



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 22 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](mailto: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](http://www.governmentgazette.sa.gov.au)

Department of the Premier and Cabinet  
Adelaide, 22 September 2005

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

No. 44 of 2005—Superannuation Funds Management Corporation of South Australia (Miscellaneous) Amendment Act 2005. An Act to amend the Superannuation Funds Management Corporation of South Australia Act 1995.

By command,

J. W. WEATHERILL, for Premier

DPC 02/0586

Department of the Premier and Cabinet  
Adelaide, 22 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Opera of South Australia Board of Management, pursuant to the provisions of the State Opera of South Australia Act 1976:

Member: (from 22 September 2005 until 21 September 2008)  
Lindsay Smith  
Gregory Laird Story

By command,

J. W. WEATHERILL, for Premier

ASACAB 016/02

Department of the Premier and Cabinet  
Adelaide, 22 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Kevin Owen Foley, MP, Deputy Premier, Treasurer, Minister Assisting the Premier in Economic Development, Minister for Police and Minister for Federal/State Relations to be also Acting Premier, Acting Minister for Economic Development, Acting Minister for Social Inclusion and Acting Minister for Volunteers for the period 28 September 2005 to 5 October 2005 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

J. W. WEATHERILL, for Premier

DPC 030/96 PT4 CS

Department of the Premier and Cabinet  
Adelaide, 22 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Environment and Conservation, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Minister for the Arts for the period 28 September 2005 to 5 October 2005 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

J. W. WEATHERILL, for Premier

DPC 030/96 PT4 CS

Department of the Premier and Cabinet  
Adelaide, 22 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the people listed to the Child Death and Serious Injury Review Committee for the period 22 September 2005 until 20 December 2006, pursuant to Section 68 of the Constitution Act 1934:

Dymphna Eszenyi (Chair)  
Jo Battersby  
George Beltchev  
Brian Butler

Roger Byard  
Linda Doré  
Tim Goodes  
Dianne Gursansky  
Diana Hetzel  
Samantha Laubsch  
Nigel Stewart  
Alison Tucker  
Helen Wighton  
Peter Woite

By command,

J. W. WEATHERILL, for Premier

MFC/CS/05/0026

Department of the Premier and Cabinet  
Adelaide, 22 September 2005

HER Excellency the Governor in Executive Council has been pleased to confirm the by-laws made on 23 February 2005 by the Board of Central Northern Adelaide Health Service Incorporated for Modbury Hospital, pursuant to Section 38 (3) of the South Australian Health Commission Act 1976.

By command,

J. W. WEATHERILL, for Premier

HEACS/05/055

Department of the Premier and Cabinet  
Adelaide, 22 September 2005

HER Excellency the Governor in Executive Council has been pleased to confirm the by-laws made on 1 June 2005 by the Board of Southern Adelaide Health Service Incorporated for Flinders Medical Centre, pursuant to Section 38 (3) of the South Australian Health Commission Act 1976.

By command,

J. W. WEATHERILL, for Premier

HEACS/05/053

Department of the Premier and Cabinet  
Adelaide, 22 September 2005

HER Excellency the Governor in Executive Council has amended the instrument of appointment of Teresa Anderson as a Deputy State Coroner and the Minutes of the Executive Council meeting held on 15 September 2005 by changing 'pursuant to Section 8 of the Coroners Act 1975' to 'pursuant to Section 5 of the Coroners Act 2003'.

By command,

J. W. WEATHERILL, for Premier

AGO 0203/02 CSPTIII

## AGRICULTURAL AND VETERINARY PRODUCTS (CONTROL OF USE) REGULATIONS 2004

### NOTICE BY THE MINISTER

#### *Approval of Prescribed Qualifications*

I, RORY McEWEN, Minister for Agriculture, Food and Fisheries, pursuant to regulation 3 (1) of the Agricultural and Veterinary Products (Control of Use) Regulations 2004, approve the qualifications listed below as prescribed qualifications:

1. A Statement of Attainment issued by a Registered Training Organisation certifying achievement of the following Units of Competence as part of the SMARTtrain Chemical Application Course:

Module/Unit Code	Unit Name
NSWTHAZ301A	Manage residues in product
RTC2701A	Follow OHS procedures
RTC3704A	Prepare and apply chemicals
RTC3705A	Transport, handle and store chemicals

2. A Statement of Attainment issued by a Registered Training Organisation certifying achievement of the following Units of Competence as part of the SMARTtrain Chemical Risk Management Course:

Module/Unit Code	Unit Name
RTC3704A	Prepare and apply chemicals
RTC3705A	Transport, handle and store chemicals
RTC4703A	Plan and implement a chemical use program
RTC4702A	Minimise risks in the use of chemicals

Dated 15 September 2005.

R. MCEWEN, Minister for Agriculture,  
Food and Fisheries

DEVELOPMENT ACT 1993, SECTION 25 (17): DISTRICT COUNCIL OF THE COPPER COAST—NORTH MOONTA RURAL LIVING ZONE PLAN AMENDMENT

*Preamble*

1. The Development Plan amendment entitled 'District Council of the Copper Coast—North Moonta Rural Living Zone Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

NOTICE

PURSUANT to section 25 of the Development Act 1993, I:

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

Dated 22 September 2005.

PAUL HOLLOWAY, Minister for Urban  
Development and Planning

PLN 03/0367

DEVELOPMENT ACT 1993, SECTION 25 (17): COOBER PEDY DISTRICT COUNCIL—GENERAL PLAN AMENDMENT

*Preamble*

1. The Development Plan amendment entitled 'Cooper Pedy District Council—General Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

NOTICE

PURSUANT to section 25 of the Development Act 1993, I:

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

Dated 22 September 2005.

PAUL HOLLOWAY, Minister for Urban  
Development and Planning

PLN 99/0447

DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF MITCHAM—LOCAL HERITAGE PLAN AMENDMENT

*Preamble*

1. The Development Plan amendment entitled 'City of Mitcham—Local Heritage Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

NOTICE

PURSUANT to section 25 of the Development Act 1993, I:

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

Dated 22 September 2005.

PAUL HOLLOWAY, Minister for Urban  
Development and Planning

PLN 98/0646

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 grant provisional development authorisation of the Beringer Blass Wine Bottling and Storage Facility at Nuriootpa was published in the *Gazette* on 23 September 2004.

2. The amended decision of the Governor under section 48 of the Development Act 1993, to grant provisional development authorisation of the Beringer Blass Wine Bottling and Storage Facility at Nuriootpa was published in the *Gazette* on 15 September 2005.

3. Pursuant to section 48 of the Development Act 1993 and Regulation 64 (1) of the Development Regulations 1993, the Governor reserved certain matters for further decision-making.

4. Amendments to the development were granted by the Development Assessment Commission as delegate of the Governor on 14 October 2004, 16 December 2004, 13 January 2005, 3 March 2005, 7 April 2005, 28 April 2005, 9 June 2005 and 18 August 2005.

5. A further application has been made to the Development Assessment Commission, as delegate of the Governor, in relation to building rules for architectural, services and conveyor platform for Stage 1 of the Development.

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

7. The Development Assessment Commission is satisfied that the amendments do not require the preparation of a further or amended Development Report.

*Decision*

PURSUANT to section 48 of the Development Act 1993, the Development Assessment Commission, as delegate of the Governor, grants provisional development authorisation to the amended Beringer Blass Wine Bottling and Storage Facility subject to the Conditions and Notes to the applicant below:

- (a) reserve a decision on the following matters (upon application of further information) pursuant to section 48 (6) and Regulation 64 (1):
  - (i) Further assessment and certification in respect of the Building Rules, for additional packages for Stage 1 and Stage 2 of the development (refer to Conditions and Notes to Applicant below).

- (b) 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 attached;
- (c) specify, for the purposes of section 48 (11) (b) of the Development Act 1993, the period of two years from the date hereof, as the time within which substantial work must be commenced on-site, failing which I may cancel this authorisation.

#### CONDITIONS OF APPROVAL

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

- (a) the following drawings contained within the Development Report, 'Proposed Wine Bottling and Storage Facility, Light Pass Road/Pipeline Road, Barossa Valley', lodged by Beringer Blass Wine Estates, dated May 2004:

- Drawing Titled: 'Proposed Bottling Facility, Landscape Plan'; Drawing Number: N080-SK01 A.
- Drawing Titled: 'Proposed Bottling Facility, Elevations'; Drawing Number: N080-SK02 A.

