council Office, 32 Railway Terrace, Cummins or the Adelaide office of the Surveyor-General during normal office hours.

An application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, P.O. Box 41, Cummins, S.A. 5631 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

P. W. AIRD, Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

ELECTOR REPRESENTATION REVIEW

Extended Date for Written Submissions

NOTICE is hereby given that the District Council of Lower Eyre Peninsula has extended the date for accepting written submissions for the 'Representation Options Paper'. Closing date will now be 23 January 2009.

A 'Representation Options Paper' with specific details about the issues being considered is available at both Council Offices, 38 Washington Street, Port Lincoln and 32 Railway Terrace, Cummins, or from the website at:

www.lowereyrepeninsula.sa.gov.au

R. PEARSON, Chief Executive Officer

NARACOORTE LUCINDALE COUNCIL

Change of Council/Key Committee Meeting Date

NOTICE is hereby given that at a meeting held on 26 August 2008, it was resolved that the Council/Key Committee meetings for December 2008 be held on Tuesday, 16 December 2008, commencing at 4.30 p.m. (changed from 23 December 2008).

A. EVANS, Chief Executive Officer

NARACOORTE LUCINDALE COUNCIL

Appointment

NOTICE is hereby given that at a meeting of Council held on 25 November 2008 and pursuant to section 102 of the Local Government Act 1999, Fiona Louise Stringer was appointed Acting Chief Executive Officer for the period from Friday, 18 December 2008 to Tuesday, 5 January 2009 while the Chief Executive Officer is on annual leave.

A. EVANS, Chief Executive Officer

PORT PIRIE REGIONAL COUNCIL

Notice of Casual Vacancy

NOTICE is hereby given that I wish to advise that John Legg has resigned from his position as Councillor with the Port Pirie Regional Council, creating a casual vacancy with the Council. In accordance with the requirements of the Local Government (Elections) Act 1999 and Council's policy, Port Pirie Regional

Council does not intend to fill this vacancy until the next General Election of Council, or until another vacancy in the position of Councillor occurs.

Dr A. K. JOHNSON, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA

Periodical Review

NOTICE is hereby given that pursuant to section 12 of the Local Government Act 1999, the District Council of Yankalilla is undertaking a review of the composition and structure of Council to ensure that the electors of the district are adequately and fairly represented.

Council after considering the submissions received from the public in response to the Representation Options Paper have developed an option detailing the composition and structure of Council, copies of which are available from the Council Office, 1 Charles Street Yankalilla or by accessing Council's website www.yankalilla.sa.gov.au.

Council is seeking written submissions in relation to the option presented, which need to be lodged with Council by 5 p.m. on Friday, 16 January 2009.

Submissions addressed to the Chief Executive—Representation Review, can be lodged via email consultation@yankalilla.sa.gov.au or posted to P.O. Box 9, Yankalilla, S.A. 5203.

Any person making a submission will be given the opportunity to address Council in support of their submission.

R. SWEETMAN, Chief Executive

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

Cook, Joyce Olive, late of 9 Brenchley Grove, Kingswood, retired dressmaker, who died on 28 September 2008.

Daniels, Avis Gertrude Ruth, late of 502 Magill Road, Magill, widow, who died on 20 October 2008.

Dutfield, Christina Dunnet, late of Pridham Boulevard, Aldinga Beach, of no occupation, who died on 25 July 2008.

Edgar, James Noel, late of Kennedy Court, Largs Bay, of no occupation, who died on 21 September 2008.

Emes, Clarence Harold, late of 342 Military Road, Semaphore Park, retired waterside worker, who died on 25 September 2008.

Johnson, Joyce Muriel, late of Grange Road, Somerton Park, of no occupation, who died on 29 September 2008.

Kelly, Raymond Maurice, late of 175 Main Road, Yankalilla, retired dairy farmer, who died on 28 August 2008.

Morris, Catherine Margaret, late of 1 Barr Road, Happy Valley, retired publican, who died on 26 June 2008.

Parsons, Jocelyn Isobel, late of Hill Avenue, Keith, of no occupation, who died on 17 September 2008.

Paschalis, Elisabeth Maria, late of 19 Hincks Avenue, Whyalla Norrie, retired business proprietor, who died on 13 September 2008.

Rice, Kevin Maxwell Frank, late of 181-193 Days Road, Regency Park, retired hardware assistant, who died on 8 August 2008.

Shurven, Raymond John, late of 50 Gulfview Road, Christies Beach, retired salesman, who died on 2 October 2008.

Watson, Phyllis Laurel, late of 2-4 Anesbury Street, Whyalla Norrie, retired registered nurse, who died on 9 August 2008.

Woodhouse, Joyce, late of 55 Fifth Avenue, Ascot Park, home duties, who died on 14 August 2008.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 9 January 2009, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 4 December 2008.

M. I. BODYCOAT, Public Trustee

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before 10 a.m. on Thursday**.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.

Email: governmentgazette@dpc.sa.gov.au