



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 1 SEPTEMBER 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, 1 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Motor Sport Board, pursuant to the provisions of the South Australian Motor Sport Act 1984:

Member: (from 10 September 2005 until 9 September 2007)
Jan Lynne Turbill
Christopher David Smerdon
Andrew James Ford

By command,

J. D. LOMAX-SMITH, for Premier

TF 05/077CS

Department of the Premier and Cabinet
Adelaide, 1 September 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 1 September 2005 until 31 August 2008)
Paul Andrew Cuthbertson

By command,

J. D. LOMAX-SMITH, for Premier

AGO 0270/02CS

Department of the Premier and Cabinet
Adelaide, 1 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Equal Opportunity Tribunal, pursuant to the provisions of the Equal Opportunity Act 1984:

Member: (from 1 September 2005 until 31 August 2008)
David Reginald Shetliffe

By command,

J. D. LOMAX-SMITH, for Premier

AGO 0266/02CS

Department of the Premier and Cabinet
Adelaide, 1 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Theatre Company of South Australia—Board of Governors, pursuant to the provisions of the State Theatre Company of South Australia Act 1972:

Governor: (from 1 September 2005 until 31 August 2008)
Peter Siebels

By command,

J. D. LOMAX-SMITH, for Premier

CASA 2002/00004

Department of the Premier and Cabinet
Adelaide, 1 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Health Commission, pursuant to the provisions of the South Australian Health Commission Act 1976:

Member: (from 1 September 2005 until 31 August 2008) or until they cease to hold a position within the Department of Health
Roxanne Rita Ramsey
David Roy Filby

Member: (from 3 October 2005 until 2 October 2008) or until she ceases to hold a position within the Department of Health

Jennifer Richter

By command,

J. D. LOMAX-SMITH, for Premier

CAB/MGR/0001

Department of the Premier and Cabinet
Adelaide, 1 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint Mark Frederick Johns as a Stipendiary Magistrate from 1 September 2005, pursuant to the provisions of the Magistrates Act 1983.

By command,

J. D. LOMAX-SMITH, for Premier

AGO 0168/03CS

Department of the Premier and Cabinet
Adelaide, 1 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint Mark Frederick Johns to the position of State Coroner for a term of seven years commencing on 1 September 2005, pursuant to section 4 of the Coroners Act 2003.

By command,

J. D. LOMAX-SMITH, for Premier

AGO 0168/03CS

Department of the Premier and Cabinet
Adelaide, 1 September 2005

HER Excellency the Governor in Executive Council has removed from office the Standards Officers listed with effect from 1.59 a.m. on 2 September 2005, pursuant to the provisions of the Trade Standards Act 1979 and the Acts Interpretation Act 1915:

Bruno Robert Cinco
Jeffrey Colin Betts
Tony Blefari
Terrence John Buckle
Shane Anthony Elson
Frank Bruno Galletta
Derek Lush
Rodney Howard Pavlovich
David John Tudor
Martin Cash
Terry John Wicker
Quentyn Rex Cox
Graham Reeds Dunn
Frank John Wright
Barry Ian Colquist
Stephen John Malec
Rodney Howard Jones

By command,

J. D. LOMAX-SMITH, for Premier

CS 012/05

Department of the Premier and Cabinet
Adelaide, 1 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the people listed as Standards Officers with effect from 2 a.m. on 2 September 2005, pursuant to the provisions of the Trade Standards Act 1979:

Mark Bodycoat
David Colin Schomburgk
Bruno Robert Cinco
Jeffrey Colin Betts
Tony Blefari

Terrence John Buckle
Shane Anthony Elson
Frank Bruno Galletta
Derek Lush
Robert George McCullum
Rodney Howard Pavlovich
David John Tudor
Pauline Armatas

By command,

J. D. LOMAX-SMITH, for Premier

CS 012/05

Department of the Premier and Cabinet
Adelaide, 1 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the people listed as Justices of the Peace for South Australia, pursuant to section 4 of the Justices of the Peace Act 1991:

Christopher John Andrews
Marika Bakanyozo
Alison Denise Brown
Helen Brown
John Anthony Cantwell
Anthony Clamp
Katy Jane Harrigan
Katrina Lontos
Debra Mewett
Stephane Nucci
James Ronald Sherwood
Phillip Lawrence Stanley
Claudio Stocco
Susan Lyla Wainwright
Sally-Anne Wilson

By command,

J. D. LOMAX-SMITH, for Premier

AGO 0039/03CS

DEVELOPMENT ACT 1993: SECTION 48

Decision by Her Excellency the Governor

Preamble

1. The Governor, by a decision made on 27 May 2004 and published in the *Gazette* of that date at pages 1350-1354, granted provisional development authorisation under section 48 of the Development Act 1993 for the development of a 19 storey apartment complex located at 41-51 Hindmarsh Square and 131-139 Grenfell Street (RAA Corner), incorporating environmentally sustainable development features and comprising:

- the construction of a 19 level residential apartment tower and podium (ten-storeys high) containing 127 apartments, with ground and part first floor retail and office use;
- renovation of the adjacent two-storey State Heritage listed YWCA building (incorporating a café, gymnasium, function room, lounges and wine storage areas);
- redevelopment of the roadway on the western side of Hindmarsh Square in front of the apartment allotment; and
- a three-level basement car park extending 30 m under the Hindmarsh Square roadway (for the width of the development site only), with provision for 158 car spaces, 27 bicycle spaces, storage, plant rooms and water storage tank.

That provisional development authorisation was subject to the 22 conditions attached to the authorisation.

2. Conservatory on Hindmarsh Square Pty Ltd (formerly Grenfell St East Pty Ltd), the person having the benefit of the development authorisation has applied for an amendment to that development authorisation to amend the development which is still for a 19-storey building but contains several changes, including:

- deletion of the underground car parking intruding into the roadway of Hindmarsh Square;

- an elevated car park has been incorporated into the building at levels 2 to 5. The car park façade includes solar panels and passive ventilation. The number of car parking spaces has been reduced from 155 to 116;
- the building of 19 storeys is no longer constructed over the adjoining YWCA heritage building;
- the number of apartments is reduced from 124 to 72 and more commercial space is included with an increase from 832 m² to 3 600 m²;
- all green elements such as water retention, water saving, waste management, power generation and energy usage minimisation have been maintained or improved.

3. The proposal has been the subject of an Amended Development Report and an Amended Assessment Report under section 47 of the Development Act 1993.

4. I am satisfied that an appropriate Amended Development Report, and an Amended Assessment Report that encompasses the amended development have been prepared, and have, in considering the application, had regard to all relevant matters under section 48 (5) of the Development Act 1993.

5. Pursuant to section 48 (6), it has been decided to grant a provisional development authorisation and to reserve a decision on specified matters.

Decision

PURSUANT to section 48 of the Development Act 1993 and with the advice and consent of the Executive Council, and having due regard to the matters set out in section 48 (5) and all other relevant matters, I:

- (a) grant a provisional development authorisation in relation to the proposed major development, subject to the conditions and notes to the applicant below;
- (b) pursuant to section 48 (6) reserve my decision on the following matters:
 - (i) Compliance with the Building Rules in relation to all aspects of the proposed major development. (However, the applicant may stage building works and may either seek a decision on compliance with the Building Rules in respect of the development as a whole or of successive individual stages of the building works).
 - (ii) Final design of the apartment complex roof line and the design of the top storey (Level 18).
 - (iii) Final façade of the apartment complex development (colours, materials, finishes and configuration of facade elements) resulting from further sustainability modelling by the applicant.
 - (iv) Materials, finishes, colour schedules and any other works or activities affecting the locality and the adjacent two-storey YWCA State Heritage listed building to be developed in consultation with, and to the approval of the Development Assessment Commission in consultation with a group consisting of the Working Party referred to in the Development Report dated 5 November 2003, the Heritage Branch, Department for Environment and Heritage and the Urban Design Unit of Planning SA.
 - (v) Final design of the pedestrian entrance canopy of the apartment complex to enhance compatibility with the adjacent State Heritage listed YWCA building.
 - (vi) Final selection of detailed environmentally sustainable feature options and plant and equipment for the apartment complex development referred to in the Development Report dated 5 November 2003 and Amended Development Report dated 4 April 2005, to be undertaken in accordance with agreed targets and pending further sustainability modelling by the applicant, in consultation with Planning SA and the Working Party referred to in the Development Report dated 5 November 2003.
 - (vii) Any external advertising signage.

- (viii) Final design details of the northern wall of the YWCA State Heritage listed building in consultation with Heritage SA, Department for Environment and Heritage.
- (c) specify all matters relating to this provisional development authorisation as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions may be attached;
- (d) specify for the purposes of section 48 (11) (b) the period of two years from the date hereof as the time within which substantial work must be commenced on the site of the development.

Conditions of Approval

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

- (a) the following drawings contained within the letter from Connor Holmes Pty Ltd (for Grenfell East Pty Ltd) to Planning SA dated 30 April 2004, outlining the final, amended application except to the extent that they are varied by the plans as described in paragraph (c):
 - Drawing Titled: 'Location Plan' 1:500; Drawing Number: 503225 A000 C; dated 16 April 2004.
 - Drawing Titled: 'Plan B01'; 1:100; Drawing Number: 503225 A109 F; dated 16 April 2004.
 - Drawing Titled: 'Plan B02'; 1:100; Drawing Number: 503225 A110 G; dated 16 April 2004.
 - Drawing Titled: 'Plan B03'; 1:100; Drawing Number: 503225 A111 A; dated 16 April 2004 (new drawing).
 - Drawing Titled: 'Plan L00' 1:100; Drawing Number: 503225 A100 C; dated 16 April 2004.
 - Drawing Titled: 'Plan L01'; 1:100; Drawing Number: 503225 A101 C; dated 16 April 2004.
 - Drawing Titled: 'Plan L02'; 1:100; Drawing Number: 503225 A102 C; dated 16 April 2004.
 - Drawing Titled: 'Plan L03-L09' 1:100; Drawing Number: 503225 A103 C; dated 16 April 2004.
 - Drawing Titled: 'Plan L10'; 1:100; Drawing Number: 503225 A104 C; dated 16 April 2004.
 - Drawing Titled: 'Plan L11-L18'; 1:100; Drawing Number: 503225 A105 C; dated 16 April 2004 (except to the extent that they may be varied by a document in paragraph (b), dated 30 April 2004).
 - Drawing Titled: 'Plan Roof'; 1:100; Drawing Number: 503225 A108 C; dated 16 April 2004 (except to the extent that they may be varied by a document in paragraph (b), dated 30 April 2004).
 - Drawing Titled: 'North Elevation'; 1:200; Drawing Number: 503225 A200 C; dated 16 April 2004.
 - Drawing Titled: 'East Elevation'; 1:200; Drawing Number: 503225 A201 C; dated 16 April 2004.
 - Drawing Titled: 'West Elevation/South Elevation'; 1:200; Drawing Number: 503225 A202 C; dated 16 April 2004.
 - Drawing Titled: 'Sections'; 1:200; Drawing Number: 503225 A203 C; dated 16 April 2004.

and

- (b) the following documents except to the extent that they are varied by the plans as described in paragraph (d):
 - Development application, 'Residential apartment building with retailing and offices and basement car parking at 131-139 Grenfell Street/41-51 Hindmarsh Square, Adelaide', prepared by Connor Holmes Pty Ltd (for Grenfell East Pty Ltd) dated 26 May 2003 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Development Report, Hindmarsh Square Apartment Complex, prepared by Connor Holmes Pty Ltd (for Grenfell East Pty Ltd) dated 5 November 2003 (except to the extent that it may be varied by a subsequent document in this paragraph).

- Response to Submissions Document, Hindmarsh Square Apartment Complex, prepared by Connor Holmes Pty Ltd (for Grenfell East Pty Ltd) dated 18 December 2003 (contained within an appendix to the Assessment Report noted below) (except to the extent that it may be varied by a subsequent document in this paragraph).
- Assessment Report prepared by the Minister for Urban Development and Planning and released 8 March 2004 (except to the extent that it may be varied by a subsequent document in this paragraph).
- Letter from Connor Holmes Pty Ltd (for Grenfell East Pty Ltd) to the Minister for Urban Development and Planning dated 18 March 2004, outlining the applicant's response to the Assessment Report (except to the extent that it may be varied by a subsequent document in this paragraph).
- Letter from Grenfell East Pty Ltd to the Minister for Urban Development and Planning dated 24 March 2004, proposing amendments to the proposal (except to the extent that it may be varied by a subsequent document in this paragraph).
- Letter from Grenfell East Pty Ltd to the Minister for Urban Development and Planning dated 22 April 2004, outlining additional transport initiatives (except to the extent that it may be varied by a subsequent document in this paragraph).
- Letter from Connor Holmes Pty Ltd (for Grenfell East Pty Ltd) to Planning SA dated 30 April 2004, outlining a final, amended application and accompanying plans, including reduction of the apartment tower height by two levels; reduction of the extent of the three-level basement car park (located under the apartment complex and adjacent roadway and foot-path) with no encroachment in front of the adjacent property to the south; and a list of reserved matters for further application and decision-making (except to the extent that it may be varied by a subsequent document in this paragraph).
- Correspondence from Jack Hines (for Grenfell East Pty Ltd) to Planning SA dated 30 April 2004, listing final design of the apartment complex roof line and Level 18 of the complex as reserved matters for later decision-making subject to further application.
- (c) the following drawings accompanying the Further Information and Clarification letter dated 27 June 2005 and the Amended Development Report dated 4 April 2005:
 - Drawing Titled: 'Site Plan'; 1:500; Drawing Number: D-04335-01-01; dated 24 June 2005.
 - Drawing Titled: 'Basement Floor Plan'; 1:100; Drawing Number: D-04335-02-01; dated 24 June 2005.
 - Drawing Titled: 'Ground Floor Plan'; 1:100; Drawing Number: D-04335-02-02; dated 24 June 2005.
 - Drawing Titled: 'Level 1 Floor Plan'; 1:100; Drawing Number: D-04335-02-03; dated 24 June 2005.
 - Drawing Titled: 'Ramp Arrangement Floor Plan'; 1:100; Drawing Number: D-04335-02-04; dated 24 June 2005.
 - Drawing Titled: 'Level 2 Floor Plan'; 1:100; Drawing Number: D-04335-02-05; dated 24 June 2005.
 - Drawing Titled: 'Level 3 Floor Plan'; 1:100; Drawing Number: D-04335-02-06; dated 24 June 2005.
 - Drawing Titled: 'Level 4 Carparking'; 1:100; Drawing Number: D-04335-02-07; dated 24 June 2005.
 - Drawing Titled: 'Level 5 Floor Plan'; 1:100; Drawing Number: D-04335-02-08; dated 24 June 2005.
 - Drawing Titled: 'Level 6 Commercial Floor Plan'; 1:100; Drawing Number: D-04335-02-09; dated 24 June 2005.
 - Drawing Titled: 'Level 7-9 Commercial Floor Plan'; 1:100; Drawing Number: D-04335-02-10; dated 24 June 2005.

- Drawing Titled: 'Level 10 Residential Floor Plan'; 1:100; Drawing Number: D-04335-02-11; dated 24 June 2005.
- Drawing Titled: 'Level 11-18 Residential Floor Plan'; 1:100; Drawing Number: D-04335-02-12; dated 24 June 2005.
- Drawing Titled: 'East Elevation (Hindmarsh Square)'; 1:200; Drawing Number: D-04335-04-01; dated 24 June 2005.
- Drawing Titled: 'North Elevation (Grenfell Street)'; 1:200; Drawing Number: D-04335-04-02; dated 24 June 2005.
- Drawing Titled: 'West Elevation/South Elevation'; 1:200; Drawing Number: D-04335-04-03; dated 24 June 2005.
- Drawing Titled: 'Section 1'; 1:200; Drawing Number: D-04335-05-01; dated 24 June 2005.
- Drawing Titled: 'Perspective'; Drawing Number: D-04335-12-02; dated 24 June 2005.
- Drawing Titled: 'Shadow Diagram'; 1:1000; Drawing Number: D-04335-12-01; dated 24 June 2005.
- Drawing Titled: 'Ground Floor Plan Display YWCA Building'; 1:100; Un-numbered drawing submitted with drawings dated 24 June 2005.
- Drawing Titled: 'Roof Floor Plan'; 1:100; Drawing Number: D-04335-02-13; dated 28 March 2005.

(d) the following documents:

- Amended Development Report, Hindmarsh Square Apartment Complex, prepared by Connor Holmes Pty Ltd (for Grenfell East Pty Ltd) dated 4 April 2005 (except to the extent that it may be varied by a subsequent document in this paragraph).
- Letter from Connor Holmes Pty Ltd (for Grenfell East Pty Ltd) to the Assessment Branch, Planning SA dated 27 June 2005, outlining the applicant's response to issues raised in emails seeking further information dated 29 May 2005 and 8 June 2005.

2. The applicant shall submit further information and application(s) in relation to the matters that have been reserved, to the satisfaction of the Minister for Urban Development and Planning.

3. No building works on any part of the development shall commence until a favourable decision has been notified to the applicant by the Governor or the Governor's delegate in respect of those reserved matters referred to in subparagraphs (ii) to (viii) in paragraph (b) of the Decision section (above).

4. Subject to condition 3, the applicant may commence a stage of building works before receiving the Governor's decision concerning building rules compliance for other stages (refer reserved matter (i) in paragraph (b) of the Decision section (above)). No building works shall commence on a stage of the development, however, until a favourable decision in relation to building rules compliance in respect of that stage has been notified in writing to the applicant by the Governor or the Governor's delegate.

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

6. Further sustainability modelling, for the selection of materials and finishes and sustainability features of the apartment complex (listed as reserved matters), shall be undertaken in consultation with a group consisting of the Urban Design Unit of Planning SA, the Heritage Branch, Department for Environment and Heritage and the Working Party referred to in the applicant's Development Report, dated 5 November 2003.

7. Before any works commence, a Construction Environmental Management Plan (CEMP) shall be prepared in consultation with and approved by the Environment Protection Authority, Planning SA and the Adelaide City Council, to address management issues during construction and to be lodged with the Minister for Urban Development and Planning. An Environmental Auditor shall be engaged to audit the management plan in accordance with commitments made by the applicant in the Original Response to Submissions dated 18 December 2003. Matters to be addressed in the CEMP must include (but shall not be limited to):

- Reference to, and methods of adherence to, all relevant Environment Protection Authority (EPA) policies and codes of practice for construction sites, including the inclusion of a copy of Schedule 1 of the Environment Protection Act 1993 as an Appendix to the Construction Environmental Management Plan to ensure contractors are aware of EPA requirements, in accordance with commitments made in the applicant's Response to Submissions, dated 18 December 2003;
- timing, staging and methodology of the construction process and working hours (refer also to condition outlining working hours);
- a Risk Assessment relating to the potential impacts of construction activities;
- traffic management strategies during construction of the apartment complex, including transport beyond the development site;
- management of infrastructure services during construction and/or relocation and re-establishment of local amenity and landscaping;
- control and management of construction noise, vibration, dust and mud;
- stormwater and groundwater management during construction;
- identification and management of contaminated soils and groundwater, should these be encountered;
- site security, fencing and safety and management of impacts on local amenity for residents, traffic and pedestrians;
- disposal of construction waste and refuse in an appropriate manner according to the nature of the waste;
- protection and cleaning of roads and pathways;
- overall site clean up.

8. The applicant shall conduct monitoring of the effectiveness of attaining the agreed post-construction sustainability targets and regularly lodge documented outcomes, where the information is available, with Planning SA, the Department for Environment and Heritage (Office of Sustainability) and the Sustainability Working Party, in accordance with commitments made in the letter from the applicant dated 30 April 2004 and confirmed in the letter from Connor Holmes to Planning SA dated 27 June 2005. The applicant shall also report in person to the Working Party to verify the attainment of the sustainability goals of the development on a regular basis, to be agreed between the applicant and the Working Party.

9. Operating hours for construction activities and truck movements to and from the site shall be from 7 a.m. to 7 p.m., Monday to Saturday inclusive. If it is considered necessary for construction works to also be undertaken on Sundays, construction hours shall be from 9 a.m. to 6 p.m. on Sundays (refer 'Notes to Applicant' relating to EPA noise emission policies).

10. Any collected groundwater or stormwater shall only be discharged to the stormwater system if it meets quality control criteria specified in Environment Protection Authority requirements to avoid sedimentation of local pipes and pollution of the Torrens Lake (refer 'Notes to the Applicant' for relevant requirements).

11. All drainage, finished floor levels, landscaping, and public works associated with the development, including the disposal of stormwater and earthworks, shall be carried out in accordance with accepted engineering standards and to the reasonable satisfaction of the Adelaide City Council.

12. Any hazardous substances (e.g. fuels, compressed gases, solvents, paints, asbestos, polychlorinated biphenyls (PCB's) and other construction-related substances), shall be removed and disposed of in accordance with Environment Protection Authority requirements.

13. Provision shall be made for 32 bicycle parking spaces in addition to the provision of bicycle racks for use by RAA staff (the location of which is to be determined in consultation with Planning SA and the Adelaide City Council).

14. The apartment complex and car park shall be maintained in a serviceable condition and operated in an orderly, tidy, safe and healthy manner at all times.

15. The waste and general storage and service/operational areas of the apartment complex building shall be kept in a neat, tidy, safe and healthy condition at all times and the service area access door shall remain closed at all times other than when loading or unloading is taking place.

16. Any machinery, plant operating equipment, lighting, building facade designs, or sound devices associated with the apartment complex development shall not impair or impinge upon the enjoyment or safety of residents of the apartment complex, adjoining properties (or occupiers thereof), or the local traffic and pedestrian environment.

NOTES TO APPLICANT

- Pursuant to Development Regulation 64, the applicant is advised that the Adelaide City Council or private certifier conducting a Building Rules assessment must:

- (a) provide to the Minister for Urban Development and Planning a certification in the form set out in Schedule 12A of the Development Regulations 1993 in relation to the building works in question; and
- (b) to the extent that may be relevant and appropriate:
 - (i) issue a schedule of essential safety provisions under Division 4 of Part 12;
 - (ii) assign a classification of the building under these regulations; and
 - (iii) ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.

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

- The Adelaide City Council or private certifier undertaking Building Rules assessment and certification must ensure that the assessment and certification are consistent with this provisional development authorisation (including any conditions or notes that apply in relation to this provisional development authorisation).
- This provisional development authorisation does not extend to the provision of any wind turbines, as indicated in the letter from Grenfell East Pty Ltd to the Minister for Urban Development and Planning dated 24 March 2004 or any other such devices. Any such turbines or devices, if subsequently proposed, will require a new application under the appropriate assessment process.
- Should the applicant wish to vary the development or any of the components of the development in relation to which a decision has been reserved, an application may be submitted, pursuant to section 48B of the Development Act 1993, provided that the development application variation remains within the ambit of the Amended Development Report and Amendment to the Assessment Report referred to in this provisional development authorisation. If an application variation involves substantial changes to the proposal, pursuant to section 47 of the Development Act 1993, the applicant will be required to prepare an amended Development Report for public inspection and purchase. A further amended Assessment Report may also be required to assess any new issues not covered by the Assessment Report and the Amendment to the Assessment Report and a decision made by the Governor pursuant to section 48 of the Development Act 1993.

- If the development is not substantially commenced within two years of the date hereof, the Governor may cancel this development authorisation.
- The applicant is reminded that the Heritage SA of the Department for Environment and Heritage (DEH) shall be consulted in regard to any physical intervention to the northern wall on the adjacent YWCA State Heritage listed building, which is listed as a reserved matter for further decision-making in this provisional development authorisation. Any such work must be executed in accordance with requirements notified to it by the DEH and must be consistent with the decision by the Governor (or her delegate) on the reserved matter (e.g. materials, finishes and colour schedules).
- The proponent is advised of the General Environmental Duty under section 25 of the Environment Protection Act 1993, which requires that a person must not undertake any activity, which pollutes, or may pollute; without taking all reasonable and practical measures to prevent or minimise harm to the environment.
- The applicant is advised of the requirement to comply with the Environment Protection Authority's (EPA) 'Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry' during demolition and construction of the development.
- The applicant is advised that noise emissions from the apartment complex development will be subject to the Environment Protection (Industrial Noise) Policy 1994, Environment Protection Authority Guidelines and Information Sheet Number 7 ('Construction Noise', July 2002) and the Environment Protection Act 1993.
- The applicant will consult with the Adelaide City Council about the type, nature and ongoing maintenance of any landscaping undertaken in relation to the apartment complex, in accordance with commitments (excluding those relating to the underground car park) made by the applicant in the original Response to Submissions document, dated 18 December 2003.
- The applicant is advised that the Development Act 1993, outlines the roles and responsibilities of the applicant and the Adelaide City Council for matters relating to building works during and after construction of the apartment complex development and associated works.
- It is recommended that the applicant consult with Planning SA when applying to the Adelaide City Council for a 'Certificate of Occupancy', to ascertain that all conditions of this provisional development authorisation and decisions on reserved matters have been complied with in an appropriate manner, including those relating to Building Rules assessment and certification requirements.
- The Minister for Urban Development and Planning has a specific power to require testing, monitoring and auditing under section 48C of the Development Act 1993.

Given under my hand at Adelaide, 1 September 2005.

MARJORIE JACKSON-NELSON, Governor

DEVELOPMENT ACT 1993: SECTION 48

Notice by the Governor

Preamble

1. I have given a provisional development authorisation pursuant to section 48 of the Development Act 1993, concerning the amended development of an apartment complex, incorporating environmentally sustainable development features at 41-51 Hindmarsh Square and 131-139 Grenfell Street (RAA Corner), Adelaide.

2. It is appropriate to delegate certain powers to the Development Assessment Commission in relation to this matter.

Delegation

PURSUANT to section 48 (8) of the Development Act 1993 and with the advice and consent of the Executive Council, I delegate to the Development Assessment Commission, in relation to the provisional development authorisation referred to in Clause 1 above given by me this day:

- (a) the power to make a decision on any reserved matters specified within that provisional development authorisation (provided that the essential nature of the development is not changed); and
- (b) the power to grant or permit any variation associated with that provisional development authorisation (provided that the essential nature of the development is not changed); and
- (c) in relation to that provisional development authorisation, or any variation—the power to vary or revoke conditions, or to attach new conditions, under section 48 (7) of the Development Act 1993 (provided that the essential nature of the development is not changed).

Given under my hand at Adelaide, 1 September 2005.

MARJORIE JACKSON-NELSON, Governor

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF ALEXANDRINA COUNCIL—DEVELOPMENT PLAN—STRATHALBYN TOWNSHIP LOCAL HERITAGE PLAN AMENDMENT

Notice

PURSUANT to section 28 (1) of the Development Act 1993, I, the Governor, with the advice and consent of the Executive Council, being of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'Alexandrina Council—Development Plan—Strathalbyn Township Local Heritage Plan Amendment' that the Plan Amendment should come into operation without delay, declare that the Plan Amendment will come into operation on an interim basis on 1 September 2005.

Given under my hand at Adelaide, 18 August 2005.

MARJORIE JACKSON-NELSON, Governor

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

Preamble

1. The decision of the Governor under section 48 of the Development Act 1993, to approve the development of Holdfast Shores Stage 2B development located adjacent to Colley Terrace, Glenelg was published in the *Gazette* on 19 February 2004.

2. On 3 October 1997, and pursuant to section 48 of the Development Act 1993, the Governor granted development approval for the new marina, marina pier building platform, offshore reef structure for sand trapping and other works in the area of the Glenelg Foreshore and Environs. The development was subject to an Environmental Impact Statement and Assessment Report, pursuant to sections 46 and 46B of the Development Act 1993 (and as officially recognised under the Planning Act 1982).

3. On 8 June 2000 and pursuant to section 48 of the Development Act 1993, the Governor granted a development approval for the Holdfast Shores 2A development, comprising a hotel, car parking, landscaping and associated works, adjacent to Chappell Drive, Glenelg. The development was subject to a Development Report and an Assessment Report, pursuant to section 46 of the Development Act 1993. Amendments to the Holdfast Shores Stage 2A proposal relating primarily to design, car parking, land division, signage issues and Building Rules, were subsequently granted approval by the Development Assessment Commission (as the Governor's delegate) on 7 December 2000; 1 March 2001; 17 May 2001; 28 February 2002; 3 October 2002; 20 March 2003, and Stage 2B amendments dated 4 March 2004; 15 July 2004 and 26 August 2004.

4. A proposal for the development of the Holdfast Shores 2B proposal at Glenelg, comprising the construction of the Glenelg Surf Life Saving Club, demolition of the existing GSLSC building; the Magic Mountain building and the construction of a rock seawall, an apartment building, and an entertainment and retail precinct, has been considered under Division 2, Part 4 of the Development Act 1993.

5. Application was made to the Governor under section 48 of the Development Act 1993, for a development authorisation for the proposed Holdfast Shores Stage 2B development at Glenelg. The development application, as it relates to the Holdfast Shores Stage 2B development was amended and expanded upon by the amended Development Report, dated 18 September 2003, the Applicant's Response to submissions, dated 17 December 2003 and the following updated documents and drawings:

Documents

- Letter from Woodhead International to Planning SA, titled Holdfast Shores Stage 2B Amendment No. 4 of Provisional Development Authorisation, dated 13 May 2005.
- Letter from Woodhead International to Planning SA, Holdfast Shores Stage 2B, Response to Council Issues, dated 27 May 2005.
- Letter from Woodhead International to Planning SA, titled Package 7 Building Rules Certification, dated 6 May 2005.
- Letter from Woodhead International to Planning SA, titled Holdfast Shores Stage 2B, Glenelg Town Hall Egress, dated 8 March 2005.
- Letter from Woodhead International to Planning SA, titled Amendment No. 3 to Development Authorisation—Temporary Walkway, dated 24 January 2005.
- Letter from Woodhead International to Planning SA, Amendment No. 3 to Provisional Development Authorisation, dated 11 January 2005.
- Letter from Woodhead International to Planning SA, titled Packages 5 and 6 Building Rules Certification, dated 4 January 2005.
- Letter from Woodhead International to Planning SA, Amendment No. 2 of Provisional Development Authorisation, dated 27 October 2004.
- Letter from Woodhead International to Planning SA, titled Packages 3 and 4 Building Rules Certification, dated 28 September 2004.
- Letter from Woodhead International to Planning SA, Amendment No. 2 to Provisional Development Authorisation, dated 17 August 2004.
- Letter from Woodhead International to Planning SA, Amendment No. 1 to Provisional Development Authorisation, dated 1 June 2004.
- Letter from Woodhead International to Planning SA titled Early Works Package 2B Building Rules Certification, dated 15 July 2004.
- Letter from Woodhead International to Planning SA titled Packages 1 and 2A Building Rules Certification, dated 21 June 2004.
- The letter from Woodhead International to Planning SA titled Further Information and Clarification, dated 22 January 2004 and accompanying documents.

Drawings

- Drawing Titled: 'Stage 2B Entertainment Building Level 1' Supplementary Plan Number: 115 rev E (13 May 2005).
- Drawing Titled: 'Stage 2B Entertainment Building Level 2' Supplementary Plan Number: 116 rev E (13 May 2005).
- Drawing Titled: 'Stage 2B Entertainment Building Levels 3, 4 and 5' Supplementary Plan Number: 117 rev E (13 May 2005).
- Drawing Titled: 'Alterations to Glenelg Town Hall' Drawing No. 02047301AR W308G-revision G.
- Drawing Titled: 'Stage 2B Entertainment Building Level 1' Supplementary Plan Number: 115 rev E.
- Drawing Titled: 'Stage 2B Entertainment Building Level 2' Supplementary Plan Number: 116 rev D.
- Drawing Titled: 'Stage 2B Entertainment Building Levels 3, 4 and 5' Supplementary Plan Number: 117 rev D.
- Drawing Titled: 'Stage 2B Entertainment Building Elevations' Supplementary Plan Number: 118 rev D.