- (b) the following drawings contained within the letter from Nolan Rumsby Planners dated 11 November 2004 insofar as they are varied by the drawings indicated in paragraph (d):

- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling, Storage and Winery Facility, Final Development Site Plan'; Drawing Number: WLF04-000-0265 A.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Stage 1A Development Plan (2 Bottling Lines)'; Drawing Number: WLF04-000-0260 C.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Stage 1B Development Plan (4 Bottling Lines)'; Drawing Number: WLF04-000-0262 B.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Final Development Plan (8 Bottling Lines)'; Drawing Number: WLF04-000-0263 B.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Final Development Plans Overlaid'; Drawing Number: WLF04-000-0266 B.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Stages 1A and 1B Development Elevations'; Drawing Number: WLF04-000-0261 A.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Final Development Elevations'; Drawing Number: WLF04-000-0264 A.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Final Development Elevations Overlaid'; Drawing Number: WLF04-000-0267 A.

- (c) the following documents insofar as they are varied by the documents indicated in paragraphs (e), (f), (g), (h) (i), (j), (k), (l), (m), (n) and (o):

- Development application, 'Proposed Wine Bottling and Storage Facility (in association with the existing Beringer Blass Winery Sturt Highway, Light Pass Road/Pipeline Road) at Light Pass Road/Pipeline Road, Barossa Valley', prepared by Nolan Rumsby Planners (for Beringer Blass Wine Estates), dated 3 December 2003 (except to the extent that it may be varied by a subsequent document in this paragraph).

- Development Report, 'Proposed Wine Bottling and Storage Facility, Light Pass Road/Pipeline Road, Barossa Valley', lodged by Beringer Blass Wine Estates, dated May 2004 (except to the extent that it may be varied by a subsequent document in this paragraph).

- Response to Submissions, 'Response Document: Proposed Wine Bottling and Storage Facility, Light Pass Road/Pipeline Road, Barossa Valley', lodged by Beringer Blass Wine Estates, dated July 2004 (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).

- Correspondence from Nolan Rumsby Planners (for Beringer Blass Wine Estates) to Planning SA, dated 13 August 2004, confirming the storage volumes for the stormwater dam.

- Correspondence from Nolan Rumsby Planners (for Beringer Blass Wine Estates) to Planning SA, dated 19 August 2004, confirming details relating to finishing colour selections, landscaping, building layouts, and the establishment of a frost fan (except to the extent that it may be varied by a subsequent document in this paragraph).

- Correspondence from Nolan Rumsby Planners (for Beringer Blass Wine Estates) to Planning SA, dated 31 August 2004, confirming the relevant and revised plans for assessment and consideration by the Governor (except to the extent that it may be varied by a subsequent document in this paragraph).

- Assessment Report prepared by the Minister for Urban Development and Planning dated September 2004.

- (d) the following drawings:

- Drawing Titled: 'Wolf Blass Packaging Facility, Architectural Site Plan', Drawing Number: WLF05-200-1001, 250401-00-1-101 Rev 0C.
- Drawing Titled: 'Wolf Blass Packaging Facility, Architectural General Arrangement', Drawing Number: WLF05-200-1002, 250401-00-1-102 Rev 0E.
- Drawing Titled: 'Wolf Blass Packaging Facility, Architectural Elevations', Drawing Number: WLF05-200-1003, 250401-00-1-103 Rev D.
- Drawing Titled: 'Wolf Blass Packaging Facility, Concrete Footing Plan', Drawing Number: WLF05-200-3000, 250401-00-3-300 Rev A.
- Drawing Titled: 'Wolf Blass Packaging Facility, Footing Detail Sheet', Drawing Number: WLF05-200-3005, 250401-00-3-305 Rev A.

- (e) The Environmental Management and Monitoring Plan prepared by Parsons Brinckerhoff on behalf of Beringer Blass Wine Estates Limited (Report No. 2102542A-04-0600-04) revised April 2005.

- (f) The letters from Nolan Rumsby Planners dated 11 November 2004 and 23 November 2004.

- (g) The letter from Nolan Rumsby Planners dated 13 December 2004, including Building Rules Certification by McKenzie Group Consulting.

- (h) The correspondence and plans from McKenzie Group Consulting dated 22 December 2004, including Building Rules Certification and plans, with the exception of the layout for the car park and administration building indicated on the plans.

- (i) The correspondence and plans from Nolan Rumsby Planners dated 7 February 2005.

- (j) The correspondence and plans from McKenzie Group Consulting dated 21 March 2005, including Building Rules Certification and plans dated 9 March 2005.

- (k) The correspondence and documents from Nolan Rumsby Planners dated 31 March 2005.

- (l) The correspondence and documents from Nolan Rumsby Planners dated 30 May 2005.

- (m) The correspondence and documents from Nolan Rumsby Planners dated 30 June 2005.
- (n) The Amended Development Report, Proposed Wine Bottling and Storage Facility Light Pass Road/Pipeline Road, Barossa Valley dated June 2005.
- (o) The plans from McKenzie Group Consulting received 6 September 2005 and including Building Rules Certification dated 15 August 2005.

2. The applicant shall submit further information and application(s) in relation to the matters that have been reserved for further decision-making.

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 subparagraph (i) in paragraph (a) of the Decision section above.

4. No construction activities or building works shall commence until a heritage survey has been completed to identify any Aboriginal sites, objects or remains in the site area, and monitoring shall be undertaken during construction to enable the development to proceed without a breach of the Aboriginal Heritage Act 1988. Details of the applicant's Heritage Agreement and consultation with the Ngadjuri Heritage Association shall also be provided to the Development Assessment Commission and the Department of Aboriginal Affairs and Reconciliation prior to construction commencing.

5. Subject to conditions 3 and 4, 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 (a) 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.

6. A decision on building rules compliance will only be made after a building rules assessment and certification has been undertaken and issued by the Barossa 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).

7. The management and monitoring of the pre-construction, construction and operational phases of the wine bottling and storage facility shall be undertaken in accordance with the Environmental Management and Monitoring Plan, prepared by Parsons Brinckerhoff on behalf of Beringer Blass Wine Estates Limited (Report No. 2102542A-04-0600-02), dated October 2004, and as amended by the letter from Nolan Rumsby Planners dated 23 November 2004.

8. The wastewater collection and treatment system shall be designed to ensure that the general obligations of the Environment Protection (Water Quality) Policy 2003 are met, and to ensure that effluent does not overflow or escape from drains, pipes, sumps, tanks, storage/treatment basins into any watercourse, or into stormwater drains which do not drain into the effluent collection, treatment and disposal system, except where the effluent complies with criteria in the above policy.

9. In accordance with commitments by the applicant, wastewater shall not be stored in open storage ponds until it is first treated to reduce the potential for odours to occur.

10. The applicant shall ensure that stormwater, which does not comply with the Environment Protection (Water Quality) Policy 2003 criteria, is not discharged from the site without prior effective treatment.

11. Noise from the development shall be in accordance with the following:

**Construction Activities—Mondays to Saturdays:**

- (a) not exceed 52 dB(A) between the hours of 7 a.m. and 10 p.m. measured and adjusted at the nearest existing residential property;

- (b) not exceed 45 dB(A) between the hours of 6 a.m. and 7 a.m. measured and adjusted at the nearest existing residential property;
- (c) shall be in accordance with the Environment Protection (Industrial Noise) Policy 1994;
- (d) site deliveries and other noisier construction activities shall be scheduled to minimise noise impacts;
- (e) all other aspects of construction activities shall be undertaken in accordance with the Environmental Management and Monitoring Plan.

**Operation of the development:**

- (a) shall not exceed 52 dB (A) between the hours of 7 a.m. and 10 p.m. measured and adjusted at the nearest existing residential property in accordance with the Environment Protection (Industrial Noise) Policy 1994;
- (b) shall not exceed 45 dB (A) between the hours of 10 p.m. and 7 a.m. measured and adjusted at the nearest existing residential property in accordance with the Environment Protection (Industrial Noise) Policy 1994;
- (c) a short-term typical maximum noise level of 60 dB (A) when measured at the nearest existing residential property.

12. The proponent shall, subject to obtaining the landowner's consent in relation thereto, install, operate and maintain frost fans on the property located north of the proposed development site either in accordance with the recommendations in the Development Report and assessed in the Acoustic report on frost fan impacts and in accordance with the Environment Protection Authority's standards for their operation, siting and distance from potential receptors, or in accordance with any alternative arrangement negotiated with the landowner. If the landowner refuses consent for the establishment of frost fans on the property located to the north of the proposed development, the proponent is excused from compliance with this condition.

