



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 21 JULY 2005

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GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and 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. on the Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@saugov.sa.gov.au**. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the 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

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor directs it to be notified for general information that she 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. 42 of 2005—Citrus Industry Act 2005. An Act to provide for the South Australian Citrus Industry Development Board and for administration by the Board of a fund for citrus industry purposes; to repeal the Citrus Industry Act 1991; and for other purposes.

No. 43 of 2005—Parliamentary Superannuation (Scheme for New Members) Amendment Act 2005. An Act to amend the Parliamentary Superannuation Act 1974 and to make related amendments to the Parliamentary Remuneration Act 1990.

By command,

S. W. KEY, for Premier

DPC 02/0586

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Crewing Committee, pursuant to the provisions of the Harbors and Navigation Act 1993:

Member: (from 21 July 2005 until 30 June 2007)

Walter Ferrao
Debby Belinda Barton
Ian Woollard
Donald William Sleath
Jamie Newlyn

Proxy Member: (from 21 July 2005 until 30 June 2007)

Walter James Stuart (Proxy to Ferrao)
William Robert La Vars (Proxy to Woollard)
Sue Mattsson (Proxy to Barton)
Martin Price (Proxy to Sleath)

By command,

S. W. KEY, for Premier

MTR 05/041CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Guardianship Board, pursuant to the provisions of the Guardianship and Administration Act 1993:

Section 8 (1) Panel Member: (from 21 July 2005 until 20 July 2008)

Lothar Clemens Hoff
George Rawson
Elaine Skinner

By command,

S. W. KEY, for Premier

AGO 0217/04CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Legal Practitioners Disciplinary Tribunal, pursuant to the provisions of the Legal Practitioners Act 1981:

Member: (from 21 July 2005 until 20 July 2008)

Elizabeth Ann Sheppard

By command,

S. W. KEY, for Premier

AGO 0410/02CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Legal Practitioners Conduct Board, pursuant to the provisions of the Legal Practitioners Act 1981:

Member: (from 21 July 2005 until 23 April 2006)

Catherine Margaret Parsonage

By command,

S. W. KEY, for Premier

AGO 0068/03CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Legal Services Commission, pursuant to the provisions of the Legal Services Commission Act 1977:

Member: (from 21 July 2005 until 20 July 2008)

Rosemary Davey

By command,

S. W. KEY, for Premier

AGO 0249/02CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Construction Industry Training Board, pursuant to the provisions of the Construction Industry Training Fund Act 1993:

Member: (from 21 July 2005 until 31 October 2005)

Robert Norman Stewart
Steven Brenton Hall
Brenton Paul Gardner
Robert John Geraghty
Wayne Thomas Hanson

Deputy Member: (from 21 July 2005 until 31 October 2005)

Christine Harrison (Deputy to O'Connor)
David Milton Callan (Deputy to Stewart)
Laurence John Moore (Deputy to Hall)
Robert Harding (Deputy to Gardner)
Douglas Buchanan (Deputy to Geraghty)
Christopher Nessbit (Deputy to Hanson)

By command,

S. W. KEY for Premier

METAPE 28/05CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Training and Skills Commission, pursuant to the provisions of the Training and Skills Development Act 2003:

Member: (from 21 July 2005 until 30 September 2005)

Anne Dunn

Member: (from 21 July 2005 until 30 June 2007)

Jan Andrews
Ian Curry
David Frith
Adrian Lee Smith
Sally MacDonal-Taylor
Hilary Patience Mary Winchester
Patrick Wright
Brian Mowbray

Deputy Member: (from 21 July 2005 until 30 June 2007)

Robyn Lee Buckler (Deputy to Curry)
Stephen Kenseley Myatt (Deputy to Frith)
Kate Thiele (Deputy to Smith)
Sylvia Healy (Deputy to MacDonal-Taylor)
Faith Helen Elly Trent AM (Deputy to Winchester)
Gayle Peak (Deputy to Wright)
Douglas Donald Strain (Deputy to Mowbray)

Chair: (from 21 July 2005 until 30 September 2005)
Anne Dunn

By command,

S. W. KEY, for Premier

METAFE 27/05CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Citrus Board of South Australia, pursuant to the provisions of the Citrus Industry Act 1991:

Member: (from 21 July 2005 until 31 December 2005 or until the repeal of the Citrus Industry Act 1991)

Bernard Lawry Lange
Kent Andrew
John Cox
Bill Ekonomopoulos
Carole Joan Walker
Joel Christopher Sheehan
Leon Spehr
Amos Andrew Weigall

Presiding Member: (from 21 July 2005 until 31 December 2005 or until the repeal of the Citrus Industry Act 1991)

Bernard Lawry Lange

By command,

S. W. KEY, for Premier

MAFF 05/0023CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Michael John Wright MP, Minister for Administrative Services, Minister for Industrial Relations, Minister for Recreation, Sport and Racing and Minister for Gambling to be also Acting Deputy Premier, Acting Treasurer, Acting Minister Assisting the Premier in Economic Development, Acting Minister for Police and Acting Minister for Federal/State Relations for the period 25 July 2005 to 31 July 2005 inclusive, during the absence of the Honourable Kevin Owen Foley, MP.

By command,

S. W. KEY, for Premier

T&F 05/070CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint Warren John McCann to the position of Chief Executive, Department of the Premier and Cabinet, for a term of three years, commencing on 16 October 2005 and expiring on 15 October 2008, pursuant to Part 4 of the Public Sector Management Act 1995.

By command,

S. W. KEY, for Premier

DPC 022/00Pt2CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint Allan Holmes to the position of Chief Executive, Department for Environment and Heritage, for a term of three years, commencing on 31 July 2005 and expiring on 30 July 2008, pursuant to Part 4 of the Public Sector Management Act 1995.

By command,

S. W. KEY, for Premier

DPC 022/00Pt3CS

Department of the Premier and Cabinet
Adelaide, 21 July 2005

HER Excellency the Governor in Executive Council has been pleased to appoint Christina Pauline Melvin as a Deputy Registrar of Motor Vehicles, pursuant to Section 7 of the Motor Vehicles Act 1959.

By command,

S. W. KEY, for Premier

MTR 05/042CS

ADMINISTRATIVE ARRANGEMENTS ACT 1994

Instrument of Delegation

I, PAUL HOLLOWAY, MLC, Minister for Mineral Resources Development, pursuant to section 9 of the Administrative Arrangements Act 1994, hereby delegate my functions, express and implied, under section 8 of the Natural Gas Authority Act 1967, to the Minister for Energy.

PAUL HOLLOWAY, Minister for Mineral Resources Development

D05/03387

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JOHN HILL, 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

Point Bell Conservation Reserve, Allotment 100 of Deposited Plan 38294, Hundred of Keith, County of Kintore, the notice of which was published in the *Government Gazette* of 11 November 1993 at pages 2438, 2439 and 2440, The Thirty Third Schedule, and amended by *corrigendum* published in the *Government Gazette* of 9 December 1993 at page 2887, being the whole of the land comprised in Crown Record Volume 5772 Folio 810.

Dated 21 July 2005.

J. HILL, Minister for Environment and Conservation

DEH 13/1028

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JOHN HILL, 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. Fowlers Bay Conservation Reserve, Allotment 62 of Deposited Plan 35363, Hundred of Caldwell and Allotments 100 and 101 of Deposited Plan 35535, Hundreds of Caldwell and Sturdee, County of Hopetoun, the notice of which was published in the *Government Gazette* of 11 November 1993 at pages 2438, 2439 and 2440, The Sixteenth Schedule, and amended by *corrigendum* published in the *Government Gazette* of 9 December 1993 at page 2887, being the whole of the land comprised in Crown Record Volume 5772 Folio 806.
2. Reserve for Conservation Purposes, Allotment 64 of Deposited Plan 35363, Hundred of Caldwell, County of Hopetoun, the notice of which was published in the *Government Gazette* of 18 February 1993 at page 682, The First Schedule, being the whole of the land comprised in Crown Record Volume 5772 Folio 949.

Dated 21 July 2005.

J. HILL, Minister for Environment and Conservation

DEH 13/1026

ENVIRONMENT PROTECTION ACT 1993

Variation to Existing Approval of Collection Depot

I, STEPHEN RICHARD SMITH, Senior Adviser, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Variation to Existing Approval of Collection Depot

Vary the approval of the collection depot, listed at Schedule 1 of this notice, that was granted under the Act prior to the date of this notice and impose the conditions of this approval to be as follows:

Approval of Collection Depot

The collection depot identified by reference to the following matters is approved:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this notice;
- (c) the location of the depot described in Columns 4 and 5 of Schedule 1 of this notice; and
- (d) the collection area in relation to which the collection depot is approved referred to in Column 6 of Schedule 1 of this notice.

The collection depot listed at Schedule 1 of this notice is approved in relation to all classes of containers which were approved under the Act, at or subsequent to the date of this notice, as Category B Containers.

Conditions of Approval

Impose the following conditions on this approval:

- (a) The person in charge of a collection depot shall ensure the depot premises complies with Council Planning Regulations and shall be kept in an orderly condition.
- (b) The person in charge of the collection depot who wishes to transfer the operation of a depot to another person or intends to change the location of a depot shall notify the Authority in writing within one month of the change occurring.
- (c) The person in charge of a collection depot who wishes to cease operation of that depot shall give notice in writing to the Authority.
- (d) The person in charge of a collection depot shall take such measures as are necessary in the operation and maintenance of the depot to prevent or control:
 - (i) A nuisance or offensive condition.
 - (ii) A risk to health or safety.
 - (iii) Damage to the environment.
- (e) The person in charge of a collection depot is reminded of the general environmental duty, as required by section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, do not pollute the environment in a way which causes or may cause environmental harm.

SCHEDULE 1

Variation to Approved Collection Depot

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Depot Name	Company/ Trading Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title No.	Collection Area
Port Broughton Recycling Depot	Port Broughton Recycling Depot	Philip John and Sharon Kay Clark	Allotment 6/160 Casey Road	Port Broughton	5930/477	Southern

South Australia

Environment Protection (Amendment of Environment Protection Policies) Notice 2005

under Schedule 1, clause 3 of the *Environment Protection (Miscellaneous) Amendment Act 2005*

1—Short title

This notice may be cited as the *Environment Protection (Amendment of Environment Protection Policies) Notice 2005*.

2—Commencement

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

3—Amendment of environment protection policies

The environment protection policies listed in the table in Schedule 1 are amended as set out in that table.

Schedule 1—Amendment of Environment Protection Policies

Amendment of <i>Environment Protection (Burning) Policy 1994</i>	
Clause 5(1), (2), (3) and (4)	Delete “Category C offence” wherever occurring and substitute: Category D offence
Amendment of <i>Environment Protection (Machine Noise) Policy 1994</i>	
Clause 5(1)	Delete “Category C offence” and substitute: Category D offence
Amendment of <i>Environment Protection (Waste Management) Policy 1994</i>	
Clause 4(2)	Delete “Category C offence” and substitute: Category D offence
Clause 5(2)	Delete “Category C offence” and substitute: Category D offence
Clause 6	Delete “Category C offence” and substitute: Category D offence

Dated 14 July 2005

JOHN HILL
MINISTER FOR ENVIRONMENT AND CONSERVATION

House of Assembly, 6 July 2005

FORWARDED to the Honourable the Premier the following Resolution, passed by the House of Assembly on 6 July 2005:

That the By-law No. 5, made by the Kangaroo Island Council under the Local Government Act 1999 entitled Dogs, laid on the table of this House on 3 May 2005, be disallowed.

D. A. BRIDGES, Clerk

ELECTRICITY ACT 1996

Prices for Electricity Customers on Default Contracts

ORIGIN ENERGY ELECTRICITY LTD (ABN 33 071 052 287) ('Origin Energy') hereby gives notice pursuant to section 36AB of the Electricity Act 1996, that it has fixed new prices for the sale of electricity to small customers who are purchasing electricity under Origin Energy's default contract terms and conditions.

A full list of default contract prices can be found at www.originenergy.com.au or by calling 13 2114. The default contract prices take effect on and from the end of 28 days from the date of publication of this notice.

The default contract prices are the same as some of Origin Energy's market contract prices. The default contract prices have been fixed by Origin Energy in accordance with Electricity Industry Guideline No. 10 (December 2003) published by the Essential Services Commission.

PHIL CRAIG, General Manager, Sales and Marketing

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Damien John Wilksch (the 'exemption holder') is exempt from clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as he may use the device described in Schedule 1 to take carp, bony bream and other non-native species in the areas specified in Schedule 2 for the purpose of trade or business (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 21 July 2005 until 30 June 2006, unless varied or revoked earlier.

SCHEDULE 1

'Carp net'—a gill net with a ply greater than 5, having a maximum length of 50 m and a minimum mesh size of 10 cm and a maximum mesh size not exceeding 18 cm.

SCHEDULE 2

- (1) Subject to paragraph (2), the licence holder may conduct fishing activities pursuant to this licence in all backwaters of the River Murray excluding the following areas during the corresponding period set out in the following table:

<i>Area Excluded</i>	<i>Period of Closure</i>
Lake Littra and outflow channel	Permanent—all year
Clover Lake	Permanent—all year
Coombool Swamp	Permanent—all year
Lake Limbra and outflow channel	Permanent—all year
Lake Woolpoolool	Permanent—all year
Ral Ral Creek below Chaffey Pump and entrance waters to Lake Merreti	Permanent—all year
Katarapko Creek and Eckert Creek, including The Splash	Permanent—all year
Bulyong Creek	Permanent—all year
Pilby Creek	Permanent—all year
Hancock Creek	Permanent—all year
Mundic Creek	Permanent—all year
Pike Creek	Permanent—all year
Punkah Creek	Permanent—all year
Slaney Creek	Permanent—all year
Loch Luna	Permanent—all year
Cobdogla Swamp	1 August to 30 April (inclusive)
Loveday Swamp/Mussel Lagoons	1 August to 30 April (inclusive)
Lake Merreti	1 August to 31 January (inclusive)

- (2) The licence holder may conduct fishing operations within the closure areas and periods listed above if given written approval by the Director of Fisheries to undertake specified carp eradication work in a specified area for a specified period.

SCHEDULE 3

1. The exemption holder must not use more than 30 carp nets at any one time in permitted backwaters of the River Murray.

2. The exemption holder must not have more than 30 carp nets in his possession at any time when he is deploying carp nets in the backwaters of the River Fishery.

3. The exemption holder may only engage in the exempted activity when also fishing pursuant to River Fishery Licence No. R03, and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery Licence No. R03.

4. The exemption holder must not cause or permit a person to act as his agent when engaging in the exempted activity unless that person may lawfully act as an agent for the exemption holder in relation to River Fishery Licence No. R03.

5. All native fish (excluding bony bream) taken in the course of the exempted activity must be immediately returned to the water.

6. Immediately prior to commencing the exempted activity, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with the following details:

- The licence number and person(s) conducting the activity.
- The exact location(s) of the fishing activities.
- The number of carp nets being used.

7. The exemption holder must ensure that the carp nets are checked and all fish removed at least once during each 24 hour period.

8. When the exemption holder moves the carp nets more than 3 km from the reported location of the nets under condition 6, or removes the nets from the River completely, the exemption holder must again report to the PIRSA Fisheries Compliance Unit on 1800 065 522 and provide either details, as required under condition 6 of this exemption, or report that fishing with carp nets has ceased.

9. While engaged in the exempted activity, the exemption holders must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer as requested.

10. The exemption holder must not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 14 July 2005.

J. PRESSER, Director of Fisheries

GAS ACT 1997

Prices for Natural Gas Customers on Default Contracts

ORIGIN ENERGY RETAIL LTD (ABN 22 078 868 425) ('Origin Energy') hereby gives notice pursuant to section 34B of the Gas Act 1997, that it has fixed new prices for the sale and supply of natural gas to small customers who are purchasing gas under Origin Energy's default contract terms and conditions.

A full list of default contract prices can be found at www.originenergy.com.au or by calling 13 2461. The default contract prices take effect on and from the end of 28 days from the date of publication of this notice.

The default contract prices are the same as the standing contract prices fixed by the Essential Services Commission pursuant to the Essential Services Commission Act 2002 in the Gas Standing Contract Price Path Final Inquiry Report and Final Price Determination dated 28 June 2005 ('Price Determination'). The justification for these prices is set out in the Statement of Reasons included in the Price Determination.

PHIL CRAIG, General Manager, Sales and Marketing

LAND AND BUSINESS (SALE AND CONVEYANCING)
ACT 1994

Exemption

TAKE notice that pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Karlene Maywald, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Denise Mary Borrillo an employee of Van Voorst Black Real Estate Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5129, folio 448, situated at 18 Eighth Street, Bordertown, S.A. 5268.

Dated 21 July 2005.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs:

M. BODYCOAT, Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING)
ACT 1994

Exemption

TAKE notice that pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Karlene Maywald, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Ian George Harvy an employee of Kosten Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5042, folio 865, situated at 9/1 Howard Close, Mount Barker, S.A. 5251.

Dated 21 July 2005.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs:

M. BODYCOAT, Commissioner

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Barrie William and Janice Maude Heard, c/o Fisher Jeffries, Level 15, 211 Victoria Square, Adelaide, S.A. 5000 have applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and a Gaming Machine Licence in respect of premises situated at Main Road, Lochiel, S.A. 5510 and known as Lochiel Lakeview Hotel.

The applications have been set down for hearing on 23 August 2005 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 15 August 2005).

The applicants' address for service is c/o Fisher Jeffries, Level 15, 211 Victoria Square, Adelaide, S.A. 5000 (Attention: Craig Vozzo/Adrian Battiston).

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 15 July 2005.

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 Scottie Phuong Minh Tang has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at the corner Warren Road and Alva Street, Para Vista, S.A. 5093 and known as Kwan Yen Restaurant.

The application has been set down for hearing on 24 August 2005 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 16 August 2005).

The applicant's address for service is c/o Gordon Cheng, Barristers & Solicitors, 1st Floor, Pulteney Centre, 186 Pulteney 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 14 July 2005.

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 Harbour Rural Pty Ltd has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at Murray Street, Tanunda, S.A. 5352 and known as Barossa Motor Lodge.

The application has been set down for hearing on 24 August 2005 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 16 August 2005).

The applicant's address for service is c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152.

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 15 July 2005.

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 Papaya Thai Pty Ltd as trustee for the Luu Family Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 268-270 Torrens Road, Croydon Park, S.A. 5008 and known as Papaya Thai Cuisine.

The application has been set down for hearing on 23 August 2005 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 15 August 2005).

The applicant's address for service is c/o Nheen Luu, 268 Torrens Road, Croydon Park, S.A. 5008.

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 14 July 2005.

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 Flight Training Adelaide Pty Ltd has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at Hangar 54, Kitty Hawk Lane, Parafield Airport, S.A. 5107 known as BAE Systems and to be known as Flight Training Adelaide Pty Ltd.

The application has been set down for hearing on 23 August 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 15 August 2005).

The applicant's address for service is c/o Steve Holden, Hangar 54, Kitty Hawk Lane, Parafield Airport, S.A. 5106.

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 13 July 2005.

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 Kopi Tim Restaurant Pty Ltd as trustee for the Lai Family Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 168 Gouger Street, Adelaide, S.A. 5000 and known as Dack Kee Hong Kong Restaurant to be known as Kopi Tim Restaurant.

The application has been set down for hearing on 22 August 2005 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 12 August 2005).

The applicant's address for service is c/o Civil & Commercial Barristers and Solicitors, 311 Unley Road, Malvern, S.A. 5061.

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 11 July 2005.

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 Food & Wine Connection Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 669 Magill Road, Magill, S.A. 5072 and to be situated at 22 Famechon Crescent, Modbury North, S.A. 5092 and known as Food and Wine Connection.

The application has been set down for hearing on 19 August 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 11 August 2005).

The applicant's address for service is c/o Connie Confalone, 669 Magill Road, Magill, S.A. 5072.

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 14 July 2005.

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 General Havelock Pty Ltd and General Havelock on Hutt Pty Ltd have applied to the Licensing Authority for a variation to the Extended Trading Authorisation in respect of premises situated at 162 Hutt Street, Adelaide, S.A. 5000 and known as General Havelock Hotel.

The application has been set down for hearing on 19 August 2005 at 9 a.m.

Condition

The following licence condition is sought:

- Extended Trading Authorisation—

Friday and Saturday—Midnight to 1 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 11 August 2005).

The applicants' address for service is c/o Kelly & Co., Level 17, 91 King William 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 14 July 2005.

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 Neil William Lowrie has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 1 Douglas Street, Millswood, S.A. 5034 and to be known as Larry Dooley Vineyard.

The application has been set down for hearing on 19 August 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 11 August 2005).

The applicant's address for service is c/o Leon McEvoy, 208 Carrington 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 8 July 2005.

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 Jasparg Pty Ltd as trustee for the Rensal Trust, Rattler Trust, Group 1 Trust and JA Trust has applied to the Licensing Authority for the transfer of a Hotel and Gaming Licence and variation to conditions in respect of premises situated at 50-52 Causeway Road, Glanville, S.A. 5015 and known as the Glanville Wharf Hotel.

The application has been set down for hearing on 19 August 2005 at 9 a.m.

Condition

The following licence conditions is sought:

The applicant has applied to delete Live Entertainment is limited in all areas to traditional Irish Folk Music as a condition.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 11 August 2005).

The applicant's address for service is c/o Geoff Forbes, Piper Alderman, G.P.O. Box 65, Adelaide, S.A. 5001.

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 15 July 2005.

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 Hotel Windsor Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel and Gaming Licence, variation to Extended Trading Authorisation, variation to Entertainment Consent in respect of premises situated at 410 North East Road, Windsor Gardens, S.A. 5087 and known as Windsor Hotel.

The application has been set down for hearing on 19 August 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to Extended Trading Authorisation (including Entertainment Consent) to apply to Areas 1 to 4 and 6 to include Sunday from midnight to 3 a.m. the following day and Good Friday from midnight to 2 a.m.
- Variation to Entertainment Consent to include Areas 3 and 4.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 11 August 2005).

The applicant's address for service is c/o Ben Allen, Wallmans Lawyers, 173 Wakefield 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 15 July 2005.

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 The Hamilton Wine Group Pty Ltd has applied to the Licensing Authority for a Producer's Licence, Entertainment Consent and Extended Trading Area in respect of premises situated at Section 177, Main Road, McLaren Vale, S.A. 5171 and to be known as Leconfield Wines.

The application has been set down for hearing on 19 August 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Entertainment Consent is sought for the areas shown on the plan lodged with this office including the Extended Trading Area:
 - Saturday: 11 a.m. to 5 p.m.;
 - Sunday: 11 a.m. to 5 p.m.;
 - Days preceding Public Holidays: 11 a.m. to 5 p.m.
- Extended Trading Area is sought to licence an outdoor verandah and grassed area as shown on the plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 11 August 2005).

The applicant's address for service is c/o Mellor Olsson Solicitors, Level 5, 80 King William 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 18 July 2005.

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 Cottage Box Chocolates Pty Ltd has applied to the Licensing Authority for a Restaurant Licence with Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Lot 1, Wharf Road, Murray Bridge, S.A. 5253 and to be known as Pomberuk Bush Tucker Bistro.

The application has been set down for hearing on 19 August 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation:
 - Monday to Saturday: Midnight to 2 a.m. the following day;
 - Sunday: 8 a.m. to 11 a.m. and 8 p.m. to midnight;
 - Good Friday: Midnight to 2 a.m. the following day;
 - Christmas Eve: Midnight to 2 a.m. the following day;

Sunday Christmas Eve: Midnight to 2 a.m. the following day;

Days preceding other Public Holidays: Midnight to 2 a.m. the following day;

Sundays preceding Public Holidays: Midnight to 2 a.m. the following day.