- Drawing Titled: 'Stage 2B Entertainment Building Elevations' Supplementary Plan Number: 119 rev D.
- Drawing Titled: 'Stage 2B Entertainment Building Sections' Supplementary Plan Number: 120 rev D.
- Drawing Titled: 'Stage 2B Entertainment Building Basement Carpark' Supplementary Plan Number: 187.
- Drawing Titled: 'GSLSC Beach Tower'; Supplementary Plan Number: 186.
- Drawing Titled: 'Car Park Ventilation Supplementary Plan' Drawing Number: 155.
- Drawing Titled: 'Civil Stormwater Supplementary Plan' Drawing Number: 156.
- Drawing Titled: 'Civil Stormwater Supplementary Plan' Drawing Number: 157.
- Drawing Titled: 'Oil Pipeline Supplementary Plan' Drawing Number: 158.

6. The Governor was satisfied that an appropriate Amended Development Report and an Amended Assessment Report have been prepared in relation to the development, in accordance with the requirements of Division 2 of Part 4 of the Development Act 1993.

7. The Governor had, in considering the application, regard to all relevant matters under section 48 (5) of the Development Act 1993.

8. Pursuant to section 48 of the Development Act 1993 and Regulation 64 (1) of the Development Regulations 1993, the Governor has the right to reserve matters for further decision-making. The Governor decided to grant a provisional development authorisation, with a view to certain matters being considered for further decision-making.

9. Application was made to the Governor under section 48 of the Development Act 1993 to give an approval for the reserved matters for the roofline of the Platinum Apartments and the balconies fronting Moseley Square.

10. The amendments to the development are contained in a letter received from Woodhead International on 1 June 2004.

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

12. The Governor was satisfied that the amendments do not require the preparation of a further or amended Development Report and granted provisional development authorisation on 28 October 2004.

13. Application was made to the Development Assessment Commission as delegate of the Governor under section 48 of the Development Act 1993 to give an approval for the Building Rules Certification for Packages 3 and 4, and underground extension to the car park and the construction of a beach hut/observation tower.

14. The amendments to the development were contained in the letters received by Woodhead International dated 17 August 2004 and 28 September 2004. The letter of 28 September 2004 contains accompanying Building Rules documentation from Katnich Dodd. The letter contains the signed approval by Katnich Dodd of the Building Rules Certification for Packages 3 and 4.

15. Application has now been made to the Development Assessment Commission as delegate of the Governor under Section 48 of the Development Act 1993 to give an approval for the Building Rules Certification for Packages 5 and 6 and the temporary walkway and modifications to the Entertainment Building.

16. The amendments to the development are contained in the letters received by Woodhead International dated 27 October 2004 and 11 January 2005. The letters dated 4 January 2005 and 24 January 2005 contain accompanying Building Rules documentation from Katnich Dodd. The letter contains the signed approval by Katnich Dodd of the Building Rules Certification for Packages 5 and 6 and the temporary walkway.

17. Application was made to the Development Assessment Commission as delegate of the Governor under Section 48 of the Development Act 1993 to grant an approval for the Building Rules Certification for Package 7 and modifications to the Glenelg Town Hall egress.

18. The amendments to the development were contained in the letter received by Woodhead International dated 8 March 2005. The letter dated 6 May 2005 contains accompanying Building Rules documentation from Katnich Dodd. The letter contains the signed approval by Katnich Dodd of the Building Rules Certification for Package 7.

19. Application has now been made to the Development Assessment Commission as delegate of the Governor under Section 48 of the Development Act 1993 to grant an approval for Amendment No. 4—Modifications to the Entertainment Building.

20. The amendments to the development are contained in the letter and accompanying plans received by Woodhead International dated 13 May 2005 and the letter dated 27 May 2005.

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

22. The Development Assessment Commission is satisfied that the variations do not require the preparation of a further amended Development Report.

Decision

PURSUANT to section 48 of the Development Act 1993, the Development Assessment Commission as delegate of the Governor, in relation to a proposal submitted by Holdfast Shores Consortium to develop the Holdfast Shores Stage 2B at Glenelg:

- (a) grant provisional development authorisation for the Holdfast Shores Stage 2B development at Glenelg, subject to the conditions and notes to the applicant below;
- (b) grant development authorisation for Building Rules Certification for the demolition of Magic Mountain and the use of the Police Station building by the Glenelg Surf Life Saving Club;
- (c) grant development authorisation for Building Rules Certification for Early Works Package 2B of the development. These apply to bulk excavation, piling, footings, retaining walls, stormwater disposal system, rock seawall extension, base for site paving, car park entry and Hope Street entry, oil pipeline diversion around the basement car park and site utilities infrastructure;
- (d) grant development authorisation for Building Rules Certification for Packages 3 and 4 of the development. These apply to early works for the Apartment Building and for the Entertainment and Retail Building, including excavation, piling, retaining walls, columns and in-ground services;
- (e) grant development authorisation for Building Rules Certification for Packages 5 and 6 of the development, which applies to the Platinum Apartments Superstructure, parts of the Entertainment Precinct Superstructure and for the temporary walkway;
- (f) grant development authorisation for Building Rules Certification for Package 7 of the development, which applies to the Superstructure for the Entertainment Building and Surf Life Saving Club.
- (g) grant provisional development authorisation for the variation relating to an additional underground carpark in the Entertainment Building;
- (h) grant provisional development authorisation for the variation relating to modifications to the Entertainment Building;
- (i) grant provisional development authorisation for the variation relating to a beach observation tower for the Glenelg Surf Life Saving Club;
- (j) grant provisional development authorisation for the variation relating to modifications to the Glenelg Town Hall;
- (k) grant provisional development authorisation for the Amendment No. 4 relating to modifications to the Entertainment Building.
- (l) specify all matters relating to this development plan authorisation as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions attached;

- (m) pursuant to section 48 and Regulation 64 (1) of the Development Act 1993, reserve the following matters for further decision-making at a later stage (refer 'notes to the applicant'):
- (i) further assessment and certification in respect of the Building Rules for components of the proposed development;
 - (ii) any external advertising signage.
- (n) approve the land division application 110/D012/04, lodged on 4 February 2004.

Conditions of Approval

1. Except where minor amendments may be required by other Acts and/or legislation or by conditions imposed herein, the Holdfast Shores 2B development shall be undertaken in strict accordance with:

- (a) The following drawings contained in the Amended Development Report for Holdfast Shores Stage 2B, dated September 2003, except to the extent that they are varied by the plans described in paragraph 1 (b):

- Drawing Titled: 'Site plan level B2'; Drawing Number: 111.
 - Drawing Titled: 'Site plan level 1'; Drawing Number: 112.
 - Drawing Titled: 'Site plan level 2'; Drawing Number: 113.
 - Drawing Titled: 'Entertainment building basement'; Drawing Number: 114.
 - Drawing Titled: 'Entertainment building level 1'; Drawing Number: 115.
 - Drawing Titled: 'Entertainment building level 2'; Drawing Number: 116.
 - Drawing Titled: 'Entertainment building levels 3 and 4'; Drawing Number: 117.
 - Drawing Titled: 'Entertainment building elevations'; Drawing Number: 118.
 - Drawing Titled: 'Entertainment building elevations'; Drawing Number: 119.
 - Drawing Titled: 'Entertainment building sections'; Drawing Number: 120.
 - Drawing Titled: 'Apartment Plans B2 and B1'; Drawing Number: 121.
 - Drawing Titled: 'Apartment Plans L1, L2, L3-4 and L5'; Drawing Number: 122.
 - Drawing Titled: 'Apartment Plans L6-8 and L9, roof plan'; Drawing Number: 123.
 - Drawing Titled: 'Apartment elevations—north and east'; Drawing Number: 124.
 - Drawing Titled: 'Apartment elevations—west and south'; Drawing Titled: 125.
 - Drawing Titled: 'Apartment sections'; Drawing Number: 126.
 - Drawing Titled: 'Land use'; Drawing Number: 127.
 - Drawing Titled: 'Built form'; Drawing Number: 128.
 - Drawing Titled: 'Urban spaces'; Drawing Number: 129.
 - Drawing Titled: 'Open space/vegetation'; Drawing Number: 130.
 - Drawing Titled: 'View corridor'; Drawing Number: 131.
 - Drawing Titled: 'Climate'; Drawing Number: 132.
 - Drawing Titled: 'Microclimate'; Drawing Number: 133.
 - Drawing Titled: 'Links to surrounding areas'; Drawing Number: 134.
 - Drawing Titled: 'Pedestrian movement'; Drawing Number: 135.
 - Drawing Titled: 'Vehicle movement'; Drawing Number: 136.
 - Drawing Titled: 'Concourse study—pedestrian movement'; Drawing Number: 137.
 - Drawing Titled: 'Concourse study—vehicle movement'; Drawing Number: 138.
 - Drawing Titled: 'Moseley Square study'; Drawing Number: 139.
 - Drawing Titled: 'Town Hall opportunities'; Drawing Number: 140.
 - Drawing Titled: 'Foreshore open space study'; Drawing Number: 141.
 - Drawing Titled: 'Apartment building study'; Drawing Number: 142.
 - Drawing Titled: 'Entertainment precinct—east plaza study'; Drawing Number: 143.
 - Drawing Titled: 'Sun diagrams summer'; Drawing Number: 144.
 - Drawing Titled: 'Sun diagrams winter'; Drawing Number: 145.
 - Drawing Titled: 'Landscaping'; Drawing Number: 146.
 - Drawing Titled: 'Construction Stage 1'; Drawing Number: 147.
 - Drawing Titled: 'Construction Stage 2'; Drawing Number: 148.
 - Drawing Titled: 'Construction Stage 3'; Drawing Number: 149.
 - Drawing Titled: 'Construction Stage 4'; Drawing Number: 150.
- (b) The following drawings accompanying the Response by proponent to submissions, 3. City of Holdfast Bay Submission, dated 17 December 2003 as they relate to the proposal for Holdfast Shores Stage 2B, except to the extent that they are varied by the plans as described in paragraph (c):
- Drawing Titled: 'Sun diagrams summer'; Drawing Number: 144 rev. A.
 - Drawing Titled: 'Sun diagrams winter'; Drawing Number: 145 rev. A.
 - Drawing Titled: 'Entertainment building basement supplementary plan'; Drawing Number: 151 rev. A.
 - Drawing Titled: 'Entertainment building level 1 supplementary plan'; Drawing Number: 152 rev. A.
 - Drawing Titled: 'Entertainment building level 2 supplementary plan'; Drawing Number: 153 rev. A.
 - Drawing Titled: 'Entertainment building levels 3 and 4 supplementary plan'; Drawing Number 154.
 - Drawing Titled: 'Entertainment building levels 3 and 4 supplementary plan'; Drawing Number: 154 rev. A.
- (c) The following drawings accompanying the further information and clarification letter dated 22 January 2004 as they relate to the proposal for Holdfast Shores Stage 2B:
- Drawing Titled: 'Car park ventilation supplementary plan'; Drawing Number: 155.
 - Drawing Titled: 'Civil stormwater supplementary plan'; Drawing Number: 156.
 - Drawing Titled: 'Civil stormwater supplementary plan'; Drawing Number: 157.
 - Drawing Titled: 'Oil pipeline supplementary plan'; Drawing Number: 158.
- (d) The land division plan lodged with the Development Assessment Commission on 4 February 2004: Application number 110/D012/04.

(e) The following documents, except to the extent that they are varied by the plans described in paragraphs (a) and (c):

- Amended Development Report for Stage 2B, Volumes 1 and 2 by the Holdfast Shores Consortium, dated 18 September 2003 (except to the extent that it may be varied by a subsequent document in this paragraph).
- The letter from Woodhead International to Planning SA, titled Response by proponent to submissions, 3. City of Holdfast Bay submission, dated 17 December 2003 (except to the extent that it may be varied by a subsequent document in this paragraph).
- The Amended Assessment Report prepared by the Minister for Aboriginal Affairs and Reconciliation (as delegate Minister for the Minister for Urban Development and Planning), for the Holdfast Shores 2B development, dated February 2004 (except to the extent that it may be varied by a subsequent document in this paragraph).
- The letter from Woodhead International to Planning SA, titled Further Information and Clarification, dated 22 January 2004.
- The letter from Woodhead International to Planning SA, titled Packages 1 and 2A Building Rules Certification, dated 21 June 2004.
- The letter from Woodhead International to Planning SA, titled Early Works Package 2B Building Rules Certification, dated 15 July 2004.
- The letter from Woodhead International to Planning SA, titled Amendment Number 1 to Provisional Development Authorisation (reserved matters), dated 1 June 2004.
- The letter from Woodhead International to Planning SA, titled Amendment Number 2 to Provisional Development Authorisation (reserved matters), dated 17 August 2004.
- The letter from Woodhead International to Planning SA, titled Building Rules Certification for Packages 3 and 4, dated 28 September 2004.
- The letter from Woodhead International to Planning SA, titled Amendment Number 3 to Development Authorisation—Temporary Walkway, dated 24 January 2005.
- The letter from Woodhead International to Planning SA, Amendment Number 3 to Provisional Development Authorisation, dated 11 January 2005.
- The letter from Woodhead International to Planning SA, titled Packages 5 and 6 Building Rules Certification, dated 4 January 2005.
- The letter from Woodhead International to Planning SA, Amendment Number 2 of Provisional Development Authorisation, dated 27 October 2004.
- Letter from Woodhead International to Planning SA, titled Package 7 Building Rules Certification, dated 6 May 2005.
- Letter from Woodhead International to Planning SA, Holdfast Shores Stage 2B, Glenelg Town Hall Egress, dated 8 March 2005.
- Letter from Woodhead International to Planning SA, titled Holdfast Shores Stage 2B Amendment No. 4 of Provisional Development Authorisation, dated 13 May 2005.
- Letter from Woodhead International to Planning SA, Holdfast Shores Stage 2B, Response to Council Issues, dated 27 May 2005.

2. A Construction Environmental Management Plan (CEMP) shall be prepared, in consultation with the Environment Protection Authority, Coast Protection Board and the City of Holdfast Bay, to address the management issues during construction. Matters to be addressed in the CEMP must include:

- Traffic management during construction, including transport beyond the site;

- Control and management of construction noise;
- Dust and mud control;
- Working hours;
- Stormwater and groundwater management during construction;
- Site security and fencing;
- Disposal of building waste and refuse;
- Protection and cleaning of roads and pathways;
- Site clean-up;
- Adherence to all relevant Environment Protection Authority policies and codes of practice for construction sites;
- Identification and management of potential and actual acid sulphate soils (should these be encountered); and
- Identification and management of contaminated soils and groundwater (should these be encountered).

3. The applicant shall submit further information and application(s) in relation to the matters that have been reserved for further decision-making by the Governor (or her delegate).

4. No building works shall commence on subsequent stages of the development until a decision has been made by the Governor (or her delegate), involving matters relating to the Building Rules assessment and certification requirements and any other reserved matters that are subject to further development application.

5. No works shall commence unless, and until, legal rights to develop the Magic Mountain site have been secured.

6. The car parking areas shall be designed in accordance with Australian Standards 2890 1-1993 and line markings shall be maintained in good and substantial condition at all times.

7. Access for service deliveries and waste disposal vehicles at the Holdfast Promenade shall only be allowed between 7 a.m. and 10 a.m. daily.

8. Stormwater from the Holdfast Shores Stage 2B site shall not be disposed of by way of a pipe or similar structure that conveys the stormwater to the beach.

9. Site works, construction work and truck movements to and from the site shall only be carried out between 7 a.m. and 6 p.m., Monday to Saturday, inclusive.

10. Pedestrian access ways, from Moseley Square to the Entertainment plaza and from Hope Street through the 'air lock', shall remain open to the public at all times.

11. Landscaping shall be provided in accordance with the authorised plans and shall be maintained and nurtured, with any diseased or dying plants being replaced.

12. The waste storage and service area at the rear of the buildings shall be kept in a neat, tidy and healthy condition at all times and the service area access door shall remain closed at all times, other than when loading or unloading is taking place.

13. Machinery, plant operating equipment, lighting or sound devices shall not impair or impinge upon the enjoyment of adjoining properties or occupiers thereof.

14. All drainage, finished floor levels, and public works associated with the development, including the disposal of stormwater, shall be carried out in accordance with accepted engineering standards and to the reasonable satisfaction of the City of Holdfast Bay.

15. The period of time for which the building (the Police Station building) shall be used as clubrooms shall be 18 months from the date of Development Authorisation of 15 July 2004 after which period the building shall be vacated.

16. The clubrooms (in the Police Station building) will not be used as a nightclub or discotheque or the like.

17. The door to the accessible male toilet (in the Police Station building) shall be handed to provide latch side clearance in accordance with Fig 12 of AS1428.1. BCA-Part D3.2.

18. The levels of any openings to the basement car park, including ventilation outlets, inlets and the like shall be in accord with those previously proposed in Section 4.1Q of the Amended Development Report for Stage 2B dated 18 September 2003.

19. The fit-out of the public toilets shall be to the reasonable satisfaction of the City of Holdfast Bay.

20. Service plant/machinery associated with the Entertainment Building shall be appropriately concealed from public view.

21. The proposed transformer located on the southern elevation of the Entertainment Building shall be appropriately screened to minimise its visual impact on the public realm.

22. The applicant shall place outdoor showers along the back of the beach to the reasonable satisfaction of the City of Holdfast Bay.

23. The southern most waterslide shall not project over the walkway space located between the Town Hall and Entertainment Building and in any event, should not be located within 5 m of the Town Hall.

24. Structures or ornaments in the mini-golf course shall be arranged and sited to ensure that:

- (a) no individual structure or ornament exceeds a height of 1.5 m within the southern section of the mini-golf course so as to obscure western and north-western views from the Town Hall; and
- (b) structures or ornaments are not grouped in a manner that creates visual bulk to the southern or western elevations of the Entertainment Building or obscures western and north-western views from the Town Hall.

25. The modifications to the Glenelg Town Hall access shall be executed with minimum intervention to the historic fabric of the building.

Notes on Building Rules Certification (for demolition of Magic Mountain and use of the Police Station Building by GSLSC).

The Early Fire Hazard Indices of wall, floor and ceiling linings, and air-handling ductwork shall comply with Clause C1.10 of the BCA.

Notes on Building Rules Certification (for the Platinum Apartments Basement and Entertainment Precinct Basement).

The application does not include the superstructure works which shall be the subject of a separate application.

This consent is issued on the understanding that the proprietary type materials and products as specified either on the architectural plans or specifications are to be selected and installed in accordance with the manufacturers' recommendations and relevant standards.

Fire precautions must be taken during construction in accordance with BCA-E1.9. The builder must also ensure, once the method of construction has been determined, that the design of the building/structure adequately accommodates the anticipated construction activity actions.

The person proposing to undertake building work on land (or who is in charge of such work) is warned of their obligation to give Council notice at stages prescribed in Regulation 74.

Notes on Building Rules Certification (for the Platinum Apartments Superstructure and parts of the Entertainment Precinct Superstructure).

This application does not include the Entertainment Building superstructure which shall be the subject of a separate application.

The certified drawings/documents will be issued by the Council with the notification of development approval.

The drawings are stamped 'Preliminary'. Future changes may require separate approval.

The propriety type materials and products as specified either on the architectural plans or specifications are to be selected and installed in accordance with the manufacturers' recommendation and relevant standards.

Fire precautions must be taken during construction in accordance with BCA-E1.9. The builder must ensure once the method of construction has been determined, that the design of the building/structure adequately accommodates the anticipated construction activity actions.

The person proposing to undertake building work on land (or who is in charge of such work) is warned of their obligation to give the Council notice at stages prescribed in Regulation 74.

Notes on Building Rules Certification (for the Entertainment Building Superstructure and Surf Life Saving Club).

The certified drawings/documents will be issued by the Council with the notification of development approval.

The proprietary type materials and products as specified either on the architectural plans or specifications are to be selected and installed in accordance with the manufacturer's recommendations and relevant standards.

Fire precautions must be taken during construction in accordance with BCA-E1.9. The builder must also ensure, once the method of construction has been determined, that the design of the building/structure adequately accommodates the anticipated construction activity actions.

The person proposing to undertake building work on land (or who is in charge of such work) is warned of their obligation to give the Council notice at stages prescribed in Regulation 74.

SCHEDULE OF ESSENTIAL SAFETY PROVISIONS: Regulation 76 requires that the relevant authority on granting provisional building rules consent, issue a schedule that specifies the essential safety provisions for the building and the standards or requirements for the maintenance and testing in respect of each of those essential safety provisions set out in Minister's Specification SA 76. The items to be inspected or tested will be detailed on a schedule attached to the Building Rules Consent for the superstructures.

For building work prescribed in Regulation 75, the building owner must, at least 28 days before the building work is commenced cause to be served on the owner of the affected land or premises a notice of intention to perform the building work and the nature of that work as required by section 60.

Pursuant to section 53A of the Development Act 1993 the relevant authority must form an opinion as to whether the existing building is unsafe or structurally unsound. It is considered that although there are/may be items or matters that are not in strict conformity with the Building Rules, or other matters of non-compliance that cannot be identified from the information supplied by the applicant, that the proposed upgrading measures will render the building safe.

Wet areas details including floor grades, set-downs and impervious surfaces shall comply with Minister's specification SA F1.7; including provision of drainage flanges.

Existing glass in doors, side panels and other human impact areas shall be assessed by the glazier for compliance with Section 5 of AS 1288-1994 Glass in Buildings. The applicant is advised that to comply with the Occupational Health, Safety and Welfare Act 1986 any glass that does not meet current requirements should be replaced.

IMPORTANT: The Building Rules Certification does not imply compliance with the Electricity Act 1996 (building within prescribed distances of adjacent power lines) or Occupational Health, Safety and Welfare Act 1986, the (State) Equal Opportunity Act 1984, or with the Commonwealth Disability Discrimination Act as amended or any of the regulations under those Acts. It is the responsibility of the owner and the person erecting the building to ensure compliance with same.

Proof of maintenance must be provided to Council each calendar year by the building owner.

CERTIFICATE OF OCCUPANCY: A new Certificate of Occupancy is required to be issued in relation to the proposed development. Katnich Dodd, will before granting a certificate of occupancy, require:

1. A *Statement of Compliance* from the licensed building work contractor who carried out the relevant work or who was in charge of carrying out the relevant work; or if there is no such licensed building work contractor-from a registered building work supervisor or private certifier all in accordance with the proforma attached to the building rules consent for Packages 5 and 6 which must also be signed by the owner of the relevant land, or by someone acting on his or her behalf.

2. A certificate of compliance for each essential provision, in the appropriate form under Schedule 16, signed by the installer of the safety provision, or where the installer is a company, signed by the manager responsible for the installation work.

3. Where a building is required by the Building Rules to be equipped with a booster assembly for use by fire fighters; or to have installed a fire alarm that transmits a signal to a fire station; and facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, the 'wet' and/or 'dry' report(s) from the fire authority as to whether those facilities have been installed and operate satisfactorily.

Storey	Portion	Classification	Area m ²	Max. Occupants
Basement	All	7a	—	—
Level 01 (Ground)	Tenancies	5 and 6 (dual classification)	—	—
	Entertainment	9b	—	900 persons
	Boat store	7b	—	—
	Gymnasium	9b	—	—
Level 02 (First)	Tenancies	5 and 6 (dual classification)	—	—
	Games	9b	660	660 persons
	Functions	9b	390	390 persons
Level 03 (Second)	Conference Centre	9b	300	240 persons
Level 04 (Third)	Offices	5	175	18 persons
Level 05 (Fourth)	Waterslide Deck	9b	175	175 persons

For building work prescribed in regulation 75, the building owner, must, at least 28 days before the building work is commenced cause to be served on the owner of the affected land or premises a notice of intention to perform the building work and the nature of that work, as required by Section 60.

Pursuant to the Local Government Act, the builder may be required to erect and maintain hoardings and platforms for the protection of the public on adjoining streets and footpaths as directed by the City of Holdfast Bay.

Wet area details including floor grades, set downs, and water resistant surfaces shall comply with Minister's Specification SA F1.7-2004 and AS3740 Waterproofing of wet areas within residential buildings; including provision of drainage flanges.

A person must not fill the pool with water unless the pool is enclosed by a fence that complies with Part 3.9.3 of the BCA.

IMPORTANT: The Building Rules Certification for Packages 5, 6 and 7 is for compliance with the Development Act 1993 and does not imply compliance with the Swimming Pools (Safety) Act 1972 as amended or any of the regulations under this Act. It is the responsibility of the owner and the person erecting the building/structure to ensure compliance with same.

NOTES TO APPLICANT

- A decision on the reserved matters relating to Building Rules assessment and certification requirements for further stages will only be made by the Governor (or her delegate) after a Building Rules assessment and certification has been undertaken and issued by the City of Holdfast Bay, or a private certifier, as required by the Development Act 1993 and after the Minister for Urban Development and Planning receives a copy of all relevant certification documentation, as outlined in Regulation 64 of the Development Regulations 1993.
- If the Building Rules assessment process demonstrates that the Holdfast Shores Stage 2B development complies with the Building Rules pursuant to the Development Act 1993 and Development Regulations 1993, the City of Holdfast Bay, or a private certifier conducting the Building Rules assessment, must:

(a) provide to the Minister the certification in the form set out in Schedule 12A of the Development Regulations 1993; and

(b) to the extent that may be relevant and appropriate:

- issue a schedule of essential safety provisions under Division 4 of Part 12;
- assign a classification of the building under these regulations; and
- ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.

Regulation 64 of the Development Regulations 1993 provides further information about the type and quantity of all building certification documentation required for referral to the Minister:

- The City of Holdfast Bay, or a private certifier undertaking the Building Rules assessment and certification for the Holdfast Shores Stage 2B development, must ensure that any assessment and certification is consistent with this provisional development authorisation (including any conditions or notes that apply in relation to this provisional development authorisation).
- Should the applicant wish to vary the application or the staging of any reserved matters, as outlined in this provisional development authorisation, a variation to the application may be submitted, pursuant to section 48B of the Development Act 1993, provided that the development application variation remains within the ambit of the Amended Development Report and Amendment Assessment Report referred to in this provisional development authorisation.
- The applicant is advised of the requirement to comply with the Environment Protection Authority's (EPA) 'Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry' during demolition and construction of the development.
- Noise emissions from the Holdfast Shores Stage 2B development will be subject to the Environment Protection (Industrial Noise) Policy 1994 and the Environment Protection Authority (EPA) Guidelines and the Environment Protection Act 1993.
- Prior to any construction, the applicant should consult with Adelaide Airport Ltd, about crane operations.
- The Heritage Branch of the Department for Environment and Heritage, should be consulted if there is to be any physical intervention to the structures on the adjacent State Heritage place (Glenelg Town Hall). Any such work must be executed in accordance with advice arising from such consultation.
- The proponent is reminded of the General Environmental Duty under section 25 of the Environment Protection Act 1993, which requires that a person must not undertake any activity, which pollutes, or may pollute, without taking all reasonable and practical measures to prevent or minimise harm to the environment.
- If the Holdfast Shores 2B development is not substantially commenced within two years of the date of any reserved matter decisions, the Governor may cancel this provisional development authorisation and any subsequent decisions on reserved matters (where relevant).
- The Minister has a specific power to require testing, monitoring and auditing under section 48 C of the Development Act 1993.
- Final details on the size and construction of the beach tower and confirmation that ownership and maintenance is to be by the Surf Life Saving Club to be provided to the satisfaction of the City of Holdfast Bay.
- The precise location of the beach tower needs to allow for future volleyball courts and be to the satisfaction of Council's Holdfast Shores Stage 2B Project Board Steering Committee.
- Visually attractive options, such as the incorporation of public art, should be considered for the screening of the proposed transformer located on the southern elevation of the Entertainment Building.

- Further details shall be provided to the City of Holdfast Bay regarding the waterslides and their support structures to ensure that:
 - (a) the proposed support structures do not dominate the built form and western and south-western face of the Entertainment Building; and
 - (b) adequate visual permeability is retained between the waterslide tubes.

Dated 1 September 2005.

A. HOUGHTON, Secretary, Development Assessment Commission

EQUAL OPPORTUNITY TRIBUNAL

NO. 266 OF 2005

Notice of Exemption

BEFORE DEPUTY PRESIDING OFFICER RICE
MEMBERS BACHMANN AND JASINSKI

I HEREBY certify that on 8 August 2005, the Equal Opportunity Tribunal of South Australia, on the application of UnitingCare Wesley Adelaide Inc. made the following orders for exemption:

1. UnitingCare Wesley Adelaide Inc. are granted an exemption from the provisions of section 30 of the Equal Opportunity Act 1984 relating to employment for its Bfriend project.
2. UnitingCare Wesley Adelaide Inc. are granted an exemption from the provisions of section 39 of the Equal Opportunity Act 1984 to providing goods and services for its Bfriend project.
3. UnitingCare Wesley Adelaide Inc. are granted an exemption from the provisions of section 103 of the Equal Opportunity Act 1984 relating to advertising for its Bfriend project.
4. That this exemption will be in force for a period of three years from the date it is gazetted.

Dated 18 August 2005.

J. NEMCIC, for M. MOORE, Registrar, Equal Opportunity Tribunal

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Ivor Stuart of the Department of Sustainability and Environment, 123 Brown Street, Heidelberg, Vic. 3084, (the 'exemption holder') or a person acting as his agent, is exempt from the provision of section 41 of the Fisheries Act 1982 and the Fisheries (General) Regulations 2000, insofar as they may engage in the collection of fish (the 'exempted activity') from the Murray River—Lock 1 (Blanchetown), using the gear specified in Schedule 1, subject to the conditions set out in Schedule 2 from 5 September 2005 until 14 October 2005, unless varied or revoked earlier.

SCHEDULE 1

- Mark IV Williams Cage.

SCHEDULE 2

1. The specimens collected by the exemption holders are for scientific and research purposes only and must not be sold.
2. All native fish taken pursuant to the exempted activity must be immediately returned to the water.
3. The exemption holder may return micro-chipped non-native fish to the water, however all non-native fish without micro-chips must not be returned to the water alive.
4. Before conducting the exempted activity, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues.

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

6. 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 25 August 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Mario Georgaras, holder of Marine Scalefish Fishery Licence No. M171, Post Office, Streaky Bay, S.A. 5680 (the 'exemption holder') is exempt from Clause 61 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder shall not be guilty of an offence when taking up to 150 razor fish in any one day from South Australian coastal waters (the 'exempted activity'), subject to the conditions specified in Schedule 1, from 15 August 2005 until 30 June 2006, unless varied or revoked earlier.

SCHEDULE 1

1. The exemption holder may only engage in the exempted activity when fishing pursuant to Marine Scalefish Fishery Licence No. M171.
2. All razor fish taken pursuant to this notice may be used for bait only.
3. The total number of razor fish taken in any one day, shall be no greater than 150.
4. The exemption holder must include all razor fish taken under this exemption on the monthly catch and effort summary provided to the South Australian Research and Development Institute (SARDI).
5. While engaged in the exempted activity, the exemption holder must have in his possession, a copy of this notice and produce a copy of the notice if requested by a PIRSA Fisheries Compliance Officer.

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

Dated 25 August 2005.

W. ZACHARIN, Director of Fisheries

GENETICALLY MODIFIED CROPS MANAGEMENT ACT 2004

Exemption

PURSUANT to the Genetically Modified Crops Management Act 2004, I, Rory John McEwen, Minister for Agriculture, Food and Fisheries, issue the following exemption to Bayer CropScience Pty Ltd under section 6 (2) (a) (i) for the purposes of experimental cultivation of genetically modified Indian Mustard, in accord with all conditions required by licence DIR 057/2004 and its variations as issued by the Office of the Gene Technology Regulator.