13. Landscaping of the site shall commence prior to construction of the proposed major development, and when established must be maintained in good health and condition at all times. A plant must be replaced if or when it dies or becomes seriously diseased within the first growing season after the plant dies or becomes seriously diseased.

14. In accordance with commitments by the applicant, building walls up to 3 m shall be clad in colorbond 'ironstone' (or similar), and walls above 3 m shall be clad in colorbond 'paperbark' (or similar).

15. All lighting shall be directed and shielded in such a way as to prevent glare from the site, and any lighting that is not in use for operational or security reasons shall be switched off.

16. In accordance with EPA recommendations, no trucks or heavy vehicles shall access the site from the portion of Light Pass Road, south of the access point for the proposed major development.

17. The temporary concrete batching plant for on-site construction activities and associated infrastructure shall be decommissioned and removed from the site no later than 1 August 2005.

18. The applicant shall, prior to the commencement of operations, prepare an Irrigation Management Plan to the satisfaction of the Environment Protection Authority to demonstrate that the proposed development will:

- (a) minimise the risk of polluting surface and groundwater resources by preventing excessive wastewater runoff or infiltration;
- (b) minimise soil degradation and damage to crops by using sustainable irrigation application rates, based on soil limitations (determined by a soil survey), crop requirements and limiting wastewater constituents;
- (c) prevent environmental nuisance by identifying wastewater pre-treatment requirements and employing suitable separation distances for irrigation;

- (d) prevent public and animal health impacts by using appropriate irrigation equipment and implementing training and awareness programs for staff;
- (e) maximise organic carbon, nutrient and salt removal by selecting suitable land, viable and tolerant crops and suitable cropping practices;
- (f) maintain a 50 m buffer between irrigation areas and the Council stormwater collection system.

19. The Irrigation Management Plan shall contain contingency measures for the disposal of any excess wastewater that cannot be irrigated during the winter periods.

#### NOTES TO APPLICANT

- Pursuant to Development Regulation 64, the applicant is advised that the Barossa Council or private certifier conducting a building rules assessment must:
  - (a) provide to the Minister a certification in the form set out in Schedule 12A of the Development Regulations 1993 in relation to the building works in question; and
  - (b) to the extent that may be relevant and appropriate:
    - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12; and
    - (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 Barossa Council or private certifier undertaking building rules assessments 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).
- Should the applicant wish to vary the major development or any of the components of the major development, an application may be submitted, provided that the development application variation remains within the ambit of the Development Report and 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 may be required to prepare an amended Development Report for public inspection and purchase. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and a decision made by the Governor pursuant to Section 48 of the Development Act 1993.
- It is recommended that the applicant finalise the required water licence arrangements pursuant to the Water Resources Act 1997, for the construction of the proposed water storage dam and subsequent re-use of water, prior to construction of the proposed major development (in order for operations to proceed). The applicant is also advised to submit information on the water licence arrangements to Planning SA, together with final details on the design of the stormwater dam and associated release mechanism(s) and infrastructure.

- 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's EMMP should be prepared taking into consideration, and with explicit reference to, relevant EPA policies and guideline documents, including, but not limited to the Environment Protection (Air Quality) Policy 1994, the Environment Protection (Water Quality) Policy 2003, the Occupational Health and Safety Regulations, EPA Guidelines on Odour Assessment, using odour source modelling 2003, EPA Handbook for Pollution Avoidance on Commercial and Residential Building Sites 2004, and the EPA Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry, in addition to other legislative requirements and Guidelines/Australian Standards requiring compliance.
- The applicant is reminded of its obligations under the Aboriginal Heritage Act 1988 whereby any 'clearance' work, which may require permission to disturb damage or destroy Aboriginal Sites, must be undertaken with the full authorisation of the Minister for Aboriginal Affairs and Reconciliation, according to section 23 of the Aboriginal Heritage Act 1988.
- It is recommended that the applicant ensure there are measures in place to promote staff vehicle access to the site from the northern end of Light Pass Road.
- The applicant is advised that a further development application and authorisation will be required pursuant to Part 4, Division 2 of the Development Act 1993, for the following matters:
  - prior to commencement of Stage 2, if the applicant proposes to treat wastewater at the existing Wolf Blass winery wastewater treatment system;
  - for the establishment of any additional frost fans that may be required as part of Stage 2;
  - if the external advertising signage is amended from that indicated in the Development Report, or additional advertising signage is proposed.
- The applicant is advised that any construction activities proposed to be undertaken on Sundays shall be subject to EPA requirements and further approval.
- The Minister has a specific power to require testing, monitoring and auditing under section 48C of the Development Act 1993.
- The Environment Protection Authority has advised that an authorisation (licence) will be required for the temporary concrete batching plant.
- Wastewater dams shall be constructed in accordance with EPA Guidelines for Wastewater and Evaporation Lagoon Construction (March 2004).

Dated 22 September 2005.

A. HOUGHTON, Secretary Development  
Assessment Commission

## ENVIRONMENT PROTECTION ACT 1993

*Revocation of Category B Containers*

I, STEPHEN RICHARD SMITH, Senior Adviser, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 (8) of the Environment Protection Act 1993 (SA) ('the Act') hereby revoke the approvals of the classes of Category B Containers sold in South Australia as identified by reference to the following matters, which are described in the first four columns of Schedule 1 of this notice:

- (a) the product which each class of containers shall contain;
- (b) the size of the containers;
- (c) the type of containers;
- (d) the name of the holders of these approvals.

These approvals are revoked as the Authority is satisfied that the following conditions of these approvals has been contravened:

- (i) *Subsection 69 (3) Arrangements:*

The holders of these approvals must ensure that the empty containers which belong to their respective class of containers hereby approved as Category B Containers are collected from collection depots approved under section 69 of the Act by the party named in Column 5 of Schedule 1 of this Notice.

## SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Size (mL)	Type	Applicant	Super Collector
Willow Springs Water	1 500	Plastic	Table Top Water	Flagcan Distributors
Columbian Cola	330	Glass	Zantholls International Pty Ltd	Flagcan Distributors
Columbian Cola	500	Plastic	Zantholls International Pty Ltd	Flagcan Distributors

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, the class of persons described in Schedule 1 (the 'exemption holders') is exempt from the notice issued pursuant to section 43 of the Fisheries Act 1982 that was published in the *Gazette* on 25 August 2005 imposing a prohibition on the use of pilchard nets, during the period commencing on 19 September 2005 and ending on 1 October 2005, subject to the conditions in Schedule 2.

## SCHEDULE 1

Any person authorised to undertake fishing activities using the boat *Karie* endorsed on Marine Scalefish Fishery Licence No. M273.

## SCHEDULE 2

1. The exemption holder may only use a pilchard net pursuant to this exemption if the registered boat being used to undertake fishing activity has an observer on board that is approved by the Director of Fisheries.

2. Any observers on board a registered boat must be provided with accommodation, food and drinks during the fishing trip.

3. The exemption holder must conform to the Pilchard Industry Code of Practice concerning interactions with species that are protected under the National Parks and Wildlife Act 1972.

4. A copy of this exemption notice must be on board any registered boat undertaking fishing activity pursuant to this exemption and must be produced to a fisheries officer upon request.

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

Dated 19 September 2005.

W. ZACHARIN, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Michael Harper, of the Department of Environment and Heritage, 28 Vaughan Terrace, Berri, S.A. 5343 (the 'exemption holder'), or persons acting as his agents, are exempt from section 41 of the Fisheries Act 1982, but only insofar as they may engage in the collection of fish from the waters described in Schedule 1, using the gear specified in schedule 2 (the 'exempted activity'),

subject to the conditions set out in Schedule 3 from the date of gazettal of this notice until 30 April 2006, unless varied or revoked earlier.

## SCHEDULE 1

Pilby Creek  
 Lake Littra  
 Lake Limbra  
 Morgan Lagoon  
 Slaney Creek  
 Werta Wert  
 Coppermine Waterhole  
 Little Duck Lagoon  
 Boat Creek  
 Pipeclay Creek  
 Causeway Lagoon  
 Boat Creek Swamp  
 Slaney Weir Billabong  
 Winding Creek  
 Ngak Indau Wetland  
 Lock 6 Wetland  
 Pipeclay Billabong  
 Big Toolunka Flats  
 Pike River System

## SCHEDULE 2

- 12 fyke nets (minimum mesh of 5 mm, maximum leader of 5m and maximum opening of 60 cm);
- 1 seine net (minimum mesh of 5 mm and maximum length of 12 m);
- 12 shrimp traps;
- 1 dip net per person.