- Entertainment Consent is to apply to the hours above.
- Approval under section 34 (1) (c) to sell liquor for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 11 August 2005).

The applicant's address for service is c/o Amanda Warley, Camatta Lempens, Level 1, 345 King William 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 14 July 2005.

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 Shiralee Limousines Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 24 Sierra Avenue, Grange, S.A. 5022 and to be known as Shiralee Limousines.

The application has been set down for hearing on 19 August 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- To sell liquor in accordance with section 40 of the Liquor Licensing Act 1997 and any other conditions of this licence:

For consumption on or adjacent to the licensed premises (provided that the passengers are always under the supervision and control of the driver of the subject vehicles) on any day at any time (except Good Friday).

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 11 August 2005).

The applicant's address for service is c/o Alan Kohler, 24 Sierra Avenue, Grange, S.A. 5022.

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 13 July 2005.

Applicant

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: Minotaur Operations NL

Location: Pandurra area—Approximately 50 km west of Port Augusta.

Term: 1 year

Area in km²: 980

Ref: 2005/00047

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

H. TYRTEOS, 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: Avoca Resources NL

Location: Kooralla area—Approximately 15 km east of Cowell.

Term: 1 year

Area in km²: 85

Ref: 2005/00048

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

H. TYRTEOS, 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: Havilah Resources NL

Location: Bonython Hill area—Approximately 35 km north of Olary.

Term: 1 year

Area in km²: 20

Ref: 2005/00057

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

H. TYRTEOS, 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: Havilah Resources NL

Location: Mulyungarie area—Approximately 100 km north-east of Olary.

Term: 1 year

Area in km²: 1 139

Ref: 2005/00234

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

H. TYRTEOS, Mining Registrar

PETROLEUM ACT 2000

Grant of Geothermal Exploration Licence—GEL 167

NOTICE is hereby given that the undermentioned Geothermal Exploration Licence has been granted under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

No. of Licence	Licensee	Locality	Area in km ²	Reference
GEL 167	Eden Energy Ltd	Cooper Basin of South Australia	498	27/2/290

Description of Area—GEL 167

All that part of the State of South Australia, bounded as follows: Commencing at a point being the intersection of latitude 30°25'00"S GDA94 and longitude 137°35'00"E GDA94, thence east to longitude 137°41'00"E GDA94, south to latitude 30°26'00"S GDA94, east to longitude 137°42'00"E GDA94, south to latitude 30°26'55"S GDA94, east to longitude 137°43'05"E GDA94, south to latitude 30°28'00"S GDA94, east to longitude 137°44'00"E GDA94, south to latitude 30°29'00"S GDA94, east to longitude 137°46'00"E GDA94, south to latitude 30°30'00"S GDA94, east to longitude 137°47'00"E GDA94, south to latitude 30°31'00"S GDA94, east to longitude 137°48'00"E GDA94, south to latitude 30°32'00"S GDA94, east to longitude 137°49'00"E GDA94, north to latitude 30°30'00"S GDA94, east to longitude 137°50'00"E GDA94, south to latitude 30°30'55"S GDA94, east to longitude 137°51'05"E GDA94, south to latitude 30°32'00"S GDA94, west to longitude 137°50'00"E GDA94, south to latitude 30°33'00"S GDA94, west to longitude 137°49'00"E GDA94, south to latitude 30°34'00"S GDA94, west to longitude 137°48'00"E GDA94, south to latitude 30°35'00"S GDA94, west to longitude 137°47'00"E GDA94, south to latitude 30°36'00"S GDA94, west to longitude 137°46'00"E GDA94, south to latitude 30°37'00"S GDA94, west to longitude 137°45'00"E GDA94, south to latitude 30°38'00"S GDA94, west to longitude 137°37'00"E GDA94, south to latitude 30°39'00"S GDA94, west to longitude 137°33'00"E GDA94, north to latitude 30°36'00"S GDA94, west to longitude 137°32'00"E GDA94, north to latitude 30°33'00"S GDA94, east to longitude 137°33'00"E GDA94, north to latitude 30°31'00"S GDA94, east to longitude 137°34'00"E GDA94, north to latitude 30°28'00"S GDA94, east to longitude 137°35'00"E GDA94, and north to the point of commencement.

Area: 498 km² approximately.

Dated 13 July 2005.

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

PETROLEUM ACT 2000

Grant of Geothermal Exploration Licence—GEL 207

NOTICE is hereby given that the undermentioned Geothermal Exploration Licence has been granted under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

No. of Licence	Licensee	Locality	Area in km ²	Reference
GEL 207	Proactive Energy Developments Ltd	Near Roxby Downs, South Australia	386	27/02/336

Description of Area—GEL 207

All that part of the State of South Australia, bounded as follows: Commencing at a point being the intersection of latitude 30°36'00"S GDA94 and longitude 136°35'00"E GDA94, thence east to longitude 136°41'06"E GDA94, south to latitude 30°41'30"S GDA94, east to longitude 136°50'00"E GDA94, south to latitude 30°48'00"S GDA94, west to longitude 136°35'00"E GDA94, and north to the point of commencement.

Area: 386 km² approximately.

Dated 19 July 2005.

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

PETROLEUM ACT 2000

Cessation of Suspension of Exploration Licence—PEL 101

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that the suspension dated 22 June 2005 of the abovementioned Exploration Licence has been ceased under the provisions of the Petroleum Act 2000, from and including 14 July 2005, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of PEL 101 is now 10 September 2008.

Dated 14 July 2005.

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

PETROLEUM ACT 2000

*Suspension of Geothermal Exploration Licences—
GEL 166 and GEL 168*

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that the abovementioned Exploration Licences have been suspended under the provisions of the Petroleum Act 2000, from and including 8 September 2004 to 13 July 2005, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of Exploration Licences GEL 166 and GEL 168 is now determined to be 12 July 2010.

Dated 13 July 2005.

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

NATIONAL PARKS REGULATIONS 2001

Closure of Gawler Ranges National Park

PURSUANT to Regulation 8 (3) (d) of the National Parks Regulations 2001, I, Edward Gregory Leaman, the Director of National Parks and Wildlife, close to the public the Gawler Ranges National Park from 6 a.m. on Monday, 15 August 2005 until 6 p.m. on Friday, 19 August 2005.

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.

Dated 13 July 2005.

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

DISTRICT COURT OF SOUTH AUSTRALIA

PORT AUGUSTA CIRCUIT COURT

Sheriff's Office, Adelaide, 18 July 2005

IN pursuance of a precept from the District Court of South Australia to me directed, I do hereby give notice that the said court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Port Augusta on the day and time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be unless a Judge otherwise orders as follows:

Monday, 1 August 2005 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences.

Juries will be summoned for Tuesday, 2 August 2005 and persons will be tried on this and subsequent days of the sittings.

Prisoners in H M Gaol and on bail for sentence and for trial at the sittings of the Port Augusta Courthouse, commencing Monday, 1 August 2005

Minus, Simon Clifford	Non-aggravated serious criminal trespass (non-residential); dishonestly take property without owner's consent	In gaol
Minus, Simon Clifford	Disorderly behaviour; resist police	In gaol
Tyrrell, Roger Charles	Possess prescription drug	On bail
Warren, Jeremiah Angus	Interfere with motor vehicle without consent	On bail
Anderson, Francis Irene	Application for enforcement of a breached bond; unlawful wounding (2)	On bail
Bartholomaeus, Simon	Endangering life; drive at a dangerous speed; refuse name and address	In gaol
Beare, Brenton Andrew	Possess methamphetamine for sale; possessing cannabis for sale; producing cannabis; unlawful possession	On bail
Bloemen, Paul Anthony	Murder attempted	In gaol
Brady, Yvonne Jane	Aggravated serious criminal trespass—residence occupied; assault occasioning actual bodily harm	On bail
Oldfield, Aaron Martin	Aggravated serious criminal trespass—residence occupied; assault occasioning actual bodily harm	On bail
Brady, Martin Rodney	Aggravated serious criminal trespass—residence occupied; assault occasioning actual bodily harm	On bail
Brady, Anthony John	Aggravated serious criminal trespass—residence occupied; assault occasioning actual bodily harm	On bail
Cardassis, Andrew Paul	Unlawful sexual intercourse (6); indecent assault	On bail
Christian, Sheree Nadine	Aggravated serious criminal trespass—residence not occupied (4); drive or use motor vehicle without consent; dishonestly manipulate machine for benefit; non-aggravated serious criminal trespass (non-residential)	In gaol
Deblasio, Vincenzo	Aggravated serious criminal trespass (non-residential); dishonestly take property without owner's consent; unlawful possession	On bail
Donnellan, Steven John	Rape (2)	On bail
Erskine, Alison	Taking part in the manufacture of methylamphetamine	On bail
Franks, Shane Deon	Causing death by dangerous driving	On bail
Gloede, Anthony Albion	Possess a firearm without a licence; fail to keep class A or B firearm secured; fail to store ammunition in locked container; threatening a person with a firearm (2); discharging a firearm so as to frighten another	On bail

Greaves, Steven Sydney	Aggravated robbery in company; dishonestly take property without owner's consent; common assault on person other than family member	On bail	Muscat, Jerone Lucas	Aggravated serious criminal trespass (non-residential); theft; illegal use of a motor vehicle; damaging property	In gaol
Hamilton, Gregory James	Aggravated serious criminal trespass in a place of residence; common assault (2); theft	On bail	Bessell, Matthew	Aggravated serious criminal trespass (non-residential); theft; illegal use of a motor vehicle; damaging property	On bail
Henderson, Ross Tweedle	Threatening life	On bail	Chamberlain, Leigh	Aggravated serious criminal trespass (non-residential); theft; illegal use of a motor vehicle; damaging property	On bail
Kalmar, Jozsef	Possess a firearm without a licence authorising possession; failing to properly secure a firearm (3); failing to properly store ammunition (3); possessing firearm without a licence authorising possession	On bail	Nelson, Maitland Frederick	Criminal trespass in a place of residence; false imprisonment; rape; attempted rape; common assault; using a motor vehicle without consent	In gaol
Kelly, Clarence Thomas	Murder attempted; wounding with intent to do grievous bodily harm; threatening life	In gaol	Nixon, David James	Causing bodily harm by dangerous driving (2); failing to stop and render assistance	On bail
Kennedy, Tracey Maree	Aggravated serious criminal trespass (non-residential)	On bail	Novakovich, Nikola	Rape	On bail
Kerrison, John Harold	Assault occasioning actual bodily harm; rape (2)	In gaol	Pym, Howard Ross	Indecent assault (2); unlawful sexual intercourse with a person under 12 (2)	In gaol
Kokotis, Matthew	Taking part in the sale of a drug of dependence (4)	On bail	Raymond, Randal	Rape	On bail
Lester, Danika Val Denise	Sacrilege; dishonestly take property without owner's consent	On bail	Sam, Rex	Wounding with intent to do grievous bodily harm	In gaol
Abrahamson, Francis	Sacrilege; dishonestly take property without owner's consent	In gaol	Sharpe, Adam Tony	Possess an object with intent to cause harm (2); threatening life (2); act likely to cause harm (2); assault occasioning actual bodily harm (2); damaging property (2); drive under disqualification	In gaol
Mason, Rhiannon Dann	Arson	On bail	Sharpe, Adam Tony	Threatening life; assault occasioning actual bodily harm; assault	In gaol
Mattner, Stuart Courtney	Aggravated serious criminal trespass in a place of residence; theft; common assault	On bail	Sherlock, Sandra	Selling cannabis to a child (3); selling cannabis (5)	On bail
McLoughney, Kate Margaret	Aggravated serious criminal trespass in a place of residence; assault occasioning actual bodily harm (2)	On bail	Warner, Gregory Aurther	Selling cannabis to a child (3); selling cannabis (5)	On bail
Strugnell, Rebecca Leigh	Aggravated serious criminal trespass in a place of residence; assault occasioning actual bodily harm (2)	On bail	S	Indecent assault (3); procuring an act of gross indecency; unlawful sexual intercourse (2)	On bail
Faulkner, Zachary Wade	Aggravated serious criminal trespass in a place of residence; assault occasioning actual bodily harm (2)	On bail	Storic, Norman Milenko	Attempted aggravated serious criminal trespass (non-residential)	In gaol
Mills, Kyron Brougham	Producing a controlled substance	On bail	Tennant, Derek Anthony	Aggravated serious criminal trespass—residence occupied; prevent person from attending as a witness; common assault on person other than family member	On bail
Erskine, Alison	Producing a controlled substance	On bail	Walker, Dwayne Dennis	Aggravated serious criminal trespass in a place of residence; theft	In gaol
Minus, Simon	Break and enter building and commit offence; aggravated serious criminal trespass—residence occupied; larceny; non-aggravated serious criminal trespass (place of residence) (2)	In gaol	White, David Gregory	Attempted rape	On bail
Minus, Simon Clifford	Aggravated serious criminal trespass (non-residential); aggravated serious criminal trespass—residence occupied; dishonestly take property without owner's consent	In gaol	Zimmermann, Shane Elliott	Damaging property (4); assault occasioning actual bodily harm; assault police; threatening life (2)	On bail
Modra, Troy Stefan	Causing grievous bodily harm with intent to do such harm; discharge firearm to cause injury or damage to property	In gaol			

Prisoners on bail must surrender at 10 a.m. of the day appointed for the respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant issued forthwith.

By Order of the Court,

M. A. STOKES, Sheriff

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2005

	\$		\$
Agents, Ceasing to Act as.....	36.50	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	24.30
Incorporation	18.60	Discontinuance Place of Business	24.30
Intention of Incorporation	46.00	Land—Real Property Act:	
Transfer of Properties	46.00	Intention to Sell, Notice of.....	46.00
Attorney, Appointment of.....	36.50	Lost Certificate of Title Notices	46.00
Bailiff's Sale.....	46.00	Cancellation, Notice of (Strata Plan)	46.00
Cemetery Curator Appointed.....	27.25	Mortgages:	
Companies:		Caveat Lodgment.....	18.60
Alteration to Constitution	36.50	Discharge of.....	19.50
Capital, Increase or Decrease of	46.00	Foreclosures.....	18.60
Ceasing to Carry on Business	27.25	Transfer of	18.60
Declaration of Dividend.....	27.25	Sublet.....	9.35
Incorporation	36.50	Leases—Application for Transfer (2 insertions) each	9.35
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	27.25
First Name.....	27.25	Licensing.....	54.50
Each Subsequent Name.....	9.35	Municipal or District Councils:	
Meeting Final.....	30.50	Annual Financial Statement—Forms 1 and 2	513.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	364.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	72.50
First Name.....	36.50	Each Subsequent Name.....	9.35
Each Subsequent Name.....	9.35	Noxious Trade.....	27.25
Notices:		Partnership, Dissolution of	27.25
Call.....	46.00	Petitions (small).....	18.60
Change of Name	18.60	Registered Building Societies (from Registrar-	
Creditors.....	36.50	General).....	18.60
Creditors Compromise of Arrangement	36.50	Register of Unclaimed Moneys—First Name.....	27.25
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	9.35
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	46.00	Rate per page (in 8pt)	233.00
Release of Liquidator—Application—Large Ad.....	72.50	Rate per page (in 6pt)	308.00
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Receiver and Manager Appointed.....	42.50	Advertisements.....	2.60
Receiver and Manager Ceasing to Act	36.50	¼ page advertisement	109.00
Restored Name.....	34.50	½ page advertisement	218.00
Petition to Supreme Court for Winding Up.....	64.00	Full page advertisement.....	427.00
Summons in Action.....	54.50	Advertisements, other than those listed are charged at \$2.60 per	
Order of Supreme Court for Winding Up Action.....	36.50	column line, tabular one-third extra.	
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Each Subsequent Estate.....	1.20		
Probate, Selling of	36.50		
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Acts, Bills, Rules, Parliamentary Papers and Regulations						
Pages	Main	Amends	Pages	Main	Amends	
1-16	2.20	1.00	497-512	31.00	30.00	
17-32	3.00	1.85	513-528	32.00	30.75	
33-48	3.90	2.80	529-544	33.00	32.00	
49-64	4.90	3.75	545-560	34.00	33.00	
65-80	5.75	4.75	561-576	34.75	34.00	
81-96	6.70	5.55	577-592	35.75	34.50	
97-112	7.60	6.50	593-608	36.75	35.50	
113-128	8.55	7.45	609-624	37.50	36.50	
129-144	9.60	8.50	625-640	38.50	37.00	
145-160	10.50	9.35	641-656	39.50	38.50	
161-176	11.50	10.30	657-672	40.00	39.00	
177-192	12.40	11.30	673-688	41.75	40.00	
193-208	13.40	12.30	689-704	42.50	41.00	
209-224	14.20	13.10	705-720	43.00	42.00	
225-240	15.10	14.00	721-736	44.75	43.00	
241-257	16.20	14.70	737-752	45.25	44.00	
258-272	17.10	15.70	753-768	46.25	44.50	
273-288	18.00	16.90	769-784	46.75	46.00	
289-304	18.80	17.70	785-800	47.75	47.00	
305-320	19.90	18.70	801-816	48.50	47.50	
321-336	20.70	19.60	817-832	49.75	48.50	
337-352	21.80	20.60	833-848	50.75	49.50	
353-368	22.60	21.60	849-864	51.50	50.00	
369-384	23.60	22.50	865-880	52.50	51.50	
385-400	24.50	23.40	881-896	53.00	52.00	
401-416	25.50	24.20	897-912	54.50	53.00	
417-432	26.50	25.25	913-928	55.00	54.50	
433-448	27.50	26.25	929-944	56.00	55.00	
449-464	28.25	27.00	945-960	57.00	55.50	
465-480	28.75	28.00	961-976	58.25	56.50	
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South Australia

Road Traffic (Apparatus for Conducting Alcotests) Notice 2005

under section 47H(1)(b) of the *Road Traffic Act 1961*

1—Short title

This notice may be cited as the *Road Traffic (Apparatus for Conducting Alcotests) Notice 2005*.

2—Approval of apparatuses for purpose of conducting alcotests

Apparatuses of the following kind are approved for the purpose of conducting alcotests:

lion alcolmeter 500

Made by the Governor

with the advice and consent of the Executive Council
on 21 July 2005

TSA 2000/04377

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Road Closure
Albert Street, Glenelg North*

BY Road Process Order made on 8 December 2003, the City of Holdfast Bay ordered that:

1. The whole of Albert Street (allotment 133 in Filed Plan 1437) between Mary Street and Old Tapleys Hill Road more particularly delineated and lettered 'A' and 'B' in Preliminary Plan No. 03/0055 be closed.

2. The whole of the land subject to closure be transferred to Paul Clemens and Susan Natasha Backen in accordance with agreement for transfer dated 28 November 2003 entered into between the City of Holdfast Bay and P. C. and S. N. Backen.

3. The following easements are granted over portions of the land subject to that closure:

Grant to the South Australian Water Corporation an easement for sewerage purposes.

Grant a free and unrestricted right of way appurtenant to Certificate of Title Volume 5266 Folio 292, Certificate of Title Volume 5867 Folio 406, Certificate of Title Volume 5087 Folio 315, Certificate of Title Volume 5285 Folio 587, Certificate of Title Volume 5891 Folio 786, Certificate of Title Volume 5443 Folio 303, Certificate of Title Volume 5033 Folio 697, Certificate of Title Volume 5033 Folio 698 and Certificate of Title Volume 5033 Folio 699.

On 21 April 2004 that order was confirmed by the Minister for Administrative Services conditionally upon the deposit by the Registrar-General of Deposited Plan 63953 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 21 July 2005.

P. M. KENTISH, Surveyor-General

NOTICE TO MARINERS

NO. 25 OF 2005

Formerly Notice No. 22 of 2005

*South Australia—Edithburgh—Sultana Passage South—Damaged
Beacon Replaced*

MARINERS are advised that the damaged starboard hand beacon in position latitude 35°07.763'S, longitude 137°45.683'E has been replaced in the above position.

Chart affected: Aus. 139.

Adelaide, 13 July 2005.

P. CONLON, Minister for Transport

TSA 2005/00419

NOTICE TO MARINERS

NO. 26 OF 2005

*South Australia—Spencer Gulf—Port Lincoln—Proper Bay (Billy
Lights Point)—No. 2 Port Hand Beacon Damaged*

MARINERS are advised that the No. 2 Port hand pile beacon, FR Vol. K 1881.4 in position latitude 34°45.1'S, longitude 135°53.9'E off Billy Lights Point, in Proper Bay, has been damaged and the light may not be working.

Mariners are further advised to use extreme caution when navigating in the vicinity of this beacon.

Admiralty chart affected: Aus. 134.

Publication affected: Australian Pilot, Volume 1 (Seventh Edition, 1992) page 89, Vol. K. No. 1881.4 2005 edition, page 85.

Adelaide, 13 July 2005.

P. CONLON, Minister for Transport

TSA 2005/00419

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 21 July 2005

WATER MAINS LAID

Notice is hereby given that the following main pipes or parts of main pipes have been laid down by the South Australian Water Corporation in or near the undermentioned water districts and are now available for a constant supply of water to adjacent land.