Plantings are to be confined to the Local Government areas specified in the licensing document.

Before any planting, the following information for each site must be provided to the Nominated Officer in the Department of Primary Industries and Resources South Australia.

- (a) The GPS co-ordinates to identify the perimeter of every area, using the GDA 94 datum (or nominated equivalent that allows conversion to this datum).
- (b) The contact details of the landowner or his representative to enable authorised officers to seek consent to entry.
- (c) Identification of the GMO types proposed to be grown at the area, and the area of each that is to be sown.
- (d) Estimated date of planting, flowering and harvest of the site.

For the purpose of this notice, I nominate the following person as the Nominated Officer within PIRSA to whom communication should be directed:

Program Leader
State Quarantine Inspection Service
PIRSA
46 Prospect Road
Prospect, S.A. 5082
Phone: (08) 8168 5203
Facsimile: (08) 8344 6033

This exemption remains in force until the termination of DIR 057/2004, or until revoked.

R. MCEWEN, Minister for Agriculture, Food
and Fisheries

GEOGRAPHICAL NAMES ACT 1991

Notice of Declaration of Names of Places

NOTICE is hereby given pursuant to section 8 (1) of the Geographical Names Act 1991, that the names of those places set out in The Schedule hereunder shall be the geographical names of those said places. Precise location of the said features can be obtained from the *South Australian Gazetteer* at www.placenames.sa.gov.au or by contacting the Geographical Names Unit, DAIS on (08) 8204 8539.

THE SCHEDULE

Mapsheet	Feature
1:50 000 Mapsheet 6028-2, Pt 6128-3, Pt 6027-1 (Jussieu)	West Point
1:50 000 Mapsheet 6039-2 (Billakalina)	South Australia
1:100 000 Mapsheet 6127 (Neptune)	North Neptune Islands South Neptune Islands
1:50 000 Mapsheet 6128-3, Pt 6127-4 (Thistle)	Albatross Island Simms Rock Fossil Point Horny Point Whalers Bay Loot Bay Marble Bay Mitlers Bay Nancy Nautilus Beach The Cauldron Colosseum Cliffs Crawford Beach Crawford Ruins Echo Valley Elephant Rock False Creek Barbecue Arch Hecla Cove South Rock South West Spring Swan Lake Sunrise Cliffs Trevally Point Petriified Horse Cave Peet Point Osprey Point Neverest Hill

NOTE: Words shown in parentheses are not part of the name.

Chairman, Geographical Names Advisory Committee

Certified that the above names have been examined in line with the policies of the Geographical Names Advisory Committee, and that they comply with section 8 (1) of the Geographical Names Act 1991.

Dated 22 August 2005.

P. M. KENTISH, Surveyor-General, Department for
Administrative and Information Services

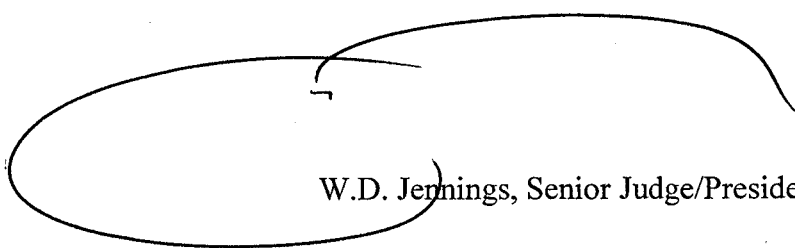
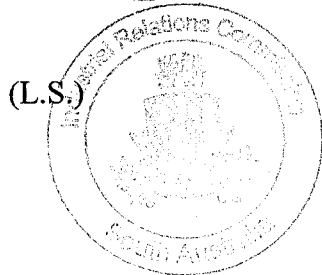
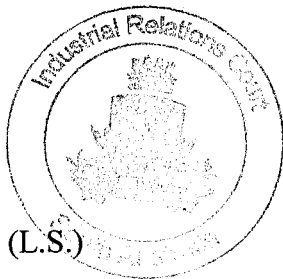
DAIS 04/0455

FAIR WORK ACT 1994**INDUSTRIAL PROCEEDINGS RULES 1995**

I, WILLIAM DAVID JENNINGS, the Senior Judge and President of the Industrial Relations Court and Commission of South Australia, by virtue of the provisions of section 178 of the *Fair Work Act 1994* and section 55A(17) of the *Occupational Health, Safety and Welfare Act 1986*, and all other enabling powers, do hereby make the following Rules 67, 68, 69 and 70, and Forms 40 and 41, of the *Industrial Proceedings Rules 1995*, to operate on and from 5 September 2005.

Given under my hand and the seals of the Industrial Relations Court and Commission of South Australia.

Dated this 30th day of August 2005.



W.D. Jennings, Senior Judge/President

**PART IV - REFERRAL OF MATTERS TO THE INDUSTRIAL RELATIONS
COMMISSION PURSUANT TO THE OCCUPATIONAL HEALTH, SAFETY AND
WELFARE ACT 1986**

RULE SIXTY-SEVEN - DEFINITIONS

- (1) Except where a contrary intention appears, for the purposes of this Part the words set out below will mean:

“**the Act**” means the *Occupational Health, Safety and Welfare Act 1986*, and any Act amending the same or substituted therefore and where a section is mentioned the reference is to that section of the Act as it may from time to time be amended or the corresponding provision of any amending or substituted Act;

“**the Court**” means the Industrial Relations Court of South Australia;

“**the Commission**” means the Industrial Relations Commission of South Australia;

“**the Department**” means the administrative Unit of the Minister to whom the administration of the Act is committed;

“**Lodging**” in relation to notices to be given to the Registrar means the provision of the notice to the Registrar in person at the Registry of the Commission, by mail to the Commission’s postal address, by facsimile transmission, or by email to the Commission’s email address.

“**Party**” means those persons having a direct interest in the matter and includes the employer and where authorised under the Act, a Registered Association acting on behalf of an employee or group of employees in making an application to the Commission.

“**the President**” means the President of the Commission and where relevant the Senior Judge of the Court.

“**the Registrar**” means the Industrial Registrar appointed pursuant to the *Fair Work Act 1994* and includes any Deputy Industrial Registrars.

“**Referral instrument**” in relation to matters referred to the Commission pursuant to s 55A(3)(d) means an instrument as set out in Form 40 or any other written instrument as determined by the President following consultation with the Department as contemplated in s 55A(16) of the Act.

**RULE SIXTY-EIGHT - SECTION 55A MEDIATION AND CONCILIATION
REFERRALS OF ALLEGED BULLYING BEHAVIOUR**

- (1) A referral from an Inspector pursuant to s 55A(3)(d) of the Act will be commenced by the Inspector lodging the referral instrument with the Registrar. The matter will then be conducted by a Member of the Commission who is assigned by the President to deal with the referral.

- (2) The Member will, based upon the material set out in the instrument of referral, determine whether the matter is to be subject to conciliation or mediation as defined in the Act and advise the parties accordingly.
- (3) The mediation or conciliation proceedings are to be commenced as soon as possible and the Commission will seek to do so within five business days of the referral. Where possible, the Member will consult the parties about the timing and location of the proceedings prior to making the necessary arrangements.
- (4) Where the Commission has determined that conciliation proceedings are to be conducted, the Member may call a compulsory conference pursuant to s 55A(11) of the Act by providing written or verbal notice to those who are required to attend. Any such person so notified is to attend the conference as required by the Commission.
- (5) The mediation or conciliation proceedings will be conducted at a suitable venue determined by the Commission which may include the relevant workplace if considered appropriate by the Member or where a request has been made by a party pursuant to s 55A(10)(a) of the Act.
- (6) The mediation or conciliation proceedings will be conducted in private and subject to sub-rule (8) persons whose interests are not directly connected to the matter will not be permitted to attend or observe without leave of the Commission.
- (7) The Commission will conduct all proceedings under this Rule with a minimum of formality and with the intention of constructively and fairly resolving the issues between the parties.
- (8) The parties to the proceedings may be represented as provided for in s 203(1), (2) and (3) of the *Fair Work Act 1994*. For that purpose, all proceedings under this Rule, with the exception of a s 55A(11) compulsory conciliation conference, will be treated as being a voluntary conference. However, any such representative must be familiar with the matters in issue and have or be accompanied by someone with the appropriate authority to bind that party to any resolution.
- (9) The parties and representatives involved with proceedings under this Rule will conduct themselves in a manner conducive to the resolution of the matters at issue.
- (10) Subject to sub-rule (12) herein and other than by consent of all parties, nothing said or done in the course of mediation or conciliation conducted under this Rule, including any recommendations of the Commission provided in the course of conciliation, is to be given in evidence in any subsequent proceedings.
- (11) The mediation or conciliation of a matter pursuant to this Rule will be taken to have concluded when the issues have been resolved or where the Member considers that further proceedings will not result in a resolution of the matter.
- (12) Where the parties have resolved some or all of the issues in dispute, a record of that resolution may be created and any terms of agreement reached between the parties will be capable of being given in evidence in any subsequent proceedings.
- (13) Where proceedings have been concluded under this Rule, the Commission will advise the Department of that event in writing.

- (14) Subject to the terms of the Act, nothing in this Rule will prevent the parties, with the concurrence of the Member, establishing protocols relating to a particular matter that might include how parties will conduct themselves during the mediation or conciliation, what record of the outcome or process is to be taken (if any) and whether any public statements regarding the matter will be made during the course of the proceedings.
- (15) For the purposes of this Rule “proceedings” includes the process of the Commission conducting a mediation or conciliation exercise as defined in the Act, interviewing parties (separately or together) or otherwise informing itself as to the issues and potential resolution of matters.
- (16) Nothing in this Rule will prevent the relevant Member from changing the initial decision as to the nature of the proceedings from mediation to conciliation or visa versa, provided that such takes place prior to the commencement of the substantive proceedings and the parties are advised of any such change.

**RULE SIXTY-NINE - REFERRAL OF MATTERS TO THE COMMISSION
FOR DETERMINATION PURSUANT TO SECTIONS
26A, 31A, 31B OR 34(6) OF THE ACT**

- (1) The following matters will be dealt with in accordance with this Rule:

Section 26A: The determination of the composition of a group for the purposes of establishing a “*recognised member*” under Division 2 of the Act.

Section 31A: The determination of a dispute concerning the entitlements relating to training of a prescribed person.

Section 31B: The determination of a dispute in relation to the maintenance of pay and reimbursement of expenses of a prescribed person.

Section 34(6): The determination of a dispute concerning the entitlements relating to time off to perform the functions, or training, of a Health and Safety Representative.

- (2) Where a party seeks to have a matter determined under this Rule they are to lodge an application with the Registrar using Form 41.
- (3) The applicant is required to provide a copy of the application to the other parties nominated on the application form (or their representatives) at the same time as notifying the Commission.
- (4) The matter will be heard by a Member of the Commission who is assigned by the President to deal with the application.
- (5) The conduct of the matter will be as directed by the Member who may utilise the relevant powers of the *Fair Work Act 1994* to that end.
- (6) Where a determination of the matter is made, the Member will advise the parties of that decision in writing as soon as possible after the conclusion of the hearing(s).

RULE SEVENTY - REFERRAL OF OTHER MATTERS TO THE COMMISSION FOR CONCILIATION PURSUANT TO SECTIONS 27, 28 OR 31 OF THE ACT

- (1) The following matters will be dealt with in accordance with this Rule:

Section 27(7): The resolution of a dispute concerning the constitution of a work group for the purposes of appointing Health and Safety Representatives and Committees under Division 2 of the Act.

Section 28(8): The resolution of a dispute concerning the election of a Health and Safety Representative.

Section 31(5): The resolution of a dispute concerning the establishment or composition of a Health and Safety Committee.

- (2) Where a party seeks to have a matter determined under this Rule they are to lodge an application with the Registrar using Form 41.
- (3) The applicant is required to provide a copy of the application to the other parties nominated on the application form (or their representatives) at the same time as notifying the Commission.
- (4) The matter will be conciliated by a Member of the Commission who is assigned by the President to deal with the application.
- (5) The conduct of the matter will be as determined by the Member who may utilise the relevant conciliation powers of the *Fair Work Act 1994* to that end.
- (6) Subject to sub-rule (7) herein and other than by consent of all parties, nothing said or done in the course of conciliation conducted under this Rule, including any recommendations of the Commission provided in the course of conciliation, is to be given in evidence in any subsequent proceedings.
- (7) Where the parties have resolved some or all of the issues in dispute, a record of that resolution may be created and any such record will be capable of being given in evidence in any subsequent proceedings.
- (8) Where the matter has not been resolved by conciliation within a reasonable time, the matter is to be assigned to the President for determination by a Review Committee constituted under Part 7 of the Act.

FORM 40**Rule 68**

Industrial Relations Commission of South Australia		Commission use only	
Referral to the Industrial Relations Commission for conciliation or mediation in relation to alleged inappropriate behaviour towards an employee		File number:	
		Date received:	
Occupational Health Safety and Welfare Act 1986			
Section 55A Infonet reference Number			
Details of Inspector			
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/>	Family name:		
1 Full name	Given names:		
2 Address	Postcode:		
3 Phone, fax and email details	Business hours ()		
	mobile ()		
	facsimile ()		
	email		
Details of Employee (the complainant)			
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/>	Family name:		
4 Full name	Given names:		
5 Home address	Postcode:		
5 Phone, fax and email details	business hours ()		
	after hours ()		
	facsimile ()		
	email		
7 Date of birth	day/month/year / /		
8 First language	English <input type="checkbox"/> other <input type="checkbox"/> (<i>specify</i>)		
	Is an interpreter needed? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Details of Employment			
9 Name of employer's business, company, corporation, authority or agency			
Contact person's name			
10 Employer's trading address or registered office	Phone ()	Postcode:	
	Email	Fax ()	
11 Work performed for employer (occupation)			

12 Place of work	Suburb/town: _____ Postcode: _____
13 Date employee first worked for employer	____ / ____ / ____
14 Current employment status	
Details of other parties having a direct interest (if applicable)	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> 15 Full name	Family name: _____ Given names: _____
16 Home address	_____ Postcode: _____
17 Phone, fax and email details	business hours () after hours () facsimile () email _____
18 Relationship to employer/complainant	
19 Date of birth	day/month/year ____ / ____ / ____
20 First language	English <input type="checkbox"/> other <input type="checkbox"/> (<i>specify</i>) _____ Is an interpreter needed? Yes <input type="checkbox"/> No <input type="checkbox"/>
Details of other parties having a direct interest (if applicable)	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> 21 Full name	Family name: _____ Given names: _____
22 Home address	_____ Postcode: _____
23 Phone, fax and email details	business hours () after hours () facsimile () email _____
24 Date of birth	day/month/year ____ / ____ / ____
25 Relationship to employer/complainant	
26 First language	English <input type="checkbox"/> other <input type="checkbox"/> (<i>specify</i>) _____ Is an interpreter needed? Yes <input type="checkbox"/> No <input type="checkbox"/>
Background and basis of referral as determined by the Inspector	
Please set out the background circumstances and the basis of the referral including where relevant: The circumstances in which the matter has arisen and the present circumstances of the employee(s) concerned. Nature and timing of the complaint and a summary of actions taken by SafeWork SA including the nature of investigation and any notices issued. Where mediation has already been undertaken within the workplace. Any other relevant matters involving the parties. Advice on appropriate location for conciliation/mediation. The attitude of the parties to the intended process (if known). Whether another Agency is involved.	

Background and basis of referral (cont)
Declaration
<p>I declare that all the facts in this application are correct and complete to the best of my knowledge and belief.</p> <p><i>[signature of Inspector]</i></p> <p>Date / /</p>

<p>SAFework SA USE ONLY</p> <p><i>[signature of Manager]</i></p> <p>Date / /</p>	<p>CIU to forward to Commission</p> <p><i>[signature]</i></p> <p>Date / /</p>
--	--

<p>PLEASE RETAIN A COPY OF THIS DOCUMENT FOR YOUR OWN RECORDS</p> <p>PLEASE ENSURE THAT A COPY OF THIS REFERRAL FORM HAS BEEN PROVIDED TO ALL PARTIES AS REQUIRED BY SECTION 55A(5) OF THE ACT</p>
--

<p>COMMISSION USE ONLY</p> <p>DEPARTMENT (CIU OFFICER) INFORMED THAT PROCESS HAS CONCLUDED:</p> <p><i>[Commission Member]</i></p> <p>Date / /</p>

FORM NO. 41

(Rules 69 & 70)

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1986**SOUTH AUSTRALIA****IN THE INDUSTRIAL RELATIONS COMMISSION**

File No. of

**REFERRAL OF MATTERS TO THE
INDUSTRIAL RELATIONS COMMISSION
FOR DETERMINATION OR CONCILIATION
PURSUANT TO THE
OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1986**

The original of this application is to be lodged with the Commission personally, by post or in electronic form. If lodged by facsimile transmission or email, the original must be available or validated during proceedings. Details of postal and electronic addresses are set out at the conclusion of this form.

A COPY OF THIS APPLICATION IS TO BE PROVIDED BY THE APPLICANT TO THE OTHER PARTIES CONSIDERED TO HAVE A DIRECT INTEREST IN THE MATTER (OR THEIR REPRESENTATIVES) AS YOU NOMINATE WITHIN THIS FORM (see Part 3).

THE APPLICANT SHOULD RETAIN A COPY OF THIS APPLICATION FOR THEIR OWN RECORDS.

ANSWER ALL QUESTIONS AS DIRECTED. IF THE SPACE PROVIDED IS INSUFFICIENT, ATTACH A SEPARATE SHEET CLEARLY MARKED WITH THE RELEVANT PART NUMBER.

PART 1: THE APPLICANT

Details of the organisation or individual bringing this application

Name/Organisation: _____

Address: _____

Phone: _____ Fax: _____

Contact Person: _____ Email: _____

PART 1: THE APPLICANT (continued)**DETAILS OF THE APPLICANT'S REPRESENTATIVE (IF ANY):**

Name/Organisation: _____

Address: _____

Phone: _____ Fax: _____

Contact Person: _____ Email: _____

PART 2: THE APPLICATION

Application is hereby made to the Industrial Relations Commission by the applicant set out above pursuant to the *Occupational Health, Safety and Welfare Act 1986* seeking:

The determination of a matter pursuant to:

(TICK AS APPROPRIATE)

- s.26A** The determination of the composition of a group for the purposes of establishing a "recognised member" under Division 2 of the Act.
- s.31A** The determination of a dispute concerning the entitlements relating to training of a prescribed person.
- s.31B** The determination of a dispute in relation to the maintenance of pay and reimbursement of expenses of a prescribed person.
- s.34(6)** The determination of a dispute concerning the entitlements relating to time off to perform the functions, or training, of a Health and Safety Representative.

The conciliation of a matter pursuant to:

(TICK AS APPROPRIATE)

- s.27(7)** The resolution of a dispute concerning the constitution of a work group for the purposes of appointing Health and Safety Representatives and Committees under Division 2 of the Act.
- s.28(8)** The resolution of a dispute concerning the election of a Health and Safety Representative.
- s.31(5)** The resolution of a dispute concerning the establishment or composition of a Health and Safety Committee.

PART 3: OTHER PARTIES TO THE APPLICATION

For each of the other parties having a direct interest in the matter, please supply their name, telephone and facsimile numbers, email address and contact person (if any):

Name/Organisation: _____

Address: _____

Phone: _____ Fax: _____

Contact Person: _____ Email: _____

Name/Organisation: _____

Address: _____

Phone: _____ Fax: _____

Contact Person: _____ Email: _____

PART 4: THE MATTERS IN DISPUTE

Brief summary of the matters (issues) sought to be determined or resolved:

PART 5: THE PARTICULARS OF THE APPLICATION

Describe the following in the space provided below:

- The general circumstances in which the matter has arisen including the location of the employment
- The applicant's claim in relation to the matter(s) in dispute
- The steps already taken to attempt to resolve the matter
- Any proposed resolution where conciliation is being sought

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

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2005

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	
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481-496	30.00	28.75	977-992	59.25	57.00	

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HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, the South Australian Housing Trust in the exercise of the powers conferred by the said Part, does hereby fix as the maximum rental per week which shall be payable subject to section 55 of the Residential Tenancies Act 1995, in respect of each house described in the following table the amount shown in the said table opposite the description of such house and this notice shall come into force on the date of this publication in the *Gazette*.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
97 Alice Street, Sefton Park	Allotment 57 of portion of section 344, Hundred of Yatala	5451	370	25.6.92, page 2055	90.00
97A Alice Street, Sefton Park	Allotment 57 of portion of section 344, Hundred of Yatala	5451	370	25.6.92, page 2055	113.00

Dated at Adelaide, 28 July 2005.

M. DOWNIE, General Manager, Housing Trust

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Partenope Pty Ltd as trustee for the Restaurant Unit Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 489-493 Payneham Road, Felixstow, S.A. 5070 and known as Sapore Ristorante & Cafe Bar.

The application has been set down for hearing on 29 September 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: 21 September 2005).

The applicant's address for service is c/o Charlie Belperio, 389 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 24 August 2005.

Applicant

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 23 August 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 Grace Emily Pty Ltd as trustee for the Grace Emily Unit Trust has applied to the Licensing Authority for a variation to an Extended Trading Authorisation and variation to the Licence Conditions in respect of premises situated at 232 Waymouth Street, Adelaide, S.A. 5000 and known as Grace Emily Hotel.

The application has been set down for hearing on 30 September 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- To vary the current Extended Trading Authorisation to include the following hours:
 - Monday to Saturday: Midnight to 5 a.m. the following day;
 - Sunday: 8 p.m. to 5 a.m. the following day;
 - Good Friday: Midnight to 2 a.m.;
 - Christmas Day: Midnight to 2 a.m.;
 - Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;
 - New Year's Eve: 2 a.m. the following day to 5 a.m. the following day;
 - Days preceding other Public Holidays: Midnight to 5 a.m. the following day;
 - Sundays preceding other Public Holidays: 8 p.m. to 5 a.m. the following day.
- To combine the capacities of areas 1, 2 and 3 as per 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: 21 September 2005).

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that La Ditta Pty Ltd as trustee for the La Ditta Unit Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 102 Commercial Street West, Mount Gambier, S.A. 5290 and known as Fasta Pasta Mount Gambier.

The application has been set down for hearing on 29 September 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: 21 September 2005).

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

The applicant's address for service is c/o 232 Waymouth 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 23 August 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 SA Tall Ships Incorporated has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 27 North Parade, Port Adelaide, S.A. 5015 and known as *Falie*.

The application has been set down for hearing on 29 September 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: 21 September 2005).

The applicant's address for service is c/o Kris Leduff, P.O. Box 2421, Port Adelaide, S.A. 5015.

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 17 August 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 SA Tall Ships Incorporated has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 66 Commercial Road, Port Adelaide, S.A. 5015 and known as *STV One and All*.

The application has been set down for hearing on 29 September 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: 21 September 2005).

The applicant's address for service is c/o Kris Leduff, P.O. Box 2421, Port Adelaide, S.A. 5015.

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 17 August 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 Lawrence Turner and Beverley Turner have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Lot 101, Wilsons Road, Kangaroo Island, S.A. 5223 and known as *Emu Ridge Eucalyptus*.

The application has been set down for hearing on 30 September 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

Special conditions apply:

- To sell or supply wine on any day at any time for consumption off the licensed premises and for consumption on the licensed premises with or ancillary to food provided by the licensee. Wine sold or supplied shall be restricted to the produce of Lake Breeze Wines of Langhorne Creek and restricted to fruit from their vineyards located on Kangaroo Island.

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: 22 September 2005).

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

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

Dated 26 August 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 Timothy Mark Foster has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at the corner of Keith Road and Riddoch Highway, Padthaway, S.A. 5271 and known as *Padthaway Homestead*.

The application has been set down for hearing on 29 September 2005 at 11.30 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: 21 September 2005).

The applicant's address for service is c/o Hume Taylor & Co., 84 Flinders Street, Adelaide, S.A. 5000 (Attention: Brendan Bowler).

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 August 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 Stephen Pannell Wines Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 14 Davenport Terrace, Wayville, S.A. 5034 and known as *Stephen Pannell Wines*.

The application has been set down for hearing on 30 September 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: 22 September 2005).

The applicant's address for service is c/o Adrian Tisato, Griffin Hilditch Lawyers, Level 14, 26 Flinders Street, Adelaide, S.A. 5000.

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

Dated 26 August 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 Spotless Services Australia Ltd has applied to the Licensing Authority for a variation to Conditions in respect of premises situated at King William Street, Adelaide, S.A. 5000 and known as Epicure Catering.

The application has been set down for hearing on 30 September 2005 at 9 a.m.

Condition

The following licence condition is sought:

- The supply of liquor away from the licensed premises for catering purposes.

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: 22 September 2005).

The applicant's address for service is c/o Aaron Bond, 290 South Road, Hilton, S.A. 5033.

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

Dated 25 August 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 Larosa Vittorio has applied to the Licensing Authority for the removal of a Restaurant Licence in respect of premises situated at 26A Bank Street, Adelaide, S.A. 5000 to be situated at 7 Leigh Street, Adelaide, S.A. 5000 and known as The Corner Bistrot.

The application has been set down for hearing on 30 September 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: 22 September 2005).

The applicant's address for service is c/o Unit 1/9 Gawler Avenue, West Hindmarsh, S.A. 5007.

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

Dated 25 August 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 Lion Nathan Wine Group Australia Limited has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 9 Osmond Terrace, Norwood, S.A. 5067 to be removed to premises situated at 46 Greenhill Road, Wayville, S.A. 5034 and known as Distinguished Vineyards S.A.

The application has been set down for hearing on 30 September 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: 22 September 2005).

The applicant's address for service is c/o Ben Allen, 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 25 August 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 Clark Hotel Group Pty Ltd has applied to the Licensing Authority for a variation to an Extended Trading Authorisation and variation to the Entertainment Consent, alterations and redefinition of the Hotel Licence in respect of premises situated at 55 Commercial Road, Port Adelaide, S.A. 5015 and known as Port Admiral Hotel.

The application has been set down for hearing on 30 September 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation is to apply to the hours below:
 - Monday to Saturday: Midnight to 5 a.m. the following day;
 - Sunday: 8 a.m. to 11 a.m. and 8 p.m. to 5 a.m. the following day;
 - Christmas Day: Midnight to 2 a.m.;
 - Good Friday: Midnight to 2 a.m.
- Entertainment Consent is to apply to the hours above.
- That the licensee be permitted to sell liquor for consumption off the licensed premises from 8 a.m. to 11 a.m. and from 8 p.m. to 9 p.m. each Sunday.
- That the Extended Trading Authorisation and Entertainment Consent shall apply to all internal public areas of the premises, including the ground floor area of the former Bank Building situated at 47-49 Commercial Road.

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: 22 September 2005).

The applicant's address for service is c/o The Australian Hotels Association (S.A. Branch) 4th Floor, 60 Hindmarsh Square, 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 25 August 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 Mark Robert Day and Anna Maria Grazyna Koltunow have applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at RSD 91, McMurtrie Road, McLaren Vale, S.A. 5171, to be situated at Lot 5, Adams Road, Blewitt Springs, S.A. 5171 and known as Day Wines.

The application has been set down for hearing on 30 September 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 applicants at the applicants' address given above, at least seven days before the hearing date (viz: 22 September 2005).

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

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

Dated 25 August 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 Saltcollins Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 248 Flinders Street, Adelaide, S.A. 5000 and known as Saltcollins Pty Ltd.

The application has been set down for hearing on 30 September 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: 22 September 2005).

The applicant's address for service is c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000 (Attention: Peter Hoban or Ben Allen).

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

Dated 25 August 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 CP Plympton Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence, Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 295B Anzac Highway, Plympton, S.A. 5038, known as Best Mix Cafe Restaurant and to be known as Caffe Primo Plympton.

The application has been set down for hearing on 30 September 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation is to apply to the hours below:

Sunday: 8 a.m. to 11 a.m. and 8 p.m. to 11.30 p.m.

Sunday Christmas Eve: 8 p.m. to 11.30 p.m.

Sundays preceding Public Holidays: 8 p.m. to 11.30 p.m.

- Entertainment Consent is to apply to the hours below:

Monday to Thursday: Midnight to 11 p.m.

Friday to Sunday: Midnight to 11.30 p.m.

Maundy Thursday: Midnight to 11.30 p.m.

Christmas Eve: Midnight to 11.30 p.m.

Sunday Christmas Eve: Midnight to 11.30 p.m.

New Year's Eve: Midnight to 11.30 p.m.

Days preceding other Public Holidays: Midnight to 11.30 p.m.

Days preceding Public Holidays: Midnight to 11.30 p.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: 22 September 2005).

The applicant's address for service is c/o Camatta Lempens, Level 1, 345 King William Street, Adelaide, S.A. 5000 (Attention: David Li).

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

Dated 24 August 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 No. 1 Boat Shed Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Wallaroo Jetty, Wallaroo, S.A. 5556 and known as Skinner's Jetty Fish Cafe.

The application has been set down for hearing on 4 October 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: 26 September 2005).

The applicant's address for service is c/o Jeff Stevens & Associates, Level 1, 86 Pirie Street, Adelaide, S.A. 5000.

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

Dated 26 August 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 Vine Control Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot B, Coppermine Road, McLaren Vale, S.A. 5171 and to be known as De Lisio Wines.

The application has been set down for hearing on 30 September 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: 22 September 2005).

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

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

Dated 23 August 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 La Boheme Nightclub Pty Ltd has applied to the Licensing Authority for an Entertainment Venue and section 35 (1) (c) Licence in respect of premises situated at 36 Grote Street, Adelaide, S.A. 5000 and known as La Boheme.

The application has been set down for hearing on 30 September 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

Approval under section 35 (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: 22 September 2005).

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

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

Dated 23 August 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 Hung Dat Vuong, Tan Sang Huynh and Hong Nguyen have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Shop 1, 141-143 O'Connell Street, North Adelaide, S.A. 5006 and known as Red Rock Noodle Bar & Restaurant.

The application has been set down for hearing on 4 October 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 applicants at the applicants' address given above, at least seven days before the hearing date (viz: 26 September 2005).

The applicants' address for service is c/o Bill Moody, Moody, Rossi and Co., 7th Floor, 185 Victoria Square, 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 23 August 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 Notfair Pty Ltd as trustee for the Notfair Family Trust has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at Lot 73, South Road, Meningie, S.A. 5264 and known as Lake Albert Motel.

The application has been set down for hearing on 5 October 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: 27 September 2005).

The applicant's address for service is c/o Beverley Fairweather, 1A Philip Street, Vale Park, S.A. 5081.

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

Dated 25 August 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 BPT Investments Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Shop 2, 2-3 The Esplanade, Victor Harbor, S.A. 5211, known as Pacino's Cafe/Restaurant and to be known as Red Orchard Noodle Bar and Restaurant.

The application has been set down for hearing on 6 October 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: 28 September 2005).

The applicant's address for service is c/o Thanh Quang Bui, P.O. Box 53, Hindmarsh, S.A. 5007.

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

Dated 25 August 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 Sue and Trevor Hancock have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 14-16 Gawler Street, Port Noarlunga, S.A. 5167 and known as Patricia's Restaurant.

The application has been set down for hearing on 5 October 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 applicants at the applicants' address given above, at least seven days before the hearing date (viz: 27 September 2005).

The applicants' address for service is c/o Sue and Trevor Hancock, 12 Churston Place, Moana Heights, S.A. 5169.