## SCHEDULE 3

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 unless retained for the purpose of species identification.

3. Before conducting the exempted activity, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 and provide the name of the person or persons who will be conducting the exempted activity, details of the proposed locations and the dates on which the activity will be undertaken.

4. The exemption holder must provide a written report detailing the outcomes of the collection of organisms pursuant to this notice to the Director of Fisheries, (G.P.O. Box 1625, Adelaide, S.A. 5001) by 31 July 2006, giving the following details:

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

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 16 September 2005.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Michael J. O'Niell, holder of Marine Scalefish Fishery Licence No. M291, 4 Wells Street, 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 20 September 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. M291.

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 16 September 2005.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Dennis Kelly, 15B Smiths Road, Emerald Beach, N.S.W. 2456, holder of Blue Crab Fishery Licence No. K05 or a registered master endorsed on that licence (the 'exemption holder'), is exempt from the definition of 'crab pot' and Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may use two registered crab pots that have the dimensions set out in Schedule 1 for the purpose of trade or business (the 'exempted activity') within the area specified in Schedule 2, subject to the conditions in Schedule 3, from the date of gazettal of this notice until 30 June 2006, unless varied or revoked earlier.

#### SCHEDULE 1

A crab pot of the following dimensions and specifications:

- Has a maximum height of 650 mm;
- Has a maximum diameter of 1.4 m; and
- Has a mesh size of 55 mm.

#### SCHEDULE 2

All waters of the Spencer Gulf Blue Crab Fishing Zone.

#### SCHEDULE 3

1. The exemption holder may only conduct the exempted activity from a boat registered and endorsed on Blue Crab Licence No. K05.

2. All undersize blue crabs and other species taken in the modified blue crab pots must be returned to the water immediately.

3. The following information must be recorded in relation to each blue crab retained within a modified pot:

- Length in millimetres;
- Sex (male or female);
- Condition (soft, hard or berried);
- Location of the pot (longitude and latitude); and
- The date of capture.

4. The information recorded in accordance with Condition 3 must be provided to SARDI in relation to each calendar month and sent to:

Graham Hooper  
South Australian Research and Development Institute  
(SARDI)  
P.O. Box 120  
Henley Beach, S.A. 5022.

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

6. The exemption holders 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 19 September 2005.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Karen Louise, Box 430, Port Adelaide, S.A. 5012, holder of Blue Crab Fishery Licence No. K06 or a registered master endorsed on that licence (the 'exemption holder'), is exempt from the definition of 'crab pot' and Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may use two registered crab pots that have the dimensions set out in Schedule 1 for the purpose of trade or business (the 'exempted activity') within the area specified in Schedule 2, subject to the conditions in Schedule 3, from the date of gazettal of this notice until 30 June 2006, unless varied or revoked earlier.

#### SCHEDULE 1

A crab pot of the following dimensions and specifications:

- Has a maximum height of 650 mm;
- Has a maximum diameter of 1.4 m; and
- Has a mesh size of 55 mm.

#### SCHEDULE 2

All waters of the Spencer Gulf Blue Crab Fishing Zone.

#### SCHEDULE 3

1. The exemption holder may only conduct the exempted activity from a boat registered and endorsed on Blue Crab Licence No. K06.

2. All undersize blue crabs and other species taken in the modified blue crab pots must be returned to the water immediately.

3. The following information must be recorded in relation to each blue crab retained within a modified pot:

- Length in millimetres;
- Sex (male or female);
- Condition (soft, hard or berried);
- Location of the pot (longitude and latitude); and
- The date of capture.



4. The information recorded in accordance with Condition 3 must be provided to SARDI in relation to each calendar month and sent to:

Graham Hooper  
South Australian Research and Development Institute  
(SARDI)  
P.O. Box 120  
Henley Beach, S.A. 5022.

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

6. The exemption holders 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 19 September 2005.

W. ZACHARIN, Director of Fisheries

6. The exemption holders 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 19 September 2005.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Dennis Holder, P.O. Box, Port Adelaide, S.A. 5015, holder of Blue Crab Fishery Licence No. K04 or a registered master endorsed on that licence (the 'exemption holder'), is exempt from the definition of 'crab pot' and Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may use two registered crab pots that have the dimensions set out in Schedule 1 for the purpose of trade or business (the 'exempted activity') within the area specified in Schedule 2, subject to the conditions in Schedule 3, from the date of gazettal of this notice until 30 June 2006, unless varied or revoked earlier.

##### SCHEDULE 1

A crab pot of the following dimensions and specifications:

- Has a maximum height of 650 mm;
- Has a maximum diameter of 1.4 m; and
- Has a mesh size of 55 mm.

##### SCHEDULE 2

All waters of the Gulf St Vincent Blue Crab Fishing Zone.

##### SCHEDULE 3

1. The exemption holder may only conduct the exempted activity from a boat registered and endorsed on Blue Crab Licence No. K04.

2. All undersize blue crabs and other species taken in the modified blue crab pots must be returned to the water immediately.

3. The following information must be recorded in relation to each blue crab retained within a modified pot:

- Length in millimetres;
- Sex (male or female);
- Condition (soft, hard or berried);
- Location of the pot (longitude and latitude); and
- The date of capture.

4. The information recorded in accordance with Condition 3 must be provided to SARDI in relation to each calendar month and sent to:

Graham Hooper  
South Australian Research and Development Institute  
(SARDI)  
P.O. Box 120  
Henley Beach, S.A. 5022.

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

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Grant Barker, 23A McKay Street, Port Broughton, S.A. 5522, holder of Blue Crab Fishery Licence No. K02 or a registered master endorsed on that licence (the 'exemption holder'), is exempt from the definition of 'crab pot' and Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may use two registered crab pots that have the dimensions set out in Schedule 1 for the purpose of trade or business (the 'exempted activity') within the area specified in Schedule 2, subject to the conditions in Schedule 3, from the date of gazettal of this notice until 30 June 2006, unless varied or revoked earlier.

##### SCHEDULE 1

A crab pot of the following dimensions and specifications:

- Has a maximum height of 650 mm;
- Has a maximum diameter of 1.4 m; and
- Has a mesh size of 55 mm.

##### SCHEDULE 2

All waters of the Spencer Gulf Blue Crab Fishing Zone.

##### SCHEDULE 3

1. The exemption holder may only conduct the exempted activity from a boat registered and endorsed on Blue Crab Licence No. K02.

2. All undersize blue crabs and other species taken in the modified blue crab pots must be returned to the water immediately.

3. The following information must be recorded in relation to each blue crab retained within a modified pot:

- Length in millimetres;
- Sex (male or female);
- Condition (soft, hard or berried);
- Location of the pot (longitude and latitude); and
- The date of capture.

4. The information recorded in accordance with Condition 3 must be provided to SARDI in relation to each calendar month and sent to:

Graham Hooper  
South Australian Research and Development Institute  
(SARDI)  
P.O. Box 120  
Henley Beach, S.A. 5022.

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

6. The exemption holders 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 19 September 2005.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Richard Mezcic, 43 Dutton Terrace, Medindie, S.A. 5082, holder of Blue Crab Fishery Licence No. K08 or a registered master endorsed on that licence (the 'exemption holder'), is exempt from the definition of 'crab pot' and Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may use two registered crab pots

that have the dimensions set out in Schedule 1 for the purpose of trade or business (the 'exempted activity') within the area specified in Schedule 2, subject to the conditions in Schedule 3, from the date of gazettal of this notice until 30 June 2006, unless varied or revoked earlier.

#### SCHEDULE 1

A crab pot of the following dimensions and specifications:

- Has a maximum height of 650 mm;
- Has a maximum diameter of 1.4 m; and
- Has a mesh size of 55 mm.

#### SCHEDULE 2

All waters of the Spencer Gulf Blue Crab Fishing Zone.

#### SCHEDULE 3

1. The exemption holder may only conduct the exempted activity from a boat registered and endorsed on Blue Crab Licence No. K08.

2. All undersize blue crabs and other species taken in the modified blue crab pots must be returned to the water immediately.

3. The following information must be recorded in relation to each blue crab retained within a modified pot:

- Length in millimetres;
- Sex (male or female);
- Condition (soft, hard or berried);
- Location of the pot (longitude and latitude); and
- The date of capture.