ADELAIDE WATER DISTRICT

CITY OF CHARLES STURT
Elizabeth Street, Findon. p44

TOWN OF GAWLER

Easements in lot 100 in LTRO DP 64274, East Terrace, Gawler East. p70

THE DISTRICT COUNCIL OF MOUNT BARKER

Rachel Circuit, Nairne. p4

Easements in allotment piece 1062 in LTRO DP 67626, Nixon Street, Nairne. p4
Margaret Court, Nairne. p4

CITY OF NORWOOD PAYNEHAM & ST PETERS

Hill Street, Kensington. p49

CITY OF ONKAPARINGA

Francis Street, Sellicks Beach. p39
Arcadia Crescent, Sellicks Beach. p39-41
Bluewater Boulevard, Sellicks Beach. p41 and 40
Aurora Terrace, Sellicks Beach. p39
Arion Way, Sellicks Beach. p40
Astor Close, Sellicks Beach. p40
Oriana Drive, Sellicks Beach. p40
Star Princess Court, Sellicks Beach. p40
Sellicks Beach Road, Sellicks Beach. p41 and 42

CITY OF PLAYFORD

Ponderosa Road, Munno Para West. p3
Librandi Street, Munno Para West. p3
Vincent Court, Munno Para West. p3
Maria Court, Munno Para West. p3

CITY OF PORT ADELAIDE ENFIELD

Sevenhill Way, Northgate. p5
Brookfield Circuit, Northgate. p5
Meadowbank Terrace, Northgate. p5
Shiers Avenue, Northgate. p5

ARTHURTON WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA

Fourth Street, Arthurton. p54
South Terrace, Arthurton. p54
West Terrace, Arthurton. p54

BAROSSA COUNTRY LANDS WATER DISTRICT

LIGHT REGIONAL COUNCIL
Fyfe Road, Hamley Bridge. p68

BRINKLEY COUNTRY LANDS WATER DISTRICT

THE RURAL CITY OF MURRAY BRIDGE
Humphrey Lane, Brinkley and Mulgundawa. p55

BUNDALEER COUNTRY LANDS WATER DISTRICT

WAKEFIELD REGIONAL COUNCIL
Haynes Road, Beaufort. p62-65
Government road east of sections 507 and 512, hundred of Goyder, Beaufort. p62 and 65-67
Across Kadina-Whitwarta Road, Beaufort. p62 and 67
Beaufort Cemetery Road, Beaufort. p62 and 67

CEDUNA WATER DISTRICT

DISTRICT COUNCIL OF CEDUNA
Bergmann Drive, Thevenard. p60

KADINA WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST
South Terrace, Kadina. p46

KINGSTON SE WATER DISTRICT

KINGSTON DISTRICT COUNCIL
Dowdy Street, Rosetown. This main is available on the north side by application only. p45

MOONTA WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST
Andrew Street, Moonta Bay. p47
Moonta Road, Moonta Bay. p48
Haylock Road, North Moonta. p50 and 51
Hills Road, North Moonta. p51
Second Street, North Moonta. p51
James Place, North Moonta. p52

PARILLA WATER DISTRICT

SOUTHERN MALLEE DISTRICT COUNCIL
Across Railway Terrace, Parilla. p58

PORT ELLIOT WATER DISTRICT

CITY OF VICTOR HARBOR
Lincoln Drive, Hindmarsh Valley. p2

RENMARK WATER DISTRICT

RENMARK PARINGA COUNCIL
Public road south-west of lots 105 and 106 in LTRO FP 208047, Renmark. p53

WARREN COUNTRY LANDS WATER DISTRICT

CLARE AND GILBERT VALLEYS COUNCIL
Ponderosa Road, Auburn. p1
Across Baum Road, Auburn. p6, 7 and 9
Easements in lot 5 in LTRO FP 11566, Auburn-Balaklava Road, Auburn. p6, 7, and 9-15
Across Gardiner Road, Auburn. p6, 7 and 15

Easements in section 505, hundred of Upper Wakefield, Auburn. p6, 7, and 15-17
Across government road north of lot 501 in LTRO DP 55555, Auburn. p6, 7, and 17
Easements in lot 501 in LTRO DP 55555, Auburn-Balaklava Road, Auburn. p6-8 and 17-20
Auburn-Balaklava Road, Auburn. p6-8, 18-26, 30 and 31
Government road west of lot 501 in LTRO DP 55555, Auburn-Balaklava Road, Auburn. p6, 8, and 20
Easements in lot 200 in LTRO DP 44915, Auburn-Balaklava Road, Auburn. p6, 8, 24-27, and 32
Waterworks land (lot 754 in LTRO FP 168883), Auburn-Balaklava Road, Auburn. p27 and 32-38
Easements in lot 201 in LTRO DP 44915, Auburn-Balaklava Road, Auburn. p27-30 and 32
Easement in lot 16 in LTRO FP 111810, Auburn-Balaklava Road, Auburn. p31

WATER MAINS ABANDONED

Notice is hereby given that the undermentioned water mains have been abandoned by the South Australian Water Corporation.

ARTHURTON WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA
South Terrace, Arthurton. p54
West Terrace, Arthurton. p54

BAROSSA COUNTRY LANDS WATER DISTRICT

LIGHT REGIONAL COUNCIL
Fyfe Road, Hamley Bridge. p68

BRINKLEY COUNTRY LANDS WATER DISTRICT

THE RURAL CITY OF MURRAY BRIDGE
Humphrey Lane, Brinkley and Mulgundawa. p55
Easement in lot 3 in LTRO FP 3172, Brinkley Road, Mulgundawa. p55

BUNDALEER COUNTRY LANDS WATER DISTRICT

WAKEFIELD REGIONAL COUNCIL
Haynes Road, Beaufort. p62-65
Government road east of sections 507 and 512, hundred of Goyder, Beaufort. p62 and 65-67
Across Kadina-Whitwarta Road, Beaufort. p62 and 67
Beaufort Cemetery Road, Beaufort. p62 and 67

CEDUNA WATER DISTRICT

DISTRICT COUNCIL OF CEDUNA
Bergmann Drive, Thevenard. p60

MOONTA WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST
In and across Haylock Road, North Moonta. p50 and 51

PARILLA WATER DISTRICT

SOUTHERN MALLEE DISTRICT COUNCIL
Across Railway Terrace, Parilla. p58

OUTSIDE WATER DISTRICTS

ADELAIDE HILLS COUNCIL
Across and in Lower North East Road, Houghton. p71

WATER MAINS LAID

Notice is hereby given that the undermentioned water mains have been laid down by the South Australian Water Corporation and are not available for a constant supply of water to adjacent land.

WARREN COUNTRY LANDS WATER DISTRICT**LIGHT REGIONAL COUNCIL**

Easement in lot 2 in LTRO FP 4531, Greenock Road, Nuriootpa. p56
Waterworks land (lot 1 in LTRO FP 4531), Nuriootpa. p56

SEWERS LAID

Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage areas and are now available for house connections.

ADELAIDE DRAINAGE AREA**CITY OF CHARLES STURT**

Elizabeth Street, Findon. FB 1139 p26

TOWN OF GAWLER

Easements in lot 100 in LTRO DP 64274, East Terrace, Gawler East. FB 1138 p35

CITY OF MARION

Blackler Avenue, Plympton Park. FB 1139 p27

CITY OF ONKAPARINGA

Seaford Road, Old Noarlunga. FB 1139 p43

CITY OF PLAYFORD

Ponderosa Road, Munno Para West. FB 1138 p37 and 38
Librandi Street, Munno Para West. FB 1138 p37 and 38
Vincent Court, Munno Para West. FB 1138 p37 and 38
Maria Court, Munno Para West. FB 1138 p37 and 38

CITY OF PORT ADELAIDE ENFIELD

Sevenhill Way, Northgate. FB 1138 p39-41
Brookfield Circuit, Northgate. FB 1138 p39-41
Shiers Avenue, Northgate. FB 1138 p39-41
Levi Street, Birkenhead. FB 1139 p25
Manunda Avenue, Windsor Gardens. FB 1139 p28

MURRAY BRIDGE COUNTRY DRAINAGE AREA**THE RURAL CITY OF MURRAY BRIDGE**

Rayson Street, Murray Bridge. FB 1135 p45

SEWERS ABANDONED

Notice is hereby given that the undermentioned sewer has been abandoned by the South Australian Water Corporation.

PORT AUGUSTA COUNTRY DRAINAGE AREA**CITY OF PORT AUGUSTA**

Easement in lot 52 in LTRO DP 61418, El Alamein Road, Port Augusta. FB 1122 p20

A. HOWE, Chief Executive Officer South
Australian Water Corporation

WORKERS REHABILITATION AND COMPENSATION ACT 1986**WORKERS COMPENSATION TRIBUNAL RULES 2005**

I, JAMES PETER McCUSKER, the acting 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 amend the Workers Compensation Tribunal Rules 2001 (as amended) and in lieu thereof implement consolidated Workers Compensation Tribunal Rules 2005. The Workers Compensation Tribunal Rules 2005 amend Rule 1 Scope and Purpose of the Rules, Rule 16 Conciliation, Rule 20 Pre-Hearing Conference, Rule 21 Application For Directions, Rule 28 Cost of Proceedings and adds new Rule 28A Representation Costs.

The following Rules are to commence on Monday, 25 July 2005.

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

Dated this 13th day of July 2003.




Judge J. P. McCusker
Acting PRESIDENT, WORKERS COMPENSATION TRIBUNAL

WORKERS COMPENSATION TRIBUNAL RULES 2005**INDEX TO RULES AND FORMS**

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- iii. APPLICATION FOR EXPEDITED DECISION
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**RULE ONE
SCOPE AND PURPOSE OF THE RULES**

- (1) These Rules govern the procedures to be used in the Workers Compensation Tribunal (“the Tribunal”) and they shall be referred to in these Rules as “the Rules”. Their purpose is to assist in the just, speedy and inexpensive determination of every matter. Accordingly in applying the Rules, in making orders or directions pursuant to them and in exercising its discretion in respect of the costs of proceedings, the Tribunal shall have regard to the amount of money involved, the importance of the case and the complexity of the issues in dispute.
- (2) The Workers Compensation Tribunal Rules 2001, as amended, and any practice directions issued thereunder (“the repealed Rules”) are hereby repealed.
- (3) Anything lawfully done under the repealed Rules or their predecessors shall not be invalidated by their repeal.
- (4) The Rules shall come into force on Monday the 25th day of July 2005.

**RULE TWO
INTERPRETATION**

In these Rules, except where a contrary intention appears:

- (1) words and expressions defined in the Act shall have the meanings therein respectively assigned to them;
- (2) the words hereinafter mentioned shall mean as follows:

“**the Act**” means the “Workers Rehabilitation and Compensation Act 1986” and any Act amending or substituting the same and any Regulation thereunder;

“**Member**” means the President, a Deputy President, a Conciliation and Arbitration Officer, or a Registrar, as the case may be;

“**the President**” means the President of the Workers Compensation Tribunal and includes a Deputy President appointed to act as President;

“**Presidential Member**” means the President or Deputy President, as the case may be;

“**proceeding**” means any cause, matter, application, hearing, trial, reference, case stated, appeal or other step whatsoever before the Tribunal however constituted, or the Registrar pursuant to the Act or in consequence of any jurisdiction invested in it or that member as the case may be by any other Act whether in Chambers or open Court or otherwise;

“**the Registrar**” means the Registrar appointed pursuant to the Act and shall include a Deputy Registrar;

“**Registry**” means the office of the Registrar wherever situated;

“**the Rules**” mean the Workers Compensation Tribunal Rules 2005 as amended from time to time and includes any practice directions and forms prescribed thereunder and any schedules and other appendices to the Rules;

“**Tribunal**” means the Workers Compensation Tribunal however constituted and includes the Full Bench;

“**video film**” means compact disc, other digital record, videotape, photographic material or a report of surveillance depicting or reporting upon the activities of the worker who is the subject of the dispute.

- (3) the Acts Interpretation Act 1915, shall apply to the construction of the Rules in the same manner as if the Rules had been enacted by Parliament.

RULE THREE RULES AND FORMS/GENERAL PRINCIPLES

- (1) Although parties are expected to comply with the Rules a breach or non-compliance with a particular rule shall not invalidate any proceeding unless the Tribunal otherwise directs.
- (2) The Rules do not prohibit the Tribunal from excusing a party from their compliance or from substituting in place of the rule so excused some other obligation more appropriate to the circumstances of the proceedings.
- (3) Where the Rules refer to a particular form, that form shall be as set out in the First Schedule to the Rules.
- (4) If a form is required to be filed or served by a party and that form is not contained in the First Schedule the party should construct a form that is in the same style and format as those provided for by the Rules.
- (5) If necessary, a form may be altered or varied as the nature of the case may require unless the form has to comply with a provision of, or Regulation made pursuant to the Act.
- (6) Subject to any contrary provision of, or Regulation made pursuant the Act, the Tribunal shall have power to act at any time to give effect to the purpose of the Rules and may, for example:
- (a) dispense with compliance with any part of the Rules;
 - (b) do all or any acts or give any directions relating to the conduct of a proceeding as it thinks proper to dispose of that proceeding expeditiously.

RULE FOUR APPLICATION OF THE SUPREME COURT RULES

In any case not provided for by the Rules or by the Act, the general principles of the practice of the Supreme Court of South Australia, Part 1 of the Supreme Court Rules as in force from time to time and any relevant forms used in connection therewith, may be adopted and applied in matters before the Tribunal with such modifications as the circumstances in any particular case may render necessary. Accordingly, for example, the Supreme Court Rules concerning the following matters shall generally apply as if such rules and related forms were part of the Rules:

- the computation of time (SCR 6.01)
- service of proceedings (SCR 12.01-12.06)
- proof of service (SCR 13)
- service upon particular parties (SCR 15.01-15.03)
- service out of jurisdiction (SCR 18.02-18.07)
- service under convention (SCR 19)
- appearances (SCR 21.01-21.08)
- submission to jurisdiction (SCR 22.01-22.05)
- default of appearance (SCR23.01-23.05)

- default of appearance out of jurisdiction (SCR 24.01-24.02)
- representation of beneficiaries by trustees (R30.01-30.03)
- death or bankruptcy of a party (SCR 31.01-30.06)
- parties under a disability (SCR 35.01-35.14)
- firms and societies (SCR36.01-36.13)
- third party proceedings (SCR 37.01-37.11)
- the form of pleadings (SCR 46.04-4.10 and 46.12)
- admissions (SCR 54.01-54.09)
- interrogatories (SCR 57.01-57.07)
- discovery (SCR 58.0158.09)
- production (59.0159.08)
- discovery against a party not a party and before action (SCR 60.0160.05)
- affidavits (SCR 83.01-83.13)
- taxation of costs (SCR 101.9-101.14, 101.16-101.18)
- documents (SCR 102.01-102.9)

This list is not intended to be exhaustive nor is it intended to indicate that other procedures, rules or forms cannot be adopted and applied by the Tribunal. A sample of some of the relevant forms is included in the First Schedule.

RULE FIVE THE REGISTRY

- (1) There shall be a Registry at which all documents to be filed shall be lodged and from which all documents to be issued by the Tribunal shall be sent from and it shall be situated at such location as shall from time to time be approved by the President.
- (2) The Registry shall be open to the public between such hours as the President may direct.

RULE SIX THE REGISTRAR/DEPUTY REGISTRAR

- (1) The Registrar may, if directed, deliver a decision on behalf of the Full Bench, a Presidential Member or an Arbitration Officer.
- (2) The Registrar may by written instrument, delegate any powers or responsibilities conferred by the Act or by these rules to a Deputy Registrar.

RULE SEVEN FEES

- (1) The Registrar may from time to time by notice published in the *Gazette* specify the amount of any fees payable in respect of a copy or additional copy of transcript of any proceedings, or the assistance in court or chambers of an interpreter, or a search of case records, or a copy of any award, order or other document and the date from which such fees shall be payable.
- (2) The Registrar may direct that the whole or any part of such fees shall not be taken, or if taken, that the whole or any part thereof shall be remitted.
- (3) The Registrar may from time to time by notice published in the *Gazette* specify the amount of fees for witnesses and the amount of expenses to be given for attendance at conferences.

RULE EIGHT SEAL

The Seal of the Tribunal shall be in such form as shall from time to time be approved by the President and shall be kept in the Registry under the control of the Registrar. It shall, as appropriate, be affixed to all summonses, orders, judgements and determinations of the Tribunal and upon such other documents and in such manner as the President may direct.

RULE NINE DOCUMENTS

- (1) Except as otherwise provided by the Act, or Regulations promulgated thereunder, or the Rules, all documents shall be filed in the Registry and shall bear a heading in accordance with the appropriate form description.
- (2) Upon filing, each document shall be numbered in accordance with the directions of the Registrar.
- (3) All documents filed in the Tribunal shall contain the telephone number, the facsimile number and, if available, the e-mail address at which the party or their agent or that party's registered agent or legal representative on whose behalf the document is filed, may be contacted, together with an address for service to which documents may be sent.
- (4) Every agent or solicitor whose name appears on a document filed in the Registry is deemed to have the authority to issue it and accept service of proceedings in relation to it, unless the contrary is proved by any party upon application to the Tribunal.
- (5) A party may change their address for service; their agent or solicitor; or their telephone or facsimile number or e-mail address, by filing or causing to be filed a form in accordance with the form titled "Notice of Change of Address for Service" in the Registry and serving a copy upon each other party and in like manner an agent or solicitor may notify that they are no longer acting for a party for whom they have previously acted in that proceeding and such notice shall include the address for service of their former client.
- (6) If a party has obtained prior leave from a member of the Tribunal, that party may lodge documents at the Registry electronically on such terms as the member may prescribe. All documents to be issued by the Tribunal may be issued by it electronically.

RULE TEN ASSIGNMENT, PLACE AND CONDUCT OF PROCEEDINGS

- (1) Subject to any express provisions of the Act and the Rules, the President may assign any proceedings to any member of the Tribunal as may seem appropriate and may alter that assignment in order to resolve the proceedings more effectively. If the President is satisfied that a proceeding is vexatious, is an abuse of process or that there is other good reason such as the failure of the party lodging the proceedings to purge a contempt of the Tribunal or to pay a fine imposed as a result of a contempt, the President may decline to assign the proceedings and if the proceedings have already been assigned may withdraw that assignment and may direct the Registrar to strike out the proceedings.
- (2) If a party wishes that proceedings be heard at a place other than Adelaide then that party must make a specific request to the member to whom the matter has been referred or if there is no such member to the Registrar nominating that other place.
- (3) If a party, other than the applicant or the relevant compensating authority, wishes to participate in a conciliation conference or any other proceedings (other than proceedings pursuant to s. 54 or Schedule 1 of the Act) the party must file with the Registrar the form titled "Notice of Desire to be Heard" and sufficient copies of such notice to enable the Registrar to serve all other parties.

- (4) Where a matter is assigned to a member of the Tribunal, that member shall decide the manner and order of procedure in which the matter shall be conducted so that the issues raised are resolved as expeditiously as possible.
- (5) Subject to the provisions of the Act and the Rules:
 - (a) a Presidential Member of the Tribunal hearing a matter may adjourn for hearing or consideration in Chambers any proceeding which in his or her opinion may more conveniently be disposed of in Chambers; and if sitting in Chambers may adjourn any proceeding to be heard in open hearing;
 - (b) in any case in which, in the opinion of the President, the proper conduct of the business of the Tribunal so requires a Presidential Member may either generally or in any particular proceeding direct that any interlocutory proceeding which is part heard before that member be assigned to another Presidential Member for determination.
- (6) If an arbitration, judicial determination or other hearing before a Presidential Member has been commenced and the member hearing the matter is unable to proceed, another Arbitration Officer or Presidential Member as the case may be may proceed with it upon the transcript and exhibits and such other evidence that the parties may wish to adduce. That member shall if requested by a party recall any witness whose evidence is material and disputed. The member may also recall any other witness.

RULE ELEVEN APPLICATION FOR EXPEDITED DECISION

- (1) An applicant who seeks to invoke the special jurisdiction for expedited decision pursuant to Part 6B of the Act must complete and file with the Registrar a notice in accordance with the form titled "Application for Expedited Decision" together with copies of any relevant documentary material and sufficient copies of such notice and materials and sufficient details of the relevant parties to enable the Registrar to serve such parties.
- (2) In the absence of a direction from a Presidential Member to the contrary, the matter shall be referred to a Conciliation Officer who shall, unless the applicant agrees otherwise, list the matter for hearing within 21 days of lodgement.
- (3) On receipt of the file from the Registry, the Conciliation Officer or other member to whom the matter has been allocated shall contact the parties seeking such particulars and material as the Conciliation Officer or member may reasonably require to resolve the matter and upon receipt shall immediately forward such particulars and material to the other parties.
- (4) The member hearing an application pursuant to this rule shall have the power to make all orders necessary and, for example, may direct a party to provide medical reports and witness statements.
- (5) If a party fails to obey within a reasonable time an order made pursuant to this rule the matter may be referred to a Presidential Member for directions which may include the invocation of the contempt powers of the Tribunal.

RULE TWELVE NOTICE OF DISPUTE

- (1) An applicant who wishes to dispute a reviewable decision must complete and file with the Registrar a notice in accordance with the form titled "Notice of Dispute" together with copies of any relevant documentary material and sufficient copies of such notice and materials and sufficient details of the relevant parties to enable the Registrar to serve such parties. The reasons supporting the notice shall provide sufficient particulars to enable the compensating authority to understand why its decision is disputed. If in the opinion of the Registrar the particulars provided are insufficient the Registrar may refuse to accept the notice.

- (2) Where an applicant seeks an extension of time within which to dispute a reviewable decision, the applicant must seek that order and state the grounds upon which the order is justified in the notice of dispute filed pursuant to subrule (1) above.
- (3) On filing a notice of dispute an interim order extending the time for disputing the determination is deemed to have been made. A party may however at any time after the conclusion of conciliation seek an order that the interim order be revoked whereupon the application shall be referred to an arbitration officer or Presidential Member as the case may be. If such an application is made the onus is on the party seeking the extension of time to establish that the extension should be granted. If no such application is lodged or if the Tribunal otherwise does not revoke such interim order the interim order, shall remain in force for all relevant purposes.
- (5) On receipt of the notice of dispute the Registrar shall send a copy of the notice together with copies of any documentary material lodged with it to the other parties to the dispute.

RULE THIRTEEN RECONSIDERATION

- (1) Upon receipt of a notice of dispute, the compensating authority must make all necessary arrangements for the matter to be reviewed by a person nominated pursuant to S91(2) of the Act, within 7 days or such other time as may be allowed by the Act. The Registrar shall keep a register of all such persons nominated which shall made available to the public.
- (2) Where a compensating authority seeks an extension of time within which to complete its reconsideration of the disputed decision it must apply to the Registrar in accordance with the form titled "Request to Extend Time for Reconsideration" and such application may, in the discretion of the Registrar, be dealt with or without the attendance of the parties.
- (3) If the compensating authority confirms the disputed decision, it must immediately file with the Registrar a written notice in accordance with the form titled "Confirmation of Disputed Decision" and must serve a copy of the notice on all parties. The Registrar shall then immediately refer the matter to a Conciliation Officer.
- (4) If the compensating authority varies its decision, either by changing it or effectively withdrawing it, it must immediately file with the Registrar a written notice in accordance with the form titled "Variation of Disputed Decision" together with copies of any relevant documentary material with sufficient copies of such notices and materials and sufficient details of the relevant parties to enable the Registrar to serve such parties.
- (5) If a party is dissatisfied with the variation of the disputed decision, the party must within fourteen days of being advised of the variation, file with the Registrar a form titled "Notice of Dissatisfaction with Reconsideration" with sufficient copies to enable the Registrar to serve the other parties.
- (6) Upon receipt of a notice of dissatisfaction with reconsideration the Registrar shall immediately refer the matter to a Conciliation Officer for conciliation and shall advise the parties accordingly.
- (7) If the compensating authority fails to complete its reconsideration within the time prescribed by the Act or as extended by the Registrar, the compensating authority shall be deemed to have confirmed the disputed decision and the Registrar shall immediately refer the matter to a Conciliation Officer and advise all the parties to the dispute in writing that the matter has been referred. Such referral shall not relieve the compensating authority from any other consequences of its failure to complete its reconsideration in a timely manner.

- (8) If the compensating authority has varied the disputed decision and no expression of dissatisfaction is filed by a party within the time prescribed by this rule the Registrar may of his or her own initiative issue as an order of the Tribunal the terms of the variation and shall do so upon request by a party.
- (9) If a compensating authority considers that the notice of dispute does not concern a reviewable decision, it should seek an order striking out the notice of dispute in accordance with the procedure described in Rule 21, Application for Directions.

RULE FOURTEEN DESCRIPTION OF PARTIES

A party to an application for expedited decision or a notice of dispute shall for the purposes of the Rules, any proceedings before the Tribunal and any orders issued by the Tribunal, (other than in an appeal in which case the parties shall be referred to as appellant and respondent) be referred to as "the worker", "the employer", the "exempt employer", the "Corporation", or "other" (and if so specify), as the case may be.

RULE FIFTEEN DISCONTINUANCE

- (1) An applicant may at any time up to seven days prior to the date when the matter is first set down for hearing or mention before a member, discontinue the application either wholly or in part and after that date may only discontinue with the consent of all parties or with the leave of the Tribunal.
- (2) A discontinuance shall be made by filing a notice of discontinuance in accordance with the form titled "Notice of Discontinuance". Such notice must be served by the party upon all other parties forthwith.