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

Dated 24 August 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 Neta Pty Ltd as trustee for the Neis Family Trust, Grantley Souter Pty Ltd as trustee for the Grantley Souter Family Trust and Levi Domino Pty Ltd as trustee for the Domino Family Trust have applied to the Licensing Authority for the transfer and removal of a Special Circumstances Licence in respect of premises situated at Level Cafeteria Restaurant and Function Centre, 6th Floor, 127 Rundle Mall, Adelaide, S.A. 5000, known as Renaissance Tower to Basement, 272 Rundle Street, Adelaide, S.A. 5000 and to be known as Fumo Blu.

The application has been set down for hearing on 30 September 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 applicants at the applicants' address given above, at least seven days before the hearing date (viz: 22 September 2005).

The applicants' address for service is c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000 (Attention: Ben Allen).

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

Dated 26 August 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 P. & J. Hurley Pty Ltd as trustee for the P. & J. Family Trust has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at Jervois Road, Murray Bridge, S.A. 5253 and known as Tapestry Vineyards.

The application has been set down for hearing on 6 October 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: 28 September 2005).

The applicant's address for service is c/o Fisher Jeffries Solicitors, Level 15, SGIC Building, 211 Victoria Square, Adelaide, S.A. 5000 (Attention: Craig Vozzo).

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

Dated 24 August 2005.

Applicant

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 Griffiths Investments Pty Ltd as trustee for the Griffiths Trading Trust has applied to the Liquor and Gambling Commissioner for the transfer of a Hotel Licence and a Gaming Machine Licence in respect of premises situated at Main Road, Echunga, S.A. 5153 and known as Hagen Arms Hotel.

The applications have been set down for hearing on 4 October 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: 26 September 2005).

The applicant's address for service is c/o Piper Alderman Lawyers, 167 Flinders Street, Adelaide, S.A. 5000 (Attention: Ashley Thompson).

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

Dated 26 August 2005.

Applicant

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 Taylor Cove Pty Ltd, M. J. Lunniss Investments Pty Ltd and Daly Waters Property Pty Ltd have applied to the Liquor and Gambling Commissioner for the transfer of a Hotel Licence and a Gaming Machine Licence in respect of premises situated at 57 Flinders Street, Adelaide, S.A. 5000 and known as Flinders Bar & Bistro.

The applications have been set down for hearing on 5 October 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 applicants at the applicants' address given above, at least seven days before the hearing date (viz: 27 September 2005).

The applicants' address for service is Kelly and Co. Lawyers, Level 17, Santos House, 91 King William Street, Adelaide, S.A. 5000 (Attention: Graham Hobbs).

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

Dated 24 August 2005.

Applicants

LOCAL GOVERNMENT ACT 1999

EASTERN HEALTH AUTHORITY INCORPORATED

Amended Charter of a Regional Subsidiary

THE Cities of Norwood Payneham & St Peters, Burnside, Campbelltown, Prospect and the Corporation of the Town of Walkerville, (the Constituent Councils) have resolved to amend the Charter of the Eastern Health Authority Regional Subsidiary to take effect from 1 July 2005.

This subsidiary is established pursuant to section 43 of the Local Government Act 1999, for the purposes of promotion and regulation of public and environmental health; communicable and infectious disease control; promotion and monitoring of food safety standards; licensing and monitoring of appropriate standards in Supported Residential Facilities; and protection of the environment and prevention of environmental nuisance.

The amended Charter of the Eastern Health Authority Incorporated Regional Subsidiary is set out below.

EASTERN HEALTH AUTHORITY INCORPORATED

Amended Charter

1. INTRODUCTION

1.1 Name

The Name of the subsidiary is the Eastern Health Authority (EHA).

1.2 Establishment

EHA is a regional subsidiary established pursuant to section 43 of the Local Government Act 1999 of which the Constituent Councils are:

1.2.1 City of Norwood Payneham & St Peters;

1.2.2 City of Burnside;

1.2.3 City of Campbelltown;

1.2.4 City of Prospect;

1.2.5 Corporation of the Town of Walkerville;

(the Constituent Councils).

1.3 Local Government Act 1999

This Charter must be read in conjunction with Schedule 2 of the Local Government Act 1999 (the Act). EHA shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter as permitted by Schedule 2.

1.4 Objects and Purposes

EHA is established for the following purposes:

1.4.1 Promotion and regulation of public and environmental health.

1.4.2 Communicable and infectious disease control.

1.4.3 Promotion and monitoring of food safety standards.

1.4.4 Licensing and monitoring of appropriate standards in Supported Residential Facilities.

1.4.5 Protection of the environment and prevention of environmental nuisance.

1.5 Powers and Functions of EHA

The following powers, and functions and duties of EHA are to be exercised in the performance of EHA's objects and purposes:

1.5.1 entering into contracts or arrangements with any Government agency or authority, or Councils other than the Constituent Councils;

- 1.5.2 appointing, employing, remunerating, removing or suspending officers, managers, employees and agents;
- 1.5.3 entering into contracts with any person for the acquisition of goods and services;
- 1.5.4 entering into contracts with any person for the provision of goods and services;
- 1.5.5 raising revenue through contributions from Constituent Councils;
- 1.5.6 printing and publishing any newspapers, periodicals, books, leaflets or other like writing;
- 1.5.7 acquiring, holding, dealing with and disposing of any real or personal property;
- 1.5.8 opening and operating bank accounts;
- 1.5.9 accumulating surplus funds for investment purposes;
- 1.5.10 investing any of the funds of EHA in any investment authorised by the Trustee Act 1936 or with the Local Government Finance Authority of South Australia provided that:
 - (a) in exercising this power of investment EHA must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
 - (b) EHA must avoid investments that are speculative or hazardous in nature.

1.6 **Property**

- 1.6.1 All property held by EHA is held on behalf of the Constituent Councils.
- 1.6.2 No person may sell, encumber or otherwise deal with any property of EHA without the approval of the Board by way of resolution at a Board meeting.

1.7 **Delegation by EHA**

EHA may by resolution delegate any of its powers or functions under this Charter but may not delegate the power to adopt budgets and financial reports.

A delegation is revocable at will and does not prevent EHA from acting in a matter.

1.8 **Competitive Neutrality**

EHA is not involved in a significant business activity.

2. **STRUCTURE**

- 2.1 EHA is a body corporate and is governed by its Board of Management (the Board), which has the responsibility to manage the business and other affairs of EHA ensuring that EHA acts in accordance with the Charter.
- 2.2 All meetings of EHA shall be meetings of the Board. All Board meetings shall be open to the public unless the Board, in accordance with Clause 3.6.14 of the Charter, makes an order. Members of the public may upon approval by the Board address the Board on issues on the agenda of the Board meeting, but will not have voting rights and may not debate issues.
- 2.3 The Board will be entitled to make decisions in accordance with the powers and functions of EHA.

3. **BOARD OF MANAGEMENT**

The Board is responsible for managing all activities of EHA and ensuring that EHA acts in accordance with this Charter.

3.1 **Membership of the Board**

- 3.1.1 The Board shall consist of a number of members that will be determined by appointments pursuant to this Clause 3.1.
- 3.1.2 Each Constituent Council must appoint two elected members to be Board Members and may at any time revoke these appointments and appoint other elected members on behalf of that Constituent Council.
- 3.1.3 Subject to Clause 3.1.9 a Board Member shall be appointed for the term of office for Elected Members to be specified in the instrument of appointment, and at the expiration of the term of office will be eligible for re-appointment by the Constituent Council.

- 3.1.4 Each Constituent Council may appoint two elected members to be Deputies, either of whom may act in place of that Constituent Council's Board Members if a Board Member is unable to be present at a meeting of the Board. The Constituent Council may revoke the appointment of a Deputy and appoint another elected member as Deputy at any time.
- 3.1.5 In the absence of a Board Member, the Deputy Board Member has all of the rights and responsibilities of the Board Member.
- 3.1.6 Each Constituent Council must give notice in writing to EHA of the elected members it has appointed as Board Members and Deputy Board Members and of any revocation of any of those appointments.
- 3.1.7 A Constituent Council may invite any of its elected members or employees to attend meetings of the Board. Those so invited may be heard but only a Board Member may exercise a vote.
- 3.1.8 The provisions regarding terminating the appointment of a Board Member as prescribed in the Act apply to all Board Members in the same manner as if they were elected members of a Council.
- (See Clause 20, Part 2, Schedule 2 of the Act for the grounds that give rise to a vacancy)*
- 3.1.9 The Board may by a two thirds majority vote of the Board Members present (excluding the Board Member subject to this Clause 3.1.9) make a recommendation to the relevant Constituent Council requesting that the Constituent Council terminate the appointment of a Board Member in the event of:
- (a) any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;
 - (b) serious neglect of duty in attending to the responsibilities of a Board Member;
 - (c) breach of fiduciary duty to EHA or the Constituent Council(s);
 - (d) breach of the duty of confidentiality to EHA or the Constituent Council(s);
 - (e) breach of the conflict of interest provisions of the Act; or
 - (f) any other behaviour that may, in the opinion of the Board, discredit EHA.
- 3.1.10 The members of the Board shall not be entitled to receive any remuneration in respect of their attendance at meetings, or any other business of the Board of Management without first having obtained approval in relation to both the amount and the purpose for the payment from the Constituent Councils.
- 3.1.11 "Approval" for the purposes of Clause 3.1.10 shall mean the unanimous agreement of the Constituent Councils.

3.2 **Functions of the Board**

- 3.2.1 The formulation of plans and strategies aimed at improving the activities of EHA.
- 3.2.2 To provide input and policy direction to EHA.
- 3.2.3 Monitoring, overseeing and evaluating the performance of the Chief Executive Officer of EHA.
- 3.2.4 Ensuring that ethical behaviour and integrity is maintained in all activities undertaken by EHA.
- 3.2.5 Subject to subclause 3.6.14 ensuring that the activities of EHA are undertaken in an open and transparent manner.
- 3.2.6 Assisting in the development of Business Plans.
- 3.2.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

3.3 **Propriety of Members of the Board**

- 3.3.1 The provisions regarding conflict of interest prescribed in the Act apply to all Board Members in the same manner as if they were elected members of a Council.

(See Chapter 5, Part 4, Division 3 of the Act for Conflict of Interest Provisions)

- 3.3.2 Board Members are not required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 3.3.3 Board Members must at all times act in accordance with their duties of confidence and confidentiality, and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties, as required by Chapter 5, Part 4, Division 1 of the Act and Clause 23 of Part 2 of Schedule 2 to the Act.

3.4 **Chair of the Board**

- 3.4.1 A Chair and Deputy Chair shall be elected at the first meeting of the Board after a General Election, and annually thereafter, by and from the Board Members appointed by the Constituent Councils.
- 3.4.2 Where there is more than one nomination for the position of Chair or Deputy Chair, the election shall be decided by ballot.
- 3.4.3 Subject to legislation and any provision in this Charter to the contrary, the Chair and Deputy Chair shall hold office for a period of one year from the date of election by the Board of Management.
- 3.4.4 Both the Chair and Deputy Chair shall be eligible for re-election to their respective offices at the end of their respective one year term.
- 3.4.5 If the Chair should cease to be a Board Member, the Deputy Chair may act as Chair until the election of a new Chair.

3.5 **Powers of the Chair and Deputy Chair**

- 3.5.1 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the Deputy Chair shall preside. In the event of the Chair and Deputy Chair being absent from a meeting, the Board Members present shall appoint a member from amongst them, who shall preside for that meeting or until the Chair or Deputy Chair is present.
- 3.5.2 The Chair shall have a deliberative vote but no second or casting vote.
- 3.5.3 The Chair and the Deputy Chair individually or collectively shall have such powers as may be decided by the Board.

3.6 **Meetings of the Board**

- 3.6.1 The Board may determine procedures, in addition to but not inconsistent with those specified in this Charter, to apply at or in relation to its meetings.

The provisions of the Local Government (Procedures at Meetings) Regulations 2000 (including any amendments) shall insofar as the same may be applicable and not inconsistent with the provisions herein, apply to the proceedings at and conduct of all meetings of the Board or Committees appointed by the Board.
- 3.6.2 Ordinary meetings of the Board must take place at such times and places as may be fixed by the Board or the Chief Executive Officer of EHA in consultation with the Chair from time to time, and in the event not less than five times per operating year.
- 3.6.3 An ordinary meeting of the Board will constitute an ordinary meeting of EHA.
- 3.6.4 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means (telecommunications meeting) of the Board Members, provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting, must at all times during the telecommunications meeting be able to hear and be heard by the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.
- 3.6.5 Notice of ordinary meetings of the Board must be given by the Chief Executive Officer of EHA to each Board Member and Chief Executive Officer of the Constituent Councils at least three clear days prior to the holding of the meeting.

- 3.6.6 Any two Board Members may by delivering a written request to the Chief Executive Officer of EHA require a special meeting of the Board to be held. On receipt of the request, the Chief Executive Officer of EHA shall send a notice of the special meeting to all Board Members and Chief Executive Officers of the Constituent Councils at least three days prior to the commencement of the special meeting. Such notice shall specify the date, time and place of the special meeting and be signed by the Chief Executive Officer of EHA, and contain, or be accompanied by, the agenda for the meeting.
- 3.6.7 The request by two Board Members to the Chief Executive Officer of EHA requiring a special meeting to be held must be accompanied by the proposed agenda for the meeting and any written reports intended to be considered at the meeting (and if the proposed agenda is not provided the request is of no effect).
- 3.6.8 The Chair may convene special meetings of the Board at the Chair's discretion without complying with the notice requirements prescribed by Clause 3.6.6 provided always that there is a minimum one hour notice given to Board Members.
- 3.6.9 *Quorum*
- (a) The prescribed number of Board Members will constitute a quorum at a meeting and no business will be transacted at a meeting unless a quorum is present.
- (b) The prescribed number of Board Members means a number ascertained by dividing the total number of Board Members for the time being in office by two, ignoring any fraction resulting from the division and adding one.
- 3.6.10 *Voting*
- (a) Each Board Member including the Chair, is entitled to make a deliberative vote on behalf of their Constituent Council. The Chair does not have a casting vote in the event of an equality of votes.
- (b) Questions arising for decision at ordinary meetings of the Board will be decided by an absolute majority of votes on the basis of one vote per Board Member, providing the number of 'for' votes is not less than the absolute majority of Constituent Councils. The Chair may move to have a question considered for decision.
- (c) Each Board Member validly present at a meeting and entitled to vote in accordance with Clause 3.16.10 (a), must vote on a question arising for decision at the meeting.
- 3.6.11 A majority of the Board Members present at a meeting of the Board may adjourn the meeting from time to time and from place to place.
- 3.6.12 Subject to Clause 3.6.14 meetings of the Board must be conducted in a place open to the public.
- 3.6.13 All Board Members must at all times keep confidential all documents and any other information provided to them on a confidential basis for their consideration prior to a meeting of the Board.
- 3.6.14 The Board may order that the public be excluded from attendance at any meeting under provisions contained in Chapter 6, Part 3, section 90 of the Act.
- Clause 3.6.14 does not apply to:
- (a) a Board Member; or
- (b) any other person permitted by the Board to remain in the room.
- 3.6.15 Where an order is made under Clause 3.6.14, a note must be made in the minutes of the making of the order and of the grounds on which it was made.
- 3.6.16 The Chief Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board.
- 3.6.17 Where the Chief Executive Officer is excluded from attendance at a meeting of the Board pursuant to Clause 3.6.14, the person presiding at the meeting shall cause the minutes to be kept.
- 3.6.18 Subject to Clause 3.6.20 a person is entitled to inspect, without payment of a fee:
- (a) minutes of a Board Meeting;
- (b) reports received by the Board Meeting;

- (c) recommendations presented to the Board in writing and adopted by resolution of the Board.
- 3.6.19 Subject to Clause 3.6.20, a person is entitled, on payment to the Board of a fee fixed by the Board, to obtain a copy of any documents available for inspection under Clause 3.6.18.
- 3.6.20 Clauses 3.6.18 and 3.6.19 do not apply in relation to a document or part of a document if:
 - (a) the document or part of the document relates to a matter of a kind referred to in Chapter 6, Part 3, section 90 of the Act; and
 - (b) the Board orders that the document or part of the document be kept confidential under section 91 of the Act (provided that in so ordering the Board must specify the duration of the order or the circumstances in which it will cease to apply or a period after which it must be reviewed).
- 3.6.21 Subject to this Charter and to any direction of the Constituent Councils the Board may determine its own procedures for voting, which must be fair and contribute to transparent and accountable decision-making.

4. CHIEF EXECUTIVE OFFICER

- 4.1 The Board shall appoint a Chief Executive Officer of EHA to manage the Business of the Board on terms agreed between the Chief Executive Officer and the Board.
- 4.2 The Chief Executive Officer is responsible to EHA for the execution of decisions taken by EHA and for the efficient and effective management of the affairs of EHA.
- 4.3 The Chief Executive Officer shall cause records to be kept of all activities and financial affairs of EHA in accordance with this Charter, in addition to other duties provided for by this Charter and those specified in the terms and conditions of appointment.
- 4.4 The Board shall delegate responsibility for the day-to-day management of EHA to the Chief Executive Officer, who will ensure that sound business, financial and human resource management practices are applied to ensure the efficient and effective management of the operations of EHA.
- 4.5 The functions of the Chief Executive Officer shall be specified in the terms and conditions of appointment and shall include but are not limited to:
 - 4.5.1 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
 - 4.5.2 providing information to assist the Board in assessing EHA's performance against its Strategic Management and Business Plans;
 - 4.5.3 appointing, managing, suspending and dismissing employees of EHA;
 - 4.5.4 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
 - 4.5.5 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of EHA;
 - 4.5.6 ensuring that the assets and resources of EHA are properly managed and maintained;
 - 4.5.7 ensuring that records required under the Act or any other legislation are properly kept and maintained;
 - 4.5.8 exercising, performing or discharging other powers, functions, delegations or duties conferred on the Chief Executive Officer by the Act or under another Act, and performing other functions lawfully directed by the Board; and
 - 4.5.9 achieving financial outcomes in accordance with adopted plans and budgets of EHA.
- 4.6 The Chief Executive Officer may delegate or sub-delegate to an employee of EHA or a committee comprised of employees of EHA, any power or function vested in the Chief Executive Officer. Such delegation or sub-delegation may be subject to any conditions or limitations as determined by the Chief Executive Officer.
- 4.7 Where a power or function is delegated to an employee, or a person occupying a particular office or position, that employee or person is responsible to the Chief Executive Officer for the efficient and effective exercise or performance of that power or function.
- 4.8 A written record of all delegations and sub-delegations must be kept by the Chief Executive Officer at all times.

- 4.9 In the absence of the Chief Executive Officer for any period exceeding four weeks, the Chief Executive Officer shall appoint a suitable person as Acting Chief Executive Officer. If the Chief Executive Officer does not make or is incapable of making such an appointment a suitable person must be appointed by the Board.

5. MANAGEMENT

5.1 Financial Management

- 5.1.1 EHA shall keep proper books of accounts, and reconsider its budget at least three times at intervals of not less than three months between 30 September and 31 May each financial year, in accordance with the requirements of the Local Government (Financial Management) Regulations 1999.
- 5.1.2 EHA's books of account must be available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.
- 5.1.3 EHA must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 5.1.4 All cheques must be signed by two persons so authorised by resolution of the Board.
- 5.1.5 Any payments made by Electronic Funds Transfer must be made in accordance with procedures approved by the External Auditor.
- 5.1.6 The Chief Executive Officer must act prudently in the handling of all financial transactions for EHA and must provide financial reports to the Board at its meetings and if requested, the Constituent Councils.

5.2 Funding Contributions

- 5.2.1 Every Constituent Council shall be liable to contribute moneys to EHA each financial year for its proper operation.
- 5.2.2 The contribution to be paid by a Constituent Council for any financial year shall be determined by calculation of the Constituent Council's proportion of EHA's overall activities. The formula used to determine the proportional funding is detailed in Schedule 1.
- 5.2.3 The contributions shall be paid in two equal half yearly instalments within one month of a written request from the Chief Executive Officer.
- 5.2.4 The method of determining contributions can be changed with the written approval of not less than two thirds of the Constituent Councils.
- 5.2.5 If a Council becomes a Constituent Council after the first day of July in any financial year, the contribution payable by that Council for that year will be calculated on the basis of the number of whole months (or part thereof) remaining in that year.

5.3 Audit

- 5.3.1 The Board shall appoint an External Auditor in accordance with the Local Government (Financial Management) Regulations 1999.
- 5.3.2 The External Auditor shall hold office until the Board of Management rescinds the appointment.
- 5.3.3 The External Auditor will have the same powers and responsibilities as set out in the Act in relation to a Council.
- 5.3.4 The audit of financial statements of EHA, together with the accompanying report from the External Auditor, shall be submitted to both the Board and the Constituent Councils.
- 5.3.5 The books of account and financial statements shall be audited at least once per year.
- 5.3.6 EHA is not required to establish an audit committee.

5.4 Business Plan and Strategic Management Plan

- 5.4.1 EHA shall:
- 5.4.1.1 prepare a three year Business Plan linking the core activities of EHA to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;

- 5.4.1.2 the Board shall compare the Business Plan against performance targets at least once every operating year;
- 5.4.1.3 in consultation with the Constituent Councils review the contents of the Business Plan annually; and
- 5.4.1.4 consult with the Constituent Councils prior to amending the Business Plan.
- (See Clause 24, Part 2, Schedule 2 to the Act for the contents of the Business Plan)*
- 5.4.2 EHA may prepare and implement a five year Strategic Management Plan.
- 5.4.3 If EHA prepares and implements a Strategic Management Plan the plan must:
- (a) identify EHA's objectives over the period;
 - (b) identify the principal activities that EHA intends to undertake to achieve its objectives;
 - (c) state the measures that are to be used to monitor and assess the performance of EHA over the period;
 - (d) identify the broad means by which its activities are to be carried out;
 - (e) address issues associated with arranging its affairs; and
 - (f) make provision for the review of this Charter and activities.
- 5.4.4 EHA may amend its Strategic Management Plan at any Board meeting, but must review the Strategic Management Plan at least once every five years.
- 5.5 Annual Program and Budget**
- 5.5.1 A proposed budget detailing the estimated revenues, costs and contributions for the forthcoming financial year shall be submitted by the Chief Executive Officer to the Board at its April meeting.
- 5.5.2 The proposed budget detailing the estimated revenues, costs and contributions shall not be endorsed prior to 31 May for the ensuing financial year.
- 5.5.3 The Board must provide a copy of the adopted budget to the Chief Executive Officers of each Constituent Council within five business days of its adoption. The budget shall be adopted by the Constituent Councils prior to 30 June each year.
- (See Clause 25, Part 2, Schedule 2 to the Act for the contents of the Budget).*
- 5.6 Reporting**
- 5.6.1 EHA must submit to the Constituent Councils, at least once in each operating year and prior to 31 August of the subsequent operating year, a report on the work and operations of EHA detailing achievement of the aims and objectives of its Business Plan and incorporating the audited Financial Statements of EHA and any other information or report as required by the Constituent Councils.
- 5.6.2 The Board shall present a balance sheet and full financial reports to the Constituent Councils at the end of each operating year.
- 5.6.3 The operating or financial year for EHA shall be 1 July in each year to 30 June in the subsequent year.
- 6. MISCELLANEOUS**
- 6.1 New Members**
- This Charter may be amended by the unanimous agreement of the Constituent Councils and the approval of the Minister to provide for the admission of a new Constituent Council or Councils, with or without conditions of membership.
- 6.2 Withdrawal**
- 6.2.1 Subject to any legislative requirements, including but not limited to Ministerial approval, a Constituent Council may resign from EHA at any time by giving a minimum 12 months notice expiring on 30 June in the financial year after which the notice period has expired unless otherwise agreed by unanimous resolution of the other Constituent Councils.

The notice shall be in writing to the Chief Executive Officer and each of the other Constituent Councils.

- 6.2.2 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by EHA at any time before or after such withdrawal in respect of any act or omission by EHA prior to such withdrawal.
- 6.2.3 Payment of moneys outstanding under this Charter, by or to the withdrawing Constituent Council must be fully paid by 30 June of the financial year following 30 June of the year in which the withdrawal occurs unless there is a common agreement of alternative payment arrangements by the Constituent Councils.
- 6.2.4 In the event of a winding up of EHA, any surplus assets after payment of all expenses shall be returned to Constituent Councils in proportion to the contribution paid in the financial year prior to the passing of the resolution to wind up.
- 6.2.5 In the event of EHA becoming insolvent, the Constituent Councils will be responsible for all liabilities of EHA in proportion to the contribution paid in the financial year prior to the year of the insolvency.

6.3 Insurance and Superannuation Requirements

- 6.3.1 EHA shall register with the Local Government Mutual Liability Scheme and comply with the Rules of that Scheme.
- 6.3.2 EHA shall advise the Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of EHA.
- 6.3.3 If EHA employs any person it shall register with the Local Government Superannuation Scheme and the Local Government Workers Compensation Scheme and comply with the Rules of those Schemes.

6.4 Direction by Constituent Councils

- 6.4.1 The establishment of EHA does not derogate from the power of the Constituent Councils to jointly act in any manner prudent to the sound management and operation of EHA, provided that the Constituent Councils have first agreed by resolution of each Constituent Council as to the action to be taken.
- 6.4.2 For the purpose of subclause 6.4.1, any direction given by the Constituent Councils must be given in writing to the Chief Executive Officer of EHA.

6.5 Alteration and Review of Charter

- 6.5.1 This Charter will be reviewed by the Constituent Councils acting jointly at least once in every three years.
- 6.5.2 This Charter can only be amended by unanimous resolution of the Constituent Councils. The amended Charter must be ratified at a meeting of the Board.
- 6.5.3 Notice of a proposed alteration must be given by the Chief Executive Officer to all Constituent Councils at least four weeks prior to the Council meeting at which the alteration is proposed.
- 6.5.4 The Chief Executive Officer must ensure that the amended Charter is published in the *Government Gazette* and a copy of the amended Charter provided to the Minister.

6.6 Disputes Between Constituent Councils

- 6.6.1 The Constituent Councils agree to work together in good faith to resolve any matter requiring their direction or resolution.
- 6.6.2 Where the Constituent Councils are unable to resolve a matter within 21 days of the matter being presented to them, the matter will be referred by the Board to the Chair (or his/her nominee) of the Institute of Arbitrators and Mediators Australia for arbitration.
- 6.6.3 Notwithstanding subclause 6.6.2 the Constituent Councils agree to be bound by the decision of the appointed arbitrator (except in relation to any decision relating to the acquisition or disposal of any real property) and will endeavour to work together in good faith in the implementation of that decision.
- 6.6.4 The costs of arbitration shall be borne equally by the Constituent Councils involved in the arbitration.

6.7 Committees

6.7.1 The Board may establish a committee for the purpose of:

- (a) enquiring into and reporting to the Board on any matter within EHA's functions and powers and as detailed in the terms of reference given by the Board to the committee;
- (b) exercising, performing or discharging delegated powers, functions or duties.

6.7.2 A member of a committee established under this Clause holds office at the pleasure of the Board.

6.7.3 The Chair of the Board is an *ex officio* member of any committee or advisory committee established by the Board.

6.8 Common Seal

6.8.1 EHA shall have a common seal upon which its corporate name shall appear in legible characters.

6.8.2 The common seal shall not be used without the express authorisation of a resolution of EHA and every use of the common seal shall be recorded in the minute book of EHA.

6.8.3 The affixing of the common seal shall be witnessed by the Chair or Deputy Chair, and the Chief Executive Officer or such other persons as the Board may appoint for the purpose.

6.8.4 The common seal shall be kept in the custody of the Chief Executive Officer or such other person as EHA may from time to time decide.

6.9 Circumstances Not Provided For

6.9.1 If any circumstances arise about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Chief Executive Officer may decide the action to be taken to ensure achievement of the objects of EHA and its effective administration.

6.9.2 The Chief Executive Officer shall report any such decision at the next Board of Management meeting.

6.10 Liability

6.10.1 The liabilities incurred and assumed by the Authority are guaranteed by all Constituent Councils in the proportion specified in the funding contribution calculation formula.

6.11 Winding Up

6.11.1 The Authority may be wound up by the Minister acting upon a unanimous resolution of the Constituent Councils or by the Minister in accordance with Schedule 2, Part 2, Clause 33 (1) (b) of the Act.

6.11.2 In the event of EHA being wound up, any surplus assets after payment of all expenses shall be returned to the Constituent Councils in the proportion specified in the funding contribution calculation formula of the Constituent Councils prior to the passing of the resolution to wind up.

6.11.3 If there are insufficient funds to pay all expenses due by EHA on winding up, a levy shall be imposed on all Constituent Councils in the proportion determined under the formula contained in Schedule 1 prior to the passing of the resolution to wind up.

6.12 Non-derogation and Direction by Constituent Councils

6.12.1 The establishment of EHA does not derogate from the power of any of the Constituent Councils to act independently in relation to a matter within the jurisdiction of EHA.

6.12.2 Provided that the Constituent Councils have all first agreed unanimously as to the action to be taken, the Constituent Councils may direct and control EHA.

6.12.3 For the purposes of Clause 6.11.1, any decision of the Constituent Councils under Clause 6.11.2 and/or direction given or control exercised by the Constituent Councils must be given in writing to the Chief Executive Officer of EHA.

SCHEDULE ONE

Constituent Council Funding Formula

The funding for a Constituent Council is determined by its proportion of the overall Eastern Health Authorities activities as at 30 March of each year.

Each activity has been weighted according to its proportion of the Eastern Health Authority overall activities and is currently represented by the following percentages.

The administration proportion is however divided evenly between the Constituent Councils.

Activity	Proportional Percentage of Activities
Administration (to be shared evenly).	7.5%
Number of Food Premises.	25%
Number of Environmental Health Complaints in previous financial year.	13%
Number of Supported Residential Facilities.	12%
Number of Cooling Towers.	5%
Number of Hairdresser/Beauty Treatment/Acupuncturists.	4.5%
Number of Public Access Swimming Pools.	3%
Number of School enrolments in year levels vaccinated during previous financial year.	15%
Number of Vaccines administered at public clinics during previous financial year.	15%
Total	100%

The formula for calculating the proportional funding is provided on the following page.

Activity Description	Code	Activity weighting	Constituent Council - 1	Constituent Council - 2	Constituent Council - 3	Constituent Council - 4	Constituent Council - 5	Total
Administration (to be shared evenly).	A	7.5%	7.5%/ CC	7.5%/ CC	7.5%/ CC	7.5%/ CC	7.5%/ CC	7.5%
Number of Food Premises.	B	25%	(N/B)x AW	(N/B)x AW	(N/B)x AW	(N/B)x AW	(N/B)x AW	25%
Number of Environmental Health Complaints in previous financial year.	C	13%	(N/C)x AW	(N/C)x AW	(N/C)x AW	(N/C)x AW	(N/C)x AW	13%
Number of Supported Residential Facilities.	D	12%	(N/D)x AW	(N/D)x AW	(N/D)x AW	(N/D)x AW	(N/D)x AW	12%
Number of Cooling Towers.	E	5%	(N/E)x AW	(N/E)x AW	(N/E)x AW	(N/E)x AW	(N/E)x AW	5%
Number of Hairdresser/Beauty Treatment/Acupuncturists.	F	4.5%	(N/F)x AW	(N/F)x AW	(N/F)x AW	(N/F)x AW	(N/F)x AW	4.5%
Number of Public Access Swimming Pools.	G	3%	(N/G)x AW	(N/G)x AW	(N/G)x AW	(N/G)x AW	(N/G)x AW	3%
Number of School enrolments in year levels vaccinated during previous financial year.	H	15%	(N/H)x AW	(N/H)x AW	(N/H)x AW	(N/H)x AW	(N/H)x AW	15%
Number of Vaccines administered at public clinics during previous financial year.	I	15%	(N/I)x AW	(N/I)x AW	(N/I)x AW	(N/I)x AW	(N/I)x AW	15%
Total Proportion of contribution			Sum A-I	Sum A-I	Sum A-I	Sum A-I	Sum A-I	100%

N = Number in Constituent Council area.