4. The information recorded in accordance with Condition 3 must be provided to SARDI in relation to each calendar month and sent to:

Graham Hooper  
South Australian Research and Development Institute  
(SARDI)  
P.O. Box 120  
Henley Beach, S.A. 5022.

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

6. The exemption holders 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 19 September 2005.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Trevor Barnes, 143 Fisherman Bay Road, Port Broughton, S.A. 5522, holder of Blue Crab Fishery Licence No. K01 or a registered master endorsed on that licence (the 'exemption holder'), is exempt from the definition of 'crab pot' and Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may use two registered crab pots that have the dimensions set out in Schedule 1 for the purpose of trade or business (the 'exempted activity') within the area specified in Schedule 2, subject to the conditions in Schedule 3, from the date of gazettal of this notice until 30 June 2006, unless varied or revoked earlier.

#### SCHEDULE 1

A crab pot of the following dimensions and specifications:

- Has a maximum height of 650 mm;
- Has a maximum diameter of 1.4 m; and
- Has a mesh size of 55 mm.

#### SCHEDULE 2

All waters of the Spencer Gulf Blue Crab Fishing Zone.

#### SCHEDULE 3

1. The exemption holder may only conduct the exempted activity from a boat registered and endorsed on Blue Crab Licence No. K01.

2. All undersize blue crabs and other species taken in the modified blue crab pots must be returned to the water immediately.

3. The following information must be recorded in relation to each blue crab retained within a modified pot:

- Length in millimetres;
- Sex (male or female);
- Condition (soft, hard or berried);
- Location of the pot (longitude and latitude); and
- The date of capture.

4. The information recorded in accordance with Condition 3 must be provided to SARDI in relation to each calendar month and sent to:

Graham Hooper  
South Australian Research and Development Institute  
(SARDI)  
P.O. Box 120  
Henley Beach, S.A. 5022.

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

6. The exemption holders 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 19 September 2005.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Michael Aston, 83 Henderson Avenue, Pooraka, S.A. 5095, holder of Blue Crab Fishery Licence No. K07 or a registered master endorsed on that licence (the 'exemption holder'), is exempt from the definition of 'crab pot' and Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may use two registered crab pots that have the dimensions set out in Schedule 1 for the purpose of trade or business (the 'exempted activity') within the area specified in Schedule 2, subject to the conditions in Schedule 3, from the date of gazettal of this notice until 30 June 2006, unless varied or revoked earlier.

#### SCHEDULE 1

A crab pot of the following dimensions and specifications:

- Has a maximum height of 650 mm;
- Has a maximum diameter of 1.4 m; and
- Has a mesh size of 55 mm.

#### SCHEDULE 2

All waters of the Spencer Gulf Blue Crab Fishing Zone.

#### SCHEDULE 3

1. The exemption holder may only conduct the exempted activity from a boat registered and endorsed on Blue Crab Licence No. K07.

2. All undersize blue crabs and other species taken in the modified blue crab pots must be returned to the water immediately.

3. The following information must be recorded in relation to each blue crab retained within a modified pot:

- Length in millimetres;
- Sex (male or female);
- Condition (soft, hard or berried);
- Location of the pot (longitude and latitude); and
- The date of capture.

4. The information recorded in accordance with Condition 3 must be provided to SARDI in relation to each calendar month and sent to:

Graham Hooper  
South Australian Research and Development Institute  
(SARDI)  
P.O. Box 120  
Henley Beach, S.A. 5022.

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

6. The exemption holders 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 19 September 2005.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Steve Letinic, 29 Hawaii Court, West Lakes, S.A. 5021, holder of Blue Crab Fishery Licence No. K03 or a registered master endorsed on that licence (the 'exemption holder'), is exempt from the definition of 'crab pot' and Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may use two registered crab pots that have the dimensions set out in Schedule 1 for the purpose of trade or business (the 'exempted activity') within the area specified in Schedule 2, subject to the conditions in Schedule 3, from the date of gazettal of this notice until 30 June 2006, unless varied or revoked earlier.

##### SCHEDULE 1

A crab pot of the following dimensions and specifications:

- Has a maximum height of 650 mm;
- Has a maximum diameter of 1.4 m; and
- Has a mesh size of 55 mm.

##### SCHEDULE 2

All waters of the Gulf St Vincent Blue Crab Fishing Zone.

##### SCHEDULE 3

1. The exemption holder may only conduct the exempted activity from a boat registered and endorsed on Blue Crab Licence No. K03.

2. All undersize blue crabs and other species taken in the modified blue crab pots must be returned to the water immediately.

3. The following information must be recorded in relation to each blue crab retained within a modified pot:

- Length in millimetres;
- Sex (male or female);
- Condition (soft, hard or berried);
- Location of the pot (longitude and latitude); and
- The date of capture.

4. The information recorded in accordance with Condition 3 must be provided to SARDI in relation to each calendar month and sent to:

Graham Hooper  
South Australian Research and Development Institute  
(SARDI)  
P.O. Box 120  
Henley Beach, S.A. 5022.

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

6. The exemption holders 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 19 September 2005.

W. ZACHARIN, Director of Fisheries

#### HARBOURS AND NAVIGATION ACT 1993

##### Exemption

TAKE notice that pursuant to section 83 of the Harbours and Navigation Act 1993, the class of persons in Schedule 1 are exempt from the operation of the Harbours and Navigation (Control of *Caulerpa taxifolia*) Regulations 2002, only insofar as they may engage in the activities set out in Schedule 2 (the 'exempted activities'), subject to the conditions set out in Schedule 3 from the date of this notice until 30 September 2006 inclusive, unless varied or revoked earlier.

##### SCHEDULE 1

Abigroup Contractors Southern Region or their agents.

##### SCHEDULE 2

Anchoring to undertake construction works for the Port River Expressway in Port River.

##### SCHEDULE 3

1. While engaged in the exempted activity a copy of this notice must be kept on each vessel anchoring. Such notice must be produced to a PIRSA or Transport Safety Compliance Officer if requested.

2. The exemption holders must ensure that all anchors and associated equipment are cleaned on site. This must be followed by a thorough visual inspection, specifically checking for traces of *Caulerpa taxifolia*.

3. The exemption holders must immediately notify the Director of Fisheries of any suspected translocation of *Caulerpa taxifolia*.

4. The exemption holders must follow any directions of a PIRSA or Transport Safety Compliance officer in the conduct or in connection with any exempted activity for the purpose of reducing the risk of spread of *Caulerpa taxifolia*.

5. Any aquatic plant material found on a person, vessel or associated gear whether identified as *Caulerpa taxifolia* or not, must be sealed in a plastic bag and put into a bin.

Dated 20 September 2005.

W. ZACHARIN, Director of Fisheries

#### HARBOURS AND NAVIGATION ACT 1993

##### Exemption

TAKE notice that pursuant to section 83 of the Harbours and Navigation Act 1993, the class of persons in Schedule 1 are exempt from the operation of the Harbours and Navigation (Control of *Caulerpa taxifolia*) Regulations 2002, only insofar as they may engage in the activities set out in Schedule 2 (the 'exempted activities'), subject to the conditions set out in Schedule 3 from the date of this notice until 7 October 2005 inclusive, unless varied or revoked earlier.

##### SCHEDULE 1

The Devine Marine Group or their agents operating the Crane Barge *Bill D*.

##### SCHEDULE 2

Anchoring to undertake slip maintenance work for Adelaide Ship Construction in North Arm, South Australia.

##### SCHEDULE 3

1. While engaged in the exempted activity a copy of this notice must be kept on the vessel. Such notice must be produced to a PIRSA or Transport Safety Compliance Officer if requested.

2. The exemption holders must ensure that all anchors and associated equipment are cleaned on site. This must be followed by a thorough visual inspection, specifically checking for traces of *Caulerpa taxifolia*.

3. The exemption holders must immediately notify the Director of Fisheries of any suspected translocation of *Caulerpa taxifolia*.

4. The exemption holders must follow any directions of a PIRSA or Transport Safety Compliance Officer in the conduct or in connection with any exempted activity for the purpose of reducing the risk of spread of *Caulerpa taxifolia*.

5. Any aquatic plant material found on a person, vessel or associated gear whether identified as *Caulerpa taxifolia* or not, must be sealed in a plastic bag and put into a bin.

Dated 14 September 2005.

W. ZACHARIN, Director of Fisheries

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994

*Exemption*

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

SCHEDULE 1

Craig Brian Costello, an employee of Kyzac Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5897, folio 846, situated at 42B Dowling Drive, Port Hughes, S.A. 5558.