RULE SIXTEEN CONCILIATION

- (1) Upon being advised by the Registrar that a dispute has been referred for conciliation the compensating authority must within seven days file with the Registrar a copy of all documents relating to the disputed decision together with an index of the documents. The Registrar shall send a copy of the index to the applicant. If the compensating authority fails to comply with this rule the matter may be referred to a Presidential Member for directions which may include the invocation of the contempt powers of the Tribunal.
- (2) On receipt of a referral for conciliation, the Conciliation Officer to whom the matter has been allocated shall contact the parties or their representatives seeking particulars and any further material reasonably required to conciliate the dispute and shall advise the parties of the time, place and form of an initial conciliation conference, being a Dispute Management Conference, that shall take place no more than 21 days after the parties have been advised by the Registrar that the matter has been referred for conciliation. At a Dispute Management Conference the parties, if represented by solicitors, should be represented by the file principal, who is expected to actively participate in the conference. The parties may be required to:
 - (a) review the evidence;
 - (b) identify the issues in dispute and any other matters impacting upon the parties' ability to negotiate;
 - (c) consider strategies and develop a dispute management plan for gathering information in order to resolve the dispute and for dealing with any subsequent developments;
 - (d) attempt to resolve the dispute or some of the issues in dispute.

If the dispute is not resolved at the Dispute Management Conference a negotiation focussed Conciliation Conference shall be convened. Where parties are represented, file principals, senior solicitors or lay advocates having the primary conduct of the matter are required to attend the conference. Unless excused by the Conciliation Officer the worker is required to be in attendance. Whilst personal attendance by the compensating authority is not required such attendance is considered highly desirable. Where a party does not attend the conference personally the party is required to be available by telephone for the duration of the conference.

- (3) A Conciliation Officer may exercise such powers and give such directions as may reasonably be required to conciliate the matter between the parties and may for example require a party or any other person to:
 - (a) attend at a meeting with the Conciliation Officer and produce evidentiary material at that meeting or at some other time or place;
 - (b) answer questions put by the Conciliation Officer;
 - (c) attend at a conciliation conference at which the other party may be present;
 - (d) disclose any offers of settlement that have been made to the other party.
- (4) The Conciliation Officer shall act fairly, economically, informally and quickly in making all reasonable efforts to bring the parties to the dispute to agreement.
- (5) If the parties agree to resolve the dispute, either wholly or in part, they may record their agreement by Order of the Tribunal.
- (6) If the conciliation fails to bring about a full settlement of the dispute, the Conciliation Officer shall complete a certificate in accordance with the form titled "Conciliation Certificate". If the Conciliation Officer is of the opinion that a party or its representative has failed to co-operate in the conciliation process the Conciliation Officer may after informing the parties complete a confidential report which may be referred to and relied upon by a party at the conclusion of subsequent proceedings for the purpose of determining the amount of or entitlement to costs.
- (7) Where the Conciliation Officer intends to refer a matter for judicial determination, or if one or all of the parties wishes to make an application for such a reference, the Conciliation Officer shall refer the matter to the President or a Deputy President nominated by the President for further directions, by completing the form titled "Request for Judicial Determination from Conciliation".
- (8) Where a party is not ready to proceed at any conciliation proceedings without reasonable grounds the Conciliation Officer may:
 - (a) refer the matter to arbitration or judicial determination;
 - (b) adjourn the matter and may order the costs of the adjournment against the party in default;
 - (c) take such conduct into account in determining in the case of weekly payments whether the operation of the disputed decision shall be suspended.
- (9) If a Conciliation Officer is of the opinion that a notice of dispute is frivolous, vexatious or an abuse of process he or she may refer the matter to a Presidential Member for directions.
- (10) In addition to the powers expressly conferred on Conciliation Officers by the Rules, a Conciliation Officer shall have power to make any order by consent, other than in connection with a judicial determination, appeal or case stated to the Supreme Court, including, for example, the extension or abridgement of time, the expansion of the issues in dispute, excusing non compliance with the Rules, and the varying or revoking of an order.

- (11) Where a party applies for a reference to a conciliation conference pursuant to s. 42 of the Act, the application shall be made by completing the form titled "Application for a Redemption Conference" together with copies of any relevant documentary material including proof that a redemption has been proposed whereupon the application shall be referred to a Conciliation Officer who shall conduct a conciliation in accordance with the Rules.
- (12) The procedure to be adopted at any conciliation conducted by a member shall reflect the Principles Guiding Conciliation as set out in the Second Schedule.
- (13) If a party wishes to make a formal record of an offer to settle during a conciliation conference that party should adopt the protocol established by subclause 4(g) of the Principles Guiding Conciliation.
- (14) If a party wishes to make a formal record of an offer to settle at any other stage of the proceedings, that party may file and serve an offer in accordance with the form titled "Offer to Settle" offering to settle the dispute on such terms as that party thinks appropriate, and subject to any specific provision contained within the Act, upon the resolution of the dispute by the Tribunal, that party may bring that offer to settle to the attention of the Tribunal for the purpose of determining that party's entitlement to or liability for costs, in accordance with the Act. Prior to that time however the terms of the offer to settle that has been filed shall not be disclosed to the member of the Tribunal presiding over an arbitration or judicial determination of the dispute.

RULE SEVENTEEN PROCEDURE AT HEARINGS

Subject to the Rules upon referral of a matter for hearing before a member, the member may give directions as to the conduct of the proceedings and for example may:

- (a) (i) require any person to attend before the member;
- (ii) order the production to the member of any document;
- (b) order the inspection of any document produced, and retain it for such reasonable period as is required and to make copies of the document or any of its contents;
- (c) require any person to take an oath or make an affirmation to answer truthfully all questions relating to the matter before the member;
- (d) require any person attending before the member (whether that person has been summoned to attend or not) to answer truthfully any relevant question put by the member or any party or representative of a party.

RULE EIGHTEEN ARBITRATION

- (1) Upon the referral of a matter for arbitration, unless a party has otherwise applied to the Registrar for an earlier hearing the matter shall be set down for hearing before an Arbitration Officer not less than 28 days after the matter has been referred.
- (2) If the Arbitration Officer is of the opinion that the matter is not ready to proceed to hearing or that the parties have not given conciliation a fair opportunity to resolve the dispute or at the parties request and with their consent, the Arbitration Officer may request the Registrar to refer the matter back for further conciliation.

- (3) In addition to the general powers provided for by Rule 17 and subject to subrule 4 hereof the Arbitration Officer may:
 - (a) order parties to prepare a schedule of agreed facts;
 - (b) order the exchange of witness statements;
 - (c) order that evidence in chief from non-expert witnesses be given in documentary form;
 - (d) order that each party file a list of principal findings of fact that that party contends should be found.
- (4) The arbitration shall proceed fairly, economically, informally and quickly. It is anticipated that the hearing shall be completed on the day allocated and if that is not possible that it shall be completed within 28 days of its commencement.
- (5) The evidence of expert witnesses must be adduced by documents filed and served at least 14 days prior to the hearing of the arbitration or such lesser period as the Arbitration Officer may allow.
- (6) Where a party fails to file in the Registry and serve any document required to be filed and served by this Rule that party may not rely upon that document nor, if the document is a witness statement, call that witness without leave and subject to such terms and conditions as the Arbitration Officer may impose.
- (7) If the arbitration is not completed on the day allocated for hearing, or a party otherwise requires an adjournment of proceedings, the Arbitration Officer may set a further date for hearing or grant such adjournment on such terms and conditions as thought proper. It is expected that the arbitration shall be completed within 28 days of its commencement.
- (8) At the conclusion of the arbitration the Arbitration Officer may confirm, vary or revoke the decision that is the subject of the dispute and make any other orders that may be appropriate in the circumstances.
- (9) If a party to a dispute is in breach of a direction made by an Arbitration Officer requiring their attendance, production of documents or otherwise, the failure to comply with such direction does not preclude the Arbitration Officer from determining the matter.
- (10) In addition to the powers expressly conferred on Arbitration Officers by these Rules, and subject to any contrary rule an Arbitration Officer shall have power to make any order by consent, other than in connection with a judicial determination, appeal or case stated to the Supreme Court, including, for example, the extension or abridgement of time, the expansion of the issues in dispute, excusing non compliance with the Rules, and the varying or revoking of an order.

RULE NINETEEN JUDICIAL DETERMINATION

- (1) An application for judicial determination by way of dissatisfaction with the result of an arbitration must be in accordance with the form titled "Request for Judicial Determination from Arbitration" and must be filed within 14 days of the delivery of the Arbitration Officer's decision.
- (2) Where an extension of time in respect of the lodging of a request for judicial determination from arbitration is sought the form must be endorsed with a statement to that effect.
- (3) Upon the lodgement of an application pursuant to subrule (1) hereof the matter shall be referred for a pre-hearing conference in accordance with Rule 20.

- (4) Upon the lodgement of a request for judicial determination from conciliation the matter shall be referred to a Presidential Member who may conduct a directions hearing, direct that the matter be heard and determined by an Arbitration Officer or make an order pursuant to s 92D of the Act and make such orders and directions as to the conduct of the proceeding as may be thought appropriate, including referring the matter for a pre-hearing conference in accordance with Rule 20.

**RULE TWENTY
PRE-HEARING CONFERENCE**

- (1) In accordance with s. 94B(1) of the Act subject to any order pursuant to s. 94B(2) of that Act before any matter proceeds to hearing for judicial determination a pre trial conference shall be conducted by a nominated Presidential Member acting in the role of chamber judge (“the chamber judge”).
- (2) At such conference the chamber judge shall make such orders as are reasonably sought by the parties or are thought necessary by the chamber judge to facilitate the efficient disposition of the matter which may include any order or direction provided for by Rule 21. Such orders may be made electronically and if a hearing needs to be conducted the Presidential Member may in his or her absolute discretion conduct such hearing electronically in accordance with the protocol set out in the Third Schedule.
- (3) Such orders shall ordinarily include witness statement orders, expert witness orders and trial book orders and may also include, for example, orders for discovery, inspection, leave to interrogate, the filing of pleadings and a direction that an advice on evidence or an opinion from counsel be obtained. Examples of such orders are as set out in the forms titled “Trial Orders from Arbitration” and “Trial Orders from Conciliation”.
- (4) The parties are expected to be able to provide to the chamber judge such information as is necessary to enable appropriate orders to be made and in complex matters are encouraged to brief counsel prior to the pre-hearing conference in which case the availability of counsel shall be a factor taken into account in determining suitable trial dates.
- (5) Before the matter is listed for trial the parties may be required to satisfy the chamber judge that the matter is ready for trial and in that event the matter shall not be listed for hearing until the chamber judge completes the form titled “Certificate of Readiness for Trial”.
- (6) If at any time after the matter has been listed for trial and before the trial of the matter has commenced, the matter is settled, discontinued, either wholly or in part, or a party becomes aware of anything which might have the effect of interfering with the orderly disposition of the matter, such as the unavailability of a witness, or rendering inaccurate any information provided to the chamber judge or included in a certificate of readiness, such as the estimation of the length of trial, the party shall forthwith write to the listing clerk giving full particulars thereof and shall serve a copy of the letter on all of the other parties to the dispute.
- (7) If the chamber judge is satisfied that the information contained in the certificate of readiness has become inaccurate subject to hearing from the parties the chamber judge may make an order removing the matter from the trial list.
- (8) If the chamber judge is satisfied that by reason of neglect and/or dilatoriness of the parties, or for other sufficient reason, the matter should proceed to trial notwithstanding that such party or parties may assert that they are not ready to proceed to trial, subject to hearing from the parties the chamber judge may refer the matter to the listing clerk for allocation.
- (10) At the conclusion of a pre hearing conference the matter shall, unless otherwise ordered, be allocated to a call-over as provided for by Rule 25.

RULE TWENTY-ONE
APPLICATION FOR DIRECTIONS

- (1) A party seeking directions as to the conduct of a matter shall apply to the Tribunal by filing in the Registry an application for directions in accordance with the form titled "Application for Directions" in sufficient numbers to enable a sufficient number of sealed copies to be available to serve on all relevant parties. The application shall then be referred to a Presidential Member for the purpose of conducting a directions hearing in which the member shall give such directions with respect to the conduct of the proceeding as he or she thinks proper. If the Presidential Member considers it appropriate, all or some of the proceedings may be conducted electronically in accordance with the protocol set out in the Third Schedule.
- (2) The application for directions shall set out each of the orders sought and shall when necessary be supported by an affidavit setting out all relevant facts and matters. If no directions are sought other than general directions the application should specify that general directions are sought.
- (3) The application for directions and any supporting affidavits shall, unless otherwise ordered, be served by the party seeking the orders upon all other parties to the action at least five business days before the return date. The applicant should be able to prove service of the application at the time of the hearing either by affidavit or by such other means as might be accepted by the Tribunal.
- (4) In any proceeding, which is to be heard by a Full Bench, whether in the original or appellate jurisdiction, such directions as are thought proper with respect to the conduct of the proceeding may be given by the Tribunal constituted by a single Presidential Member.
- (5) In dealing with an application for directions the Tribunal may make any order reasonably required to facilitate the fair and expeditious hearing of a matter and without limiting the generality of subrule 1 or 4 the Tribunal may:
 - (a) make orders with respect to:
 - (i) discovery and inspection of documents;
 - (ii) interrogatories;
 - (iii) inspection of real or personal property;
 - (iv) admissions of fact or of documents;
 - (v) the defining of the issues by pleadings or otherwise;
 - (vi) the joinder of parties and actions;
 - (vii) which party should be dux litis;
 - (viii) the mode and sufficiency of service;
 - (ix) amendments;
 - (x) the filing of affidavits;
 - (xi) the giving of particulars;
 - (xii) the place, time and mode of hearing;
 - (xiii) the giving of evidence at the hearing, including whether evidence of witnesses in chief shall be given orally or by affidavit, or both;

- (xiv) the disclosure of reports of experts;
- (xv) costs;
- (xvi) the filing and exchange of signed statements of evidence of intended witnesses and their use in evidence at the hearing;
- (xvii) the taking of evidence and receipt of submissions by video link or telephone or such other means as the Tribunal considers appropriate;
- (xviii) extensions or abridgements of time;
- (xix) a stay of proceedings pending submission by a party to a medical examination by a medical expert;
- (xx) a stay of proceedings for any other reason;
- (xxi) the striking out of any pleading, affidavit, or document filed in the action;
- (xxii) the granting of summary relief;
- (xxiii) dispensing with compliance with all or any part of these rules;
- (xxiv) correcting, revoking, or varying any order by a subsequent order;
- (b) order that evidence of a particular fact or facts be given at the hearing:
 - (i) by statement on oath upon information and belief;
 - (ii) by production of documents;
 - (iii) otherwise as the Tribunal directs;
- (c) order that an agreed bundle of documents be prepared by the parties or one of them;
- (d) order that no more than a specified number of expert witnesses may be called;
- (e) order that the expert reports be exchanged;
- (f) appoint its own expert;
- (g) order that the parties attend before a member for a conference with a member with a view to satisfying the member that all reasonable steps to achieve a negotiated outcome of the proceedings have been taken, or otherwise clarifying the real issues in dispute so that appropriate directions may be made for the disposition of the matter, or otherwise to shorten the time taken in preparation for and at the trial;
- (h) order that a witness or potential witness provide to the parties a comprehensive statement in connection with particular issues;
- (i) order that a witness or potential witness attend at the Tribunal before a Presidential Member for the purpose of being examined by the parties in connection with particular issues;
- (j) order that a video film be disclosed and produced to the other parties to the dispute. Such order shall not be made unless:
 - (i) it is made by consent;
 - (ii) the video film has previously been shown to the worker's treating medical expert;

- (iii) the disputed determination relies upon a medical opinion that was wholly or predominantly based upon the video film;
- (iv) the video film has previously been shown to the worker's current rehabilitation provider;
- (v) the Tribunal is satisfied that in the interests of justice there are special reasons that require that the video film be disclosed.

Subrule (j) hereof cannot be relied upon to override the discretion conferred upon a Conciliator pursuant to s. 92 of the Act. The principles contained herein shall be applied by an Arbitration Officer in determining whether to order disclosure and production of video film in connection with Arbitration.

- (6) The Tribunal may revoke or vary any order made under subrule 1, 4 or 5.
- (7) If a party upon whom an application for directions is served does not wish to be heard upon the application or consents to the orders sought, the party may advise the Registrar in writing. Such consent may be signified by an endorsement in the margin of the application "I consent to the orders sought herein Solicitor/representative/agent for". If such notification is provided at least two clear business days before the date of the scheduled hearing the party shall be excused from attendance unless otherwise advised. Where such notification is given the Tribunal may, in its absolute discretion, vacate the scheduled hearing and make the orders sought in the absence of the parties.
- (8) This rule does not apply to a conciliation conducted by a Conciliation Officer or to an arbitration unless the orders sought are by consent in which case a Conciliation and Arbitration Officer may make such orders. This rule does not empower a Conciliation and Arbitration Officer to issue directions or make orders in respect of matters pending before a Presidential Member.
- (9) Subject to any express provisions of the Act an application for any order or direction of the Tribunal may, notwithstanding the provisions of the Rules, be made orally or in such other manner and on such notice to any other party as the Tribunal shall, in the particular circumstances, deem proper and expedient.

RULE TWENTY-TWO MEDICAL EXAMINATIONS

- (1) In any proceedings before the Tribunal in which:
 - (a) the physical or mental condition of a person is relevant to any matter in question; and
 - (b) either:
 - (i) that person is a party; or
 - (ii) a party claims relief for the benefit of that person,

any other party may serve on that party a notice in accordance with this Rule for the medical examination of the person concerned. Such notice shall be a request by the party giving notice that the person concerned submit to examination by a specified medical expert at a specified time and place.

 - (c) The party serving the notice shall if requested by the person concerned pay to that person a reasonable sum to meet the travelling and other expenses of the person concerned of and incidental to the medical examination.

- (2) Where a notice for medical examination of a person concerned is served pursuant to this rule and the person concerned either does not or advises that he or she will not submit to the examination or do all things reasonably requested or answer all questions reasonably asked by the medical expert for the purposes of the examination, the Tribunal may, upon an application for directions filed pursuant to Rule 21, on terms, stay the proceedings as to any claim for relief by or for the benefit of the person concerned or make such other order or direction that is thought appropriate.

RULE TWENTY-THREE
SUMMONS FOR PERSON TO ATTEND OR APPEAR,
SUMMONS TO PRODUCE DOCUMENTS OR THINGS

- (1) Subject to this Rule and to any contrary direction by a Conciliation and Arbitration Officer or Presidential Member, the Registrar may, upon the application of a party, and shall at the direction of a Conciliation and Arbitration Officer or Presidential Member, issue a summons to a person to require:
- (a) the person to appear before the Tribunal to give evidence;
 - (b) to produce to the Tribunal a document or thing;
 - (c) to attend before the Tribunal to participate in a conciliation conference.
- (2) A summons issued pursuant to this Rule shall be in accordance with the forms titled "Summons to Attend or Appear" or "Summons to Produce Documents or Things" as the case may be and shall be made returnable for the date of the hearing of the matter or such earlier date as specified which shall not be less than fourteen days after the issue of the summons unless leave has been obtained. Such leave shall be sought by an application for directions.
- (3) If a summons only requires production of a document or thing it may be complied with by delivering the document or thing to the Registrar not less than 2 clear business days prior to the date for compliance.
- (4) If a document or thing is delivered prior to the date of hearing the parties may, subject to any contrary ruling by a member, apply to the Registrar to inspect the document or thing and absent an order to the contrary shall, not less than seven days after the document or thing has been produced, be given unrestricted access subject to the giving of an undertaking that the document or thing will be returned to the Registrar in the same order and state as it was at the time access is taken. A party shall not be permitted to remove the document or thing from the Tribunal without leave and upon such terms as may be imposed. Such leave shall be sought by an application for directions.
- (5) If a party, the recipient of the summons or some other relevant and interested party seeks an order restricting access to the document or thing produced in compliance with this rule, an application for directions seeking the appropriate relief shall be filed within seven days of the filing of the document or thing whereupon the application shall be referred to a Presidential Member to determine the application. Pending such determination the parties shall be denied access to the document or thing. If no such application is filed within the time prescribed herein, the parties shall be deemed to consent to all other relevant parties having unrestricted access to the document or thing.
- (6) A person served with a summons to which this rule applies, who delivers any document or thing to the Registrar:
- (a) shall be taken to have waived any objection to the production of the document or thing on any ground, including, but not limited to, legal professional privilege, and subject to subrule (5) hereof, or to any order or direction of the Tribunal, all parties shall be entitled to access to the same;

- (b) may be ordered to attend in person or in the case of a corporation or partnership by a proper officer or other named representative at a date, time and place specified in the order to answer any request for further or better production of documents or things the production of which is sought in the summons.
- (7) A summons shall not be served to compel the production of any public document except with leave of the Tribunal:
- (a) An application for such leave may be made *ex parte*;
- (b) Any affidavit used upon an application made under subparagraph (a) hereof shall be sealed up and shall not be opened or produced to any person other than the party filing the same or his solicitor until after the cause or matter in which such application has been made shall have been finally disposed of unless the Tribunal shall otherwise order.
- (8) Where any such summons is returnable before the date of the hearing the Registrar, in the event:
- (a) of an objection to the summons;
- (b) of any objection to the production of any document,
- shall refer the matter to a Presidential Member who shall thereupon determine the matter unless the Presidential Member is of the view that the matter should be dealt with by the member who is to conduct the hearing, in which case it may be referred for hearing and determination by that member.
- (9) Unless otherwise ordered, all documents produced on the return of a summons to which this Rule relates shall be kept in proper custody by the Registrar and clearly marked to indicate the proceedings to which they relate.
- (10) If the Registrar is of the opinion that an application for the issue of a summons is unreasonable, vexatious, oppressive or an abuse of process the Registrar may in his or her absolute discretion, either decline to issue the summons and refer the matter to a Presidential Member for directions, or to issue the summons on terms.
- (11) Where a summons has been issued but not served, any amendment therein may be corrected by filing an amended copy of the summons endorsed with the words "Amended and Resealed".
- (12) A summons shall be served personally, and where requested the original shall be produced. If on tender of the summons to a person named the person refuses to accept it, the summons may be served by putting it down in the person's presence after the person has been told of the nature of the summons.
- (13) A summons shall be served within twelve weeks after the date of issue and shall remain in force until the trial or hearing is concluded.
- (14) Service of a summons may be proved by affidavit.
- (15) Where a person served with a summons does not come before the Tribunal in answer to the summons because the matter is not called on for hearing, and a further date is set for the commencement of the hearing, the person served with the summons shall answer the summons as if it had inserted therein that further date for the commencement of the hearing provided that within a reasonable time before that further date the party serving the summons upon the person has served on him or her by certified mail, notice of the further hearing date and has tendered to him or her reasonable expenses for his or her attendance at the Tribunal on the further date having taken into account what, if any, part of the amount previously tendered to him or her for reasonable expenses has been properly applied towards any expense incurred by him or her in answering the summons for its original return date.

- (16) A person served with a summons is entitled to payment from the person requesting the issue of the summons of an amount equal to the reasonable expenses incurred by the person in complying with the summons.
- (17) The Tribunal may make orders to ensure that the person complying with a summons receives the exact amount of the person's reasonable expenses in so complying and may in an appropriate case direct that such payment be made in advance.
- (18) The Tribunal may either fix the amount of the costs or direct that the Registrar fix the amount.
- (19) Failure by a person to comply with a summons issued pursuant to this Rule may be regarded as a contempt of the Tribunal.