B through to I = Total number in all Constituent Councils.

AW = Activity weighting.

CC = Number of Constituent Councils (example provided uses five Constituent Councils.)

Original Charter *Gazetted* on 19 July 2001

Alterations/Amendments Date of Effect 1 July 2005

Dated 23 August 2005.

RORY MCEWEN, Minister for State/Local Government Relations

LOCAL GOVERNMENT ACT 1999

EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

Amended Charter of a Regional Subsidiary

THE District Councils of Ceduna, Cleve, Elliston, Franklin Harbour, Kimba, Le Hunte, Lower Eyre Peninsula, Streaky Bay, Tumby Bay and Whyalla City Council, (the Constituent Councils) have resolved to amend the Charter of the Eyre Peninsula Local Government Association Regional Subsidiary to take effect from 3 December 2004.

This subsidiary is established pursuant to section 43 of the Local Government Act 1999, for the purpose of a Regional Association of Councils under Part 4 of the Constitution and Rules of the Local Government Association of South Australia, to work with that Association in achieving its aims and objectives, including but not limited to being a regionally focused organisation, actively advocating, leading and promoting the region on behalf of a united and effective membership, to encourage and facilitate a strong, diverse and sustainable regional economy, enhance the region's unique built and natural environment utilising a collaborative approach, build a strong regional community supported by equitable and high quality service provision.

The amended Charter of the Eyre Peninsula Local Government Association Regional Subsidiary is set out below.

EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

Amended Charter

That pursuant to Clause 19, Part 2, Schedule 2 of the Local Government Act 1999, the following Charter was originally adopted by an absolute majority of delegates at the Annual General Meeting of the Eyre Peninsula Local Government Association held on 24 June 2002, at which delegates of all Constituent Councils were present. The Charter was subsequently amended at a Special General Meeting on 3 December 2004 in accordance with Clause 26.

Eyre Peninsula Local Government Association became a regional subsidiary on 21 November 2002. Notice of approval and Charter were published in the *Government Gazette* on that date.

1. INTERPRETATION

'Absolute majority' means a majority of the whole number of members.

'Act' means the Local Government Act 1999.

'AGM' means the Annual General Meeting.

'Association' means the Eyre Peninsula Local Government Association.

'Council' means a Council as constituted under the Local Government Act 1999.

'Board Member' means a person appointed by a Constituent Council.

'EPLGA' means the Eyre Peninsula Local Government Association.

'Executive Committee' means the Executive Committee formed by the appointment of persons by the Constituent Councils under this Charter.

2. NAME

The Regional Subsidiary will be called the Eyre Peninsula Local Government Association.

3. PURPOSE OF THE ASSOCIATION

The purpose of the Eyre Peninsula Local Government Association shall be:

- 3.1 As the Association is a Regional Association of Councils under Part 4 of the Constitution and Rules of the Local Government Association of South Australia, and as such will work with that Association in achieving its aims and objectives.
- 3.2 To encourage, promote, protect, and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities.

- 3.3 To identify available resources within the region and to co-ordinate or assist in co-ordinating the management of these resources for the betterment of their region's community.
- 3.4 To encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region's constituents.
- 3.5 To develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, regional organisations, State and Commonwealth Governments and their instrumentalities.
- 3.6 To develop, encourage, promote, foster and maintain the financial and economic well-being and advancement of the region, and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture, which in the opinion of EPLGA is necessary, desirable or convenient.
- 3.7 To effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region.
- 3.8 To be a regionally focused organisation, actively advocating, leading and promoting the region on behalf of a united and effective membership.
- 3.9 To encourage and facilitate a strong, diverse and sustainable regional economy.
- 3.10 To enhance the region's unique built and natural environment utilising a collaborative approach.
- 3.11 To build a strong regional community supported by equitable and high quality service provision.

4. POWERS

EPLGA will have the following powers (in addition to and without prejudice to any other powers herein expressed or implied or by virtue of any other legislation applicable):

- 4.1 To subscribe to, become a member of and/or co-operate with any other association or organisation whose objects are altogether or in part similar or complementary to those of EPLGA and on such terms, as EPLGA deems appropriate.
- 4.2 To enter into any arrangement with any Government or authority that is incidental or conducive to the attainment of the objects and the exercise of the powers of EPLGA.
- 4.3 To appoint, employ, remunerate, remove or suspend such officers, managers, agents and employees as necessary for the purposes of EPLGA.
- 4.4 To raise revenue through subscriptions or levies from Constituent Councils. To apply for grants from Government Agencies and to seek sponsorship from business and industry.
- 4.5 To print or publish any newspapers, periodicals, books, leaflets, treatise, or other writing that EPLGA may think desirable for the promotion of its objects.
- 4.6 To appoint such committees as it deems necessary and to define the duties of such committees. The acts of any such committee shall be submitted before execution or discharge thereof for approval to EPLGA, provided that EPLGA may delegate the power of action in a single issue to a committee. Such a committee may consist partly of persons who are not representatives of Constituent Councils.
- 4.7 To co-opt to any duly appointed committee, any elected representatives, any officer of a Constituent Council, or any other appropriate person deemed desirable for the efficient function of that committee.
- 4.8 To appoint, from time to time, a solicitor or solicitors to provide the legal services required by the EPLGA, and may engage such other consultants as may be necessary or desirable to achieve the objectives of EPLGA.
- 4.9 To acquire, hold, deal with, and dispose of any real or personal property.
- 4.10 To open and operate bank accounts.
- 4.11 To invest its funds to the best advantage and to use the accumulated moneys to carry out its functions prescribed by these Rules provided that EPLGA acts in accordance with Part 4, Chapter 9 of the Local Government Act 1999. To return to the Constituent Councils at any time it deems fit any surplus funds by resolution.

- 4.12 To borrow money by loan funds or overdraft, on such conditions as EPLGA sees fit for the purpose of the Association. An Order to Borrow by EPLGA can only be made by an absolute majority vote of the voting delegates of Constituent Councils, indicated in writing, after each Council has been presented with a proposal for borrowing by EPLGA.
- 4.13 To give such security for the discharge of liabilities incurred by EPLGA as EPLGA thinks fit.
- 4.14 To enter into other contracts that EPLGA considers necessary or desirable for the attainment of its objectives.
- 4.15 To do all such things as are incidental or conducive to the attainment of the objects, the furtherance of the interests and the exercise of the powers of EPLGA.
- 4.16 To delegate all or any of EPLGA's powers to the Executive as hereinafter prescribed subject to such limitations and conditions as may be determined by EPLGA, and such delegation is revocable by EPLGA and does not derogate from the power of EPLGA to act itself in any matter.
- 4.17 EPLGA may establish a committee of its members for the purpose of:
 - (a) Inquiring into and reporting to the Executive Committee on any matter within EPLGA's terms of reference given by the Executive Committee to the committee.
 - (b) Exercising, performing and discharging delegated powers, functions or duties.
 - (c) Investigating opportunities for resource sharing within the region and implementing strategies to take advantage of any such opportunities.
- 4.18 A member of a committee established in accordance with Clause 4.17 holds office at the pleasure of the Executive Committee.
- 4.19 The President of the Association shall be *ex officio* a member of all committees.

5. CONSTITUENT COUNCILS

- 5.1 The Constituent Councils of EPLGA shall comprise the District Councils of Ceduna, Cleve, Elliston, Franklin Harbour, Kimba, Le Hunte, Lower Eyre Peninsula, Streaky Bay, Tumby Bay and Whyalla City Council or their successors.
- 5.2 Any other Council may apply in writing to the Executive Officer setting out the reasons why the Council wishes to become a Constituent Council of EPLGA.
- 5.3 The Executive Officer shall forward the application to every Constituent Council not less than four weeks prior to the general meeting of the Association at which it is to be considered.
- 5.4 A Council is recommended to become a Constituent Council if an absolute majority vote of the Constituent Councils so resolve.
- 5.5 EPLGA shall then put its recommendation for the Council to become a Constituent Council to the Minister in accordance with Clause 29 of Schedule 2 of the Act.
- 5.6 On the granting of the approval of the Minister, the Council shall become a Constituent Council.

6. CEASING AS A CONSTITUENT COUNCIL

- 6.1 Subject to first having obtained approval from the Minister in accordance with Clause 29 of Schedule 2 of the Act, any Constituent Council may resign from EPLGA at any time, by giving three months written notice of such resignation to the Executive Officer, provided that its subscription for the current year and any other moneys outstanding prior to the date of its giving notice of resignation, has been paid to EPLGA.
- 6.2 The withdrawal of any Constituent Council shall not extinguish the liability of that Council for the payment of all contributions towards the total income of EPLGA for the financial year in which such withdrawal shall take place, regardless of whether such contributions fall due for payment after the date of such withdrawal.
- 6.3 The withdrawal of any Constituent Council shall not extinguish the liability of such Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of EPLGA at the end of the financial year in which such withdrawal shall occur.

6.4 The withdrawal of any Constituent Council shall not extinguish the liability of such Council to contribute to any loss or liability incurred by EPLGA at any time before or after such withdrawal in respect of any act or omission by EPLGA prior to such withdrawal.

6.5 Any Constituent Council that withdraws shall have the right, upon resignation, to make the submission to the Association seeking compensation for their prior contribution to any assets of EPLGA.

7. SOURCES OF REVENUE

7.1 Every Constituent Council shall be liable to contribute moneys to EPLGA in each financial year.

7.2 Each Constituent Council shall contribute towards the funding of the Eyre Peninsula Local Government Association each year, that subscription determined and adopted at the Annual General Meeting for the following financial year, which will be due and payable within one month of written request for payment from EPLGA.

7.3 If a Council becomes a Constituent Council after the first day of July in any year, its subscription payable for that year will be on a *pro rata* basis.

7.4 A *pro rata* subscription will be calculated as from the first day of the month following that in which Constituent Council membership was granted and will be due and payable one calendar month thereafter.

7.5 The Constituent Councils shall not be required to contribute additional levies to the Authority except in accordance with the terms and conditions agreed to in writing by each Constituent Council.

7.6 EPLGA may borrow funds for specific projects in accordance with Clause 4.12 of this Charter.

8. INSURANCE OF MEMBERS AND OFFICERS

EPLGA must effect and maintain sufficient insurance cover to indemnify EPLGA and its Constituent Councils as well as its own members and officers, against claims for public liability and professional indemnity arising out of the operation of EPLGA.

9. DISQUALIFICATION

9.1 If any Constituent Council shall fail to pay its annual subscriptions or any other moneys that are due and payable to EPLGA, the Executive Officer shall give written notice of default thereof to the Council demanding payment of the same.

9.2 Any Constituent Council which fails to pay its annual subscription or any other moneys within three months from the date upon which the same is due and payable, may be removed from the register of members by the Executive Committee, and shall thereupon cease to be a Constituent Council subject to any legislative requirements, and not precluding its liability that may accrue in terms of Clauses 6.3 and 6.4 as hereinbefore provided.

9.3 The Executive Officer will give notice in writing to the Council that its status as a Constituent Council of EPLGA has been terminated.

10. BOARD MEMBERS

10.1 Prior to the Annual General Meeting of the Eyre Peninsula Local Government Association, each Constituent Council will appoint two persons, at least one of whom shall be an elected member of Council, to be Board Members of the Eyre Peninsula Local Government Association.

Such appointment, which may be altered at any time and subsequent alterations, shall be confirmed in writing to the Executive Officer prior to the commencement of any meeting.

10.2 At the Annual General Meeting, the Board Members of the Eyre Peninsula Local Government Association will elect the following office holders:

- President;
- Senior Vice-President;
- Junior Vice-President;
- Representative to the Local Government Association of South Australia.

- 10.3 Board Members of EPLGA shall be eligible for such allowances from the funds of EPLGA determined from time to time by resolution.
- 10.4 Should any extraordinary vacancy occur in the membership of EPLGA Board, such vacancy is to be filled by a nomination from the Constituent Council that originally appointed the member to the vacant office.
- 10.5 Each member and proxy member shall hold office until (whichever occurs first):
- resignation by notice in writing has been given to the Executive Officer (a copy of which shall be given to the Chief Executive Officer of that member's Constituent Council);
 - ceasing to be an elected or staff member of the Constituent Council that appointed the member;
 - that person is removed from that office by the Constituent Council; or
 - conclusion of the next ensuing periodical election for the Constituent Council.
- Each member and proxy member is eligible for re-appointment.
- 10.6 Board Members shall be required to comply with the provisions of Chapter 5, Part 4, Division 2 of the Act.

11. EXECUTIVE COMMITTEE

- 11.1 Constituent Councils shall appoint one of its Board Members to an Executive Committee, which shall have the full delegated powers of EPLGA to make all decisions and will, subject to any direction given by the AGM, be responsible for the management of EPLGA.
- 11.2 Business may be conducted by the Executive Committee to include that as delegated by a general meeting or any matter deemed to be of an urgent nature or of expediency by the President.
- 11.3 The Executive Committee will be responsible for the appointment of the Executive Officer, in addition to management and evaluation of the officer's performance and conditions.

12. DEPUTIES TO BOARD MEMBERS

- 12.1 Each Constituent Council is entitled to appoint one of its elected members or a staff member as Deputy Board Member, for any of its members that cannot attend any meeting of EPLGA or its committees who may exercise all rights, privileges and obligations of the Board Member, during the absence of the Board Member.
- 12.2 A Deputy Board Member shall have the voting rights of each Board Member that the Deputy Board Member represents.
- 12.3 Unless representing a Board Member, a Deputy Board Member shall be entitled to attend meetings, but not entitled to vote.

13. MEETINGS

- 13.1 The President shall preside over meetings of EPLGA which shall be held at such times and places as determined at the previous meeting:
- 13.1.1 The AGM, which shall be held during the month of July.
- 13.1.2 Two general meetings, one of which shall be held during the month of July and the other in December.
- 13.1.3 At least two Executive Meetings, including one held in March and the other held in September.
- 13.1.4 Special general meetings may be held at such times and places as determined by the Executive Committee, or by requisition in writing of any three members of EPLGA. One week's notice, in writing shall be given to all members for the date, time, place and reason for any special general meeting.
- 13.1.5 Urgent general meetings, should he/she deem such a meeting necessary upon such notice, will include the date, time, place and reasons for any urgent general meeting.
- 13.1.6 All other meetings of the Executive Committee.

- 13.2 The Executive Officer shall give notice of all meetings of EPLGA and the business to be transacted thereat, to each member and Chief Executive Officer of Constituent Councils:
- 13.2.1 Three weeks notice for the AGM, which shall include the Presidents Report and the Draft Budget for the ensuing year.
 - 13.2.2 Three weeks notice for general meetings.
 - 13.2.3 Two weeks notice for Executive Committee meetings.
 - 13.2.4 Reasonable notice given by post or fax to the Chief Executive Officer of each Constituent Council for urgent general meetings.
 - 13.2.5 Four weeks notice in the case of winding up the Association.
- 13.3 The President will chair all meetings. In the absence of the President, the Senior Vice-President or in his/her absence the Junior Vice-President assumes the responsibilities of the President and in the absence of the above office holders, an Acting Chairperson for that meeting only shall be elected from the members present.
- 13.4 All decisions regarding real property, investing or borrowing money and securities for discharge of liabilities will be made at a duly constituted general meeting of EPLGA having due regard for Clause 4.12.
- 13.5 Items for the agenda of a general meeting must be submitted in writing to the Executive Officer, at least four weeks before the date of the general meeting.

14. **QUORUM**

- 14.1 A quorum at the AGM and any meeting will be ascertained by dividing the total number of Board Members for the time being in office by two, ignoring any fraction resulting from the division and adding one.
- 14.2 A quorum at a meeting in the case of winding up will be constituted by the personal attendance of not less than 100% of the Board Members or their Deputies at that particular time.

15. **VOTING**

- 15.1 Questions arising at all meetings of EPLGA except for winding up (in accordance with Clauses 15.3 and 28.0) will be decided by the votes of the majority of members present.
- 15.2 The President will be entitled to a deliberative vote only.
- 15.3 A question regarding the winding up of EPLGA will be decided by an absolute majority of Constituent Councils present at the meeting, voting on the basis of two votes per Constituent Council present at the meeting, and such votes will be evidenced by two members from each Constituent Council holding a voting card.
- 15.4 Any question requiring a decision, having an equal number of votes, shall be held to be a negative vote.

16. **ADJOURNMENTS**

- 16.1 The President may adjourn a meeting at any time.
- 16.2 The members present at any meeting may from time to time resolve to adjourn such a meeting.

17. **ANNUAL GENERAL MEETING**

The AGM will:

- 17.1 Confirm the minutes of the previous AGM.
- 17.2 Receive the Annual Report. The Report shall include details of achievements of the aims and objectives of the Association's annual program and shall include the documents described in Clause 19.4.
- 17.3 Receive a financial statement for the preceding financial year.

- 17.4 Elect/appoint the following officers (all shall be elected members of the Association, and in the case of President, Senior Vice-President and Junior Vice-President, shall be of different Constituent Councils), who shall hold office for a one year term, but shall be eligible for re-election:
- President;
 - Senior Vice-President;
 - Junior Vice-President;
 - Representative to the Local Government Association.
- 17.5 Receive nominations from Constituent Councils and elect members of the Executive Committee for the ensuing year in accordance with Clause 11.1.
- 17.6 Appoint a suitably qualified person to the position of Auditor.
- 17.7 Fix subscriptions and or levies from Constituent Councils for the ensuing year in accordance with Clauses 7 and 19.
- 17.8 Appoint bank signatories in accordance with Clause 24.1.
- 17.9 Appoint any committees (other than the Executive Committee).
- 17.10 Consider the draft Business Plan prepared in accordance with Clause 24 of Schedule 2 of the Act and, following any amendment, adopt the Business Plan and make recommendations on the implementation of that Plan.
- 17.11 Review and consider comments from Constituent Councils and adopt the Budget for the following year.
- 17.12 Consider any other matter of which due notice has been given in accordance with Clause 13.5.

18. BUSINESS PLAN

- 18.1 The Executive Officer shall prepare a draft Business Plan in accordance with Clause 24 of Schedule 2 of the Act for consideration by the Executive Committee. The Business Plan shall be consistent with a Strategic Plan, which shall be prepared by EPLGA and distributed to its Constituent Councils. The Strategic Plan shall be reviewed so as to ensure that it is in force for not less than one year beyond the end of the year of the Business Plan under consideration.
- 18.2 The Executive Committee shall approve a draft Business Plan to be submitted to the AGM for adoption.
- 18.3 The Executive Committee shall review the performance against targets of the Business Plan not less than twice during each year.

19. REFERRAL OF BUDGET AND PROGRAM TO MEMBER COUNCILS

- 19.1 The Executive Officer shall prepare a draft Budget as an appendix to the Business Plan in accordance with the provisions of Clause 25 of Schedule 2 of the Act for consideration by the Executive Committee.
- 19.2 The Executive Committee shall recommend a draft Budget prior to the AGM. The draft Budget shall include a schedule showing the amount of subscriptions and/or levies required to be paid by Constituent Councils for the ensuing year.
- 19.3 For second and subsequent years during its implementation the Executive Committee shall adopt a report showing the performance of EPLGA against the targets set for the year in the Business Plan.
- 19.4 The following documents shall be included in the Agenda papers for the AGM:
- 19.4.1 EPLGA Strategic Plan.
 - 19.4.2 Business Plan recommended by the Executive Committee.
 - 19.4.3 Draft Budget recommended by the Executive Committee.
 - 19.4.4 For second and subsequent years, a report showing the performance of the EPLGA against the targets set for the year in the Business Plan.
- 19.5 The Annual Report of the Association shall be distributed to Constituent Councils by 30 September following its adoption by the AGM.

19.6 A Constituent Council that adopts a position contrary to the recommendations of the Executive Committee has the opportunity to debate the issue on the floor of the AGM.

19.7 A Constituent Council is not able to direct EPLGA.

20. EXECUTIVE OFFICER

20.1 EPLGA shall appoint a Chief Executive Officer, who shall have the title of Executive Officer, under such terms and conditions as the parties may agree. The Executive Committee may delegate powers to the Executive Officer to streamline the day-to-day operational/management issues of EPLGA.

20.2 The Executive Officer shall be the public officer of EPLGA.

20.3 The Executive Officer shall be responsible for the general administration of EPLGA in accordance with the Act and Regulations of that Act and the general law of the State and Commonwealth.

20.4 Where the Executive Officer is employed under a contract with EPLGA, the Association shall appoint one of the Constituent Council Chief Executive Officers to be the Contract Supervisor.

21. THE SEAL

21.1 The Association shall have a common seal upon which its corporate name shall appear in legible characters, which shall only be used in accordance with Clause 37 of Schedule 2 of the Act.

21.2 The seal shall not be used without the express authorisation of a resolution of the Association and every use of the seal shall be recorded in the minutes of the meeting. The affixing of the seal shall be witnessed by the Executive Officer and the President, or in the absence of the President, the presiding member, or two members present at the meeting.

21.3 The seal shall be kept in the custody of the Executive Officer or such person as EPLGA may from time to time decide.

22. STANDING ORDERS

22.1 Subject to this Charter the provisions of the Local Government (Procedures at Meetings) Regulations 2000 shall apply to the rules of debate and conduct of all meetings of EPLGA.

22.2 Any question as to the inconsistency of the conduct of a meeting with the meeting regulations and/or with this Charter at any meeting of EPLGA shall be determined at that meeting by the Chairperson of the meeting.

23. PROPERTY

23.1 All property held by the EPLGA will be held by it on behalf of the Constituent Councils.

23.2 No person may without the approval of EPLGA sell, encumber or otherwise deal with any property of EPLGA.

24. FINANCIAL MANAGEMENT

24.1 EPLGA shall maintain an operations bank account and such other accounts as it may determine from time to time. The operators of all bank accounts shall be the President and Executive Officer and not less than two members appointed at the AGM, where any two of the bank operators are required to operate the accounts.

24.2 The Executive Officer shall cause adequate and proper books of account to be kept in relation to all affairs of the Association.

24.3 The Executive Officer shall prepare a draft Operations Manual for the Executive Committee and, following any amendment shall adopt the Operations Manual and make recommendations on the implementation of the Manual.

24.4 EPLGA shall give due regard to Chapter 9, Part 4 of the Act when investing funds.

24.5 The financial year for EPLGA is from 1 July to 30 June.

24.6 EPLGA shall appoint an Auditor at the AGM.

24.7 The Association shall produce an EPLGA policy manual.

25. DISPUTE RESOLUTION

It is anticipated that there will be occasions when the views of Constituent Councils will differ on issues relating to the development and implementation of policy of EPLGA. It is legitimate that there will be differing views and Constituent Councils, through their Board Members, are urged to use the processes of investigation, consultation and debate within the meetings of EPLGA to achieve the best collective outcome for EPLGA.

Where a dispute situation arises:

- 25.1 Between Constituent Councils regarding the development or implementation of policy of EPLGA to the point that in the opinion of the Executive Committee the successful operation of EPLGA is in jeopardy.
- 25.2 Between a Constituent Council and EPLGA regarding the development or implementation of policy to the point that in the opinion of the Executive Committee the successful operation of EPLGA is in jeopardy.

Then the disputing parties are required to submit their dispute to an independent arbitrator.

- 25.3 The independent arbitrator shall be the President of the Local Government Association of South Australia or nominee.
- 25.4 The Constituent Councils and/or EPLGA in dispute shall have the opportunity to put their views both in writing and verbally to the independent arbitrator.
- 25.5 The determination of the independent arbitrator shall be binding on the Constituent Councils and/or EPLGA in dispute.
- 25.6 All costs of the arbitration process will be at the cost of the Constituent Councils involved in the dispute.

26. ALTERATION TO CHARTER

- 26.1 Any proposed alterations to this Charter will be approved at the AGM or at a special general meeting of EPLGA called for the purpose and must be carried by an absolute majority of the members.
- 26.2 Four weeks prior notice shall be given by the Executive Officer to all Constituent Councils setting out the nature of the proposed alteration.

27. CIRCUMSTANCES NOT PROVIDED FOR

If any circumstances arise to which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, EPLGA will have the power to determine what action may be taken to ensure the effective administration and objectives of EPLGA, provided that such action will be determined at a meeting of EPLGA.

28. WINDING UP

- 28.1 In addition to the provisions of Clause 33 of Schedule 2 of the Act, EPLGA may be wound up by the Constituent Councils.
- 28.2 In the event of dissolution and after payment of all expenses, any surplus assets shall be returned to Constituent Councils in proportion to the subscription paid in the financial year prior to the passing of the resolution to dissolve.
- 28.3 In the event of dissolution where there are insufficient funds to pay all expenses due by EPLGA a levy shall be struck to cover the deficiency such levy being in proportion to the subscription payable in the financial year prior to dissolution.

29. INSOLVENCY

In the event of the insolvency of EPLGA, each Constituent Council shall be responsible for the liabilities of the Association in proportion to the subscription payable in the financial year prior to its insolvency.

Original Charter: Adopted at EPLGA AGM Meeting on 24 June 2002.

Alterations/Amendments: EPLGA Special General Meeting on 3 December 2004.

Dated 23 August 2005.

RORY MCEWEN, Minister for State/Local Government Relations

LOCAL GOVERNMENT ACT 1999

Regulations by the Local Government Superannuation Board

THE Local Government Superannuation Board makes the following regulations pursuant to Part 2 of Schedule 1 of the Local Government Act 1999.

The Rules constituting the Local Government Superannuation Scheme known as Local Super are amended with effect from 1 November 2005 as follows:

1. Rule 2 (a) is amended by inserting a definition of 'Non-commutable Allocated Pension' immediately after the definition of 'Net Fund Earning Rate' as follows:

'Non-commutable Allocated Pension has the same meaning as the term is given under the Superannuation Industry (Supervision) Regulations.'

2. Rule 32 is amended by inserting a new Rule 32 (d) immediately after Rule 32 (c) as follows:

'(d) The Board may make payments to a Member who is in the Service of a Council if the payments relate to a Non-commutable Allocated Pension being paid in accordance with Rule 75.'

3. Rule 51 (c) is amended by:

3.1 deleting the word 'and' at the end of paragraph (iii) without replacement;

3.2 deleting the full stop at the end of paragraph (iv) and substituting the following:

'; and';

3.3 inserting a new paragraph (v) immediately after paragraph (iv) as follows:

'(v) any pension payments made or fees charged pursuant to Rule 75.'

4. Rule 75 is amended by:

4.1 inserting a new Rule 75 (aa) immediately after Rule 75 (a) as follows:

'(aa) In addition to a Non-commutable Allocated Pension becoming payable under Rule 75 (a) the Board may pay a Non-commutable Allocated Pension to a Member at a time when no other benefit is payable in accordance with the Rules if:

(i) the Member has attained preservation age for the purposes of the Superannuation Industry (Supervision) Regulations;

(ii) the Member has a balance in his or her Member's Credit of at least \$5 000 which the Board considers will be likely to be maintained notwithstanding the payment to the Member of a Non-commutable Allocated Pension;

(iii) the amount from which the Non-commutable Allocated Pension is determined is an amount accrued in respect of the Member in the Member's Credit at the date the Board determines to commence to pay the Non-commutable Allocated Pension.

Subject to the above conditions, the Board shall pay any such Non-commutable Allocated Pension to a Member in such amounts and in such manner as the Board shall determine. If while a Member is in receipt of a Non-commutable Allocated Pension the Member ceases Service and as a result becomes entitled to a benefit payment under the Rules the Board must adjust any lump sum or other pension benefit payable to the Member to take account of the amount already applied towards the Member's Non-commutable Allocated Pension.'

4.2 in Rule 75 (b):

4.2.1 deleting the words 'paragraph (a)' and substituting the following:

'paragraphs (a) and (aa)';

4.2.2 under paragraph (iii), inserting immediately after the words 'an Allocated Pension' the following:

'(including a Non-commutable Allocated Pension)';

4.2.3 inserting a new un-numbered paragraph immediately below paragraph (iv) as follows:

'Without limiting the Board's powers under this Rule 75 (b) to make rules and policies regarding pension benefits which may be paid from the Scheme, upon the written request of a Member the Board may determine in circumstances permitted by the Commonwealth Act to commute all or part of a Non-commutable Allocated Pension and the Board shall take such action as it considers necessary and appropriate in the circumstances to adjust any benefits for the Member and make any other arrangements for the Member and for the Scheme to take account of such commutation.'

4.3 inserting in Rule 75 (d) immediately after the words 'Allocated Pension' each time they appear the following:

'(including a Non-commutable Allocated Pension, if applicable).';

4.4 inserting a new Rule 75 (f) immediately after Rule 75 (e) as follows:

'(f) Without limiting any other powers of the Board under these Rules or otherwise, the Board may impose a fee on a Member in respect of the establishment, maintenance, payment, commutation or other administration connected with a Non-commutable Allocated Pension for the Member.'

5. Rule 87 is amended by:

5.1 inserting the following words immediately after the words 'Allocated Pension' in Rule 87 (a) (i):

',' Non-commutable Allocated Pension';

5.2 deleting Rule 87 (e) (ii) and replacing it with the following:

'(ii) a pension (other than an Allocated Pension, Non-commutable Allocated Pension or Term Allocated Pension); or'.

Dated 23 August 2005.

C. GIBSON, Executive Officer

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: Gladstone Resources Ltd

Location: Cronje Dam area—Approximately 60 km south of Olary.

Term: 1 year

Area in km²: 1 000

Ref.: 2005/00085

Plans 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: Gladstone Resources Ltd
 Location: Mount Morris area—Approximately 20 km east of Leigh Creek.
 Term: 1 year
 Area in km²: 157
 Ref.: 2005/00091

Plans 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: Flinders Diamonds Limited
 Location: Margaret Creek area—Approximately 170 km west of Marree.
 Term: 1 year
 Area in km²: 1 058
 Ref.: 2005/00645

Plans 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: Hiltaba Gold Pty Ltd
 Location: Lake Woorong area—Approximately 80 km south-west of Coober Pedy.
 Term: 1 year
 Area in km²: 889
 Ref.: 2005/00212

Plans 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: Equinox Resources Limited
 Location: Nuckulla Hill area—Approximately 120 km east-north-east of Ceduna.
 Term: 1 year
 Area in km²: 311
 Ref.: 2005/00647

Plans 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: Tasman Resources NL
 Location: Screech Owl Creek area—Approximately 60 km west of Marree.
 Term: 1 year
 Area in km²: 107
 Ref.: 2005/00295

Plans 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: Rio Tinto Exploration Pty Ltd
 Location: Douglas Creek area—Approximately 170 km east-north-east of Coober Pedy.
 Term: 1 year
 Area in km²: 545
 Ref.: 2005/00649

Plans 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: Flinders Diamonds Limited
 Location: Francis Swamp area—Approximately 170 km west-north-west of Marree.
 Term: 1 year
 Area in km²: 973
 Ref.: 2005/00644

Plans 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: Austral Nickel Pty Ltd
 Location: Mount Davies area—Approximately 450 km west-north-west of Marree.
 Term: 1 year
 Area in km²: 1 372
 Ref.: 2005/00627

Plans 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

NATIONAL ELECTRICITY LAW

NOTICE UNDER SECTION 95

*Request for Making of a Rule**Proposed Rule No. 2005/2—System Restart Ancillary Services and Pricing under Market Suspension*

THE Australian Energy Market Commission (Commission) gives notice under section 95 of the National Electricity Law (NEL) that NEMMCO has requested the making of a Rule. The Rule proposal relates to changes to arrangements for the standards applying to, the procurement of, and payment for, System Restart Ancillary Services and for clarifying NEMMCO's responsibilities and options in relation to pricing under market suspension.