Dated 22 September 2005.

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

M. BODYCOAT, Commissioner

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Griffin Pastoral Co. Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at Tenison Vineyard, Cowans Road, Robe, S.A. 5276 and to be situated at Lots 2, 3 and 4, Penola Road, Robe, S.A. 5276 and known as Karatta Wine Company.

The application has been set down for hearing on 21 October 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: 13 October 2005).

The applicant's address for service is c/o David Woods, 43/22 Liberman Close, 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 16 September 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 VHPM Pty Ltd has applied to the Licensing Authority for alterations and redefinition, variation to Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 40 Meylin Street, Port MacDonnell, S.A. 5291 and known as Victoria Hotel.

The application has been set down for hearing on 21 October 2005 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Alterations to and an extension of the licensed premises to include proposed dining area and verandah as per plans lodged.
- Redefinition of the licensed premises, variation to Extended Trading Authorisation and variation to Entertainment Consent to include the abovementioned areas.
- Variation to the current Extended Trading Authorisation:
  - Monday to Wednesday: Midnight to 2 a.m. the following day;
  - Good Friday: Midnight to 2 a.m.;
  - Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;
  - Days preceding other Public Holidays: Midnight to 2 a.m. the following day;
  - Sundays preceding Public Holidays: 8 p.m. to 2 a.m. the following day.
- Variation to Entertainment Consent to apply to the abovementioned hours.

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: 13 October 2005).

The applicant's address for service is c/o Alan Johnstone, 40 Meylin Street, Port MacDonnell, S.A. 5291.

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 16 September 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 Le Rox Entertainment Productions Pty Ltd has applied to the Licensing Authority for an Extended Trading Authorisation in respect of premises situated at 27-29 Hindley Street, Adelaide, S.A. 5000 and known as Earth Nightclub.

The application has been set down for hearing on 21 October 2005 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Extended Trading Authorisation to include the following:
  - Friday and Saturday: 12 p.m. to 9 p.m. and 5 a.m. the following day to 7 a.m. the following day;
  - Sunday: 12 p.m. to 9 p.m.;
  - New Year's Eve: 5 a.m. the following day to 7 a.m. the following day;
  - Days preceding other Public Holidays: 12 p.m. to 9 p.m. and 5 a.m. the following day to 7 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 13 October 2005).

The applicant's address for service is c/o Rino Cufone, P.O. Box 575, Salisbury, S.A. 5108.

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

Dated 15 September 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 Just A Couple In The Bush Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at Main Street, Penong, S.A. 5690 and known as Penong Hotel.

The application has been set down for hearing on 24 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: 14 October 2005).

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

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

Dated 15 September 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 Auspac Properties Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Shop 1, 128 Hindley Street, Adelaide, S.A. 5000 and known as Tu Dish.

The application has been set down for hearing on 26 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: 18 October 2005).

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

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

Dated 15 September 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 Benito and Sothiavy Iacopetta have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 3/36 O'Connell Street, North Adelaide, S.A. 5006 and to be known as Forbici Styles.

The application has been set down for hearing on 21 October 2005 at 9 a.m.

##### *Conditions*

The following licence conditions are sought:

- The service of alcohol at the premises will be restricted to the following hours:
  - Monday to Wednesday: 9.30 a.m. and 5.30 p.m.;
  - Thursday and Friday: 9.30 a.m. and Midnight;
  - Saturday: 9 a.m. and Midnight;
  - Sunday: 11 a.m. and 8 p.m.
- The alcohol will be offered to hairdressing customers.
- No alcohol will be offered for sale to the general public.

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: 13 October 2005).

The applicants' address for service is c/o 3/36 O'Connell Street, North Adelaide, S.A. 5006.

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

Dated 14 September 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 Stacey Management Pty Ltd as trustee for the Olive Trust has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 14, Seaview Road, McLaren Vale, S.A. 5171 and known as Shiraz Hill Wines.

The application has been set down for hearing on 21 October 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: 13 October 2005).

The applicant's address for service is c/o P.O. Box 295, McLaren Vale, S.A. 5171.

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

Dated 14 September 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 A. & A. Smallacombe Nominees Pty Ltd as trustee for A. & A. Smallacombe Discretionary Trust has applied to the Licensing Authority for a Residential Licence in respect of premises situated at Watson Terrace, Whyalla, S.A. 5600 and known as Foreshore Motel.

The application has been set down for hearing on 26 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: 18 October 2005).

The applicant's address for service is c/o Duncan Basheer Hannon, Barristers & Solicitors, G.P.O. Box 2, Adelaide, S.A. 5001 (Attention: Max Basheer or David Tillett).

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

Dated 14 September 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 Robert Edwin Knight and Amanda Jane Knight have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Section 57, Hundred of Milne, Clare, S.A. 5453 and known as Emu Rock Wines.

The application has been set down for hearing on 21 October 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: 13 October 2005).

The applicants' address for service is c/o Clelands Lawyers, 208 Carrington Street, Adelaide, S.A. 5000 (Attention: Leon McEvoy).

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

Dated 13 September 2005.

Applicants

The applicants' address for service is c/o Clelands Lawyers, 208 Carrington Street, Adelaide, S.A. 5000 (Attention: Leon McEvoy).

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

Dated 13 September 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 McCracken Country Club Pty Ltd has applied to the Licensing Authority for redefinition, variation to Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at Adelaide Road, Victor Harbor, S.A. 5211 and known as McCracken Country Club.

The application has been set down for hearing on 14 October 2005 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Redefinition of the licensed premises to include the Golf Course and proposed Conference Centre as per plans lodged with this office.
- Variation to Extended Trading Authorisation and variation to Entertainment Consent to include the proposed Conference Centre as per plans lodged with this office.
- Designation of Dining Area to include the abovementioned area.
- Variation to Extended Trading Authorisation:  
Good Friday: Midnight to 1 a.m.;  
Christmas Day: Midnight to 1 a.m.
- Variation to Entertainment Consent to apply to the abovementioned hours.

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: 6 October 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 13 September 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 Terrance Paul and Cheryl May May as trustee for May Family Trust have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Sections 37 and 48, Hundred of Seddon, Parndana, Kangaroo Island, S.A. 5220 and known as Kangaroo Island Estate.

The application has been set down for hearing on 21 October 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: 13 October 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 Strayleaves Nominees Pty Ltd as trustee for Strayleaves Nominees Investment Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 22 Jetty Road, Glenelg, S.A. 5045 and known as Lamb Spit Barbecue.

The application has been set down for hearing on 24 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: 14 October 2005).

The applicant's address for service is c/o D'Angelo Kavanagh Solicitors, 179 Goodwood Road, Millswood, S.A. 5034.

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 12 September 2005.

Applicant

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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 Barjud Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at High Street, Wirrabara, S.A. 5481 and known as Wirrabara Hotel.

The application has been set down for hearing on 27 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: 19 October 2005).

The applicant's address for service is c/o Piper Alderman Lawyers, 167 Flinders Street, Adelaide, S.A. 5000 (Attention: Geoff Forbes or 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 Gaming 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 16 September 2005.

Applicant

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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: Adelaide Exploration Ltd

Location: Yalanda Hill area—Approximately 90 km south-west of Whyalla.

Term: 1 year

Area in km<sup>2</sup>: 758

Ref.: 2005/00250

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

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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: Reedy Lagoon Corporation Ltd

Location: Balta area—Approximately 120 km east-north-east of Coober Pedy.

Term: 1 year

Area in km<sup>2</sup>: 297

Ref.: 2005/00687

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

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NATIONAL ELECTRICITY LAW

NOTICE UNDER SECTION 99

*Draft Rule Determination*

*Draft National Electricity Amendment (Publication of Information for Non-Scheduled Generation) Rule, 2005*

THE Australian Energy Market Commission (Commission) gives notice under section 99 of the National Electricity Law (NEL) of the making of a Draft Rule Determination in relation to a Rule proposal by NEMMCO to allow NEMMCO, to publish information in relation to non-scheduled generation.

This Rule proposal was received by NECA (the Commission's predecessor) on 6 April 2005. Under the NEL transitional provisions, consideration of this Rule proposal became the Commission's responsibility on 1 July 2005. The Commission gives notice that it has decided to dispense with the first round consultation steps under the Rule making process in respect of this Rule proposal because those steps duplicate processes already carried out under the National Electricity Code. The Commission has determined therefore to progress this Rule proposal to the stage of issuing a Draft Rule Determination.