**RULE TWENTY-FOUR
EXPANSION OF THE ISSUES IN DISPUTE (s. 88DA of the Act)**

- (1) A party may, with the leave of the Tribunal and with the consent of the other parties, refer any other issue relating to the worker's entitlement to compensation pursuant to the Act for determination by the Tribunal even if that entitlement has not been the subject of a claim for compensation or a determination by the compensating authority.
- (2) An application for referral pursuant to this rule must be made in accordance with the form titled "Application for Expansion of Issues in Dispute" and must be served together with the form titled "Notice of Objection" on the worker, the employer or the compensating authority at least 14 days before the application is determined by the Tribunal.
- (3) If a notice in the form titled "Notice of Objection" is not filed and served by any party within 14 days of the service of an application for expansion of issues in dispute, all parties shall be deemed to have consented to the expansion sought in that application.
- (4) Where the parties to a dispute seek consent orders that involve the resolution of issues not presently before the Tribunal the parties shall be deemed to seek an order pursuant to s. 88DA of the Act to expand the issues in dispute to the extent necessary to make the orders and to have obtained all relevant consents from interested parties. In that event the consent orders may be made notwithstanding non-compliance with this rule and upon the making of such orders, an order pursuant to s 88DA of the Act shall be deemed to have been made.

**RULE TWENTY-FIVE
CALL-OVERS**

- (1) Where a matter is listed for call-over, it is the obligation of the parties to be ready to proceed on the day of the call-over or at such other time as the Tribunal may direct.
- (2) A matter listed for call-over may be adjourned to a later call-over by the member before whom the matter would have been called over at that member's discretion or following an appropriate application from one of the parties.
- (3) Unless a matter has been discontinued and a notice to that effect has been filed or the parties have otherwise advised the listing clerk in writing that the matter has settled, then the parties or their representatives must attend the call-over and be ready to proceed.

**RULE TWENTY-SIX
ORDERS AND DETERMINATIONS**

- (1) If the parties have resolved their dispute by agreement they shall advise the Registrar immediately. Unless otherwise requested the Registrar shall thereupon dismiss the notice of dispute. If that is not the order that is sought the parties should complete one or more of the standard forms of orders and upon completion should submit the form to the member then dealing with the dispute or if there is no such member to the Registrar and in either case the member or Registrar as the case may be shall sign the form and place upon it the seal of the Tribunal whereupon the form shall become a formal order of the Tribunal.
- (2) In all other matters, unless the Tribunal directs otherwise an order that does not finally determine a question or dispute need not be drawn up and an order that finally determines a question or dispute must be drawn up.
- (3) Orders that are required or directed to be drawn up shall be prepared by one of the parties or as directed by the Tribunal. It is intended that such draft will in the ordinary course be sent electronically. Upon receipt, the Registrar shall, subject to settling the terms of the order with the parties, sign and seal the order and forward sealed copies to the parties.

**RULE TWENTY-SEVEN
DELIVERY AND PUBLICATION OF REASONS FOR DECISION**

- (1) At the completion of an arbitration the Arbitration Officer shall deliver a decision and publish reasons as soon as practicable, together with an advice to the parties that they have the right to seek a judicial determination of their dispute if they are dissatisfied with the outcome. If the Arbitration Officer is unable to deliver the decision and publish reasons within two months of completion the officer should advise the parties accordingly and if the officer is unable to do so within three months the officer must report the matter to the President.
- (2) At the completion of a judicial determination or any other contested matter heard by a Presidential Member that requires the publication of reasons, the Presidential Member hearing the matter shall deliver a decision and publish such reasons as soon as practicable, and if appropriate an advice to the parties that they have the right to appeal the decision on a question of law. If the Presidential Member is unable to deliver the decision and publish reasons within three months of completion, the member should advise the parties accordingly and if the member is unable to do so within four months, the member must report the matter to the President.
- (3) At the completion of a judicial determination referred to the Full Bench or an appeal, the Full Bench shall deliver a decision and if appropriate publish reasons as soon as practicable. If it is unable to do so within three months of completion it should advise the parties accordingly. If it is unable to do so within four months of completion it must seek prior leave from the President.

**RULE TWENTY-EIGHT
COSTS OF PROCEEDINGS**

- (1) Subject to the provisions of the Act, Regulations promulgated thereunder or these Rules, the costs of and incidental to any proceedings before the Tribunal shall be in the discretion of the Tribunal, both as to liability and quantum.
- (2) Where a Member of the Tribunal is required to determine the quantum of a party's costs, that member ("the presiding member"), may in his or her absolute discretion assign the task of taxing such costs to the Registrar who may in turn assign part or all of that task to a Deputy Registrar.

- (3) The Registrar or the Deputy Registrar may of his or her own motion submit any question arising out of the course of a taxation to the presiding member for such directions as the presiding member may see fit to give and the parties may be heard before the presiding member thereon. Such submission shall be in the form of an informal memorandum, a copy of which shall be supplied to each party to the taxation setting forth the questions in issue and any relevant circumstances relating thereto. The presiding member shall endorse the directions that he or she sees fit to make and remit the matter to the Registrar or the Deputy Registrar who shall act in accordance with such directions.
- (4) In conducting a taxation of costs, the Tribunal shall act according to the practice and procedure for the time being of the Supreme Court with such modifications as may be necessary in the circumstances.
- (5) Where such taxation is undertaken by the Registrar or a Deputy Registrar, upon the completion of the taxation, the Registrar or the Deputy Registrar shall prepare and sign a certificate of recommendation as to the result thereof and submit the certificate to the presiding member who may adopt the recommendation with such modifications that he or she thinks appropriate and shall provide a copy of the certificate to all interested parties.
- (6) If a party is dissatisfied with the recommendation of the Registrar or a Deputy Registrar that party may, within 7 days from the date of receiving the recommendation, make application to the presiding member to be heard upon whether the presiding member should adopt the certificate of recommendation. In any case where the presiding member proposes to vary or modify the certificate of recommendation the presiding member shall grant the parties an opportunity to be heard before making such variation or modification.
- (7) In determining the quantum of a party's costs the presiding member or Registrar or Deputy Registrar as the case may be shall adopt the following principles:
 - (a) Where a matter proceeds to trial at judicial determination, the parties shall be expected to have, so far as it is reasonable, taken all steps that are necessary to bring all issues in dispute between them before the presiding member so as to avoid multiplicity of proceedings, and failure to do so may impact upon the amount of costs to be awarded.
 - (b) In no case shall the award of costs exceed 85% of the amount that would be allowed under the relevant Supreme Court scale if the proceedings were in the Supreme Court (section 95(5) of the Act).
 - (c) The party shall be entitled to all proper costs of and incidental to work carried out after the referral of the matter for judicial determination as a prudent but not over cautious litigant properly advised, having regard to the potential quantum of the worker's entitlements and the complexity of the issues between the parties, would reasonably have incurred, in the initial investigation of the relevant circumstances giving rise to the proceedings and in the preparation and the prosecution of the proceedings. Such costs may include: the ascertaining of relevant factual circumstances; the obtaining and tendering of an advice on evidence and regard thereto; the obtaining and preparation of witness statements; the obtaining and consideration of medical and other expert reports; the obtaining of counsel's opinion regarding an appropriate range of compromise; and the conduct and the conclusion of all necessary negotiations leading to the settlement of the claim.
 - (d) A party entitled to an award of costs in respect of a trial at judicial determination may be awarded up to 85% of the Supreme Court scale for all reasonably necessary preparatory work. Consistent with the expectation that the parties shall have: obtained advice on evidence; properly proofed all witnesses so as to be able to make an informed decision as to which witnesses are required to give oral testimony (if the witness is not otherwise required for cross-examination); carefully reflected upon the

witness statements and expert reports of the other parties so as to be able to make an informed decision as to which witnesses are required for cross-examination; identified all potential issues and factual matters capable of agreement and have taken steps to secure agreement in respect thereof; shall be in a position to make submissions as to costs upon receipt of judgment; and generally have taken all reasonable measures to ensure that the trial proceeds expeditiously and only occupies sitting time in court to the extent that it is absolutely necessary*.

The following scale of counsel fees (other than in respect of a referral pursuant to section 94A(2) of the Act) shall apply.

- Fee on brief—including conferences, reading time, preparation and up to the first 5 hours in court an amount not exceeding \$2500.00.
- Refresher fees—if the trial extends beyond 5 sitting hours counsel fees shall be based upon time spent in court and unless provision is specifically made, no further allowances shall be made for conferences; reading time or preparation. Such refresher fees shall be awarded as follows:
 - For time spent beyond 5 hours and up to 10 hours—at the rate of up to \$225.00 per hour.
 - For time spent beyond 10 hours and up to 20 hours—at the rate of up to \$150.00 per hour.
 - For time spent beyond 20 hours—at the rate of up to \$100.00 per hour.
- Where written submissions are provided costs shall be awarded on an hourly rate commensurate with 1.5 times that which would apply had the submissions been made orally.
- Where judgment is delivered in Court an amount of \$150.00 to receive judgment.

* For example: converting video evidence into a short passage of edited highlights for showing in court (subject of course to all video tapes being made available to the other parties to the dispute after cross-examination of the relevant witness has been completed); obtaining and providing to the other parties copies of notes that a witness may seek to rely upon in giving evidence; scheduling witnesses so as to ensure that sufficient time is allowed for the receipt of their evidence; agreeing where possible to interpose witnesses and if interposition is not possible to indicate that to the other parties at the earliest possible time; arranging witnesses so as to ensure that the available time is best utilised.

- (e) Notwithstanding the limitations on counsel fees previously expressed, if the presiding member is of the opinion that the party against whom a costs order is to be made has unnecessarily prolonged the hearing the presiding member may award an amount of up to \$225.00 per hour for counsel fees for any period of time spent in court after the first 5 hours.

- (8) This rule does not apply to actions for recovery under s. 54 or the Schedule 1 of the Act.

**RULE TWENTY-EIGHT A
REPRESENTATION COSTS**

- (1) A representative of a party shall not charge excessive representation costs. Unless there are exceptional circumstances representation costs greater than the Supreme Court scale as varied from time to time (“the Supreme Court scale”) shall be regarded as excessive.
- (2) If a representative of a party seeks to charge the party an amount greater than the Supreme Court scale the representative may obtain an order from a Presidential member to do so. Such order shall be sought by the filing of an Application for Directions and a supporting affidavit.
- (3) A person who is liable to pay or who has paid representation costs may make an application to the Registrar to investigate the matter by filing a form titled “Application to the Registrar to review representation costs”. If upon such application the Registrar considers that the representation costs are excessive the Registrar shall refer the matter to a Presidential Member for further directions. Such directions may include directing the representative to produce a Bill of Costs in taxable form, referring the representative and the party for conciliation or such other order as the Presidential Member may think appropriate.

**RULE TWENTY-NINE
FULL BENCH REFERRAL**

- (1) A party wishing to refer a dispute directly to a Full Bench may apply to do so by an application for directions.
- (2) If a Presidential Member believes that it is appropriate for a dispute to be referred directly, the member shall complete a certificate in accordance with the form titled “Certificate of Referral to a Full Bench” and provide copies to all parties.
- (3) In either case the application or referral shall be listed before the President for the purpose of allowing the parties an opportunity to be heard prior to the President deciding whether or not to refer the matter to a Full Bench.

**RULE THIRTY
APPEAL TO THE FULL BENCH**

- (1) An appeal against a decision of a single Presidential Member must be filed with the Registrar in accordance with the form titled “Notice of Appeal” within 14 days of the delivery of the decision appealed against and must be served on all parties.
- (2) Within 21 days of the filing of the notice of appeal or the referral of a dispute for the consideration of the Full Bench there shall be a pre-hearing conference before the President or a Presidential Member nominated by the President and the Presidential Member shall, in addition to such other matters as may be thought expedient direct his or her attention to, and if thought appropriate, make orders or give directions in respect of:
 - (a) the contents of the appeal book and the time at which it shall be delivered to the Tribunal;
 - (b) the time limits within which the parties shall present their respective cases;
 - (c) the making of submissions either wholly or partly in writing.
- (3) If the respondent contends that the appeal should be dismissed for reasons different to those contained in the decision being appealed, the respondent shall file and serve at least five business days before the appeal is to be heard, a form titled “Notice of Alternative Contentions”.

**RULE THIRTY-ONE
CASE STATED TO SUPREME COURT**

Where the Full Bench of the Tribunal decides to state a case for consideration by the Supreme Court pursuant to the Act, it may issue directions generally.

**RULE THIRTY-TWO
THE SUSPENSE LIST**

- (1) Where the parties to a dispute do not seek any orders or assistance from the Tribunal or wish to defer progressing their dispute for an indefinite period a member may refer the dispute to the suspense list.
- (2) Once a matter has been referred to the suspense list, if a party seeks to progress the dispute, the party shall request the Registrar to revive the matter whereupon the Registrar shall refer it to an appropriate member.
- (3) After referral to the suspense list, if no request has been made to revive the matter within twelve months of referral, the Registrar shall refer the matter to a Presidential Member to consider whether the notice of dispute should be dismissed for want of prosecution or whether some other order should be made. In either case the parties shall be given an opportunity to be heard before an order is made.

**RULE THIRTY-THREE
APPLICATION FOR REVIEW OF DECISION UNDER
THE FIRST SCHEDULE OF THE ACT**

- (1) An application for review of a determination of the Corporation made pursuant to clause 2(5) and (6) of the Transitional Provisions of Schedule 1 of the Act may be made in accordance with the form titled "Application for Review of Decision under the First Schedule of the Act".
- (2) The party issuing the application for review under clause 2(5) and (6) shall cause a copy thereof to be served on the Corporation, the worker and the employer or any other party affected or likely to be affected by the said determination.
- (3) The application for review shall in the first instance be returnable for hearing in Chambers before a Presidential Member for the purpose of giving directions or making ancillary orders.
- (4) On such hearing or any adjournment thereof the Tribunal may give directions or make orders in accordance with any of the powers contained and conferred by the Rules.

**RULE THIRTY-FOUR
RECOVERY ACTION UNDER s. 54 OF THE ACT**

An action for recovery under s. 54 of the Act shall proceed with such changes as are necessary in accordance with the Supreme Court Rules and upon lodgement may be referred to a Presidential Member for directions.

**RULE THIRTY- FIVE
GENERAL POWERS OF A PRESIDENTIAL MEMBER OF THE TRIBUNAL**

In addition to the powers expressly conferred by the Rules, a Presidential Member shall, so far as it is appropriate, have the powers conferred by the Supreme Court Rules on a judge of the Supreme Court.

**RULE THIRTY-SIX
PRACTICE DIRECTIONS**

- (1) The President may issue practice directions.
- (2) These practice directions shall have the force of the Rules.
- (3) Practice directions may be for the guidance of all parties or of a specific party or group of parties as the case may be.

**RULE THIRTY-SEVEN
CONTEMPTS OF THE TRIBUNAL**

- (1) If a member of the Tribunal alleges that a person has committed contempt of the Tribunal that member must refer the matter to the President or to the Deputy President to whom the President has delegated the power to deal with contempt.
- (2) Upon such referral, the President or the Deputy President, as the case may be, may instruct the Registrar to issue and serve an expiation notice upon the person who has committed the alleged contempt. Such notice shall:
 - (a) Stipulate an amount be paid to the Registrar.
 - (b) Stipulate the time within which such payment is made.
- (3) In the event that payment in accordance with an expiation notice issued pursuant to subrule 2 hereof is made, no further proceedings in respect of the alleged contempt by that person shall be instituted.
- (4) In any other case, the Registrar shall issue and serve a summons on the person who has committed the alleged contempt commanding the attendance of that person before the President or the Deputy President as the case may be, at a particular time and place at which time orders shall be made regarding the future conduct of the proceedings. In default of an appearance by the person who has committed the alleged contempt, an order, including the finding of contempt and the imposition of a penalty, may be made in the absence of that person.

**RULE THIRTY-EIGHT
INTERVENTION**

If the Corporation or the Minister wish to intervene in proceedings before the Tribunal the form titled "Notice of Intervention" must be completed, filed with the Registrar and served on all relevant parties.

Second Schedule
Principles Guiding Conciliation

- (1) A conciliation conducted under the Act shall be treated as a process that seeks to:
- Identify and isolate the issues in dispute between the parties.
 - Develop options for the resolution of these issues.
 - Enable the parties, if appropriate, to explore options beyond the issues in dispute between them to bring about a satisfactory resolution of their differences.
 - Enable the parties to have their say and to share with others involved in their dispute, their feelings and concerns in a confidential non-threatening environment without prejudice to their rights and entitlements.
 - Assist the parties in understanding the perspective of the other parties to the dispute.
 - Promote constructive, satisfying and enduring solutions to their dispute.
- (2) The role of a member acting as a conciliator (referred to in this statement of Principles as a “conciliator”) is to act as an unbiased third person whose role is to facilitate the process of conciliation and to assist the parties in negotiating a resolution of their dispute and he or she must endeavour to achieve these goals as expeditiously as possible. The conciliator must not impose a solution of the dispute upon them. However the conciliator may suggest alternatives which may become options for resolving a dispute.
- (a) The conciliator must diligently discharge his or her legal and administrative responsibilities as required by the and the Rules.
- (b) In dealing with the parties the conciliator shall act in a completely unbiased way and shall accord to every party or person who is legally interested in the dispute or who has the right to represent those who are parties to the dispute, the full right to be heard according to law.
- (c) The conciliator shall reflect upon any prior dealing or association with any of the parties or their representatives and upon any other matters that might be or be seen to be inconsistent with his or her capacity to act in a completely impartial and unbiased way. If those matters have the potential to create a genuine apprehension of actual or perceived bias, the conciliator shall immediately disqualify him or herself from the matter. In other cases, the conciliator shall make full disclosure to the parties of such prior dealing or association or other relevant matter, and if requested by a party to disqualify him or herself, shall immediately do so.
- (d) The conciliator shall treat the parties and their representatives with courtesy and respect and in a fair and equitable manner and shall not practice or condone any form of discrimination based on race, gender, sexual preference, religion, age, disability or any other personal characteristic.
- (e) If a party or a representative of a party considers that a conciliator is behaving in an inappropriate way either by reference to the Act as the case may be or by the Rules that party or representative shall endeavour to communicate with the conciliator in private to express those concerns or, if thought appropriate, may make a formal written complaint to the Senior Judge or President. In such circumstances the Senior Judge or President may take such action as is thought appropriate in the circumstances, and the complainant shall be informed of such action.

- (3) (a) If a party is a natural person, the party must attend the conciliation conference unless that party has sought and obtained a prior approval from the conciliator to be excused from attendance. If a party is not a natural person, it must be represented at the conciliation conference by a person with full authority to make agreements binding upon it settling the issues in dispute unless it has sought and obtained prior permission from the conciliator not to be so represented.
- (b) The parties to the dispute and their representatives shall make full disclosure of relevant documents as required by law prior to the commencement of the conciliation conference and should discoverable documents come into the party's or the representative's possession after initial discovery has been made that party or representative must ensure that full disclosure of such documents is made immediately.
- (c) If a party is for a proper reason not in a position to have meaningful discussions at a conference and intends to make an application for an adjournment, that party or the representative of that party must, if the circumstances permit, give prior notice at the earliest possible time, to the conciliator and to the other parties to the dispute and their representatives.
- (d) If a party wishes to raise issues or explore settlement options that go beyond the issues presently in dispute that party shall endeavour to give prior seven clear days notice to the conciliator and to the other parties to the dispute and their representatives of the party's desire to do so.
- (e) The parties to the dispute and their representatives shall cooperate with each other and with the conciliator and they shall refrain from acting or behaving in a threatening or offensive manner.
- (f) If the conciliator is of the opinion that a party or the representative of a party is acting or behaving inappropriately either by reference to this Rule or otherwise, the conciliator may exclude the party or the representative from the process and/or terminate the conciliation conference immediately. If thought necessary, the conciliator may in his or her absolute discretion refer the matter to the President with a recommendation or formal complaint or, in an appropriate case, with a request that contempt proceedings be initiated.
- (4) (a) The conciliator shall advise the parties of the date and time of the conciliation conference. Before the conference commences, the conciliator shall use his or her best endeavours to ensure that the parties to the dispute have been provided with all relevant documents that are necessary to achieve a conciliated outcome.
- (b) Thereafter, the conciliator may meet as frequently as he or she deems appropriate with the parties together or with a party alone and he or she may communicate with any party orally and/or in writing.
- (c) Where a party is represented the conciliator shall not communicate directly with that party unless requested to do so by the party or by the representative of the party or in the opinion of the conciliator such communication is essential, in which case the conciliator shall endeavour to speak privately with the party's representative to explain his or her reasons for wishing to do so.
- (d) Information whether oral or written that is disclosed to the conciliator by a party in the absence of the other party, shall not be disclosed by the conciliator to the other parties unless either required by law or unless the disclosing party consents to the conciliator doing so.

- (e) Subject to the to the Act and the Rules, the conciliation conference shall be conducted in such manner as the conciliator considers appropriate having regard to all of the circumstances. Conciliators shall endeavour, subject to the individual needs of a particular dispute, to conduct their conferences and deal with the parties in a consistent manner.
- (f) If the parties resolve their differences prior to the convening of the conciliation conference or between conferences the parties shall inform the conciliator immediately.
- (g) If a party wishes to make a formal record of an offer made to another party to resolve the dispute that party may request the conciliator to note the offer in which case the conciliator shall record the terms of the offer in a sealed envelope to be placed upon the Tribunal's file and shall advise the other parties to the dispute that that offer may be relied upon in later proceedings on the issue of costs.
- (h) If a settlement is reached at a conciliation conference the conciliator shall ensure that the agreement reached is clearly understood by all parties as to its terms and its implications for existing or potential entitlements and shall satisfy him or herself, that any agreements have been freely entered into by the parties without undue pressure or duress being applied by any party or by the conciliator.
- (i) At the conclusion of the conciliation process the conciliator shall destroy all notes and written records of the matters discussed other than a record of an offer of settlement made in accordance with subclause 4 (g) hereof or those that are required to be maintained by law. The conciliator shall thereafter keep confidential all of the discussions that the conciliator has had with the parties and their representatives and shall not without the consent of the parties or unless required by law disclose any information or statements made by or to the parties or their representatives.

Third Schedule

Protocol regarding proceedings conducted electronically

This Protocol

This Protocol sets out the rules for conducting proceedings electronically.

Conducting a matter electronically is the equivalent of conducting a matter in an ordinary courtroom. This means:

- the facilities must only be used for issues requiring consideration and determination by a Presidential Member;
- the facilities are not to be used for communications solely between the parties or their representatives, particularly where the communications are confidential or otherwise sensitive;
- the language and modes of address used on the Virtual Court must be same as that used if the matter were being dealt with an ordinary courtroom;
- undertakings given electronically by a party or their representative to the Tribunal or other parties are binding as if the undertaking were given in an ordinary courtroom;
- the rules of contempt apply to proceedings conducted electronically.

What matters may be dealt with electronically

Whether a matter, or part of a matter, is to be dealt with electronically will be determined by the Presidential Member having regard to such things as the nature and complexity of the issues to be resolved, the number of parties, the access of each party to e-mail and the Internet, the views of the parties, the nature and extent of any evidence that may be required, and the urgency of the matter or part of a matter.

Termination of electronic proceedings for a matter or particular topic

The Tribunal may direct that a matter cease to be conducted electronically either in whole or in part at any time either on the Presidential Member's own motion or at the request of a party.

Login code

Each party or participant to an electronic proceeding may be provided with an account name and/or password. It is important that these details remain confidential and are kept in a secure place. The Tribunal shall deem that messages and documents sent electronically from a particular account or under a particular password, to have been sent by, and are the responsibility of, the person to whom that account and/or password was allocated.

Conducting proceedings electronically

A Presidential Member may give directions as to how a matter, or part of a matter, will be conducted electronically. For example, a Presidential Member may give directions as to:

- the topic or topics to be dealt with;
- who may participate;
- the maximum length of messages and attachments; and
- the maximum time in which messages (including replies) must be sent.