This Rule proposal was received by NECA (the Commission's predecessor) on 19 April 2005. Under the NEL transitional provisions, consideration of this Rule proposal became the Commission's responsibility on 1 July 2005.

A draft of the proposed Rule and a copy of NEMMCO's Rule proposal is published on the Commission's website and is available for inspection at the offices of the Commission.

The Commission will be holding a hearing in relation to the above Rule proposal on Thursday, 15 September at 2 p.m. to 4 p.m. in the Melbourne Room, Pacific International Suites—Melbourne Conference and Meeting Centre located at Level 3, 451 Little Bourke Street, Melbourne, Victoria. Persons who wish to attend should register their intention to do so by email.

The Commission invites written submissions from any person or body in relation to the proposed Rule. Because the proposed Rule changes are lengthy and technically complex, the Commission has extended the period for making submissions from 4 weeks to 6 weeks from the date of publication of this notice. Submissions must be received no later than Friday, 14 October 2005.

Postal Address:

P.O. Box H166
Australia Square, N.S.W. 1215

Facsimile: (02) 8296 7899

Email: submissions@aemc.gov.au

Offices:

Level 16, 1 Margaret Street,
Sydney, N.S.W. 2000

Email to register for public hearing: aemc@aemc.gov.au.

Website: www.aemc.gov.au.

J. TAMBLYN, Chairman, Australian Energy
Market Commission

NATIONAL PARKS REGULATIONS 2001

Closure of Brookfield Conservation Park

PURSUANT to Regulation 8 (3) (d) of the National Parks Regulations 2001, I, Leanne Burch, the Acting Director of National Parks and Wildlife, close to the public the whole of Brookfield Conservation Park from 4 p.m. on Friday, 9 September 2005 until 8 a.m. on Monday, 12 September 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.

Use of Firearms Within the Reserve

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks Regulations 2001, I, Leanne Burch, Acting Director of National Parks and Wildlife grant permission to members of the Sporting Shooters Association of South Australia (SA Branch) in possession of both a current Hunting Permit and a Firearm Licence to enter and remain in Brookfield Conservation Park from 4 p.m. on Friday, 9 September 2005 until 8 a.m. on Monday, 12 September 2005, for the purpose of taking feral animals.

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

Dated 24 August 2005.

L. BURCH, Acting Director of National
Parks and Wildlife

PASSENGER TRANSPORT ACT 1994

TAKE notice that pursuant to regulation 4 (1) of the Passenger Transport (Regular Passenger Services; Fares and Charges) Regulations 1994, I, Patrick Conlon, Minister for Transport, Minister do hereby determine the Plus One Card prescribed in Schedules 1 and 2 as a concession card for use on all Adelaide Metro regular passenger services.

SCHEDULE 1

**Conditions of Issue and Use**

This card is not transferable and entitles the cardholder to be accompanied by a companion/carer free on all Adelaide Metro services. The cardholder must be in possession of a valid metroticket and concession card if applicable. Not valid if damaged.

If found contact: Passenger Transport InfoLine (08) 8210 1000

Copy of Plus One Card

SCHEDULE 2

The conditions of use for the Plus One Free Companion are:

- the card holder must be in possession of a valid ticket for the trip and concession card if applicable;
- the card must be shown when boarding Adelaide Metro passenger transport services in order for the person accompanying the person nominated on the Plus One Companion Card to travel free;
- the card entitles the holder to be accompanied by a companion/carer free of charge on all Adelaide Metro services;
- the card is not transferable;
- the card is not valid if damaged;
- the card must be an original issued by the Department for Transport, Energy and Infrastructure and is only valid for the period specified.

Dated 30 August 2005.

P. CONLON, Minister for Transport

PETROLEUM ACT 2000

*Grant of Associated Facilities Licences—AFL 26 and AFL 27
(Adjunct to Petroleum Exploration Licence—PEL 115)*

NOTICE is hereby given that the undermentioned Associated Facilities Licences have 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	Licencees	Locality	Area in km ²	Reference
AFL 26	Victoria Oil Exploration (1977) Pty Ltd Permian Oil Pty Ltd Springfield Oil and Gas Pty Ltd Entek Energy Ltd Tacnas Pty Ltd	Cooper Basin of South Australia	4.99	27/02/351
AFL 27	Victoria Oil Exploration (1977) Pty Ltd Permian Oil Pty Ltd Springfield Oil and Gas Pty Ltd Entek Energy Ltd Tacnas Pty Ltd	Cooper Basin of South Australia	4.99	27/02/352

*Description of Areas**AFL 26*

All that part of the State of South Australia, bounded as follows: Commencing at a point being the intersection of latitude 28°30'54"S GDA94 and longitude 140°38'48"E GDA94, thence east to longitude 140°40'00"E AGD66, south to latitude 28°32'12"S GDA94, west to longitude 140°38'48"E GDA94 and north to the point of commencement.

Area: 4.99 km² approximately.

AFL 27

All that part of the State of South Australia, bounded as follows: Commencing at a point being the intersection of latitude 28°32'12"S GDA94 and longitude 140°38'48"E GDA94, thence east to longitude 140°40'00"E AGD66, south to latitude 28°33'30"S GDA94, west to longitude 140°38'48"E GDA94 and north to the point of commencement.

Area: 4.99 km² approximately.

Dated 18 August 2005.

T. AUST, Acting Director Petroleum,
Minerals and Energy Resources
Primary Industries and Resources SA
Delegate of the Minister for Mineral Resources Development

PETROLEUM ACT 2000

Notice of Invitation of Application for a Petroleum Exploration Licence

I, BARRY ALAN GOLDSTEIN, Director Petroleum, Minerals and Energy Resources, Department of Primary Industries and Resources in the State of South Australia, pursuant to the provisions of the Petroleum Act 2000, and pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573 and in accordance with section 22 (1) of the Petroleum Act 2000, on behalf of the Minister for Mineral Resources Development (Minister), hereby invite applications for the grant of a Petroleum Exploration Licence (PEL) in respect of the area described below and shown on the attached plan—CO 2005-A.

Description of Area

All that part of the State of South Australia, bounded as follows: Commencing at a point being the intersection of latitude 27°32'00"S GDA94 and longitude 140°59'00"E GDA94, thence east to the eastern border of the State of South Australia, thence southerly along the border of the said State to latitude 27°52'00"S GDA94, west to longitude 140°56'00"E GDA94, south to latitude 27°53'00"S GDA94, west to longitude 140°50'00"E AGD66, south to latitude 27°54'50"S AGD66, west to longitude 140°36'40"E AGD66, south to latitude 27°56'10"S AGD66, west to longitude 140°34'20"E AGD66, south to latitude 28°01'00"S GDA94, west to longitude 140°34'00"E GDA94, north to latitude 28°00'00"S GDA94, west to longitude 140°30'00"E GDA94, north to latitude 27°53'00"S GDA94, west to longitude 140°23'00"E GDA94, south to latitude 27°56'00"S GDA94, west to longitude 140°21'30"E GDA94, south to latitude 27°57'00"S AGD66, west to longitude 140°16'40"E AGD66, north to latitude 27°47'40"S AGD66, east to longitude 140°25'40"E AGD66, north to latitude 27°46'40"S AGD66, east to longitude 140°34'00"E AGD66, north to latitude 27°39'00"S GDA94, east to longitude 140°46'00"E GDA94, south to latitude 27°40'00"S GDA94, east to longitude 140°52'00"E GDA94, north to latitude 27°36'00"S GDA94, east to longitude 140°52'10"E AGD66, north to latitude 27°35'00"S GDA94, east to longitude 140°56'00"E GDA94, north to latitude 27°34'00"S GDA94, east to longitude 140°58'00"E GDA94, north to latitude 27°33'00"S GDA94, east to longitude 140°59'00"E GDA94, and north to the point of commencement but excluding the areas bounded as follows:

Area 1

Commencing at a point being the intersection of latitude 27°46'00"S GDA94 and longitude 140°46'00"E GDA94, thence east to longitude 140°48'00"E GDA94, south to latitude 27°47'00"S GDA94, east to longitude 140°50'00"E GDA94, south to latitude 27°49'00"S GDA94, west to longitude 140°49'00"E GDA94, south to latitude 27°50'00"S GDA94, west to longitude 140°48'00"E GDA94, south to latitude 27°53'00"S GDA94, west to longitude 140°46'00"E GDA94, north to latitude 27°52'00"S GDA94, west to longitude 140°45'00"E GDA94, north to latitude 27°51'00"S GDA94, west to longitude 140°44'00"E GDA94, north to latitude 27°47'00"S GDA94, east to longitude 140°46'00"E GDA94, and north to the point of commencement.

Area 2

Commencing at a point being the intersection of latitude 27°47'00"S GDA94 and longitude 140°37'00"E GDA94, thence east to longitude 140°41'00"E GDA94, south to latitude 27°50'00"S GDA94, west to longitude 140°39'00"E GDA94, north to latitude 27°49'00"S GDA94, west to longitude 140°37'00"E GDA94, and north to the point of commencement.

Area 3

Commencing at a point being the intersection of latitude 27°49'00"S GDA94 and longitude 140°32'00"E GDA94, thence east to longitude 140°36'00"E GDA94, south to latitude 27°53'00"S GDA94, west to longitude 140°34'00"E GDA94, north to latitude 27°52'00"S GDA94, west to longitude 140°33'00"E GDA94, north to latitude 27°51'00"S GDA94, west to longitude 140°32'00"E GDA94, and north to the point of commencement.

Area: 1 599 km² approximately.

*Special Conditions**Land Access*

A large portion of the gazetted area lies within the Innamincka Regional Reserve. This is a reserve classification proclaimed in 1987 under the National Parks and Wildlife Act 1972 that specifically accommodates multiple land use. Specific management zones exist in the reserve to reflect specific conservation protection measures. The Statements of Environmental Objectives developed will meet the requirements of these management zones.

A PEL application incorporating any portion of the Innamincka Regional Reserve will be referred to the Minister for Environment and Conservation and the views of such Minister are required to be taken into account when granting the PEL. In the case of Petroleum Production Licences within the Innamincka Regional Reserve, approval must be obtained from the Minister for Environment and Conservation. Failing such Minister's approval, the issue is referred to the Governor for decision.

Licence Term

The PEL will be offered for a five-year term with a right of renewal for a further five-year term at the end of the initial five-year term, with a non-negotiable relinquishment of 50% of initial area at renewal.

Native Title

The PEL cannot be granted until the Right to Negotiate process pursuant to the Commonwealth Native Title Act 1993, has been concluded with any relevant registered native title claimants. It may be necessary to access adjoining accessible areas to conduct regulated activities relative to the PEL. The Right to Negotiate process will include negotiation for facilitation of appropriate access to such adjacent accessible areas reasonably necessary to conduct such regulated activities, and will also include negotiation for facilitation of access relative to the grant of any ensuing licence for future production and necessary infrastructure development.

Security

A minimum \$50 000 security (amount subject to review) will be required to be lodged by the licensee prior to entering the guaranteed licence term in which seismic or well activities are planned.

Applications

Applications lodged under section 65 (1) of the Petroleum Act 2000 are required to be made in the approved form as identified in a Petroleum Exploration Data Package (can be ordered from: www.petroleum.pir.sa.gov.au or the Director Petroleum at the address below).

Applications:

- must satisfy the requirements of Regulation 4 of the Regulations under the Petroleum Act 2000;
- must be accompanied by a proposed work program for the first five year term of the licence;
- must be accompanied by a statement of the financial and technical resources available to the applicant; and
- must be accompanied by the scheduled application fee.

Applications, together with relevant data should be submitted in the following manner to the Director Petroleum, Minerals and Energy Resources, Department of Primary Industries and Resources SA, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000.

Applications close at 4 p.m. on Thursday, 13 October 2005 (Australian Central Standard Time).

The following special instructions should be observed:

- The application and supporting data, together with the then scheduled application fee (currently \$2 815 for each application) payable to the Department of Primary Industries and Resources, enclosed in an envelope or package.
- The application should then be sealed and clearly marked as 'Application for Area CO 2005-A—Commercial-in-Confidence'.
- This envelope or package should then be enclosed in a plain covering envelope or package and delivered by hand or posted to the address above.

Copies of the basic exploration data pertaining to the areas comprising this notice may be obtained from the Petroleum Group of the Department of Primary Industries and Resources SA. Enquiries may be directed to the Director Petroleum (Telephone (08) 8463 3200; email: Goldstein.Barry@saugov.sa.gov.au).

Criteria for Assessment of Applications

The winning bidder will be selected on the basis of the total five-year work program bid. The work program must include a statement of exploratory operations the applicant proposes to carry out in each year of the first five-year licence term. It is expected that at least one petroleum exploration well would be included in the program.

Bids will be assessed taking account of the criteria listed below. It is important to note that the timing of well drilling and seismic acquisition will be taken into account. The most important criteria for assessment of CO 2005-A work programs are:

- the number of exploration wells to be drilled, their timing and anticipated targets (Eromanga, Cooper and Warburton Basins);
- the extent to which proposed wells are supported by seismic data;
- the number of years the applicant is prepared to guarantee the program;
- adequacy of financial resources and technical expertise available to the applicant; and
- the applicant's past performance in fulfilling work program commitments elsewhere in Australia.

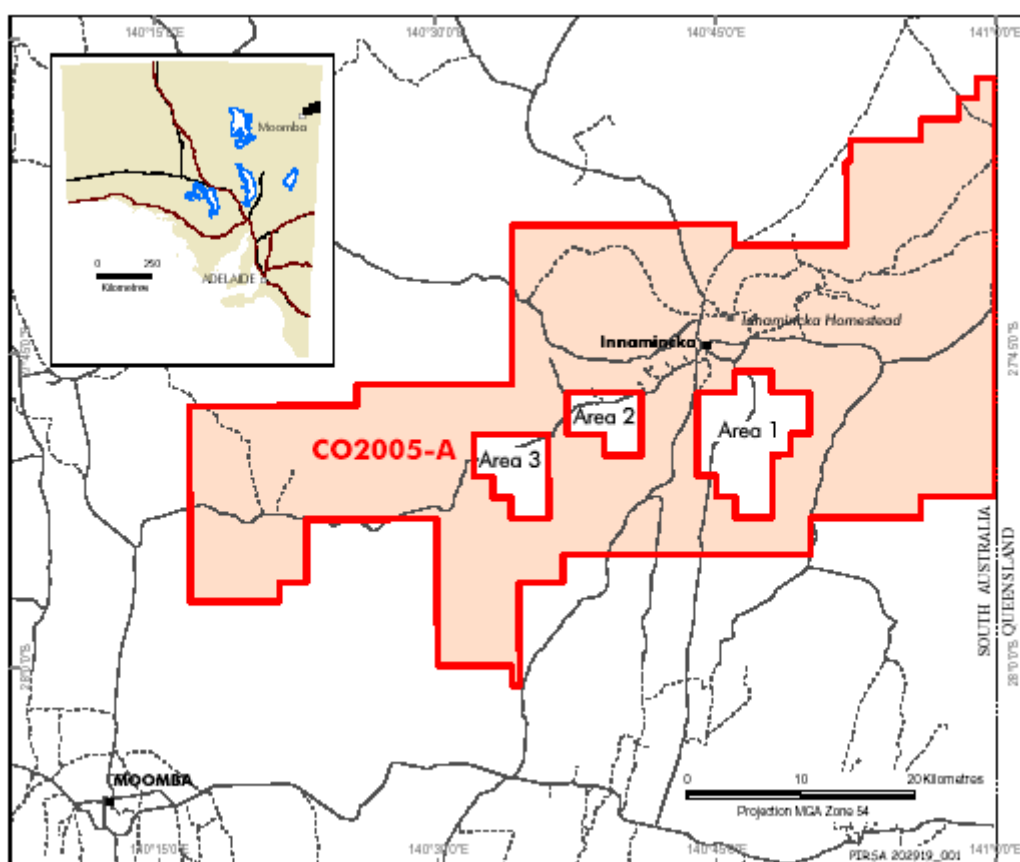
Secondary criteria that may be taken into account are:

- the amount and nature of seismic surveying to be carried out and its timing; and
- other data acquisition and seismic reprocessing to be carried out.

In addition to the above criteria, where bids are similar, the benefits of the introduction of new explorers into the area (including intention with regard to establishing an office in South Australia) may be taken into account. In the case of cascading bids (i.e. multiple or hybrid bids by one applicant or joint venture), only the highest bid will be considered.

The Minister will announce the winning bidder, together with details of the work program.

THE PLAN



Dated 22 August 2005.

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

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Closure—Arran Street, Jamestown*

BY Road Process Order made on 17 December 2004, the Development Assessment Commission ordered that:

1. Portion of the public road (Arran Street) between Ayr and Cumnock Streets and adjoining the western boundary of allotment 109 in Filed Plan 187431, more particularly delineated and lettered 'A' in the Preliminary Plan No. 04/0084 be closed.

2. Issue a Certificate of Title to the Northern Areas Council for the whole of the land subject to closure which land is being retained by Council to merge with the adjoining Council owned land.

On 22 August 2005 that order was confirmed by the Minister for Administrative Services conditionally upon the deposit by the Registrar-General of Deposited Plan 67963 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 1 September 2005.

P. M. KENTISH, Surveyor-General

SURVEY ACT 1992

Confused Boundary Area

PURSUANT to section 50 (3) of the Survey Act 1992, notice is given that the Confused Boundary Area at Coobowie bounded by Salt Creek Road, Weaver Street, Beach Road and Gilbert Street is revoked.

Dated 1 September 2005.

P. M. KENTISH, Surveyor-General

Ref.: File Plan 46029

NOTICE TO MARINERS

No. 28 OF 2005

*South Australia—Spencer Gulf—Port Lincoln—Axel Stenross
Marina—Boston Bay—Breakwater—New Beacon Established*

MARINERS are advised that a Light beacon has been established on the Breakwater extremity of the Axel Stenross Marina at Port Lincoln with the following characteristics in Position:

Light: QkFl Red (2) miles. On a red beacon with Port Hand Top-mark, at a height of 5 m above HAT.

Position: Latitude 34°42.15'S, Longitude 135°51.32'E

Navy charts affected: Aus 134

Publications affected: Australian Pilot, Vol. 1, 1992 edition, page 88, Vol. K. not yet listed.

Adelaide, 30 August 2005.

P. CONLON, Minister for Transport

TSA 2005/00419

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 1 September 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 ONKAPARINGA

Seven Hills Heights, Sellicks Beach. p42

CITY OF PORT ADELAIDE ENFIELD

Pell Road, Enfield. p38

CITY OF SALISBURY

In and across Springbank Boulevard, Burton. p12, 13, 15 and 16

Northwater Way, Burton. p12 and 14-16

Lakeridge Circuit, Burton. p12 and 13

Waterside Drive, Burton. p13

Easements in lot 917 in LTRO DP 67249, Springbank Boulevard, Burton. p13 and 16

Parkview Street, Burton. p14

Newhaven Terrace, Burton. p15 and 16

Heathpool Street, Burton. p16

Isla Circuit, Mawson Lakes. p17

Bimini Crescent, Mawson Lakes. p17

Gomera Street, Mawson Lakes. p17

Easements in lot 606 in LTRO DP 66459, Bimini Crescent, Mawson Lakes. p17

Malta Drive, Parafield Gardens. p21

Berno Court, Parafield Gardens. p21 and 22

Flavio Avenue, Parafield Gardens. p21 and 22

Martins Road, Parafield Gardens. p22

Martindale Road, Parafield Gardens. p22

Milena Street, Parafield Gardens. p22

BEACHPORT WATER DISTRICT

WATTLE RANGE COUNCIL

Arthur Street, Beachport. p39

Parklands Terrace, Beachport. p39

KAPUNDA WATER DISTRICT

LIGHT REGIONAL COUNCIL

North Street, Kapunda. p40

MIDDLETON WATER DISTRICT

ALEXANDRINA COUNCIL

Boettcher Road, Middleton. This main is available to lot 134 in LTRO FP 166508 by application only. p18 and 19

Hero Avenue, Middleton. p18

In and across Morrison Avenue, Middleton. p19, 20 and 78

Offshore Drive, Middleton. This main is available on the north side by application only. p19, 20, 77 and 78

Gull Court, Middleton. p19

Cockle Court, Middleton. p19

Condor Court, Middleton. p20 and 77

Easements in lot 1003 in LTRO DP 66472, Morrison Avenue, Middleton. p20 and 78

MOUNT GAMBIER WATER DISTRICT

CITY OF MOUNT GAMBIER
Shepherd Street, Mount Gambier. p44

PENOLA WATER DISTRICT

WATTLE RANGE COUNCIL
Roden Lane, Penola. p43

PORT NEILL WATER DISTRICT

THE DISTRICT COUNCIL OF TUMBY BAY
Wallis Street, Port Neill. p41

TANUNDA WATER DISTRICT

BAROSSA COUNCIL
Murray Street, Tanunda. p79
Young Street, Tanunda. p79

WALLAROO WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST
Across Schooner Avenue, Wallaroo. p76
Easements in lot 674 in LTRO DP 59942, Schooner Avenue,
Wallaroo. p76

WARREN COUNTRY LANDS WATER DISTRICT

CLARE AND GILBERT VALLEYS COUNCIL
Riverton-Undalya Road, Riverton. p80-90

WATER MAINS ABANDONED

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

ADELAIDE WATER DISTRICT

BAROSSA COUNCIL
Calton Road, Kalbeeba. p63
Balmoral Road, Gawler East. p63 and 64

CITY OF BURNSIDE
In and across Glynburn Road, Beaumont. p45

TOWN OF GAWLER
Calton Road, Gawler East. p51 and 52
Cheek Avenue, Gawler East. p52
Cockshell Avenue, Gawler East. p53
Hemaford Grove, Gawler East. p54

CITY OF SALISBURY
Martins Road, Parafield Gardens. p22

CITY OF TEA TREE GULLY
Waterworks land (lot 200 in LTRO DP 45404), Wynn Vale Drive,
Wynn Vale. p1 and 2

BAROSSA COUNTRY LANDS WATER DISTRICT

BAROSSA COUNCIL
Sunnydale Avenue, Gawler East. p59
Calton Road, Gawler East. p59-63
Easements in lot 30 in LTRO DP 49904, Calton Road, Kalbeeba.
p63

TOWN OF GAWLER
Calton Road, Gawler East. p52-59
Stithians Drive, Gawler East. p56
Phillips Avenue, Gawler East. p57
Sunnydale Avenue, Gawler East. p59

TANUNDA WATER DISTRICT

BAROSSA COUNCIL
Murray Street, Tanunda. p79
Young Street, Tanunda. p79

WARREN COUNTRY LANDS WATER DISTRICT

CLARE AND GILBERT VALLEYS COUNCIL
Riverton-Undalya Road, Riverton. p80-90

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.

ADELAIDE WATER DISTRICT

BAROSSA COUNCIL
Calton Road, Gawler East. p63 and 69
In and across Balmoral Road, Gawler East and Kalbeeba. p63, 64
and 69

CITY OF BURNSIDE
Waterworks land (lot 1 in LTRO FP 131548), Coach Road,
Auldana. p34-37
Waterworks land (lot 201 in LTRO FP 19035), Glynburn Road,
Beaumont. p45-50

TOWN OF GAWLER
Waterworks land (lot 107 in LTRO DP 4863), Calton Road,
Gawler East. p51 and 68
Across and in Calton Road, Gawler East. p51, 52 and 73
Cockshell Avenue, Gawler East. p53
Hemaford Grove, Gawler East. p54

CITY OF ONKAPARINGA
Waterworks land (lot 144 in LTRO DP 35152), Flagstaff Road,
Darlington. p23-33

CITY OF TEA TREE GULLY
Waterworks land (lot 200 in LTRO DP 45404), Wynn Vale Drive,
Wynn Vale. p1-10
Keithcot Farm Drive, Wynn Vale. p1 and 4

BARMERA WATERWORKS**OUTSIDE BARMERA WATER DISTRICT**

THE BERRI BARMERA COUNCIL
Easement in lot 3 in LTRO DP 48061, Appleton Terrace,
Barmera. p11
Brooke Street, Barmera. p11
Trevelyan Street, Barmera. p11

BAROSSA COUNTRY LANDS WATER DISTRICT

BAROSSA COUNCIL
Sunnydale Avenue, Gawler East. p59
Calton Road, Gawler East. p59-63, 69 and 70
Easements in lot 30 in LTRO DP 49904, Calton Road, Kalbeeba.
p63 and 66

TOWN OF GAWLER
Calton Road, Gawler East. p52-59, and 70-73
Cheek Avenue, Gawler East. p52 and 67
Cockshell Avenue, Gawler East. p53
Hemaford Grove, Gawler East. p54
Sunnydale Avenue, Gawler East. p59
Easements in lot 3 in LTRO DP 28814, Calton Road, Gawler East.
p64 and 65

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

TOWN OF GAWLER
Holmes Street, Willaston. FB 1141 p4

CITY OF HOLDFAST BAY
Easement in lot 43 in LTRO CP 22817, Tapleys Hill Road, Glenelg North. FB 1139 p60
Alice Street, Hove. FB 1139 p57

CITY OF ONKAPARINGA
In and across Longview Crescent, O'Halloran Hill. FB 1141 p3
Easement in lot 11 in LTRO DP 61486, Main South Road, O'Halloran Hill. FB 1141 p3

CITY OF PORT ADELAIDE ENFIELD
Pell Road, Enfield. FB 1139 p59
Seventh Avenue, Woodville Gardens. FB 1141 p2

CITY OF SALISBURY
Isla Circuit, Mawson Lakes. FB 1140 p24-26
Bimini Crescent, Mawson Lakes. FB 1140 p24-26
Gomera Street, Mawson Lakes. FB 1140 p24-26
Easements in lot 606 in LTRO DP 66459, Bimini Court, Mawson Lakes. FB 1140 p24-26
Malta Drive, Parafield Gardens. FB 1140 p14, 15 and 19
Berno Court, Parafield Gardens. FB 1140 p14, 15, 19, 22 and 23
In and across Flavio Avenue, Parafield Gardens. FB 1140 p14, 15, 18, 19, 22 and 23
Easement in lot 71, Flavio Avenue, Parafield Gardens. FB 1140 p14, 15 and 18
Across and in Martins Road, Parafield Gardens. FB 1140 p14, 15 and 18
Easements in lot 34 in LTRO DP 34146, Quondong Avenue, Parafield Gardens. FB 1140 p14, 16, 18 and 19
Martindale Road, Parafield Gardens. FB 1140 p22 and 23
Milena Street, Parafield Gardens. FB 1140 p22 and 23
In and across Ailsa Avenue, Ingle Farm FB 1141 p1
Easement in lot 1704 in LTRO DP 9391, Ailsa Avenue, Ingle Farm. FB 1141 p1
Helps Road, Burton. FB 1140 p27, 29 and 33
Easements in lot 602 in LTRO DP 63115, and lot 609 in LTRO DP 68632, Springbank Boulevard, Burton. FB 1140 p27, 29, 30, 33 and 34
Across and in Springbank Boulevard, Burton. FB 1140 p27, and 29-36
Waterloo Corner Road, Burton. FB 1140 p27, 32 and 37
Hawker Road, Burton. FB 1140 p27, 32, and 37
Waterside Drive, Burton. FB 1140 p27, 30, 31 and 38
Lakeridge Circuit, Burton. FB 1140 p27, 31, 37 and 38
Northwater Way, Burton. FB 1140 p27, 32 and 37, FB 1129 p11-13, and FB 1136 p9-12
Parkview Street, Burton. FB 1129 p11-13
Newhaven Terrace, Burton. FB 1136 p9-12
Heathpool Street, Burton. FB 1136 p9, 10 and 12

CITY OF WEST TORRENS
Spencer Street, Cowandilla. FB 1139 p58
Hawthorne Street, Lockleys. FB 1141 p21

STIRLING COUNTRY DRAINAGE AREA

ADELAIDE HILLS COUNCIL
Piccadilly Road, Crafers. FB 1141 p5

SEWERS ABANDONED

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

ADELAIDE DRAINAGE AREA

CITY OF CHARLES STURT
Clarence Street, Fulham Gardens—100 mm PVC pumping main. FB 1141 p9

CITY OF HOLDFAST BAY
Easement in lot 43 in LTRO CP 22817, Tapleys Hill Road, Glenelg North. FB 1139 p60

CITY OF ONKAPARINGA
Easements in lot 100 in LTRO DP 61187, Pinnacle Crescent, and lot 1000 in LTRO DP 59704, Daveys Road, Flagstaff Hill—150 mm PVC pumping main. FB 1141 p7

CITY OF SALISBURY
Raner Avenue, Parafield Gardens—100 mm PVC pumping main. FB 1140 p14
Virginia Drive, Parafield Gardens—100 mm PVC pumping main. FB 1140 p14
Shepherdson Road, Parafield Gardens—100 mm PVC pumping main. FB 1140 p14
Easements in reserve (lot 34 in LTRO DP 34146), Quondong Avenue, Parafield Gardens—100 mm PVC pumping main. FB 1140 p16
Quondong Avenue, Parafield Gardens—100 mm PVC pumping main. FB 1140 p16
Malta Drive, Parafield Gardens—100 mm PVC pumping main. FB 1140 p14
Lantana Drive, Parafield Gardens—100 mm PVC pumping main. FB 1140 p14

SEWERS LAID

Notice is hereby given that the undermentioned sewers have been laid down by the South Australian Water Corporation and are not available for house connections.

ADELAIDE DRAINAGE AREA

CITY OF CHARLES STURT
Sewerage land (lot 244 in LTRO DP 4590), Cudmore Terrace, Henley Beach. FB 255 p1
Across Cudmore Terrace, Henley Beach. FB 255 p1

CITY OF PORT ADELAIDE ENFIELD
Sewerage land (lot 2 in LTRO DP 33764), Torrington Avenue, Devon Park. FB 1141 p6
Across Torrington Avenue, Devon Park. FB 1141 p6

CITY OF SALISBURY
Raner Avenue, Parafield Gardens—150 mm OPVC pumping main. FB 1140 p14, 17, 20 and 21
Monarch Avenue, Parafield Gardens—150 mm OPVC pumping main. FB 1140 p14, 17, 20 and 21
Shepherdson Road, Parafield Gardens—150 mm OPVC pumping main. FB 1140 p14, 17, 20 and 21
Easements in reserve (lot 34 in LTRO DP 34146), Quondong Avenue, Parafield Gardens—100 mm PVC pumping main. FB 1140 p14, 16 and 19
Quondong Avenue, Parafield Gardens—100 mm PVC pumping main. FB 1140 p14, 16 and 19
In and across Burton Road, Burton—250 mm MSCL and 250 mm PVC pumping mains. FB 1140 p28 and 39-44

CITY OF WEST TORRENS
Sewerage land (lot 49 in LTRO FP 119267), Huntington Avenue, Fulham. FB 1141 p8

A. HOWE, Chief Executive Officer South Australian Water Corporation

TRAINING AND SKILLS DEVELOPMENT ACT 2003

Part 4 – Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2003, the Training and Skills Commission (TaSC) gives notice that determines the following:
Trades, Declared Vocations or Other Occupations

The following schedule is additional to the gazettals of:

- | | | | |
|---------------------|---------------------|---------------------|----------------------|
| 1. 5 February 2004 | 2. 19 February 2004 | 3. 11 March 2004 | 4. 1 April 2004 |
| 5. 1 July 2004 | 6. 15 July 2004 | 7. 22 July 2004 | 8. 30 September 2004 |
| 9. 16 December 2004 | 10. 27 January 2005 | 11. 3 February 2005 | 12. 10 February 2005 |
| 13. 10 March 2005 | 14. 24 March 2005 | 15. 5 May 2005 | 16. 12 May 2005 |
| 17. 2 June 2005 | 18. 16 June 2005 | 19. 7 July 2005 | 20. 4 August 2005 |
| 21. 18 August 2005 | | | |

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

Trades, Declared Vocations or Other Occupations, required Qualifications and Contract of Training Conditions for the Metal and Engineering Training Package (MEM98)

*Trade/ #Declared Vocation/ Other Occupation	National Code	Qualification	Nominal Term of Contract of Training	Probationary Period
#Boating Service and Repair Worker	MEM20303	Certificate II in Boating Services	12 months	1 month
	MEM30703	Certificate III in Boating Services	24 months	2 months
	MEM40203	Certificate IV in Boating Services	36 months	3 months
*Shipwright	MEM30603	Certificate III in Marine Craft Construction	48 months	3 months

Bold denotes variation - ‘Shipwright’ previously declared as ‘Shipwrighting’

South Australia

Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2005

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

- 4 Variation of Schedule 1—Long term dry areas
- 5 Variation of Schedule 2—Plans of long term dry areas

Schedule 1—Plan to be substituted

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2005*.