The Draft Rule Determination, including the draft Rule, is published on the Commission's website and is available for inspection at the offices of the Commission. The Commission invites written submissions from any person or body in relation to the draft Rule. Submissions must be received by no later than Friday, 4 November 2005.

In accordance with section 101 of the NEL, any interested person or body may request the Commission to hold a hearing in relation to a Draft Rule Determination. A request must be received by Friday, 30 September 2005.

Postal Address:

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

Offices:

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

Facsimile:

(02) 8296 7899

Email:

[submissions@aemc.gov.au](mailto:submissions@aemc.gov.au)

Website:

[www.aemc.gov.au](http://www.aemc.gov.au)

JOHN TAMBLYN, Chairman, Australian  
Energy Market Commission

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PETROLEUM ACT 2000

(SECTION 25 (5) (B))

*Suspension of Petroleum Exploration Licence—PEL 182*

NOTICE is hereby given that the abovementioned Petroleum Exploration Licence has been suspended under the provisions of section 90 of the Petroleum Act 2000, from and including 31 August 2005 to 30 May 2006, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of Petroleum Exploration Licence PEL 182 is now determined to be 9 May 2011.

This suspension is considered to have no effect on the initial competitive tender process for PEL 182.

Dated: 19 September 2005.

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

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ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER**

*Road Closure—Lameroo*

BY Road Process Order made on 9 February 2005, the Southern Mallee District Council ordered that:

1. The whole of the unnamed public roads adjoining the southern end of Lameroo South Road, the northern boundaries of section 47 in the Hundred of Allenby and the northern and eastern boundaries of piece 11 in Deposited Plan 47895 more particularly delineated and lettered 'A', 'B' and 'C' in Preliminary Plan No. 04/0092 be closed.

2. The whole of the land subject to closure be transferred to John Hugh Dunbar in accordance with agreement for transfer dated 29 December 2004 entered into between the Southern Mallee District Council and J. H. Dunbar.

On 13 September 2005 that order was confirmed by the Minister for Administrative Services conditionally upon the deposit by the Registrar-General of Deposited Plan 67522 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 22 September 2005.

J. R. CLARKE, Acting Surveyor-General

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ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER**

*Road Closure—Saxon Street, Tumby Bay*

BY Road Process Order made on 24 June 2005, The District Council of Tumby Bay ordered that:

1. A triangularly-shaped portion of Saxon Street adjoining allotment 66 in Deposited Plan 55096 more particularly delineated and lettered 'A' in Preliminary Plan No. 05/0004 be closed.

2. The whole of the land subject to closure be transferred to Eyre Realty Pty Ltd in accordance with agreement for transfer dated 7 June 2005 entered into between The District Council of Tumby Bay and Eyre Realty Pty Ltd.

On 28 July 2005 that order was confirmed by the Minister for Administrative Services conditionally upon the deposit by the Registrar-General of Deposited Plan 68518 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 22 September 2005.

J. R. CLARKE, Acting Surveyor-General

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# RULES OF THE LEGAL PRACTITIONERS EDUCATION AND ADMISSION COUNCIL 2004

## Amendment No. 2

PURSUANT to Sections 14C, 14J and 17A of the Legal Practitioners Act 1981, as amended, and to all other enabling powers, the Legal Practitioners Education and Admission Council makes the following Rules to take effect as amendments to the LPEAC Rules 2004:

1. These Rules may be cited as the 'LPEAC Rules 2004', Amendment No. 2.
2. The LPEAC Rules 2004, as amended by these Rules may be cited as the 'LPEAC Rules 2004'.

3. Rule 1.3 is amended:

By adding to the definition of 'employed practitioner':

- (a) after the word 'employed' appearing on the second occasion in the first line thereof the words 'to perform predominantly the work of a legal practitioner'; and
- (b) after the word 'associate' appearing in sub-paragraph (vii) thereof the following words: 'which work so qualifies'.

By adding thereto the following definition:

'judge's associate' means an associate to a judge of the Supreme or District Court of South Australia or the Federal Court of Australia.

4. Rule 3.1 is amended by deleting the present sub-paragraph (a) and substituting in its place the following:

'(a) A continuous period of two years full-time employment as an employed practitioner, or an equivalent period of part-time employment, following the first issue to him or her of a practising certificate.'

5. Rule 3.2 is amended by deleting therefrom the present sub-paragraph (b) and substituting therefor the following:

'(b) The Board may in its discretion permit continuous or discontinuous periods of employment whether full-time or part-time to be accumulated for the purposes of Rule 3.1 (a).'

6. Rule 9 is amended by deleting the said Rule and substituting therefor the following:

### 9. Renewal of Practising Certificates

#### 9.1 This Rule:

- (a) does not apply to practitioners to whom Rule 6 applies;
- (b) applies to:
  - (i) a practitioner who applies for a practising certificate for the first time in this State more than three years after the practitioner was admitted in this State; and
  - (ii) a practitioner whose practising certificate has expired and has not been renewed for a period of three or more years from the date of expiry.

- 9.2 A practitioner who applies under this Rule for the issue or renewal of a practising certificate must satisfy the Board that he or she remains a fit and proper person to undertake the work of a legal practitioner.

- 9.3 An application pursuant to this Rule must be by way of a statutory declaration lodged with the Board of Examiners setting out the evidence upon which the practitioner relies and exhibiting thereto any documentary evidence relied upon by the practitioner.
- 9.4 On any application made pursuant to this Rule the Board may:
- (a) direct that a practising certificate be issued;
  - (b) direct that no practising certificate be issued to the applicant or that no certificate be issued until further direction or until the happening of specified events;
  - (c) direct that the practitioner:
    - (i) undertake further specified training or acquire further experience or both;
    - (ii) provide further information or take further steps in relation to his or her fitness to practise;
  - (d) direct that a practising certificate be issued or renewed subject to conditions which the Board considers appropriate while the practitioner complies with any directions given pursuant to Rule 9.4 (c).
- 9.5 Subject to Rule 9.4 (d) where the Board has given directions to a practitioner, the practitioner must satisfy the Board that he or she has adequately complied with those directions before the practising certificate may be issued or renewed.
- 9.6 The authority responsible for the renewal or issue of the practising certificate shall act upon the certificate of the Board in relation to the issue of a practising certificate to a practitioner to whom this Rule applies.

Dated 18 July 2005.

J. DOYLE, Chief Justice

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## 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  | 22. 1 September 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 General Construction Training Package (BCG03)

*Trade/ # Declared Vocation/ Other Occupation	National Code	Qualification	Nominal Term of Contract of Training	Probationary Period
*Bricklaying	BCG30103	Certificate III in Bricklaying/Blocklaying	48 months	3 months
*Carpentry and/or Joinery	BCG30203	Certificate III in Carpentry	48 months	3 months
*Painting and Decorating	BCG30603	Certificate III in Painting and Decorating	48 months	3 months
*Roof Tiling	BCG30803	Certificate III in Roof Tiling	<b>36 months</b>	3 months
*Plastering (Solid and/or Fibrous)	BCG31003	Certificate III in Solid Plastering	48 months	3 months
*Plastering (Wall and Ceiling Lining)	BCG31203	Certificate III in Wall and Ceiling Lining	48 months	3 months
*Tiling (Wall and Floor)	BCG31303	Certificate III in Wall and Floor Tiling	48 months	3 months

Changes in bold

**Trades, Declared Vocations or Other Occupations, required Qualifications and Contract of  
Training Conditions for the  
Civil Construction Training Package (BCC03)**

*Errata*

In the *Government Gazette* of 18 August 2005, the notices appearing on page 3052 related to the Declared Vocation *Civil Construction and Maintenance Worker* showed Certificate III in Civil Construction (Plant).

**Correction: Certificate III in Civil Construction (Plant Operations) is the correct title of the qualification.**

<b>*Trade/ # Declared Vocation/ Other Occupation</b>	<b>National Code</b>	<b>Qualification</b>	<b>Nominal Term of Contract of Training</b>	<b>Probationary Period</b>
#Civil Construction and Maintenance Worker	BCC30603	Certificate III in Civil Construction (Plant Operations)	36 months	3 months

## WILDERNESS PROTECTION ACT 1992

*Cape Torrens and Western River Wilderness Protection  
Areas Management Plan—Draft*

I, LEANNE BURCH, Acting Director of National Parks and Wildlife, hereby give notice under the provisions of section 31 of the Wilderness Protection Act 1992, that a draft management plan has been proposed for the Cape Torrens and Western River Wilderness Protection Areas.