Messages

Messages must be:

- relevant to the topic or discussion thread to which they are sent;
- brief and to the point; and
- timely.

Documents

Documents may be attached to messages sent electronically.

However, documents **cannot** be filed in the Tribunal electronically unless filing is otherwise provided for by the Rules.

Where a message refers to a document that has been filed, a copy of the filed document may be attached to the message for ease of reference. In these cases the message should indicate the date on which the document was filed.

Documents sent electronically must be in Rich Text Format (RTF), Portable Document Format (PDF), Tagged Image Format (TIF), Graphical Information Format (GIF), Joint Photographic Experts Group (JPG) or Word.

Consent orders

Where the document sent electronically is a draft consent order, the message to which the document is attached should include a certification by the sender that all the parties have seen, and agreed to, the terms of the consent order.

Alternatively, a message seeking consent orders may attach:

- a copy of the orders to which the signature of each party or their representative has been affixed; or
 - a document that is an image of the signed consent orders.
-
-

South Australia

Acts Interpretation (Gender Balance) Amendment Act (Commencement) Proclamation 2005

1—Short title

This proclamation may be cited as the *Acts Interpretation (Gender Balance) Amendment Act (Commencement) Proclamation 2005*.

2—Commencement of Act

The *Acts Interpretation (Gender Balance) Amendment Act 2005* (No 7 of 2005) will come into operation on 21 July 2005.

Made by the Governor

with the advice and consent of the Executive Council
on 21 July 2005

MSW04/05CS

South Australia

National Parks and Wildlife (Geegeela Conservation Park) Proclamation 2005

under section 30(1) of the *National Parks and Wildlife Act 1972*

1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Geegeela Conservation Park) Proclamation 2005*.

2—Commencement

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

3—Constitution of Geegeela Conservation Park

The following Crown land is constituted as a conservation park and assigned the name *Geegeela Conservation Park*:

Sections 22 and 25, Hundred of Geegeela, County of MacDonnell, being the whole of the land comprised in Crown Record Volume 5896 Folio 819.

Made by the Governor

being of the opinion that the specified Crown land should be protected or preserved for the purpose of conserving any wildlife or the natural or historic features of the land and with the advice and consent of the Executive Council
on 21 July 2005

EC05/0053CS

South Australia

Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005

under the *Fisheries Act 1982*

Contents

1	Short title
2	Commencement
3	Interpretation
4	Constitution of fishery
5	Issue of licences
6	Expiry of licences
7	Renewal of licences
8	Refund on surrender of licence
9	Transfer of licence
10	Registration of boats
11	Registration as master
12	Revocation of registration
13	Conditions limiting number of boats that may be used etc
14	Furnishing of returns
15	Copies of returns must be made
16	Fees

Schedule 1—Fees

1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005*.

2—Commencement

These regulations will come into operation on 1 August 2005.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

Aboriginal corporation has the same meaning as in the *Aboriginal Councils and Associations Act 1976* of the Commonwealth;

Act means the *Fisheries Act 1982*;

charter boat means a boat that is used for recreational fishing under charter boat fishing agreements;

charter boat fishing agreement means an agreement made by a person in the course of a business under which the person agrees, for money or other consideration, to facilitate recreational fishing by persons by the provision of charter boat fishing services to the persons;

charter boat fishing business means the business of facilitating recreational fishing by persons by the provision of charter boat fishing services to the persons under charter boat fishing agreements;

charter boat fishing services means carrying persons as passengers on a boat and otherwise assisting or enabling the persons to engage in recreational fishing from the boat;

eligible person means—

- (a) a natural person or company carrying on a charter boat fishing business that was established on or before 28 November 2003; or
- (b) a natural person or company carrying on a charter boat fishing business that was in the process of being established on 28 November 2003; or
- (c) an Aboriginal corporation that—
 - (i) has a business plan for a charter boat fishing business; and
 - (ii) is a party to an indigenous land use agreement with the State under which it is agreed that a licence in respect of the fishery will be issued to the corporation; or
- (d) an Aboriginal corporation or incorporated association that—
 - (i) has a business plan for a charter boat fishing business; and
 - (ii) has been established by a native title group for the purpose of implementing an indigenous land use agreement with the State under which it is agreed that a licence in respect of the fishery will be issued to the corporation or association;

fishery means the Charter Boat Fishery constituted by these regulations;

incorporated association has the same meaning as in the *Associations Incorporation Act 1985*;

indigenous land use agreement means an indigenous land use agreement registered under Part 2 Division 3 of the *Native Title Act 1993* of the Commonwealth;

licence period means the period of 12 months commencing on 1 July in any year;

policy of insurance includes a cover note that is binding on the insurer;

recreational fishing means the taking of fish in waters other than inland waters for a purpose other than trade or business;

SARDI means the South Australian Research and Development Institute.

- (2) In these regulations, a reference to the taking of fish includes a reference to an act preparatory to, or involved in, the taking of the fish.

4—Constitution of fishery

- (1) The Charter Boat Fishery is constituted.
- (2) The Charter Boat Fishery consists of facilitating recreational fishing by persons by the provision of charter boat fishing services to the persons under charter boat fishing agreements.

5—Issue of licences

- (1) The Director may issue licences in respect of the fishery.
- (2) An application for a licence in respect of the fishery must—
 - (a) be made in writing in a form approved by the Director; and
 - (b) be completed in accordance with the instructions contained in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the documents required by the instructions contained in the form; and
 - (e) be verified by statutory declaration.
- (3) Before granting a licence in respect of the fishery the Director must be satisfied that—
 - (a) the applicant is an eligible person; and
 - (b) there is in force a policy of public liability insurance under which the applicant is indemnified in an amount of at least \$10 000 000 in relation to death, bodily injury or property damage caused by or arising out of the use of any charter boat operated by the applicant; and
 - (c) no conviction for an offence involving a breach of any legislation relating to fishing has, within the period of 3 years preceding the date of the application, been recorded in the State or elsewhere in Australia against the applicant, or, where the applicant is a body corporate, against a member of the governing body of the body corporate; and
 - (d) no proceedings alleging an offence involving a breach of any legislation relating to fishing are pending or likely to be commenced in the State or elsewhere in Australia against the applicant, or, where the applicant is a body corporate, against a member of the governing body of the body corporate.
- (4) The Director may not grant a licence in respect of the fishery unless the applicant has paid—
 - (a) the licence fee specified in Schedule 1; or
 - (b) the first instalment of the licence fee specified in Schedule 1, in accordance with subregulation (5).
- (5) A licence fee may be paid by instalments as follows:
 - (a) in the case of a licence issued for the term of a licence period—by 4 instalments of 25 per cent payable on or before the date of the grant of the licence and 1 October, 1 January and 1 April following the date of the grant of the licence;
 - (b) in any other case—by instalments of such amounts, and payable on such dates, as are fixed by the Director.
- (6) If an instalment of a licence fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.
- (7) If—
 - (a) an instalment of a licence fee is not paid in full on or before the due date; or
 - (b) an additional fee is required to be paid for late payment of an instalment of a licence fee,

the amount unpaid may be recovered from the holder of the licence as a debt due to the Crown.

- (8) The Director must return any licence fee that accompanied the application if the application is not successful.

6—Expiry of licences

A licence in respect of the fishery expires on 30 June following the date of issue or its last renewal.

7—Renewal of licences

- (1) A licence in respect of the fishery may be renewed by the Director on application made before the expiry of the licence or before the end of the licence period following the expiry of the licence.
- (2) An application to renew a licence in respect of the fishery must—
- (a) be made by the holder of the licence or, if the licence has expired, by the person who last held the licence; and
 - (b) be made in writing in a form approved by the Director; and
 - (c) be completed in accordance with the instructions contained in the form; and
 - (d) be signed by the applicant; and
 - (e) be accompanied by the documents required by the instructions contained in the form.
- (3) Where an application to renew a licence is made before the expiry of the licence, the renewal of the licence takes effect from the expiry of the licence.
- (4) Where an application to renew a licence is made after the expiry of the licence, the renewal of the licence takes effect from the date on which the application is granted.
- (5) Before renewing a licence in respect of the fishery the Director must be satisfied that there is in force a policy of public liability insurance under which the applicant is indemnified in an amount of at least \$10 000 000 in relation to death, bodily injury or property damage caused by or arising out of the use of any charter boat operated by the applicant.
- (6) The Director may not renew a licence unless the applicant has paid—
- (a) —
 - (i) the renewal fee specified in Schedule 1; or
 - (ii) the first instalment of the renewal fee specified in Schedule 1, in accordance with subregulation (7); and
 - (b) the amount of any previous renewal fee remaining payable in respect of the licence, together with any additional amount payable for late payment of an instalment of the renewal fee.
- (7) Where an application to renew a licence is made before or within 3 months after the expiry of the licence, the renewal fee may be paid by 4 instalments of 25 per cent payable on or before the date of renewal of the licence and 1 October, 1 January and 1 April following the date of renewal.
- (8) If an instalment of a renewal fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.

- (9) Where—
- (a) an instalment of a renewal fee for a licence is not paid in full on or before the due date; or
 - (b) an additional amount is required to be paid for late payment of an instalment of a renewal fee,

the amount unpaid may be recovered from the holder of the licence or the person who last held the licence as a debt due to the Crown.

8—Refund on surrender of licence

Where a licence in respect of the fishery is surrendered, the Director must, on application by the former licensee, refund an amount that bears to the renewal fee last paid in respect of the licence the same proportion as the number of complete months from the date of surrender to the day on which the following licence period commences bears to the number of months in the licence period during which the licence was surrendered.

9—Transfer of licence

- (1) A licence in respect of the fishery may be transferred with the consent of the Director.
- (2) An application for consent to the transfer of a licence must be a joint application made by the holder of the licence and the transferee.
- (3) An application for consent to the transfer of a licence must—
 - (a) be made in writing in a form approved by the Director; and
 - (b) be completed in accordance with the instructions contained in the form; and
 - (c) contain a nomination by the holder of the licence of the person to whom the licence is to be transferred; and
 - (d) be accompanied by the documents required by the instructions contained in the form; and
 - (e) be verified by statutory declaration.
- (4) The application must be lodged with the Director together with—
 - (a) the licence to be transferred; and
 - (b) a form of return as required by these regulations completed by the holder of the licence up to the date of application; and
 - (c) the application fee specified in Schedule 1.
- (5) Before consenting to the transfer of a licence, the Director must be satisfied that—
 - (a) the licence to be transferred has not been suspended; and
 - (b) no proceedings alleging an offence under the Act are pending or likely to be commenced in the State against the holder of the licence; and
 - (c) there is in force a policy of public liability insurance under which the transferee is indemnified in an amount of at least \$10 000 000 in relation to death, bodily injury or property damage caused by or arising out of use of any charter boat operated by the applicant; and

- (d) no conviction for an offence involving a breach of any legislation relating to fishing has, within the period of 3 years preceding the date of the application, been recorded in the State or elsewhere in Australia against the transferee, or, where the transferee is a body corporate, against a member of the governing body of the body corporate; and
- (e) no proceedings alleging an offence involving a breach of any legislation relating to fishing are pending or likely to be commenced in the State or elsewhere in Australia against the transferee, or, where the transferee is a body corporate, against a member of the governing body of the body corporate.

10—Registration of boats

- (1) An application to register a boat to be used pursuant to a licence in respect of the fishery must be made in writing in a form approved by the Director and be accompanied by the applicant's licence in respect of the fishery.
- (2) Before granting an application for the registration of a boat the Director must be satisfied that the applicant is the holder of a licence in respect of the fishery.

11—Registration as master

An application for registration of a person as the master of a boat to be used pursuant to a licence in respect of the fishery must be made in writing in a form approved by the Director and be accompanied by the applicant's licence in respect of the fishery.

12—Revocation of registration

- (1) The Director may, on application by the holder of a licence in respect of the fishery, revoke any registration effected by endorsement of the licence.
- (2) An application for revocation of any registration must be made in writing in a form approved by the Director and be accompanied by the licence on which the registration is endorsed.

13—Conditions limiting number of boats that may be used etc

The Director may impose conditions on a licence in respect of the fishery—

- (a) limiting the number of boats registered by endorsement of the licence that may be used pursuant to the licence at any 1 time;
- (b) limiting the number of devices that may be carried on boats registered by endorsement of the licence and otherwise regulating the carrying of devices on such boats;
- (c) limiting the area of waters within which boats registered by endorsement of the licence may be used pursuant to the licence.

14—Furnishing of returns

- (1) The holder of a licence in respect of the fishery must—
 - (a) fill out a return in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Chief Executive Officer of SARDI, with the approval of the Minister, requires; and

- (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post or deliver the return to the office of the Chief Executive Officer of SARDI within 15 days of the end of the month to which it relates.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

- (2) If no fish is taken by use of a boat registered by endorsement of the licence during a particular calendar month, the holder of the licence is required by subregulation (1) to furnish a return in respect of that period indicating that no fish were taken.

15—Copies of returns must be made

The holder of a licence in respect of the fishery must—

- (a) make a copy of each return that he or she fills out pursuant to these regulations before the return is sent or delivered to the Chief Executive Officer of SARDI; and
- (b) retain the copy for the period of one year from the last day of the month to which the return relates.

Maximum penalty: \$2 500.

16—Fees

The fees set out in Schedule 1 are prescribed for the purposes of the Act and these regulations.

Schedule 1—Fees

1	On application for the issue or renewal of a licence in respect of the fishery	\$1000
2	On application for the registration of a boat to be used pursuant to a licence in respect of the fishery—	
	(a) if the certificate of survey in force in respect of the boat specifies that the boat may carry up to unberthed 6 passengers	\$250
	(b) if the certificate of survey in force in respect of the boat specifies that the boat may carry up to unberthed 12 passengers	\$500
	(c) if the certificate of survey in force in respect of the boat specifies that the boat may carry more than unberthed 12 passengers	\$1000
3	On application for the transfer of a licence in respect of the fishery	\$300

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 21 July 2005

No 168 of 2005

MAFF05/0015CS

South Australia

Valuation of Land Regulations 2005

under the *Valuation of Land Act 1971*

Contents

1	Short title
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5	Land to be treated as forming part of the State Heritage
6	Certain notices not to constitute notice of valuation unless objection period specified
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8	Review of valuation—manner and form of application
9	Review of valuation—selection of valuer to conduct review
10	Notice of sale or transfer of title to land—particulars and form
11	Fixtures and improvements not to be included in valuations
12	Prescribed fees and allowances

Schedule 1—Forms

Schedule 2—Fees and Allowances

Schedule 3—Revocation of regulations

1	Revocation of regulations
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1—Short title

These regulations may be cited as the *Valuation of Land Regulations 2005*.

2—Commencement

These regulations will come into operation on 29 August 2005.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Valuation of Land Act 1971*;

premises includes a part of premises.

4—Definition of annual value

For the purposes of paragraph (c) of the definition of *annual value* in section 5(1) of the Act, the following machinery, plant and equipment are prescribed:

- (a) all machinery, plant and equipment used exclusively or mainly for the heating, cooling or ventilating of premises or for protecting premises from fire;

- (b) all elevators, lifts and escalators that are mainly or usually used in premises for the carrying of passengers and are fixed to the premises in such a manner as to be incapable of being removed without structural damage (other than minor or trivial structural damage) to the premises.

5—Land to be treated as forming part of the State Heritage

Pursuant to section 22B(6)(c) of the Act, land is to be treated as forming part of the State heritage for the purposes of section 22B of the Act if the land is an item listed in the register of City of Adelaide Heritage Items as set out from time to time in the Development Plan under the *Development Act 1993* that relates to the area of The Corporation of the City of Adelaide.

6—Certain notices not to constitute notice of valuation unless objection period specified

Pursuant to section 23(2) of the Act, an account, assessment or notice for rates, land tax or some other impost that contains particulars of a valuation does not constitute notice of the valuation for the purposes of section 23(1) unless the document contains the following statement:

You may object to the valuation referred to in this notice by writing served personally or by post on the Valuer-General within 60 days after the date of service of this notice.

BUT NOTE:

- (a) if you have previously received a notice or notices under the [*here state the Act or Acts under which this account, assessment or notice is served*] referring to the valuation and informing you of a 60-day objection period, the objection period is 60 days after service of the first such notice;
- (b) you may not object to the valuation if the Valuer-General has already considered an objection by you to that valuation.

7—Panels of land valuers—manner and form of nomination for appointment

- (1) For the purposes of section 25A(4)(a) of the Act, a nomination for appointment to a panel of land valuers may not be made except on an application to the Real Estate Institute of South Australia Incorporated or the Australian Property Institute Incorporated by the land valuer seeking appointment.
- (2) An application under subregulation (1) must be in writing and must set out—
 - (a) the applicant's full name and business address; and
 - (b) the applicant's qualifications and his or her experience generally; and
 - (c) the applicant's experience in valuing land in the region in relation to which the panel to which he or she is seeking appointment is established.
- (3) A body to which an application for nomination under this regulation is made must, if satisfied that there is no reason why the applicant should not be nominated, nominate the applicant for appointment to the panel by completing the form set out in Form 1 of Schedule 1 and sending it to the Minister.

8—Review of valuation—manner and form of application

For the purposes of section 25B(2)(a) of the Act, an application for review of a valuation must be in the form set out in Form 2 of Schedule 1.

9—Review of valuation—selection of valuer to conduct review

- (1) Pursuant to section 25B(4) of the Act, where due application for review of a valuation is made under section 25B of the Act, the valuer to conduct the review will be selected by the owner of the land the valuation of which is subject to the review.
- (2) The Valuer-General must, for the purposes of subregulation (1), supply the owner with a list of the land valuers appointed to the appropriate panel.
- (3) The owner must advise the Valuer-General by notice in writing of the valuer selected by the owner for the purposes of the review.

10—Notice of sale or transfer of title to land—particulars and form

For the purposes of section 29(1) of the Act—

- (a) the particulars required in Form 3 of Schedule 1 are prescribed; and
- (b) a notice under that section must be in that form.

11—Fixtures and improvements not to be included in valuations

- (1) Pursuant to section 34(ab) of the Act, the following fixtures and improvements must not be taken into account in determining or assessing the annual value or capital value of land where the determination or assessment is to be used for the purpose of raising, levying or imposing any rate, tax or impost:
 - (a) any item of machinery, plant or equipment that is used in connection with a trade, business or manufactory and is not fixed to the land or premises or is fixed to the land or premises so as to be capable of being removed without structural damage (other than minor or trivial structural damage) to the land or premises;
 - (b) any main, pole, transformer, wire, pipe, machinery, plant or equipment that is used in connection with the generation and supply of electricity, the supply of gas or water or the provision of sewerage and is erected on land occupied by a public utility undertaking (whether or not an agency or instrumentality of the Crown) related to the supply or provision of such services;
 - (c) trees planted—
 - (i) for the primary purpose of—
 - (A) the commercial production of timber; or
 - (B) the prevention or amelioration of degradation of land; or
 - (C) the disposal of effluent; or
 - (D) the provision of a habitat for wildlife; or
 - (ii) for any two or more of the purposes specified in subparagraph (i).
- (2) Despite subregulation (1), electricity generating plant, and substations for converting, transforming or controlling electricity, that—
 - (a) are used by a body specified by proclamation under clause 3(2) of Schedule 1 of the *Electricity Corporations (Restructuring and Disposal) Act 1999*; and
 - (b) are situated on land to which a proclamation under clause 3(3) of that Schedule applies,

are to be taken into account in determining or assessing the annual value or capital value of land for the purpose of raising, levying or imposing rates under the *Local Government Act 1999*.

12—Prescribed fees and allowances

The fees and allowances payable for the purposes of the Act are set out in Schedule 2.

Schedule 1—Forms

Form 1

Valuation of Land Regulations 2005

Nomination of land valuer to valuation review panel

To: The Minister under the *Valuation of Land Act 1971*

The *Real Estate Institute of South Australia Incorporated/Australian Property Institute Incorporated nominates the land valuer whose name appears below for inclusion on the valuation review panel for the *region/regions nominated.

Name

Address

Address for service of notices

Qualifications

Region or regions nominated

Valuation experience in that region

Signed

Dated this day of 20

(Being a person authorised by the *Real Estate Institute of S.A. Inc./Australian Property Institute Incorporated to make this nomination).

(*Strike out whichever is inapplicable)

Form 2*Valuation of Land Regulations 2005***Application for review of valuation**

Note—

- 1 A separate application is required for each review sought and the grounds of review must be fully stated on the application form.
- 2 Notwithstanding this review, the rate of tax assessed on the valuation must be paid by the due date.

To: The Valuer-General

I give notice that I seek a review of the Valuation No located at:

House number

Street name

Suburb or town

Lot or Section

Hundred

I have previously objected to this valuation and an advice to this objection from the Valuer-General was dated The *value/values as determined under the Act and shown on the *notice/notices of valuation *is/are:

Annual value \$

Capital value \$

Site value \$

I contend that the *value/values should be:

Annual value \$

Capital value \$

Site value \$

A detailed statement of the grounds for this review application must be given below and should include a description of the land and premises and its present use.

(If space is insufficient, use the back of the form or attach a statement of grounds)

Rental details (if premises let)			Detailed valuation of land and premises	
Gross rents	Particulars	\$	Particulars	\$

Note—

If the application for review is signed by an agent, a written authority signed by the owner must be attached.

Signed _____ Dated this _____ day of _____ 20____

Postal address _____

(*Strike out whichever is inapplicable)

Schedule 2—Fees and Allowances

1—Fees

- | | | |
|-----|--|-------------|
| (1) | For a copy of the valuation roll containing valuations to be adopted for rating or taxing purposes (section 21 of the Act)—per \$10 000 of capital value (even if the request under that section is made for rating or taxing purposes based on some other value) | 16.58 cents |
| | However, if a fee payable by a council for the 2005/2006 financial year would, in that financial year, amount to an increase exceeding 10 per cent of the fee payable by that council under section 21 of the Act for the immediately preceding financial year, the fee payable by the council will be reduced so that the council only pays the fee payable by that council for that immediately preceding financial year plus 10 per cent. | |
| (2) | On an application for review of a valuation (section 25B(2)(c) of the Act)— | |
| | • of land used by the applicant solely as his or her principal place of residence | \$73.00 |
| | • of any other land | \$180.00 |
| (3) | For a certified copy of, or extract from, any entry in a valuation roll | \$27.50 |

2—Allowances under section 25A(8) of the Act

- | | | |
|-----|---|----------|
| (1) | For a review of a valuation of land used by the applicant solely as his or her principal place of residence | \$161.00 |
| (2) | For a review of a valuation of any other land | \$197.00 |

Schedule 3—Revocation of regulations

1—Revocation of regulations

The *Valuation of Land Regulations 1991* are revoked.

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 21 July 2005

No 169 of 2005

MAS05/007CS

South Australia

Reproductive Technology (Code of Ethical Clinical Practice) Variation Regulations 2005

under the *Reproductive Technology (Clinical Practices) Act 1988*

Contents

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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Reproductive Technology (Code of Ethical Clinical Practice) Variation Regulations 2005*.

2—Commencement

These regulations will come into operation in accordance with section 20(4) of the *Reproductive Technology (Clinical Practices) Act 1988*.

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 *Reproductive Technology (Code of Ethical Clinical Practice) Regulations 1995*

4—Variation of regulation 14A—The review panel

Regulation 14A—after subregulation (2) insert:

- (2A) The Minister may appoint a suitable person to be a deputy of a member of the panel and the deputy may act as a member of the panel in the absence or during a temporary vacancy in the office of that member.