2—Commencement

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

3—Variation provisions

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

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

4—Variation of Schedule 1—Long term dry areas

Schedule 1, item headed "Coober Pedy—Area 1"—delete the item and substitute:

Coober Pedy—Area 1

(see Schedule 2: Coober Pedy—Plan No 1)

The area at Coober Pedy bounded as follows: commencing at the point at which the prolongation in a straight line of the southern boundary of Flinders Street intersects the western boundary of Hutchison Street, then north-westerly along that boundary of Hutchison Street to the southern boundary of Malliotis Boulevard, then south-westerly along that boundary of Malliotis Boulevard to its intersection with the prolongation in a straight line of the south-western boundary of Reilly Street, then north-westerly along that prolongation and boundary of Reilly Street to the northern end of Reilly Street, then in a straight line to the nearest point on the northern boundary of Paxton Road, then generally north-easterly along that boundary of Paxton Road to its intersection with the western boundary of Cameron Drive, then northerly, easterly and northerly along that boundary of Cameron Drive to the southern boundary of Post Office Hill Road, then generally north-westerly along that boundary of Post Office Hill Road to its intersection with the prolongation in a straight line of the western boundary of Gough Street, then generally north-westerly along that prolongation and boundary of Gough Street and the prolongation in a straight line of that boundary to the northern boundary of Seventeen Mile Road, then north-easterly along that boundary of Seventeen Mile Road to the western boundary of Chadwick Road, then generally northerly and north-easterly along that boundary of Chadwick Road and Marquardt Road to the south-western boundary of Rankin Drive, then westerly and northerly along that boundary of Rankin Drive to the south-western boundary of Hillman Road, then north-westerly along that boundary of Hillman Road and the prolongation in a straight line of that boundary to the north-western boundary of Morousen Drive, then north-easterly along that boundary of Morousen Drive to its intersection with the prolongation in a straight line of the north-eastern boundary of Kunoth Street, then south-easterly along that boundary of Kunoth Street to the north-western

Continuous until 21
July 2006.

The consumption and
possession of liquor
are prohibited.

boundary of Lockwood Avenue, then north-easterly along that boundary of Lockwood Avenue to the south-western boundary of Beinke Drive, then north-westerly along that boundary of Beinke Drive and the prolongation in a straight line of that boundary to the north-western boundary of Morousen Drive, then north-easterly along that boundary of Morousen Drive to the prolongation in a straight line of the north-eastern boundary of Goldsworthy Street, then generally south-easterly and southerly along that boundary of Goldsworthy Street to its intersection with the north-western boundary of Hutchison Street, then north-easterly along that boundary of Hutchison Street to its intersection with the prolongation in a straight line of the north-eastern boundary of Hospital Road, then generally south-easterly and southerly along that boundary of Hospital Road to its intersection with the prolongation in a straight line of the northern boundary of allotment 2056 FP 40339, then generally westerly along that prolongation and northern boundary of allotment 2056 to the eastern boundary of McDougal Road, then in a straight line by the shortest route across McDougal Road to the north-east corner of allotment 100 DP 43027, then generally westerly along the northern boundary of allotment 100 and Town allotment 38 to the eastern boundary of Hutchison Street, then southerly along that boundary of Hutchison Street to the northern boundary of Umoona Road, then generally easterly along that boundary of Umoona Road to its intersection with the prolongation in a straight line of the north-eastern boundary of Jewellers Shop Road, then generally south-easterly along that prolongation and boundary of Jewellers Shop Road to its intersection with the prolongation in a straight line of the south-eastern boundary of Matrix Avenue, then south-westerly along that prolongation and boundary of Matrix Avenue to the point at which the Avenue turns south-easterly, then in a straight line by the shortest route across Matrix Avenue to the north-east corner of the Water Conservation Reserve (Lot 1 DP 29267), then generally westerly, southerly and easterly along the northern, western and southern boundaries of the Reserve to the intersection between the southern boundary of the Reserve and the prolongation in a straight line of the eastern boundary of Wills Street, then

southerly along that prolongation and eastern boundary of Wills Street to the northern boundary of Grey Street, then easterly along that boundary of Grey Street to its intersection with the prolongation in a straight line of the eastern boundary of Bass Street, then southerly along that prolongation and boundary of Bass Street and the prolongation in a straight line of that boundary of Bass Street to its intersection with the southern boundary of Flinders Street, then westerly along that southern boundary of Flinders Street and the prolongation in a straight line of that southern boundary to the point of commencement.

5—Variation of Schedule 2—Plans of long term dry areas

Schedule 2, plan headed "Coober Pedy—Plan No 1"—delete the plan and substitute the plan headed "Coober Pedy—Plan No 1" in Schedule 1 of these regulations

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 1 September 2005

No 188 of 2005

OLGC7/2004

South Australia

Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2005

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

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

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2005*.

2—Commencement

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

3—Variation provisions

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

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

4—Variation of Schedule 1—Long term dry areas

- (1) Schedule 1, item headed "Aberfoyle Park—Area 1", column headed "Period"—delete "15 July 2005" and substitute:
 - 18 August 2008
- (2) Schedule 1, item headed "Christies Beach—Area 1", column headed "Period"—delete "15 July 2005" and substitute:
 - 18 August 2008

- (3) Schedule 1, item headed "Moana—Area 1", column headed "Period"—delete "15 July 2005" and substitute:
18 August 2008
- (4) Schedule 1, item headed "Moana—Area 2", column headed "Period"—delete "15 July 2005" and substitute:
18 August 2008
- (5) Schedule 1, item headed "Morphett Vale—Area 1", column headed "Period"—delete "15 July 2005" and substitute:
18 August 2008
- (6) Schedule 1, item headed "Noarlunga Centre—Area 1", column headed "Period"—delete "15 July 2005" and substitute:
18 August 2008
- (7) Schedule 1, item headed "Port Noarlunga—Area 1", column headed "Period"—delete "15 July 2005" and substitute:
18 August 2008
- (8) Schedule 1, item headed "Port Noarlunga—Area 2", column headed "Period"—delete "15 July 2005" and substitute:
18 August 2008
- (9) Schedule 1, item headed "Port Noarlunga—Area 3", column headed "Period"—delete "15 July 2005" and substitute:
18 August 2008
- (10) Schedule 1, item headed "Woodcroft—Area 1", column headed "Period"—delete "15 July 2005" and substitute:
18 August 2008

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 1 September 2005

No 189 of 2005

CSOLGC97/0114PT2

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2005

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

- 4 Variation of Schedule 1—Short term dry areas
- 5 Variation of Schedule 2—Plans of short term dry areas

Schedule 1—Plan to be inserted

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2005*.

2—Commencement

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

3—Variation provisions

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

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

4—Variation of Schedule 1—Short term dry areas

Schedule 1—after item headed "Glenelg—Area 1" insert:

Port Augusta—Area 1

(see Schedule 2: Port Augusta—Plan 1)

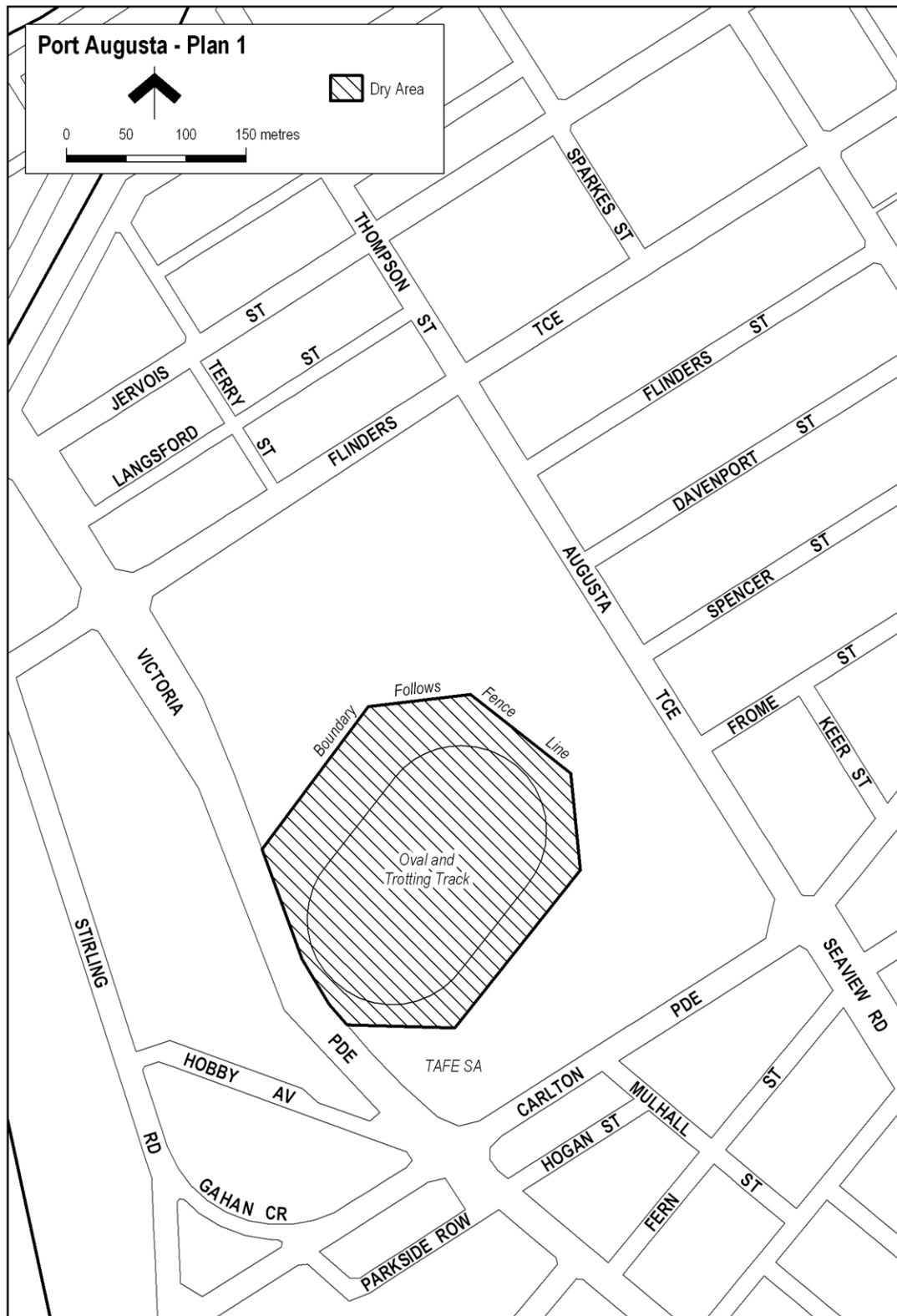
<p>The area in Port Augusta, generally known as Central Oval, that is enclosed by a fence that, from the point at which the northern boundary of the Port Augusta TAFE SA Campus meets the north-eastern boundary of Victoria Parade, proceeds generally easterly, north-easterly, northerly, north-westerly, westerly, south-westerly and south-easterly (around the oval and trotting track that lies immediately to the north of the TAFE SA Campus and along the north-eastern boundary of Victoria Parade) back to the point of commencement.</p>	<p>12.01 a.m. on 1 October 2005 to 12.01 a.m. on 4 October 2005.</p>	<p>The consumption of liquor is prohibited and the possession of liquor is prohibited.</p>
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5—Variation of Schedule 2—Plans of short term dry areas

Schedule 2—after the plan headed "Glenelg—Plan 1" insert the plan headed "Port Augusta—Plan 1" in Schedule 1 of these regulations

Schedule 1—Plan to be inserted

Port Augusta—Plan 1



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 1 September 2005

No 190 of 2005

CSOLGC0118/97PT2

South Australia

Forestry Regulations 2005

under the *Forestry Act 1950*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Non-derogation from Corporation's powers

Part 2—Entrance to reserves or parts of reserves

- 5 Prohibition of entrance on total fire ban days
- 6 Prohibition of entrance by notice
- 7 Prohibition of entrance at night
- 8 Prohibition of entrance to caves or sinkholes

Part 3—Controls on activities in reserves

- 9 Lighting or maintaining of fires
- 10 Driving vehicles in reserves
- 11 Using boats in reserves
- 12 Landing or using aircraft in reserves
- 13 Use of firearms etc
- 14 Taking animals into reserves
- 15 Depositing rubbish
- 16 Protection of animals
- 17 Protection of vegetation
- 18 Protection of water
- 19 Protection of soils etc

Part 4—Permits

- 20 Permits
- 21 Fees

Part 5—Miscellaneous

- 22 False or misleading statements

Schedule 1—Fees

Schedule 2—Revocation of Forestry (Recreational Access and Use of Reserves) Regulations 1989

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Forestry Regulations 2005*.

2—Commencement

These regulations will come into operation on 1 September 2005.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Forestry Act 1950*;

adult means a person of or over 15 years of age;

aircraft includes a hang-glider, para-glider, ultra-light aircraft, gas or hot air balloon or other similar craft;

boat means any vessel or craft that is used, or is capable of being used, as a means of transportation on water;

child means a person of or over 3 years of age but under 15 years of age;

drive includes ride;

firearm means a device from which any kind of shot, bullet or other missile can be discharged;

forest reserve includes a native forest reserve;

motor vehicle means a mobile machine propelled, or capable of being propelled by an engine, electricity or any other power including animal power but not human power;

trapping device means a trap, net, snare or other device designed to take or facilitate the taking of animals.

4—Non-derogation from Corporation's powers

Nothing in these regulations derogates from the power of the Corporation—

- (a) to deny a person access to, or require a person to leave, a forest reserve or part of a forest reserve as the Corporation thinks fit for the proper control and management of the forest reserve but subject to any lease, licence, easement, profit or other interest, or any permit, granted and in force under the Act or these regulations; or
- (b) to authorise entry to or an activity in a forest reserve otherwise than by a permit under these regulations.

Part 2—Entrance to reserves or parts of reserves

5—Prohibition of entrance on total fire ban days

A person must not, without lawful authority, enter or remain in a forest reserve on a day on which the lighting or maintaining of fires in the open air for any purpose is banned under the *Country Fires Act 1989* throughout the State or a part of the State in which the forest reserve is situated.

Maximum penalty: \$750.

Expiation fee: \$105.

6—Prohibition of entrance by notice

- (1) A person must not, without lawful authority, enter or remain in a forest reserve or part of a forest reserve contrary to the terms of notices erected with the approval of the Corporation at the entrances to that reserve or that part of the reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) In subregulation (1), a reference to an entrance to a forest reserve or part of a forest reserve is a reference to a place at which any established road or track intersects the boundary of that forest reserve or that part of the reserve.

7—Prohibition of entrance at night

A person must not, without lawful authority—

- (a) camp in a forest reserve overnight; or
- (b) enter a forest reserve before sunrise on any day; or
- (c) enter or remain in a forest reserve after sunset on any day.

Maximum penalty: \$750.

Expiation fee: \$105.

8—Prohibition of entrance to caves or sinkholes

A person must not, without lawful authority, enter or remain in a cave or sinkhole in a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

Part 3—Controls on activities in reserves

9—Lighting or maintaining of fires

- (1) A person must not, without lawful authority, light or maintain a fire in the open air in a native forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) A person must not, without lawful authority, at any time during the month of November, December, January, February, March or April in any year light or maintain a fire in the open air, or use a gas or electrical cooking appliance, heater or lamp in the open air, in a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (3) A person must not, without lawful authority, light or maintain a fire in a forest reserve unless—

- (a) the fire is for cooking or personal comfort; and
- (b) the fire is contained in a properly constructed fire place or a portable cooking appliance; and

- (c) the space immediately around and above the fire is cleared of all flammable material to a distance of at least four metres; and
- (d) the fire does not occupy an area in excess of 1 square metre; and
- (e) a person who is able to control the fire is present at the site of the fire from the time it is lighted to the time it is completely extinguished; and
- (f) an appropriate agent adequate to extinguish the fire is at hand.

Maximum penalty: \$750.

Expiation fee: \$105.

10—Driving vehicles in reserves

- (1) A person must not, without lawful authority, drive a motor vehicle in a native forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) A person must not, without lawful authority, drive a motor vehicle in a forest reserve—

- (a) except on an established road or track, or within five metres either side of such road or track for the purpose only of parking or turning the vehicle; or
- (b) on a road or track or part of a road or track that has been closed off by a sign or barrier erected with the approval of the Corporation.

Maximum penalty: \$750.

Expiation fee: \$105.

11—Using boats in reserves

A person must not, without lawful authority, use a boat on any stream, creek, dam, reservoir, lake, sinkhole or other body of water in a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

12—Landing or using aircraft in reserves

A person must not, without lawful authority, land or use an aircraft in a forest reserve except in the case of an emergency.

Maximum penalty: \$750.

Expiation fee: \$105.

13—Use of firearms etc

A person must not, without lawful authority, carry, discharge or use a firearm or a trapping device in a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

14—Taking animals into reserves

- (1) A person must not, without lawful authority, take any animal into a native forest reserve or permit any animal of which that person has the care and control to enter or remain in a native forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) A person must not, without lawful authority, take any pet into a forest reserve, or permit any pet of which that person has the care and control to enter or remain in a forest reserve, unless the animal is, at all times while in the reserve, under his or her effective control or the effective control of some other person.

Maximum penalty: \$750.

Expiation fee: \$105.

- (3) A person must not, without lawful authority, lead or ride a horse within a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

15—Depositing rubbish

- (1) A person must not, without lawful authority, deposit rubbish (including soil, stone, rubble, animal or vegetable matter and other debris, waste or refuse) in a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) Subregulation (1) does not apply in relation to rubbish arising from an activity lawfully engaged in by the person in the forest reserve if the rubbish is deposited in a receptacle or place set aside for that purpose in the reserve.

16—Protection of animals

A person must not, without lawful authority, damage, destroy or remove any animal warren, burrow or nest in or from a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

17—Protection of vegetation

- (1) A person must not, without lawful authority, damage, destroy or remove any tree, plant, wood, bark, pine needles or other similar matter in or from a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) Subregulation (1) does not prevent wood that is set aside in a forest reserve for use as firewood from being so used.

18—Protection of water

A person must not, without lawful authority—

- (a) take water from any tank, watercourse or natural water storage in a forest reserve except as reasonably required in connection with any activity lawfully engaged in by that person in the forest reserve; or

- (b) dam or divert a watercourse in a forest reserve; or
- (c) foul or pollute water in any tank, watercourse or natural water storage in a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

19—Protection of soils etc

A person must not, without lawful authority, remove soil or stones from, or fossick for gems or minerals in, a forest reserve.

Maximum penalty: \$750.

Expiation fee: \$105.

Part 4—Permits

20—Permits

- (1) Subject to these regulations, the Corporation may issue a permit authorising an act or activity that would otherwise be unlawful by virtue of these regulations.
- (2) An application for a permit—
 - (a) must be made in the manner and form determined by the Corporation; and
 - (b) must, if the application is for a permit of a class in respect of which a fee is specified in Schedule 1, be accompanied by the appropriate fee.
- (3) A permit may be issued applying to a group of persons named in the permit on the application of 1 member of the group.
- (4) A permit may be issued subject to such conditions as are specified in the permit.
- (5) Without limiting the conditions to which a permit may be subject, those conditions may—
 - (a) require only persons licensed or otherwise qualified to engage in an activity to which the permit relates to engage in that activity;
 - (b) specify the area to which the permit relates;
 - (c) restrict any person to whom the permit applies to the use of a specified type of motor vehicle, boat, aircraft, camping equipment, firearm or trapping device in undertaking an activity to which the permit relates.
- (6) A permit—
 - (a) comes into force on the day fixed in the permit for its commencement or, if no day is fixed, on the day on which it is issued; and
 - (b) expires on the day fixed in the permit for its expiry (being a day not more than 12 months from the day of commencement) or, if no expiry day is fixed, on the expiration of 12 months after the day on which it came into force.
- (7) A person must not contravene or fail to comply with a condition of a permit applying to the person.

Maximum penalty: \$750.

Expiation fee: \$105.

- (8) A permit may—
- (a) if any person to whom the permit applies contravenes or fails to comply with any condition of the permit—be varied or revoked by the Corporation by instrument in writing served personally or by post—
 - (i) on the person to whom the permit was issued; or
 - (ii) on the person who contravened or failed to comply with the condition; or
 - (b) if, in the opinion of the Corporation, it is necessary or desirable to do so for the purpose of protecting a forest reserve or anything in a forest reserve—be varied or revoked by the Corporation by instrument in writing served personally or by post on the person to whom the permit was issued.
- (9) A person whose application for a permit is refused must, on request, be refunded an amount equal to the fee that accompanied the application.
- (10) A person to whom a permit under these regulations applies must carry the permit or ensure that it is readily available for production at all times while that person is in the forest reserve to which the permit relates.
- Maximum penalty: \$750.
Expiation fee: \$105.

21—Fees

- (1) If a permit authorises an act or activity described in an entry in Schedule 1 that would otherwise be unlawful under the regulation referred to in the entry, the fee specified in the entry is payable in respect of that permit.
- (2) If a permit authorises more than 1 act or activity described in Schedule 1, the specified fee for each act or activity authorised is payable (except in the case of acts or activities that relate to the same regulation).
- (3) The fee for a permit may be waived if the Corporation is satisfied that it is appropriate to do so having regard to—
 - (a) the purposes for which the permit is sought; or
 - (b) the limited financial means of the applicant.
- (4) If the Corporation is satisfied that a permit has been lost or destroyed, the Corporation may, on payment of the appropriate fee specified in Schedule 1, issue a replacement permit.

Part 5—Miscellaneous

22—False or misleading statements

- (1) A person must not make a statement that is false or misleading in a material particular in, or in connection with, an application for a permit under these regulations.
Maximum penalty: \$750.
- (2) It is a defence to a charge of an offence against subregulation (1) for the defendant to prove that he or she believed on reasonable grounds that the statement was true.

Schedule 1—Fees

1	For a permit authorising camping in a forest reserve overnight, or entering, or remaining in, a forest reserve at night (regulation 7) (per person per night)—	
	(a) per child	\$1
	(b) per adult	\$3
2	For a permit authorising driving a motor vehicle in a forest reserve (regulation 10) (per vehicle per day)	\$5
3	For a permit authorising the use of a boat on a body of water in a forest reserve (regulation 11) (per boat)—	
	(a) per day	\$2
	(b) per year	\$30
4	For a permit authorising landing or using an aircraft in a forest reserve (regulation 12)—(per aircraft per day)	\$20
5	For a permit authorising leading or riding a horse in a forest reserve (regulation 14)—	
	(a) for the purposes of an event conducted by a club, association or other body (whether or not incorporated) (per person per day)—	
	(i) per child	\$1
	(ii) per adult	\$2
	(b) in any other case—	
	(i) per month—	
	(A) per child	\$3
	(B) per adult	\$5
	(ii) per year—	
	(A) per child	\$25
	(B) per adult	\$35
6	For a permit authorising the removal of soil or stones from, or fossicking for gems or minerals in, a forest reserve (regulation 19)—	
	(a) per person per day—	
	(i) per child	\$1
	(ii) per adult	\$2
	(b) per person per month—	
	(i) per child	\$3
	(ii) per adult	\$5
	(c) per person per year—	
	(i) per child	\$20
	(ii) per adult	\$30
7	For a replacement permit	\$2

Schedule 2—Revocation of *Forestry (Recreational Access and Use of Reserves) Regulations 1989*

The *Forestry (Recreational Access and Use of Reserves) Regulations 1989* 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 1 September 2005

No 191 of 2005

MFOR05/007CS

South Australia

Superannuation (STA Employees) Regulations 2005

under the *Superannuation Act 1988*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation

Part 2—Modification of Act in relation to the STA group

- 4 Modification of Act (except Part 4)
 - 5 Replacement of Part 4 of the Act
- Part 4—Superannuation benefits—STA group
- Division 1—Preliminary
- 26 Interpretation
- Division 2—Superannuation benefits
- 27 Retirement
 - 28 Resignation and preservation
 - 29 Resignation pursuant to a voluntary separation package
 - 30 Retrenchment
 - 31 Termination of employment on invalidity
 - 32 Death of contributor while in employment
 - 32A Death of contributor in receipt of a pension
- Division 3—KA Benger
- 32B Benefits payable to KA Benger
- Division 4—General
- 32C Benefits to be charged against contribution account
- 6 Continuation of pension rights

Schedule 1—Relevant members of STA scheme

Schedule 2—Revocation of Superannuation (STA Employees) Regulations 1991

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Superannuation (STA Employees) Regulations 2005*.

2—Commencement

These regulations will come into operation on 1 September 2005.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Superannuation Act 1988*;

contributor means a member of the STA group;

pay period means the period in respect of which a contributor's salary is periodically paid;

STA group means the group of employees who—

- (a) were members of the STA scheme immediately before 1 July 1990; and
- (b) were transferred to the scheme of superannuation established by the Act from 1 July 1990;

STA scheme means the State Transport Authority Staff Superannuation Fund and the State Transport Authority Pension Plan managed by National Mutual Life Association of Australasia Limited pursuant to policy numbers EFG 344 and EFG 5573 respectively.

Part 2—Modification of Act in relation to the STA group

4—Modification of Act (except Part 4)

The provisions of the Act are modified in their application to the STA group as follows:

- (a) all members of the STA group will be taken to be new scheme contributors;
- (b) the following definition is substituted for the definition of *contribution period* in section 4(1) of the Act:

contribution period, in relation to a contributor, means the period over which the contributor is or was an active contributor and includes the period during which the contributor was a member of the STA scheme;
- (c) the following definitions are substituted for the definition of *standard contribution rate* in section 4(1) of the Act:

standard contribution rate, in relation to a contributor, means the contribution rate opposite the contributor's name in Schedule 1 of the *Superannuation (STA Employees) Regulations 2005*;

STA scheme means the State Transport Authority Staff Superannuation Fund and the State Transport Authority Pension Plan managed by National Mutual Life Association of Australasia Limited pursuant to policy numbers EFG 344 and EFG 5573 respectively;
- (d) a contributor's liability to pay contributions ceases when the contributor's employment terminates or is terminated or when the contributor reaches the age of 60 years (but in the latter case the contributor must contribute for the whole of the pay period during which his or her 60th birthday occurs);
- (e) section 40 of the Act applies in relation to a pension payable to the spouse of a contributor who has died;
- (f) section 40A of the Act applies in relation to a member of the STA group;
- (g) section 45 of the Act does not apply to, or in relation to, a pension payable to, or in relation to, a contributor.

5—Replacement of Part 4 of the Act

The following provisions apply to, and in relation to, the STA group to the exclusion of Part 4 of the Act:

Part 4—Superannuation benefits—STA group

Division 1—Preliminary

26—Interpretation

In this Part, unless the contrary intention appears—

retirement age multiple in relation to a contributor means—

- (a) if the contributor attained the age of 60 years on the entitlement day—the multiple opposite the contributor's name in Schedule 1;
- (b) if the contributor had not reached the age of 60 years at the entitlement day—the multiple referred to in paragraph (a) reduced by 0.0167 for each whole month by which the contributor's age falls short of his or her 60th birthday;
- (c) if the contributor's 60th birthday had passed at the entitlement day—the multiple referred to in paragraph (a) increased by 0.0167 for each completed month between the contributor's 60th birthday and the entitlement day;

Schedule 1 means Schedule 1 to the *Superannuation (STA Employees) Regulations 2005*;

State Scheme means the scheme of superannuation established by this Act.

Division 2—Superannuation benefits

27—Retirement

- (1) A contributor may retire from employment at any time after reaching the age of 55 years.
- (2) On retirement, a contributor is entitled to a lump sum but may elect to convert 50 per cent or more of the lump sum to a pension.
- (3) The lump sum is calculated as follows:

$$LS = M \times FS \times A$$

Where

LS is the lump sum

M is the retirement age multiple

FS is the contributor's actual or attributed salary immediately before retirement (expressed as an annual amount)

A is the lesser of the following:

- (a) unity; or
 - (b) the numerical value obtained by dividing the number of the contributor's accrued contribution points by the number of months between the date of the contributor's acceptance as a member of the STA scheme and the date on which the contributor retires or the date on which the contributor reaches the age of retirement, whichever is the earlier.
- (4) A contributor who elects to convert part of the lump sum to a pension is entitled to—
- (a) the balance (if any) of the lump sum not converted to a pension; and
 - (b) a pension calculated as follows:
$$P = \frac{LS}{9}$$
- Where
- P* is the amount of the pension (expressed as an annual amount)
- LS* is the amount of the lump sum to be converted to a pension.
- (5) For the purposes of this section, a contributor retires from employment if—
- (a) the contributor has attained the age of 55 years; and
 - (b) the contributor's employment terminates or is terminated for any reason (except the contributor's death).
- (6) A pension payable under this section will be indexed.

28—Resignation and preservation

- (1) A contributor who resigns from employment before reaching the age of 55 years may elect—
 - (a) to take immediately the amount referred to in subsection (9); or
 - (b) to preserve his or her accrued superannuation benefits; or
 - (c) to carry over his or her accrued superannuation benefits to some other superannuation fund or scheme approved by the Board.
- (2) A contributor who fails to inform the Board in writing of his or her election under subsection (1) within 3 months after resignation will be taken to have elected to preserve his or her accrued superannuation benefits.
- (3) If the Board is of the opinion that the limitation period referred to in subsection (2) would unfairly prejudice a contributor, the Board may extend the period as it applies to the contributor.