Made by the Governor

with the advice and consent of the Executive Council
on 21 July 2005

No 170 of 2005

HEACS/05/042

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CITY OF ADELAIDE

Declaration as Public Road

NOTICE is hereby given, that at its meeting held on 14 July 2003, Council declared the following:

In exercise of its powers in section 210 of the Local Government Act 1999, the Council of the Corporation of the City of Adelaide declares the following roads to be Public Roads:

Advertiser Place, Post Office Lane and Post Office Place in Town Acres 201 and 202, delineated as the said named roads plus road marked X on LTO plan FP35790 with the road marked X to be limited to a height of 4.27 m above the level of the footpath in Waymouth Street.

M. HEMMERLING, Chief Executive Officer

CITY OF NORWOOD, PAYNEHAM & ST PETERS

Adoption of Valuation

NOTICE is hereby given that the Council of the Corporation of the City of Norwood, Payneham & St Peters at a meeting held on Monday, 4 July 2005, by virtue of the powers contained in section 167 (2) (a) of the Local Government Act 1999, resolved to adopt for rating purposes, the Valuer-General's valuation of capital values applicable to the land within the area of the Council for the 2005-2006 financial year being \$6 820 267 100 and that 1 July 2005 is specified as the date on which such valuation shall become and be the valuation of the Council. The valuation is deposited in the Municipal Offices, 175 The Parade, Norwood, and may be inspected by any persons interested therein between the hours of 8.30 a.m. and 5 p.m. Monday to Friday.

Declaration of Rates

Notice is hereby given that in exercise of the powers contained in section 153 (1) (b) of the Local Government Act 1999 and pursuant to section 156 (1) (a), the Council of the Corporation of the City of Norwood, Payneham & St Peters, after considering and adopting the financial estimates for the financial year ending 30 June 2006 and adopting valuations that are to apply to land within the Municipality of Norwood, Payneham & St Peters, resolve to declare differential general rates as follows:

- (a) In respect of rateable property which is used for Commercial—Shop, Commercial—Office, Commercial—Other, Industrial—Light, Industrial—Other, Vacant Land and Other land uses and classified as such in the assessment records of the Council at the date of this declaration, a Differential General Rate of 0.00310558 rate in the dollar for the assessed capital value of such property.
- (b) In respect of rateable property which is used for Residential land use and classified as such in the assessment records of the Council at the date of this declaration, a Differential General Rate of 0.00258799 rate in the dollar for the assessed capital value of such property.

Minimum Rate

Notice is hereby given that pursuant to the provisions of section 158 (1) (a) of the Local Government Act 1999, the Council of the Corporation of the City of Norwood, Payneham & St Peters, hereby fixes the amount of \$535 as a minimum amount by way of rates in respect to rateable land throughout the whole of the Municipality.

Declaration of Separate Rate

Notice is hereby given that pursuant to the provisions of section 154 (1) of the Local Government Act 1999 and section 138 of the Water Resources Act 1997, in order to reimburse to the Council the amount contributed to the River Torrens Water Catchment Management Board, the Council of the Corporation of the City of Norwood, Payneham & St Peters, declares a separate rate of 0.00007011 (rate in the dollar) on the adopted capital value of rateable land within the municipality for the financial year ending 30 June 2006.

Payment of Rates

Notice is hereby given that pursuant to section 181 of the Local Government Act 1999, the Council of the Corporation of the City of Norwood, Payneham & St Peters, hereby declares that all rates, including charges which have been imposed, for the financial year ending 30 June 2006, shall be payable in four equal instalments, with instalments falling due on 1 September 2005, 1 December 2005, 1 March 2006 and 1 June 2006, provided that in cases where the account requiring payment of rates is not sent out at least 30 days prior to the due date for payment, the authority to fix the date by which rates must be paid in respect to those assessments, be determined by the Chief Executive Officer.

M. BARONE, Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Conversion of Private Roads to Public Roads

LOCAL GOVERNMENT ACT 1999

NOTICE is hereby given pursuant to section 210 (5) of the above-mentioned Act, Council resolved at its meeting held on the 5 July 2005:

That pursuant to the provisions contained within section 210 of the Local Government Act 1999, the City of Port Adelaide Enfield hereby declares:

1. Lady Gowrie Drive, Taperoo, being allotment 225 in Deposited Plan 2413 contained within certificate of title volume 2106, folio 134 to be a public road.
2. Ventura Avenue, Taperoo, being allotment 232 in Deposited Plan 2413 contained within certificate of title volume 2106, folio 134 to be a public road.
3. Wandana Terrace, Taperoo, being allotment 228 in Deposited Plan 2413 contained within certificate of title volume 2106, folio 134 to be a public road.

Dated 21 July 2005.

H. J. WIERDA, City Manager

CITY OF TEA TREE GULLY

Close of Roll for Supplementary Election

NOTICE is hereby given that due to the resignation of a member of the Council, a supplementary election will be necessary to fill the vacancy of Councillor for Hillcott Ward.

The voters roll to conduct this supplementary election will close at 5 p.m. on Friday, 29 July 2005.

Nominations to fill the vacancies will open on Thursday, 25 August 2005 and will be received up until noon on Thursday, 15 September 2005.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 17 October 2005.

D. GULLY, Returning Officer

CITY OF TEA TREE GULLY

Resignation of Ward Councillor

NOTICE is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that one vacancy has occurred in the office of Hillcott Ward Councillor, due to the resignation of councillor Vicki Hudson on 12 July 2005.

G. J. PERKIN, Chief Executive Officer

THE BAROSSA COUNCIL

Naming of Government Road

NOTICE is hereby given that pursuant to section 219 of the Local Government Act 1999, Council on 21 June 2005, resolved to name the unnamed Government Road off Goldfields Road, Cockatoo Valley. The road is located between sections 209 and 210, Hundred of Barossa for a length of approximately 450 m from Goldfields Road and is to be named Sim's Rush Lane.

J. G. JONES, Chief Executive Officer

Copies of all submissions received will be available for inspection by interested persons at the Council offices outlined above from 24 September 2005, until the date of the public hearing. A public hearing will be held at 7.30 p.m. at the Council Chamber, 44 O'Loughlin Terrace, Ceduna on 6 October 2005.

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

Dated 14 July 2005.

T. IRVINE, Chief Executive Officer

THE BERRI BARMERA COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Brand Road, Cobdogla

NOTICE is hereby given pursuant to section 10 of the said Act, that the Council proposes to make a Road Process Order to close, sell to the adjoining owners a strip of Brand Road extending from Sturt Highway to Morgan Road more particularly delineated 'A' to 'H' and 'J' to 'L' (inclusive) on Preliminary Plan No. 05/0010.

A copy of the plan and statement of persons affected are available for public inspection at Council's Office, 19 Wilson Street, Berri and the office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any application for easement or objections must be made in writing within 28 days from 22 July 2005, to the Council, P.O. Box 229, Berri, S.A. 5343 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details. Where a submission is made, Council will give notification of a meeting to deal with the matter.

Dated 22 July 2005.

S. RUFUS, Chief Executive Officer

CLARE AND GILBERT VALLEYS COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the Clare and Gilbert Valleys Council at its special meeting held on 12 July 2005, resolved that for the financial year ending on 30 June 2006, and in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, as follows:

Adoption of Valuations

1. Pursuant to section 167 of the Local Government Act 1999, Council adopted the most recent capital valuation of the Valuer-General in relation to the whole of the area of the Council and specified that the total of the values that are to apply within the area is \$1 720 035 860.

Declaration of Differential General Rates

2. Pursuant to section 153 of the Local Government Act 1999, the following differential general rates for the year ending 30 June 2006, be declared with reference to land use category:

- (1) on rateable land with the land use of Category 1 (Residential) and Category 9 (Other), a rate of 0.3505 cents in the dollar of the capital value of such land;
- (2) on rateable land with the land use of Category 2 (Commercial—Shop), Category 3 (Commercial—Office) and Category 4 (Commercial—Other) a rate of 0.4557 cents in the dollar of the capital value of such land;
- (3) on rateable land with the land use of Category 5 (Industrial—Light) and Category 6 (Industrial—Other) a rate of 0.4557 cents in the dollar of the capital value of such land;
- (4) on rateable land with the land use of Category 7 (Primary Production) a rate of 0.2804 cents in the dollar of the capital value of such land; and
- (5) on rateable land with the land use of Category 8 (Vacant Land) a rate of 1.0515 cents in the dollar of the capital value of such land.

Declaration of Minimum Rate

3. Pursuant to section 158 (1) of the Local Government Act 1999, Council declared a minimum amount that shall be payable by way of rates on rateable properties of \$445.50.

Septic Tank Effluent Disposal Scheme Charges

4. Pursuant to section 155 of the Local Government Act 1999, Council imposed the following annual service charges for the year ending 30 June 2006 on all properties in the following townships to which it provides, or makes available, a Septic Tank Effluent Disposal Scheme:

Clare

	\$
Occupied Land	182.20
Vacant Land	182.20

Riverton

Occupied Land	182.20
Vacant Land	182.20

Saddleworth

Occupied Land	182.20
Vacant Land	182.20

DISTRICT COUNCIL OF CEDUNA

DEVELOPMENT ACT 1993

Development Plan—Smoky Bay Plan Amendment Report—Draft for Public Consultation

NOTICE is hereby given that the District Council of Ceduna has prepared a draft Plan Amendment Report to amend the Ceduna (DC) Development Plan as it affects the township of Smoky Bay.

The Plan Amendment Report will amend the Ceduna (DC) Development Plan by introducing policies to:

- an expansion of the township boundary towards the north in order to accommodate residential expansion via the rezoning of a portion of the Coastal Zone and the Rural Zone to Residential (Coastal Living) Zone;
- an expansion of the existing Commercial Zone and Policy Area 14;
- the introduction of a Coastal Aquaculture Facility (Smoky Bay) Zone;
- an adjustment of the Residential Zone and Urban Coastal Zone boundary amendment and addition to the desired future character statement for Residential Zone Policy Area 6 Smoky Bay; and
- the introduction of a Structure Plan for the township of Smoky Bay.

The draft Plan Amendment Report and statement will be available for public inspection and purchase during normal office hours at the Council Offices, 44 O'Loughlin Terrace, Ceduna or is available from Council's website at <http://www.ceduna.net> from 21 July 2005 to 23 September 2005.

A copy of the Plan Amendment Report can be purchased from the Council at \$25 each.

Written submissions regarding the draft amendment will be accepted by the District Council of Ceduna until 23 September 2005. The written submission should also clearly indicate whether you wish to speak at the public hearing on your submission. All submissions should be addressed to the Chief Executive Officer, District Council of Ceduna, P.O. Box 175, Ceduna, S.A. 5690.

Waste Collection

5. Pursuant to section 155 of the Local Government Act 1999, Council fixed the following annual service charges for the year ending 30 June 2006:

- (a) on each property to which it provides, or makes available the waste collection service within the towns of Clare, Riverton, Saddleworth, Mintaro, Seven-hill, Auburn, Watervale, Manoora, Rhynie, Marrabel, Stockport, Tarlee and Waterloo an annual service charge of \$140; and
- (b) for all properties outside of the above townships that have made applications and have access along the route to the waste collection service, (exclusive of recyclable collection) an annual service charge of \$140.

Waste Management Charge Rebate

6. Pursuant to section 166 (1) (l) (i) of the Local Government Act 1999, to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to a redistribution of the rates burden within the community arising from a change to the basis or structure of the Council rates, Council grants a discretionary rebate of the full amount of the Waste Management Charge imposed for the 2005-2006 financial year where the following criteria are met:

- (a) the property must not be used for residential, commercial or industrial purposes;
- (b) the property must be contiguous to another piece of land that is either owned or occupied by the same person;
- (c) the property must not be receiving the waste collection service.

Pursuant to section 44 of the Local Government Act 1999 the Chief Executive Officer be delegated authority to approve the grant of rebates in accordance with the powers contained in section 166 (1) (l) (i) either on his own initiative where the Chief Executive Officer is in possession of sufficient information to determine the entitlement of the rebate or otherwise upon application.

Payment of Rates

7. Pursuant to section 181 (2) (a) of the Local Government Act 1999, the payment of rates will be made by four approximately equal instalments, the first of which shall be due on 2 September 2005, the second on 2 December 2005, the third on 3 March 2006 and the fourth on 2 June 2006.

Discount on Rates

8. Pursuant to section 181 (11) of the Local Government Act 1999, Council grants a discount of 2.25% for the full payment of rates by one single instalment on or before 2 September 2005.

Payment of Charges

9. The payment of annual service charges are to be made by four approximately equal instalments, the first of which shall be due on 2 September 2005, the second on 2 December 2005, the third on 3 March 2006 and the fourth on 2 June 2006.

M. A. GOLDSTONE, Chief Executive Officer

DISTRICT COUNCIL OF THE COPPER COAST

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the District Council of the Copper Coast, at its Special Meeting of Council, held on Wednesday, 13 July 2005, resolved as follows:

Adoption of Valuations

The most recent valuation of the Valuer-General available to the Council, of the capital value of land within the Council's area, be adopted for rating purposes for the year ending 30 June 2006, totalling \$1 794 988 200.

Adoption of Rates

1. That pursuant to section 152 (1) (c) of the Local Government Act 1999, the general rate within the area of the Council be declared for the financial year ending 30 June 2006 be based on two components:

- (i) one being the value of the rateable land; and
- (ii) the other being the fixed charge applicable to the rateable land and that for the purposes of (i) the Council declare differential general rates according to the locality of the land and its use in accordance with section 156 (1) (c) of the Act.

2. That an amount of \$218 be a fixed charge on each separate piece of rateable land in the area of the Council for the purposes of rates pursuant to section 152 of the Local Government Act 1999, for the year ending 30 June 2006.

3. That the amounts of the differential general rates are as follows:

- 3.1 for all rateable land within the area of the Council which has a land use designated as Residential a rate of 0.2388 cents in the dollar;
- 3.2 for all rateable land within the area of the Council which has a land use designated as Commercial—(Shop) or Commercial—(Office) or Commercial—(Other), but not being land comprised within the Town Centre Kadina Zone or the Town Centre (Moonta Historic Conservation) Zone a rate of 0.43 cents in the dollar;
- 3.3 for all rateable land within the area of the council which has a land use designated as Industry—(Light) or Industry—(Other), but not being land comprised within the Town Centre Kadina Zone or the Town Centre (Moonta Historic Conservation) Zone, a rate of 0.46 cents in the dollar;
- 3.4 for all rateable land within the area of the Council which has a land use designated as Primary Production a rate of 0.155 cents in the dollar;
- 3.5 for all rateable land within the area of the Council which has a land use designated as Vacant Land a rate of 0.34 cents in the dollar;
- 3.6 for all rateable land within the area of the Town Centre Kadina Zone as defined in the township of Kadina in the Council Development Plan, (maps CoCo/15 and 16 and Fig TCe(K)/1), but not land which has a land use designated as Residential be fixed and rated at 0.46 cents in the dollar; and
- 3.7 for all rateable land within the area of the Town Centre: (Moonta Historic Conservation) Zone as defined in the township of Moonta in the Council Development Plan, (maps CoCo 21, 24, 25 and 26 and Fig TCe(M)(HC)/1), but not land which has a land use designated as Residential be fixed and rated at 0.46 cents in the dollar.

Adoption of Septic Tank Effluent Disposal Annual Service Charge

That pursuant to section 155 of the Local Government Act 1999, that a Septic Tank Effluent Disposal Annual Service Charge be declared, and imposed separately for the year ending 30 June 2006, as follows:

1. \$98 on each vacant allotment and \$138 on each building unit or building effluent unit served by the Kadina Septic Tank Effluent Disposal Scheme (S.T.E.D. Scheme);
2. \$107 on each building unit serviced by the Wallaroo Septic Tank Disposal Scheme 1, Wallaroo Hospital Section;
3. \$107 on each building unit serviced by the Wallaroo Septic Tank Disposal Scheme 2, Wallaroo Owen Terrace Extension;
4. \$107 on each building unit serviced by the Wallaroo Septic Tank Disposal Scheme 3, Wallaroo Church Street Extension;
5. \$107 on each building unit serviced by the Wallaroo Septic Tank Disposal Scheme, Wallaroo Section 1808 Subdivision (Allotments 327-383) Extension;
6. \$107 on each building unit serviced by the Wallaroo Septic Tank Disposal Scheme, Wallaroo Section 500 Subdivision (Marina and Hospital) Extension;
7. \$204 on each vacant allotment and \$208 on each building unit or building effluent unit served by the Wallaroo Septic Tank Effluent Disposal Scheme (S.T.E.D. Scheme).

Payment of Rates

That the requirements for the payment of rates be as follows:

- (a) Rates (i.e. Differential General Rate plus Fixed Charge and Annual Service Charge) declared by Council for the financial year ending 30 June 2006 will fall due in four equal or approximately equal instalments.
- (b) The said four instalments shall be payable on or before the first day in the months of September 2005, December 2005, March 2006 and June 2006, failing which the said rates shall be regarded as being in arrears and subject to the imposition of fines, as prescribed.

P. DINNING, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Croyle Road adjacent Mount Gambier Airport Wandilo and Suttontown

NOTICE is hereby given pursuant to section 10 of the said Act, that Council proposes to make a Road Process Order to close a portion of Croyle Road adjoining the southern boundaries of the Mount Gambier Airport more particularly delineated 'A' and 'B' on Preliminary Plan No. 05/0023.

Closed road 'A' to be retained by Council and closed road 'B' to be sold to D. M. and V. M. Anderson.

A copy of the plan and statement of persons affected are available for public inspection at Council's Office, 324 Commercial Street West, Mount Gambier and the office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any application for easement or objections must set out the full name, address and details of the submission with fully supported reasons.

Any submissions must be in writing within 28 days from 21 July 2005 to the Council, P.O. Box 724, Mount Gambier, S.A. 5290 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details.

Where a submission is made, Council will give notification of a meeting at which the matter will be considered.

Dated 21 July 2005.

R. PEATE, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at its meeting held on 18 July 2005, Council in exercise of the powers contained in Part 1 of Chapter 10 of the Local Government Act 1999:

1. Adopted the valuation that is to apply in its area for rating purposes for the 2005-2006 financial year, being the capital valuation of the Valuer-General, totalling \$1 673 923 360.
2. Declared a general rate on all rateable land within its area of 0.260 cents in the dollar on the capital value of rateable land, for the year ending 30 June 2006.
3. Declared a minimum amount payable by way of general rates on rateable land in its area of \$382 for the year ending 30 June 2006.
4. Declared an annual service charge of \$108 for the year ending 30 June 2006, for the collection and disposal (including recycling) of domestic waste (Mobile Garbage Bins) on each rateable occupied property as follows:
 - (a) in the townships of Port MacDonnell, Racecourse Bay, Donovans, Caveton, Carpenter Rocks, Blackfellows Caves, Nene Valley, Kongorong, Allendale East and the Pelican Point/Carpenter Rocks Shacks area;
 - (b) in the following streets and roads at Moorak: Kilsby Road, Orchard Road, Florence Street, Berkefeld Road, Johnston Road, Northumberland Avenue and Bay Road (from the boundary of the City of Mount Gambier to Tarrant Road);

- (c) in the following street and roads at Yahl: Brim Brim Road, Church Street, Yahl Road (from Square Mile Road to Yahl Hall Road), Yahl Hall Road (from Brim Brim Road to Yahl Road), Lange Road (from Yahl Road to the eastern boundary of property A5325, Lot 1, FP9406);
- (d) in the following streets and roads at Tarpeena bounded by: McEncroe Road (from Riddoch Highway to Bailey Road), Bailey Road (from McEncroe Road to Clezy Road), Clezy Road (from Bailey Road to Quarry Road), Quarry Road (from Clezy Road to Medhurst Road), Medhurst Road (from Quarry Road to Riddoch Highway), Riddoch Highway (from Medhurst Road to Albinia Terrace West), Albinia Terrace West (from Riddoch Highway to Marion Terrace), Marion Terrace (from Albinia Terrace West to Bouilly Road), and Bouilly Road (from Marion Terrace to Riddoch Highway); and
- (e) in the following streets and roads at Worrolong, bounded by: Hawkins Road (from Worrolong Road to Buchanan Road), Buchanan Road (from Hawkins Road to Triangle Road), Triangle Road (from Buchanan Road to Worrolong Road), Worrolong Road (from Triangle Road to Hawkins Road), including Williams Road, Kavanagh Road, Cutting Court, Billings Road, McMahon Road, Leggett Road, and O'Neil Road (from Triangle Road to Worrolong Road), and including properties on the southern side of Worrolong Road from Hawkins Road to O'Neil Road.

5. Declared a separate rate (Water Catchment Levy) of \$13.85, in respect of the financial year ending 30 June 2006, on all rateable land in Council's area in the Catchment Area of the Board, based on a fixed levy of the same amount payable on all rateable land, excluding those properties paying a water based levy.

6. Declared for the financial year ending 30 June 2006:

- (a) a service charge of:
 - \$117 per annum on all vacant allotments; and
 - \$320 per annum on all occupied allotments in that part of the township of Port MacDonnell served by the Septic Tank Effluent Drainage Scheme,
- (b) a service charge of:
 - \$110 per annum on all vacant allotments; and
 - \$173 per annum on all occupied allotments in that part of the township of Tarpeena served by the Common Effluent Drainage Scheme,
- (c) a service charge of:
 - \$1 370 per annum on all occupied allotments in that part of the Pelican Point area from Sections 690 to 700, Sections 702 to 726 Hundred of Kongorong, Lot 8, (DP5111) Newton Road, and Lot 651, Newton Road, served by the Septic Tank Effluent Drainage Scheme.

7. Declared that all rates in respect of the financial year ending 30 June 2006, are payable in four equal or approximately equal instalments with the first instalment payable on or before 9 September 2005, the second instalment payable on or before 9 December 2005, the third instalment payable on or before 10 March 2006 and the fourth instalment payable on or before 9 June 2006.

R. J. PEATE, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

DEVELOPMENT ACT 1993

Draft for Public Consultation

NOTICE is hereby given that the District Council of Grant has prepared two draft Plan Amendment Reports to amend the District Council of Grant Development Plan as it affects Rural and Country Living and Country Township Expansion.

The Plan Amendment Reports will amend the Development Plan by introducing new zones for rural living and country living near Mount Gambier, and areas for expansion of coastal townships.

The draft Plan Amendment Reports and statements will be available for public inspection and purchase during normal office hours at the District Council of Grant Offices, 324 Commercial Street West, Mount Gambier, or 5 Charles Street, Port MacDonnell or are available on the Council's website at www.dcgrant.sa.gov.au from Thursday, 21 July 2005 until 5 p.m. on Friday, 23 September 2005. A copy of the Plan Amendment Reports can be purchased from Council's offices for \$5 each.

Written submissions regarding the draft amendment will be accepted by the District Council of Grant until 5 p.m. on Friday, 23 September 2005. The written submission should also clearly indicate whether you wish to speak at the public hearing on your submission. All submissions should be addressed to the Chief Executive Officer, District Council of Grant, P.O. Box 724, Mount Gambier S.A. 5290.

Copies of all submissions received will be available for inspection by interested persons at Council's Offices, 324 Commercial Street West, Mount Gambier S.A. or 5 Charles Street, Port MacDonnell, S.A. from Monday, 26 September 2005 until the date of the public hearing. A public hearing will be held at 5.30 p.m. at the Presidential Motel, Jubilee Highway West, Mount Gambier on Tuesday, 4 October 2005.

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

Dated 21 July 2005.

R. J. PEATE, Chief Executive Officer

KANGAROO ISLAND COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at a special meeting held on 14 July 2005, the Kangaroo Island Council, in exercise of the powers contained in Chapter 10 of the Local Government Act 1999 passed the following resolutions for the financial year ending 30 June 2006:

Adoption of Valuation

1. Pursuant to section 167 (2) (a) of the Act adopted for rating purposes for the year ending 30 June 2006, the Valuer-General's valuation of capital values for all property constituting the area of the Council totalling \$862 225 860.

Fixed Charge

2. Pursuant to section 152 (1) (c) of the Act imposed a fixed charge of \$275 in respect of each separate piece of rateable land in its area.

Differential General Rates

3. Pursuant to section 153 (1) (b) of the Act declared Differential General Rates in the area, in accordance with the use of the land as follows:

Residential—0.25 cents in the dollar
 Commercial—Shop—0.37 cents in the dollar
 Commercial—Office—0.40 cents in the dollar
 Commercial—Other—0.35 cents in the dollar
 Industry—Light—0.40 cents in the dollar
 Industry—Other—0.40 cents in the dollar
 Primary Production—0.33 cents in the dollar
 Vacant Land—0.62 cents in the dollar
 Other Rateable Land—0.40 cents in the dollar

Service Charges

4. Waste Management Charge:

Pursuant to section 155 (1) (b) and section 155 (2) of the Local Government Act 1999, Council resolves to impose a service rate and charge in respect of the collection, treatment or disposal (including by recycling) of waste. The Council declares an Annual Service Charge (Waste Management Charge) in respect of all rateable and non-rateable land of \$185 in respect of rateable land otherwise deemed to be contiguous land for the purposes of rating, only one Annual Service Charge will be imposed.

5. Waste Services Charge:

Pursuant to section 155 (1) (b) and section 155 (2) of the Local Government Act 1999, Council resolves to impose a service rate and charge in respect of the collection of waste. The Waste Services Charge in respect of the actual provision of waste collection services where such a service is available shall be set at \$100 per rateable property. In respect of this charge, rateable land otherwise deemed to be contiguous vacant land adjoining a residential property shall be exempt from this charge.

6. STEDS Service Charge:

Pursuant to sections 155 (1) (b) and 155 (2) (b) of the Local Government Act 1999, Council resolves to impose an annual service charge in respect of effluent disposal within the townships of Kingscote and Parndana and within the extent of the STEDS schemes within these and adjacent areas, and that such charge be set at \$375 per applicable assessment.

Charges to be applied as follows:

(1) within the townships of Kingscote and Brownlow:

Scheme 1 (as defined):	\$
Vacant Land	375
Occupied Land	375

Scheme 2 (as defined):	
Vacant Land	375
Occupied Land	375

(2) within the township of Parndana:

Scheme 1 (as defined):	
Vacant Land	375
Occupied Land	375

Scheme 2 (as defined):	
Vacant Land	375
Occupied Land	375

Scheme 3 (as defined):	
Vacant Land	375
Occupied Land	375

Scheme 4 (as defined):	
Vacant Land	375
Occupied Land	375

Payment of rates

7. That pursuant to section 181 (1) (a) of the Act determined that rates for the year ending 30 June 2006, are payable in four equal quarterly instalments due on 2 September 2005, 2 December 2005, 2 March 2006 and 2 June 2006, respectively.

Rebates (capping)

8. That pursuant to section 166 (1) (l) and section 166 (3a) of the Act Council will offer ratepayers a rebate of rates to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuations or anomalies in valuations.

Council has therefore decided to continue rate rebates (capping) in 2005-2006. Rebates will be available as specified below:

- Residential properties on which the principal ratepayer receives a State Pensioner rebate (as approved by SA Water)—a Council rebate of the amount by which the variable component of the general rates payable exceeds the 2004-2005 variable component of the general rates payable by 115 per cent.
- Residential properties—A Council rebate of the amount by which the variable component of the general rates payable exceeds the 2004-2005 variable component of the general rates payable by 120 per cent.
- Commercial and Industrial properties—A Council rebate of the amount by which the variable component of the general rates payable exceeds the 2004-2005 variable component of the general rates payable by 120 per cent.

- Primary Production properties—A Council rebate of the amount by which the variable component of the general rates payable exceeds the 2004-2005 variable component of the general rates payable by 120 per cent.
- Vacant Land—A Council rebate of the amount by which the variable component of the general rates payable exceeds the 2004-2005 variable component of the general rates payable by 130 per cent.
- Vacant Land—where the general rates payable exceeds the general rates payable on a similarly valued occupied (developed) parcel of land.

Rebates will not apply where:

- The property has been acquired by the ratepayer or has become the principal place of residence after 1 July 2004.
- The increase in general rate payable is due in whole or in part to an increase in valuation of the property attributable to improvements made to it in excess of \$10 000.
- The increase in general rate payable is due in whole or in part to an increase in the valuation of the property attributable to a change in the zoning of the land under the Development Act 1993.

N. BROWN, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Adoption of Valuation

NOTICE is hereby given that the District Council of Kimba at a meeting held on 13 July 2005, by virtue of the powers contained in section 167 (2) (a) of the Local Government Act 1999, the Council resolved to adopt, for rating purposes for the financial year ending on 30 June 2006, the Valuer-General's valuation of site values applicable to land within the area of the Council, totalling \$95 834 800 and that 13 July 2005, is specified as the date on which such values are adopted.

Declaration of Rates

Notice is hereby given that in the exercise of the powers contained in section 153 (1) (b) of the Local Government Act 1999, the District Council of Kimba at a meeting held on 13 July 2005, after considering and adopting the budget, financial estimates and statements for the financial year ending on 30 June 2006 and adopting valuations that are to apply to land within the Council's area, resolved to declare the following rates for the financial year ending on 30 June 2006:

- A differential general rate of 9.25 cents in the dollar on the site value of all rateable land situated within the Kimba township area.
- A differential general rate of 0.6560 cents in the dollar on the site value of all rateable land situated outside of the Kimba township area.

Declaration of Service Charge

Pursuant to the provisions of section 155 of the Local Government Act 1999, the District Council of Kimba declares the following annual service charge for the year ending on 30 June 2006:

In the areas covered by the Kimba township Septic Tank Effluent Disposal Scheme, an annual service charge of \$75 on each vacant allotment and an annual service charge of \$115 on each occupied allotment.

Declaration of Minimum Rate

Pursuant to the provisions of section 158 of the Local Government Act 1999, the District Council of Kimba fixes the minimum amount payable by way of rates at \$125 in respect of all rateable land in the Council's area in respect of the year ending on 30 June 2006.

Declaration of Separate Rate—Water Catchment Levy

Notice is hereby given that in exercise of the powers contained in section 138 of the Water Resources Act 1997 and section 154 of the Local Government Act 1999, the District Council of Kimba at a meeting held on 13 July 2005, declared a separate rate, being a fixed water levy of \$32.20 upon all rateable property in the Council area. The fixed water levy was declared in order to reimburse the Council the amount of \$21 412 which Council is

required to contribute towards the cost of operating the Eyre Peninsula Catchment Water Management Board for the 2005-2006 financial year.

Payment of Rates

Notice is hereby given that pursuant to section 181 of the Local Government Act 1999, the District Council of Kimba declares that the rates and charges payable in respect of the financial year ending on 30 June 2006, are payable in four equal (or approximately equal) instalments falling due on the following dates:

22 September 2005
22 December 2005
23 March 2006
22 June 2006

Early Payment Discount

Notice is hereby given that pursuant to section 181 (11) of the Local Government Act 1999, all rates and service charges in respect of the financial year ending on 30 June 2006 paid in full on or before 22 September 2005 will attract a 2.5% discount as an incentive for early payment.

D. A. CEARNS, Chief Executive Officer

LIGHT REGIONAL COUNCIL

Periodical Elector Representation Review

NOTICE is hereby given that the Light Regional Council, in accordance with section 12 of the Local Government Act 1999, has commenced a review to determine whether current arrangements for elected representation are adequate in fairly representing the electors of the district. Issues examined during the review are:

- Retainment of the current ward structure or should members be elected to represent the whole area.
- Examination of the number of wards if the ward structure is retained and will the ward quotas be within acceptable limits.
- The number of elected members required to adequately represent the community.
- The consideration of new ward names.
- Whether the Principal Member of Council should be popularly elected or elected from within the Council.

Any person wishing to contribute to the review is invited to become familiar with the issues and options available to the Council concerning the current ward structures and elector representations. A background paper is available from the Council Offices, Kapunda and Freeling, and from Council's Libraries, Kapunda, Freeling, Greenock and Wasleys. The paper is also available on Council's website www.light.sa.gov.au.

Further information can be obtained from Council's Director, Corporate Services, Richard Michael by telephoning (08) 8525 3200 or by email to Light@light.sa.gov.au.

A public meeting will be conducted on the matter on Monday, 8 August 2005 at the Freeling Recreation Park, commencing at 7.30 p.m.

Written submissions will be received until 5 p.m. on Friday, 2 September 2005, and an opportunity will be given to any person making a written submission to appear before Council for further explanation.

P. BEARE, Chief Executive Officer

DISTRICT COUNCIL OF ORROROO CARRIETON

Adoption of Community Land Management Plans

NOTICE is hereby given, pursuant to section 197 (3) of the Local Government Act 1999, that the District Council of Orroroo Carrieton at its meeting held on 19 July 2005, adopted the Orroroo Carrieton Management Plans for the following Community Land:

Recreation Reserves
Cemeteries
Council Houses
Refuse Depots
Vacant/Undeveloped Land

A. J. RENSHAW, Chief Executive Officer

DISTRICT COUNCIL OF PETERBOROUGH

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the District Council of Peterborough at its meeting held on 11 July 2005, resolved as follows:

Adoption of Valuations

The District Council of Peterborough, in accordance with section 167 (2) (a) of the Local Government Act 1999, adopts for the year ending 30 June 2006 for rating purposes, the valuations of the Valuer-General of capital values in relation to the area of the Council, and hereby specifies 8 July 2005 as the day as and from which such valuations shall become and be the valuations of the Council with the total of the valuations being \$124 762 240, comprising \$119 684 620 in respect of rateable land and \$5 077 620 in respect of non-rateable land before alteration.

Adoption of 2005-2006 Budget and Annual Statement

Pursuant to section 123 of the Local Government Act 1999, and Regulation 5 of the Local Government (Financial Management) Regulations 1999, the District Council of Peterborough adopt the 2005-2006 Budget and Annual Statement which reflects:

- (a) total estimated expenditure as \$2 431 500;
- (b) total estimated income from service other than rates of \$1 681 500; and
- (c) total amount of income by way of rates of \$729 000.

Differential General Rates

Pursuant to sections 152 (1) (c), 153 and 156 (1) (b) of the Local Government Act 1999, the District Council of Peterborough declare the following differential general rates on the assessed capital values of all rateable properties within the Council area for the year ending 30 June 2006, the said differential general rates to vary by reference to locality in which the rateable land is situated. The said differential general rates declared are as follows:

Peterborough township.....	0.5750 cents in the dollar
Oodlawirra township.....	0.4400 cents in the dollar
Yongala township	0.2400 cents in the dollar
Rural property	0.2400 cents in the dollar

Service Charge

Pursuant to section 155 (1) (b) of the Local Government Act 1999, the District Council of Peterborough declare an annual Service Charge of \$52 per Mobile Garbage Bin (Wheelie Bin) for the year ending 30 June 2006 upon the land to which it provides the service of the collection and disposal of domestic and commercial waste in the Peterborough township only.

Fixed Charge

Pursuant to sections 151 (1) (b) and 152 (c) (ii) of the Local Government Act 1999, the District Council of Peterborough declare a fixed charge of \$230 on each separate assessed rateable property for the financial year ending 30 June 2006.

Payment of Rates

Pursuant to section 181 of the Local Government Act 1999, the District Council of Peterborough declare that all rates be payable by four instalments, with the first instalment payable on 1 September 2005, second instalment payable on 1 December 2005, third instalment payable on 1 March 2006 and fourth instalment payable on 1 June 2006.

Rate Capping Rebate

Pursuant to section 166 (1) of the Local Government Act 1999 and to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuations, the Council adopts a capping rebate for the 2005-2006 financial year which will be available on application by the owner/principal ratepayer being a rebate of the amount of the difference between the amount of general rates imposed for the 2005-2006 financial year and the amount of general rates imposed for the 2004-2005 financial year plus 20% of those rates and provided the owner/principal ratepayer meets the following conditions:

- (a) application is made for the rate capping rebate before 1 September 2005 on the appropriate form;
- (b) the owner's/principal ratepayer's principal place of residence is within the District Council of Peterborough boundaries;
- (c) the owner/principal ratepayer has owned/occupied the property prior to 1 January 2004; and
- (d) the owner/principal ratepayer must not have made improvements to the property valued at more than \$10 000 since 1 July 2004.

T. D. BARNES, Chief Executive Officer

DISTRICT COUNCIL OF TATIARA

Adoption of Valuation

NOTICE is hereby given that the Council at its meeting held on 12 July 2005, resolved that in accordance with the provisions of section 167 (2) (a) of the Local Government Act 1999, Council adopted for rating purposes for the year ending 30 June 2006, the Valuer-General's valuations of the capital values applicable to land within the area of the Council, totalling \$1 559 370 820 and that the date of adoption of the valuations be 12 July 2005.

Adoption of Budget

Pursuant to section 123 (2) (b) of the Local Government Act 1999, Council adopted the budget for the financial year ending 30 June 2006, comprising the following documents:

- Budgeted operating statement.
- Budgeted statement of financial position.
- Budgeted statement of changes in equity.
- Budgeted statement of cash flows.
- Rates determination.

Declaration of Rates

Pursuant to section 156 (1) (b) of the Local Government Act 1999, council declared the following differential general rates for the 2005-2006 financial year, on rateable land within the area, by reference to the locality of the land:

- 0.552 cents in the dollar within the townships of Bordertown, Keith, Mundulla, Padthaway and Wolseley;
- 0.360 cents in the dollar in the area outside the townships of Bordertown, Keith, Mundulla, Padthaway and Wolseley.

Rate Rebates

Pursuant to section 166 (1) (l) of the Local Government Act 1999, that council for the purpose of providing relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to a rapid change in valuations, provide a rebate on the general rate on any one assessment so that the maximum general rate paid is not greater than 20% more than applicable in the previous year. The rebate will not apply where:

- (1) The property has been acquired by the ratepayer after 1 June 2003.
- (2) The increase in the general rate payable is due in whole or in part to an increase in the valuation of the property attributable to improvements made to it valued in excess of \$10 000.
- (3) The increase in the general rate payable is due in whole or in part to an increase in the valuation of the property attributable to a change in the zoning of the land under the Development Act 1993.

The rebate will be automatically calculated by council and recorded on the 2005-2006 rate notice.

Declaration of Minimum Rate

Pursuant to section 158 (1) (a) of the Local Government Act 1999, the council hereby fixes, in respect of the year ending 30 June 2006, a minimum amount of \$220 that shall be payable by way of general rate on rateable land within the townships of Bordertown, Keith, Mundulla, Padthaway and Wolseley.

Service Charges

Pursuant to section 155 (8) of the Local Government Act 1999, in respect of the year ending 30 June 2006 the council imposes:

- An annual service charge, based on property units, on rateable and non-rateable land within its area, which is serviced by Septic Tank Effluent Disposal Schemes.
- In the area covered by the Bordertown Septic Tank Effluent Drainage Scheme an annual service charge of \$120 on each vacant allotment and an annual service charge of \$180 on all other assessed properties.
- In the area covered by the Keith Septic Tank Effluent Drainage Scheme an annual service charge of \$120 on each vacant allotment and an annual service charge of \$180 on all other assessed properties.
- In the area covered by the Mundulla Septic Tank Effluent Drainage Scheme an annual service charge of \$120 on each vacant allotment and an annual service charge of \$160 on all other assessed properties.
- In the area covered by the Wolseley Septic Tank Effluent Drainage Scheme an annual service charge of \$150 on each vacant allotment and an annual service charge of \$210 on all other assessed properties.

Declaration of Separate Rate

Pursuant to section 154 of the Local Government Act 1999, Council declared a separate rate of \$20.33 for the 2005-2006 financial year on rateable properties in the East Ward and a separate rate of \$26.33 for the 2005-2006 financial year on rateable properties in the West Ward. Pensioner concessions will be granted in accordance with pensioner concessions for the general rate. The East Ward Separate Rate and the West Ward Separate Rate are for the purpose of funding the redevelopment of the Bordertown Memorial Hospital Inc. and the Keith & District Hospital Inc. for aged care facilities. The East Ward Separate Rate and the West Ward Separate Rate will be payable in four equal instalments in conjunction with the general rate.

Declaration of Separate Rate

In exercise of the powers contained in section 138 of the Water Resources Act 1997 and section 154 (1) of the Local Government Act 1999, in order to reimburse to the Council the amount contributed to the South East Catchment Water Management Board, the Council declared a separate rate of \$14.29 on all rateable land in the Council's area in the catchment area of the Board, based on a fixed levy of the same amount on all rateable land.

Payment of Rates

Pursuant to section 181 (1) (a) of the Local Government Act 1999, the Council declared that the rates and charges payable in respect of the 2005-2006 financial year, are payable in four instalments due on:

- 1 September 2005
- 1 December 2005
- 1 March 2006
- 1 June 2006

R. J. HARKNESS, Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY*Adoption of Valuations and Declaration of Rates*

NOTICE is hereby given that the District Council of Tumby Bay at its meeting held on 11 July 2005 passed the following recommendations:

Adoption of Valuations

That the District Council of Tumby Bay in accordance with section 167 (2) (a) of the Local Government Act 1999, at a meeting of council held on 11 July 2005, adopts for the year ending 30 June 2006, the site valuations made by the Valuer-General in relation to the area of council and hereby specifies 11 July 2005 as the day from which such valuation shall become and be the valuation of the Council. The total site value valuations being \$313 909 580.

*Declaration of Rates**General Rate*

That the Council for the District Council of Tumby Bay exercising the powers under section 152 (1) (c) of the Local Government Act 1999, hereby declares that the general rate will be a rate that consists of two components as follows:

- (i) one being based on the value of the land subject to the rate; and
- (ii) the other being a fixed charge.

Differential General Rate

That the Council for the District Council of Tumby Bay exercising the powers under sections 153 and 156 (1) (b) of the Local Government Act 1999, hereby declares a Differential General Rate according to the locality of the land as follows:

- 0.467630 cents in the dollar for land within the defined townships of Tumby Bay, Port Neill, Lipson and Ungarra except for the Commercial Bulk Handling Zone within the Ungarra Township.
- 8.653723 cents in the dollar for land within the Commercial Bulk Handling Zone as defined in the Council's Development Plan in the Ungarra Township, Hundreds of Hutchison and Dixon.
- 0.416748 cents in the dollar for all other land within the Council area.

Fixed Charge

That the Council for the District Council of Tumby Bay exercising the powers under section 152 of the Local Government Act 1999, hereby declares a fixed charge of \$280 to apply to all rateable land in the Council area.

Separate Rate

That the Council for the District Council of Tumby Bay exercising the powers under section 154 of the Local Government Act 1999, hereby declares a separate rate on rateable land in the following areas and for the purposes outlined:

- (a) Contribution to Port Neill Soldiers' Memorial Hall Incorporated:
 - Port Neill Township—0.040205 cents in the dollar;
 - Hundred of Dixon—0.017861 cents in the dollar.
- (b) Contribution to Tumby Bay Oval Committee for Oval Maintenance:
 - Tumby Bay Township—0.005944 cents in the dollar;
 - Hundreds of Hutchison and Louth—0.002134 cents in the dollar.

Eyre Peninsula Water Levy

That pursuant to sections 135 and 138 of the Water Resources Act 1997 and section 154 of the Local Government Act 1999, the following separate rate be declared on all rateable land in the Council area in order to reimburse the Council the amount contributed to the Eyre Peninsula Catchment Water Management Board for the year ending 30 June 2006—\$31.60 per fixed charge.

Service Rate—Refuse Collection and Disposal

That pursuant to the provision of section 155 of the Local Government Act 1999, there be declared a service rate for the collection and disposal of waste in the townships of Tumby Bay, Port Neill, Lipson and Ungarra of \$105 per allotment for the year ending 30 June 2006.

Service Rate—Tumby Bay STEDS

That pursuant to the provision of section 155 of the Local Government Act 1999, there be declared a service rate for the Tumby Bay Common Effluent Drainage Scheme of \$271 per unit (as defined by Local Government Bulletin No. 114) for the year ending 30 June 2006.

E. A. ROBERTS, District Clerk

WAKEFIELD REGIONAL COUNCIL

Appointment

NOTICE is hereby given that at a meeting of the Council held on 13 July 2005, Jimmy Huynh was appointed as an Authorised Officer pursuant to the Public and Environmental Health Act 1987 (section 7 (1)), Food Act 2001 (section 94), Dog and Cat Management Act 1995 (section 27), Local Government Act 1999 (section 260), Environment Protection Act 1993 (Burning Policy) and Development Act 1993 (section 18).

P. BARRY, Chief Executive Officer

IN the matter of the estates of the undermentioned deceased persons:

- Brook, Michael John*, late of 55 Romney Street, Hervey Bay, Queensland, retired technical representative, who died on 25 March 2002.
- Clarkson, Lorna Cecilia*, late of 52 Esplanade, Semaphore, retired dance instructor, who died on 23 April 2005.
- Coin, Ruby Esther*, late of 12 Chapman Street, Blackwood, home duties, who died on 29 May 2005.
- Damjanovic, Moidrag*, late of Andamooka, opal miner, who died on 9 April 2005.
- Fewings, Maureen Violet*, late of 72 Close Street, Birkenhead, home duties, who died on 4 April 2005.
- Gale, Pearl Doreen*, late of 98 Newton Road, Campbelltown, of no occupation, who died on 12 May 2005.
- Graham, James Herbert*, late of 2 Franciscan Avenue, Lockleys, retired component maker, who died on 25 May 2005.
- Haupt, Eric Charles*, late of 2 Jelley Street, Woodville, of no occupation, who died on 19 June 2003.
- Kutyna, Leslie Anthony*, late of 10 Seavista Court, Wynn Vale, accountant, who died on 30 September 2003.
- Luke, Rose*, late of 160 Walkerville Terrace, Walkerville, of no occupation, who died on 13 April 2005.
- Meaker, Barrie Dennis*, late of 6 Allambee Avenue, Edwardstown, retired courier, who died on 31 March 2005.
- Nelson, Lawrie Vivian*, late of 200 Fosters Road, Oakden, of no occupation, who died on 15 November 2004.
- Rowan, Andrew*, late of Brownhill Creek Road, Mitcham, retired electronic security system installer, who died on 27 May 2005.

Shepherd, Jane, late of 17 Abbotshall Road, Hawthorn, retired ledger machinist, who died on 3 June 2005.

Symonds, Victor Hetherington, late of 59 Ferguson Avenue, Myrtle Bank, retired salesman, who died on 27 April 2005.

Waterman, Jessie Elizabeth, late of 200-208 Adams Road, Craigmore, of no occupation, who died on 25 March 2005.

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 19 August 2005, 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 21 July 2005.

C. J. O'LOUGHLIN, Public Trustee

IN the matter of the estate of the undermentioned deceased person:

Coats, Clifford Ross, late of 1 Lovers Lane, Murray Bridge, retired farm manager, who died on 7 April 2005.

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 above estate are directed to send full particulars and evidence of such claims to the undersigned on or before 19 August 2005, 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 above estate are required to pay the amount of their debts to the undersigned or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver the same to the undersigned.

Dated 21 July 2005.

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