- (4) If a contributor resigns and elects to take the amount referred to in subsection (9) the contributor is also entitled to a superannuation payment in accordance with the following provisions:
- (a) if the amount of the superannuation payment is less than \$200, the contributor is entitled to the payment on resignation;
 - (b) in any other case—
 - (i) the contributor may at any time after reaching the age of retirement require the Board to make the payment and, if no such requirement has been made on or before the date on which the contributor reaches 65 years of age, the Board will make the payment;
 - (ii) if the contributor has reached the age of 55 years and is not employed by an employer within the meaning of the Commonwealth Act, the contributor may require the Board to make the payment to the contributor;
 - (iii) if the contributor satisfies the Board that he or she has become totally and permanently incapacitated for work, the Board will make the payment to the contributor;
 - (iv) if the contributor dies, the payment will be made to the spouse of the deceased contributor or, if he or she left no surviving spouse, to the contributor's estate,

(and a payment under any of the above subparagraphs excludes further rights so that a claim cannot be subsequently made under some other subparagraph).
- (5) The amount of the superannuation payment referred to in subsection (4) is the amount of the minimum contribution required to avoid payment of the superannuation guarantee charge in respect of the contributor under the Commonwealth Act together with interest from the date of resignation.
- (6) The amount of interest will be calculated and credited to the contributor at the end of each financial year and will be calculated on the amount referred to in subsection (5) at the end of the first financial year and on the aggregate of that amount and the interest previously credited at the end of each subsequent financial year.
- (7) The rate of interest will be determined by the Board in respect of each financial year in accordance with section 20A.
- (8) If the contributor elects to preserve his or her accrued superannuation benefits, the following provisions apply:
- (a) the contributor may at any time after reaching 55 years of age require the Board to pay superannuation benefits to the contributor and, if no such requirement has been made on or before the date on which the contributor reaches 65 years of age, the Board will pay such benefits to the contributor;
 - (b) if the contributor satisfies the Board that he or she has become totally and permanently incapacitated for work, the Board will pay superannuation benefits to the contributor;

- (c) if the contributor dies, benefits will be paid to the spouse of the deceased contributor or, if he or she left no surviving spouse, to the contributor's estate,

(and a payment under any of the above paragraphs excludes further rights so that a claim cannot be subsequently made under some other paragraph).

- (9) A contributor who does not elect to preserve his or her accrued superannuation benefits is entitled to an amount (to be charged against the contributor's contribution account) equivalent to the amount standing to the credit of the contributor's contribution account.
- (10) Subject to subsection (11), superannuation benefits payable under subsection (8) will be calculated as follows:

$$LS = \frac{M \times AFS \times A}{PCP}$$

Where

LS is the superannuation benefit

M is the multiple opposite the contributor's name in Schedule 1

AFS is the contributor's actual or attributed salary as at the date of resignation (expressed as an annual amount) adjusted to reflect changes in the Consumer Price Index since the date of resignation

A is the number of the contributor's accrued contribution points

PCP is the number of months between the date of the contributor's acceptance as a member of the STA scheme and the age of retirement.

- (11) A contributor may elect to take 50 per cent or more of the superannuation benefits calculated under subsection (10) as a pension and in that event the contributor is entitled to—
- (a) the balance (if any) of the lump sum not converted to a pension; and
- (b) a pension calculated as follows:

$$P = \frac{LS}{9}$$

Where

P is the amount of the pension (expressed as an annual amount)

LS is the amount of the lump sum to be converted to pension.

- (12) If the contributor elects to carry over his or her accrued superannuation benefits to an approved superannuation fund or scheme, the following provisions apply:
- (a) the contributor must satisfy the Board by such evidence as it may require that he or she has been admitted to membership of the fund or scheme;

- (b) on being so satisfied, the Board will make a payment on behalf of the contributor to the fund or scheme made up of 2 components:
 - (i) an employee component (to be charged against the contributor's contribution account) equivalent to the amount standing to the credit of the contributor's contribution account;
 - (ii) an employer component which will be equal to twice the amount of the employee component.
- (13) For the purposes of this section, a contributor will be taken to resign if the contributor's employment terminates or is terminated for any reason (except invalidity or death).
- (14) A pension payable under this section will be indexed.

29—Resignation pursuant to a voluntary separation package

- (1) This section applies to a contributor who resigns from his or her employment before reaching the age of 55 years pursuant to a voluntary separation package—
 - (a) that includes a term that this section is to apply to the contributor; and
 - (b) that has been approved by the Treasurer.
- (2) Section 28 does not apply to a contributor to whom this section applies.
- (3) On resignation, a contributor to whom this section applies is entitled to a lump sum but may elect to convert 50 per cent or more of the lump sum to a pension.
- (4) The lump sum is made up of—
 - (a) an employee component (to be charged against the contributor's contribution account) equivalent to the amount standing to the credit of that account; and
 - (b) an employer component that is equal to twice the amount of the employee component.
- (5) A contributor who elects to convert part of the lump sum to a pension is entitled to—
 - (a) the balance (if any) of the lump sum not converted to a pension; and
 - (b) a pension in an amount determined by the Board on the advice of an actuary.
- (6) The pension payable under subsection (5)(b) will be indexed.
- (7) A part of the lump sum referred to in subsection (4), being an amount equivalent to the minimum contribution required to avoid payment of the superannuation guarantee charge in respect of the contributor under the Commonwealth Act, is preserved.

- (8) A part of the balance of the lump sum referred to in subsection (5)(a), being an amount equivalent to the minimum contribution required to avoid payment of the superannuation guarantee charge in respect of the contributor under the Commonwealth Act, is preserved but if that amount is equal to or greater than the balance of the lump sum, the whole of the balance of the lump sum is preserved.
- (9) The amount preserved by subsection (7) or (8) together with interest is payable in accordance with the following provisions:
- (a) the contributor may at any time after reaching 55 years of age require the Board to pay the amount and, if no such requirement has been made on or before the date on which the contributor reaches 65 years of age, the Board will pay the amount to the contributor;
 - (b) if the contributor satisfies the Board that he or she has become totally and permanently incapacitated for work, the Board will pay the amount to the contributor;
 - (c) if the contributor dies, the amount will be paid to the spouse of the deceased contributor or, if he or she left no surviving spouse, to the contributor's estate,
- (and a payment under any of the above paragraphs excludes further rights so that a claim cannot be subsequently made under some other paragraph).
- (10) The amount of interest will be calculated and credited to the contributor at the end of each financial year and will be calculated at the end of the first financial year on the amount preserved and on the aggregate of that amount and the interest previously credited at the end of each subsequent financial year.
- (11) The rate of interest will be determined by the Board in respect of each financial year in accordance with section 20A.
- (12) In this section—
- voluntary separation package* means an agreement between a contributor and his or her employer pursuant to which the contributor resigns from employment.

30—Retrenchment

- (1) If a contributor's employment is terminated by retrenchment, the contributor may elect—
- (a) to take a lump sum payment; or
 - (b) to preserve his or her superannuation benefits.
- (2) A lump sum payment under this section will be calculated as follows:

$$LS = \frac{M \times FS \times A}{PCP}$$

Where

LS is the lump sum

M is the multiple opposite the contributor's name in Schedule 1

FS is the contributor's actual or attributed salary immediately before retrenchment (expressed as an annual amount)

A is the number of the contributor's accrued contribution points

PCP is the number of months between the date of the contributor's acceptance as a member of the STA scheme and the age of retirement.

- (3) If a contributor elects to preserve his or her superannuation benefits, this Act applies in the same way as if the contributor had made that election on resignation.
- (4) If a contributor's employment is to be terminated by retrenchment, the employing authority must give the Board notice of that fact in accordance with the regulations at least 1 month before the termination takes effect.

31—Termination of employment on invalidity

- (1) A contributor whose employment terminates on account of invalidity and who has not then reached the age of 55 years is entitled to a lump sum but may elect to convert 50 per cent or more of the lump sum to a pension.
- (2) The lump sum is calculated as follows:

$$LS = M \times FS \times A$$

Where

LS is the lump sum

M is the multiple opposite the contributor's name in Schedule 1

FS is the contributor's actual or attributed salary immediately before termination of the contributor's employment (expressed as an annual amount)

A is the lesser of the following:

- (a) unity; or
- (b) —
 - (i) if the contributor was an active contributor immediately before termination of the employment—the numerical value obtained by dividing the number of the contributor's extrapolated contribution points by the number of months between the date of the contributor's acceptance as a member of the STA scheme and the contributor's age of retirement;
 - (ii) if the contributor was not an active contributor immediately before termination of the employment—the numerical value obtained by dividing the number of the contributor's accrued contribution points by the number of months between the date of the contributor's acceptance as a member of the STA scheme and the contributor's age of retirement.

- (3) A contributor who elects to convert part of the lump sum to a pension is entitled to—
- (a) the balance (if any) of the lump sum not converted to a pension; and
 - (b) a pension calculated as follows:

$$P = \frac{LS}{9}$$

Where

P is the amount of the pension (expressed as an annual amount)

LS is the amount of the lump sum to be converted to pension.
- (4) A contributor's employment will be taken to have terminated on account of invalidity if, and only if—
- (a) the employer (acting with the written approval of the Board) terminates the employment on the ground of the contributor's invalidity; or
 - (b) —
 - (i) the employer or the contributor satisfies the Board (before termination of employment) that the contributor is incapacitated for work in the contributor's present position and that there is no other position, carrying a salary of at least 80 per cent of the salary applicable to the contributor's present position, which the contributor could reasonably be expected to take, available to the contributor; and
 - (ii) after notice has been given to the Board as required by the regulations, the employer terminates the employment or the contributor resigns from employment.
- (5) Despite any other Act or law to the contrary an employer cannot terminate the employment of a contributor on the ground of invalidity unless the requirements of subsection (4)(a) or (b) have been satisfied.
- (6) A pension payable under this section will be indexed.

32—Death of contributor while in employment

- (1) This section applies where the contributor's employment is terminated by the contributor's death.
- (2) If the contributor is survived by a spouse, the spouse may elect to take—
 - (a) a lump sum calculated as follows:

$$LS = M \times FS \times A$$

Where

LS is the lump sum

M is the multiple opposite the contributor's name in Schedule 1

FS is the contributor's actual or attributed salary immediately before termination of the contributor's employment (expressed as an annual amount)

A is the lesser of the following:

- (a) unity; or
- (b) —
 - (i) if the contributor was an active contributor immediately before his or her death—the numerical value obtained by dividing the number of the contributor's extrapolated contribution points by the number of months between the date of the contributor's acceptance as a member of the STA scheme and the contributor's age of retirement; or
 - (ii) if the contributor was not an active contributor immediately before his or her death—the numerical value obtained by dividing the number of the contributor's accrued contribution points by the number of months between the date of the contributor's acceptance as a member of the STA scheme and the contributor's age of retirement; or

(b) a pension calculated as follows:

$$P = \frac{LS \times 2}{27}$$

Where

P is the pension expressed as an annual amount

LS is the lump sum that the spouse would have been entitled to under paragraph (a) if he or she had made that election.

(3) No child of the deceased contributor is entitled to a superannuation benefit if the contributor's spouse makes an election under subsection (2)(a) but if the spouse makes an election under subsection (2)(b) the eligible children of the deceased contributor will be entitled as follows:

(a) if there are 1 or 2 eligible children, each is entitled to a pension calculated as follows:

$$P = \frac{LS}{81}$$

(b) if there are 3 or more eligible children each is entitled to a pension calculated as follows:

$$P = \frac{LS}{27 \times N}$$

Where

P is the pension expressed as an annual amount

LS is the lump sum that the spouse would have been entitled to under subsection (2)(a) if he or she had elected to take that lump sum

N is the number of eligible children.

- (4) If the contributor is not survived by a spouse but is survived by an eligible child or eligible children, the child or children are entitled as follows:

- (a) if there is only 1 eligible child, he or she is entitled to a pension calculated as follows:

$$P = \frac{LS}{20}$$

- (b) if there are 2 eligible children, each is entitled to a pension calculated as follows:

$$P = \frac{LS \times 2}{45}$$

- (c) if there are 3 eligible children, each is entitled to a pension calculated as follows:

$$P = \frac{LS}{30}$$

- (d) if there are 4 or more eligible children, each is entitled to a pension calculated as follows:

$$P = \frac{LS}{9 \times N}$$

Where

P is the pension expressed as an annual amount

LS is the lump sum to which the contributor would have been entitled if he or she had survived and retired on his or her 60th birthday and if the contributor's actual or attributed salary immediately before retirement had been the same as the contributor's actual or attributed salary immediately before his or her death

N is the number of eligible children.

- (5) If the contributor is not survived by a spouse or an eligible child, a lump sum calculated under subsection (2)(a) is payable to the contributor's estate.
- (6) If a deceased contributor is survived by a lawful spouse and a putative spouse, each is entitled to make an election under subsection (2) in respect of his or her share of the superannuation benefits but if the Board accepts an election in respect of the whole of those benefits by 1 spouse without notice of the other spouse's interest, the other spouse is not entitled to make an election under subsection (2) in respect of those benefits.
- (7) A pension payable under this section will be indexed.

32A—Death of contributor in receipt of a pension

- (1) If a contributor who is in receipt of a pension under this Act dies—
 - (a) a surviving spouse (not being a person who became the contributor's spouse after termination of the contributor's employment and less than 5 years before the date of the contributor's death) is entitled to a pension equal to two-thirds of the deceased contributor's notional pension; and
 - (b) an eligible child is entitled to a pension in accordance with subsection (2).
- (2) The amount of the pension for each eligible child is as follows:
 - (a) if a pension is being paid to a surviving spouse—
 - (i) if there are no more than 2 eligible children—a pension equal to one-ninth of the deceased contributor's notional pension;
 - (ii) if there are 3 or more eligible children—a pension calculated by dividing one-third of the deceased contributor's notional pension by the number of eligible children;
 - (b) if no pension is being paid to a surviving spouse—
 - (i) if there is 1 eligible child—a pension equal to 45 per cent of the deceased contributor's notional pension;
 - (ii) if there are 2 eligible children—a pension equal to 40 per cent of the deceased contributor's notional pension;
 - (iii) if there are 3 eligible children—a pension equal to 30 per cent of the deceased contributor's notional pension;
 - (iv) if there are 4 or more eligible children—a pension calculated by dividing the deceased contributor's notional pension by the number of eligible children.
- (3) A reference in this section to a deceased contributor's notional pension is a reference to the amount of the contributor's pension immediately before his or her death.
- (4) A deceased contributor's notional pension will be indexed as if it were (or remained) an actual pension and consequential adjustments will be made to pensions calculated by reference to the notional pension.
- (5) A surviving spouse will not be entitled to a benefit under this section if section 43AG applies to the spouse and the amount of any benefit payable to a person must take into account any reduction that has been made under section 43AF.

Division 3—KA Bengier**32B—Benefits payable to KA Bengier**

The superannuation benefits payable under section 28(8) to Kevin A Bengier will be \$134 257 adjusted to reflect changes in the Consumer Price Index since 30 June 1990.

Division 4—General**32C—Benefits to be charged against contribution account**

Benefits payable under this Part will be charged against the contributor's contribution account until it is exhausted.

6—Continuation of pension rights

- (1) A pension payable to a member of the STA scheme immediately before 1 September 2005 will continue to be payable pursuant to the Act as modified by these regulations after that date.
- (2) The Act as so modified (apart from provisions relating to indexation and reduction or suspension of pensions) does not affect the amount of any such pension.

Schedule 1—Relevant members of STA scheme**Members who were active contributors or had preserved benefits at 1 September 2005**

	Retirement age multiple	Standard contribution rate
Active members		
Jeffrey K BEATTY	6.00	5.6
Ian J SINCLAIR	6.00	5.5
Members with preserved accrued benefit (inactive)		
Frank CZUKLI	6.00	5.9
Derek S LEA	6.00	5.7

Member who had preserved benefits before 1 July 1990

Kevin A Bengier

Schedule 2—Revocation of *Superannuation (STA Employees) Regulations 1991*

The *Superannuation (STA Employees) 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 1 September 2005

No 192 of 2005

T&F05/073CS

South Australia

Parliamentary Superannuation Variation Regulations 2005

under the *Parliamentary Superannuation Act 1974*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of Parliamentary Superannuation Regulations 2003

- 4 Revocation of regulation 10
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Parliamentary Superannuation Variation Regulations 2005*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Parliamentary Superannuation Regulations 2003*

4—Revocation of regulation 10

Regulation 10—delete the regulation

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 1 September 2005

No 193 of 2005

T&F05/081CS

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CITY OF CHARLES STURT

Roads (Opening and Closing) Act 1991

NOTICE is hereby given pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that Council proposes to make a Road Process Order to close portion of Bollen Street, Kilkenny, being an irregular-shaped portion of the road adjoining Allotment 12 within Deposited Plan 43729, Allotment 45 within Filed Plan 117927 and Allotment 25 within Deposited Plan 51027 and marked 'A' on Preliminary Plan No. 05/0048.

It is proposed that the portions of road to be closed marked 'A' be transferred to Fina Home Constructions Pty Ltd.

A copy of the plan and statement of persons affected are available for public inspection at Council's Office, 72 Woodville Road, Woodville 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 1 September 2005 to the Council, P.O. Box 1, Woodville, S.A. 5011 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001 setting out full details of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land specify the land to which the easement is to be annexed.

Where a submission is made, Council will notify that person of the time and place at which the submission will be dealt with.

Dated 1 September 2005.

P. LOCKETT, Chief Executive Officer

CITY OF CHARLES STURT

Periodical Review of Elector Representation

NOTICE is hereby given, pursuant to the provisions of section 12 (9) of the Local Government Act 1999, that the City of Charles Sturt has carried out a review to determine whether a change of arrangements in respect to elector representation, including ward boundaries and the composition of Council, will result in the electors of the area being more adequately and fairly represented.

Information regarding the nature of the review, that details the review process, the public consultation undertaken and the proposal that Council considers should be implemented, is available at the Woodville Civic Centre, on Council's website at www.charlessturt.sa.gov.au or by contacting Anna Tropeano on telephone 8408 1120.

Interested persons are invited to make a written submission to the City of Charles Sturt, P.O. Box 1, Woodville, S.A. 5011 (fax: 8408 1122, e-mail: council@charlessturt.sa.gov.au) by close of business on Friday, 23 September 2005.

Any person who makes a written submission will be given an opportunity to appear before Council to be heard in respect to their submission.

P. LOCKETT, Chief Executive

CITY OF PORT AUGUSTA

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-Law No. 8—Cats

FOR the control and management of cats.

1. *Definitions*

In this by-law:

- 1.1 'boarding kennel' means a building, structure, premises or area approved by the relevant authority, pursuant to the Development Act 1993, for the keeping of cats on a temporary or permanent basis;
- 1.2 'cat' means an animal of the species *felis catus* over five months of age;
- 1.3 'keep' includes the provision of food or shelter; and

1.4 'premises' includes:

- land;
- a part of any premises or land.

2. *Identification of cats*

- 2.1 No person shall without the written permission of Council keep a cat in the Council's area, unless the cat is identified by a microchip.
- 2.2 A cat fitted with a microchip must be traceable through the registration of the microchip with the relevant microchip company.

3. *Limit on cat numbers*

- 3.1 Subject to Clauses 3.3 and 3.4 the limit on the number of cats to be kept on any premises shall be two.
- 3.2 No person shall without the written permission of the Council keep a cat on any premises where the number of cats being kept on those premises exceeds the limit.
- 3.3 Clause 3.1 does not apply if the person has the permission of the Council in writing. Such permission may be given if the Council is satisfied that:
 - 3.3.1 no insanitary condition exists on the premises as a result of the keeping of cats;
 - 3.3.2 a nuisance is not caused to any neighbour as a result of the keeping of cats on the premises;
 - 3.3.3 all cats kept on the premises over the age of five months are desexed unless the person obtains a letter signed by a veterinary surgeon indicating that the health of the cat will be jeopardised if it is desexed before a stated age. If such a letter is produced the owner of the cat will undertake to have an appropriately qualified person to desex the cat when it reaches the stated age;
 - 3.3.4 the cat is effectively confined to the premises with the aid of a cat run; and
 - 3.3.5 the cats are being kept for breeding purposes.
- 3.4 Clause 3.1 does not apply to a boarding kennel in respect of which a development authorisation is in force pursuant to the Development Act 1993.

4. *Effective confinement*

- 4.1 The person responsible for the control of a cat or entitled to the possession of a cat must ensure the cat is effectively confined to the premises occupied by that person between the hours of 10.30 p.m. and 6 a.m. the next day following.

5. *Notices*

- 5.1 The Council may serve notice on the occupier of premises or the owner of a cat requiring action to be taken to ensure compliance with this by-law.
- 5.2 The person to whom notice is given shall comply.
- 5.3 If the person to whom notice was given does not comply, the Council may carry out the terms of the notice and recover the costs of so doing from that person.

6. *Construction*

This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the Port Augusta City Council held on 25 August 2005 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated 25 August 2005.

J. G. STEPHENS, City Manager

CITY OF PORT AUGUSTA

Revocation of Community Land Classification

NOTICE is hereby given that at the Council meeting held on 22 August 2005, Council resolved to revoke the Community Land Classification for Lot 67, Hundred of Davenport, Jaycee Street, as contained in Deposited Plan 9446, certificate of title volume 5581, folio 432, pursuant to section 194 (3) (b) of the Local Government Act 1999, having complied with all requirements of that section and having received approval from the Minister.

Dated 29 August 2005.

J. G. STEPHENS, City Manager

ALEXANDRINA COUNCIL

DEVELOPMENT ACT 1993

*Strathalbyn Township
Local Heritage Plan Amendment Report (PAR)
Draft for Public Consultation*

NOTICE is hereby given that Council has prepared a draft Plan Amendment Report to amend the Alexandrina Council Development Plan.

The Plan Amendment Report will amend the Development Plan by introducing 184 Local Heritage Places and introducing six Historic (Conservation) Policy Areas within the Strathalbyn Township. These changes are made on the recommendations of a detailed Heritage Survey that was completed in 2003 and will implement changes investigated within the Development Plan Review undertaken in 2003. The proposed changes will help to safeguard the important cultural heritage of the township of Strathalbyn, which is recognised throughout the State.

The draft Plan Amendment Report will be available for public inspection at the Council Office, 1 Coleman Terrace, Strathalbyn; Goolwa Office, 11 Cadell Street, Goolwa; the Strathalbyn Library, Callington Road, Strathalbyn and on Council's website from 1 September 2005 to 3 November 2005. Copies of the Plan Amendment Report can be purchased at the Council office at \$10 each for a hard copy or \$5 each for a CD.

Written submissions regarding the draft amendment will be accepted by Alexandrina Council until 5 p.m. on 3 November 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 Planning Department, Alexandrina Council, P.O. Box 2, Goolwa, S.A. 5214. Copies of all written submissions received will be available for inspection by interested persons at the Council office in Strathalbyn from 8 November 2005.

A public hearing will be held on 6 December 2005 at the Strathalbyn Town Hall, 9 High Street, Strathalbyn, to enable people to speak to Council in relation to the PAR and submissions.

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

Pursuant to section 28 (1) of the Development Act 1993, the Governor, with the advice and consent of the Executive Council, being of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'Alexandrina Council—Strathalbyn Township Local Heritage Plan Amendment' that the Plan Amendment should come into operation without delay, declare that the Plan Amendment will come into operation on an interim basis on 1 September 2005.

For further information, contact the Duty Planner on 8555 7000.

Dated 1 September 2005.

J. COOMBE, Chief Executive Officer

DISTRICT COUNCIL OF FRANKLIN HARBOUR

Periodical Review of Elector Representation

NOTICE is hereby given that pursuant to the provision of section 12 of the Local Government Act 1999, the District Council of Franklin Harbour has completed a review to determine whether a change to ward boundaries and/or composition would result in the electors of the area being more fairly represented.

Council has prepared a report which details the review process, public consultation undertaken and the proposal it considers should be implemented. Copies of this report are available from the Council Office, Main Street, Cowell.

Written submissions are invited from interested persons and should be directed to the District Clerk, District Council of Franklin Harbour, P.O. Box 71, Cowell, S.A. 5602 to be received before 4 p.m. on Friday, 30 September 2005.

Any person making a written submission will also be invited to appear personally, or by representation before a meeting of Council or a Council Committee to be heard in support of their submission.

B. FRANCIS, District Clerk

DISTRICT COUNCIL OF FRANKLIN HARBOUR

Adoption of Valuation

NOTICE is hereby given that the District Council of Franklin Harbour 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, resolved to adopt, for rating purposes for the financial year ending 30 June 2006, the Valuer-General's valuation of site values applicable to land within the Council, totalling \$74 490 840 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 exercise of the powers contained in sections 153, 156 (1) (b) and 158 of the Local Government Act 1999, the District Council of Franklin Harbour at a meeting held on 10 August 2005, resolved to declare the following rates for the financial year ending 30 June 2006:

1. Differential general rates:

- (a) within the township of Cowell—1.20 cents in the dollar;
- (b) within the Lucky Bay Shack area, being sections 38 to 44, Hundred of Wilton—0.88 cents in the dollar;
- (c) within the Port Gibbon Shack area, being part block 1 and sections 566 to 571, Hundred of Hawker—0.80 cents in the dollar;
- (d) within the remainder of the district—0.97 cents in the dollar.

2. A minimum amount payable by way of rates on any one assessment throughout the whole of the district of \$255.

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 Franklin Harbour at a meeting held on 10 August 2005, declared a separate rate, being a fixed water levy of \$31.70 upon all rateable property in the Council area. The fixed water levy was declared in order to reimburse the Council the amount of \$26 663 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

Pursuant to section 181 (1) (a) of the Local Government Act 1999, the Council declared that rates for the year ending 30 June 2006, will fall due in four equal or approximately equal instalments, payable on 20 September 2005, 20 December 2005, 20 March 2006 and 20 June 2006.

B. A. FRANCIS, District Clerk

NORTHERN AREAS COUNCIL

SUPPLEMENTARY ELECTION FOR COUNCILLOR IN
ROCKY RIVER WARD*Nominations Received*

AT the close of nominations at 12 noon on Thursday, 18 August 2005, one nomination only was received for the vacancy of Councillor for Rocky River Ward.

In accordance with section 25 (1) of the Local Government (Elections) Act 1999 and in my capacity as Returning Officer, I declare Dennis Wheatley elected to the vacancy of Councillor for the duration of the term of the current Council.

D. GULLY, Returning Officer

DISTRICT COUNCIL OF TATIARA

Declaration of a Public Road

NOTICE is hereby given that Council, pursuant to section 219 of the Local Government Act 1999, has resolved to declare that section of land being Allotment 21 in Deposited Plan 68822 as public road and assigned the name of Wurlyana Road.

R. HARKNESS, Chief Executive Officer

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

- Best, Gladys Isabel*, late of 55-59 Ferguson Avenue, Myrtle Bank, of no occupation, who died on 30 June 2005.
Chitry, James Alexander, late of 43 Alexandra Street, Prospect, retired salesman, who died on 11 July 2004.
Cock, Elizabeth Ellen, late of 8 Mine Street, Kadina, of no occupation, who died on 29 July 2004.
Dyer, Veronica Elsie, late of 155 Edward Street, Melrose Park, home duties, who died on 22 June 2005.
Grigg, Colin Geoffrey, late of 29 Finnis Street, Marion, retired market gardener, who died on 15 May 2005.
Kesic, Dane, late of 17 Austin Street, Croydon Park, retired labourer, who died on 27 June 2005.

Moar, Marie Lillie, late of 3 Furner Avenue, Ingle Farm, home duties, who died on 17 June 2005.

Pavan, Sante Adrian, late of 35 William Street, Two Wells, of no occupation, who died on 15 July 2005.

Schultz, Gordon Ray, late of 40 Grant Avenue, Rose Park, retired gardener, who died on 12 June 2005.

Sumero, Milda, late of 81 Tapleys Hill Road, Hendon, of no occupation, who died on 1 July 2005.

Wills, Christopher John, late of 180 Comer Street, Yass, New South Wales, plant operator, who died on 20 November 2004.

Witchard, Linda Margaret, late of King George Avenue, North Brighton, of no occupation, who died on 21 May 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 30 September 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 1 September 2005.

C. J. O'LOUGHLIN, Public Trustee

CORPORATIONS ACT 1990

PETER BURKETT REAL ESTATE PTY LIMITED (IN LIQUIDATION)

Notice of Final Meeting

NOTICE is hereby given that a final meeting of the members and creditors of the company will be held at the offices of MC, Chartered Accountants, 1st Floor, Menai House, 17 Bagot Street, North Adelaide, S.A. 5006 on 4 October 2005 at 10 a.m.

Agenda

1. To receive a final report from the Liquidator showing how the winding up has been conducted and the property of the company has been disposed of and giving any necessary explanation of the account.

2. Any other business.

Dated 30 August 2005.

B. M. MANSOM, Liquidator

UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys held by Hardy Wine Company Limited (ABN 86 008 273 907) over \$10

Name of Owner on Books	Address	Total Amount \$	Date of Last Claim
Benedict, Dr Raymund	15 Landsborough Avenue, Scarborough, Qld 4020	17.50	May 1997
Benedict, Dr Raymund	15 Landsborough Avenue, Scarborough, Qld 4020	17.50	Oct. 1997
Blackwood, Dorothy Anne	22 Allambee Avenue, Grovedale, Vic. 3216	137.50	Oct. 1997
Camel Pty Ltd.....	Address unknown	203.00	Oct. 1997
Carpenter, Janice.....	59 Foley Street, Kew, Vic. 3101	30.00	Oct. 1998
Dolphin, Stephen Peter	3 Cairns Street, Norwood, S.A. 5067	100.00	May 1997
Hardy, Stephen Robert	13/41 Kangaroo Street, Manly, N.S.W. 2095	60.00	Oct. 1998
Hardy, Stephen Robert	13/41 Kangaroo Street, Manly, N.S.W. 2095	55.00	Apr. 1998
Hardy, Stephen Robert	13/41 Kangaroo Street, Manly, N.S.W. 2095	50.00	May 1997
Hardy, Stephen Robert	13/41 Kangaroo Street, Manly, N.S.W. 2095	50.00	Oct. 1997
Hellen, Alistair	77 Kedron Brook Road, Wilston, Qld 4051	16.50	Apr. 1998
Hellen, Clohe.....	77 Kedron Brook Road, Wilston, Qld 4051	16.50	Apr. 1998
Heres Nominees	Level 5, 67 Castlereagh Street, Sydney, N.S.W. 2000	70.00	May 1997
Jarnagin, Shirley Rose	c/o Vinton Smith Dougall, P.O. Box 531, Market Street, Melbourne, Vic. 8001	100.00	Oct. 1997
John F. Sharley Agencies Pty Ltd.....	P.O. Box 27, Renmark, S.A. 5341	291.65	Oct. 1997
Juppenlatz, Silke.....	21 Drummond Gardens, Epsom, Surrey KT19 8RP U.K.	60.50	Apr. 1998
Long, Brendan Patrick.....	c/o Pembroke College (address unknown)	53.50	Oct. 1997
Maher, Arthur Neville and Shirley Kathleen.....	15 Lanceley Avenue, Carlingford, N.S.W. 2118	1 000.00	Oct. 1997
McCulloch, Christian.....	Address unknown	69.00	Oct. 1998
Moore, Rosalind Diana.....	100 Acanthus Road, Willetton, W.A. 6055	58.30	May 1997
Netshare Nominees Pty Ltd	P.O. Box 7428, Cloisters Square, Perth, W.A. 6850	168.54	Oct. 1998
Nickels, Keith and Belinda Cottrell	P.O. Box 302, Gol Gol, N.S.W. 2738	75.00	May 1997
Norman, L.	Address unknown	268.92	Oct. 1998
Parkinson, David	P.O. Box 2151, Port Moresby, NCD PNG	39.96	Oct. 1998
Patagonia Trading.....	Address unknown	100.00	Oct. 1997
R. & C. Abrahams Superannuation Fund.....	Middletons Moore & Bevins, G.P.O. Box 43880, Melbourne Vic. 3001	350.00	Oct. 1997
Rose, Jennifer Anne.....	P.O. Box 149, Beaconsfield, Vic. 3807	529.65	Apr. 1998
Sicuro, Johnny	26 Birkinshaw Avenue, Tranmere, S.A. 5073	52.25	Apr. 1998
Trentelman, Kerri	Address unknown	11.00	Apr. 1998
Wallace, Phillip Norman	Address unknown	302.50	Apr. 1998
Winan Investments Pty Ltd	Level 12, 55 Clarence Street, Sydney, N.S.W. 2000	150.00	May 1997
		4 504.27	

ATTENTION

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