Copies of the plan may be inspected at or obtained from the offices of the Department for Environment and Heritage at:

- 1 Richmond Road, Keswick, S.A. 5035 (G.P.O. Box 1047, Adelaide, S.A. 5001), telephone 8124 4700;
- 37 Dauncey Street, Kingscote, S.A. 5223 (P.O. Box 39, Kingscote, S.A. 5223), telephone 8553 2381;
- [http://www.environment.sa.gov.au/parks/management\\_plans.html](http://www.environment.sa.gov.au/parks/management_plans.html).

For general enquiries, please contact the DEH Information Line, telephone 8204 1910 or e-mail [dehinformation@saugov.sa.gov.au](mailto:dehinformation@saugov.sa.gov.au).

Any person may make representations in connection with the draft management plan during the period up to and including 22 December 2005.

Written comments should be forwarded to the Manager, Policy and Planning, Department for Environment and Heritage, G.P.O. Box 1047, Adelaide, S.A. 5001 or e-mailed to:

[irving.jason@saugov.sa.gov.au](mailto:irving.jason@saugov.sa.gov.au).

L. BURCH, Acting Director of National  
Parks and Wildlife

## WILDERNESS PROTECTION ACT 1992

*Proposal to Add the Cape Torrens and Western River  
Conservation Parks to the Cape Torrens and Western  
River Wilderness Protection Areas*

I, JOHN HILL, Minister for Environment and Conservation, hereby give notice under the provisions of section 22 of the Wilderness Protection Act 1992, that the Wilderness Assessment Report outlining the addition of Cape Torrens and Western River Conservation Parks to the Cape Torrens and Western River Wilderness Protection Areas is now available for public comment.

The land to be added to the wilderness protection areas consists of the entire Cape Torrens and Western River Conservation Parks, consisting of the following parcels of land:

- Allotment 1, Hundred of Gosse (Western River Conservation Park); and
- Allotment 100, Hundred of Borda (Cape Torrens Conservation Park).

Copies of the report may be inspected at or obtained from the offices of the Department for Environment and Heritage at:

- 1 Richmond Road, Keswick, S.A. 5035 (G.P.O. Box 1047, Adelaide, S.A. 5001), telephone 8124 4700;
- DEH Kingscote Office, 37 Dauncey Street, Kingscote, S.A., 5223 (P.O. Box 39, Kingscote, S.A. 5223), telephone 8553 2381.

For general enquiries, please contact the DEH Information Line, telephone 8204 1910 or e-mail [dehinformation@saugov.sa.gov.au](mailto:dehinformation@saugov.sa.gov.au).

Alternatively, copies of the report can be viewed or downloaded from the Department's website at:

[http://www.environment.sa.gov.au/parks/wilderness\\_protection.html](http://www.environment.sa.gov.au/parks/wilderness_protection.html).

Any person may make representations in connection with the report during the period up to and including 22 December 2005.

Written comments should be forwarded to the Manager, Policy and Planning, Department for Environment and Heritage, G.P.O. Box 1047, Adelaide, S.A. 5001 or e-mailed to:

[irving.jason@saugov.sa.gov.au](mailto:irving.jason@saugov.sa.gov.au).

JOHN HILL, Minister for Environment  
and Conservation

## 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
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South Australia

# **Administrative Arrangements (Administration of Health and Community Services Complaints Act) Proclamation 2005**

under section 5 of the *Administrative Arrangements Act 1994*

## **1—Short title**

This proclamation may be cited as the *Administrative Arrangements (Administration of Health and Community Services Complaints Act) Proclamation 2005*.

## **2—Commencement**

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

## **3—Administration of Act committed to Minister for Health**

The administration of the *Health and Community Services Complaints Act 2004* is committed to the Minister for Health.

## **Made by the Governor**

with the advice and consent of the Executive Council  
on 22 September 2005

HEACS/05/040



South Australia

## **Health and Community Services Complaints Act (Commencement) Proclamation 2005**

### **1—Short title**

This proclamation may be cited as the *Health and Community Services Complaints Act (Commencement) Proclamation 2005*.

### **2—Commencement and suspension of certain provisions**

- (1) Subject to subclause (2), the remaining provisions of the *Health and Community Services Complaints Act 2004* (No 22 of 2004) will come into operation on 3 October 2005.
- (2) The operation of paragraph (c) of the definition of *community service* in section 4(1) of the Act is suspended until a day to be fixed by subsequent proclamation.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 22 September 2005

HEACS/05/040

South Australia

## **Mining (Revocation of Private Mine) Proclamation 2005**

under section 73N of the *Mining Act 1971*

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### **Preamble**

- 1 The following area was declared to be a private mine by proclamation on 22 February 1973 (*Gazette 22.2.1973 p631*):
    - sections 6213 and 6214, and a portion of section 6212, Hundred of Talunga (being the land comprised in Certificate of Title Register Book Volume 3440, Volume 4).
  - 2 The Warden's Court declared on 2 August 2005 that proper grounds exist for the revocation of the declaration referred to in clause 1.
- 

### **1—Short title**

This proclamation may be cited as the *Mining (Revocation of Private Mine) Proclamation 2005*.

### **2—Commencement**

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

### **3—Revocation of private mine**

The declaration referred to in clause 1 of the preamble is revoked.

### **Made by the Governor**

on the basis of the declaration of the Warden's Court referred to in clause 2 of the preamble and with the advice and consent of the Executive Council  
on 22 September 2005

AGO0047/02CS

South Australia

## **Public Sector Management (Transfer of Employees— Immigration SA and Population Policy Unit) Proclamation 2005**

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

### **1—Short title**

This proclamation may be cited as the *Public Sector Management (Transfer of Employees—Immigration SA and Population Policy Unit) Proclamation 2005*.

### **2—Commencement**

This proclamation will come into operation on 1 October 2005.

### **3—Transfer of employees**

The employees of the Department of the Premier and Cabinet who, immediately before the commencement of this proclamation, hold a position in—

- (a) Immigration SA; or
- (b) the Population Policy Unit,

are transferred to the Department of Trade and Economic Development.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 22 September 2005

CS/030/001/318PT1

South Australia

# Health and Community Services Complaints Regulations 2005

under the *Health and Community Services Complaints Act 2004*

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## Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Exclusion from the definition of community service
- 5 Warrant
- 6 Service

## Schedule 1—Warrant

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### 1—Short title

These regulations may be cited as the *Health and Community Services Complaints Regulations 2005*.

### 2—Commencement

These regulations will come into operation on the day on which Part 4 of the *Health and Community Services Complaints Act 2004* comes into operation.

### 3—Interpretation

In these regulations—

*Act* means the *Health and Community Services Complaints Act 2004*.

### 4—Exclusion from the definition of community service

- (1) For the purposes of the definition of *community service* in section 4 of the Act, services provided by a prescribed housing entity are excluded from the ambit of that definition if a person who uses or seeks to use the relevant service is able to obtain a review of a decision by the prescribed housing authority with respect to the provision of the service by bringing an action before—
  - (a) the Residential Tenancies Tribunal; or
  - (b) the Public Housing Appeal Unit within the Department for Families and Communities; or
  - (c) a relevant appeal authority under Part 11 of the *South Australian Co-operative and Community Housing Act 1991*.

- (2) For the purposes of subregulation (1) prescribed housing entity means—
- (a) South Australian Housing Trust;
  - (b) South Australian Aboriginal Housing Authority;
  - (c) South Australian Community Housing Authority, or a housing association or housing co-operative registered under the *South Australian Co-operative and Community Housing Act 1991*.

## 5—Warrant

The prescribed form for a warrant under section 49 of the Act is set out in Form 1 of Schedule 1.

## 6—Service

- (1) A notice or document required or authorised by or under the Act to be given to or served on a person may—
- (a) be given to the person personally; or
  - (b) be posted in an envelope addressed to the person at the person's last known nominated contact, residential, business or (in the case of a corporation) registered address; or
  - (c) be left for the person at the person's last known nominated contact, residential, business or (in the case of a corporation) registered address with someone apparently over the age of 16 years; or
  - (d) be transmitted by facsimile transmission or electronic mail to a facsimile number or electronic mail address provided by the person.
- (2) Without limiting the effect of subregulation (1), a notice or other document required or authorised to be given or sent to, or served on, a person for the purposes of this Act may, if the person is a company or registered body within the meaning of the *Corporations Act 2001* of the Commonwealth, be served on the person in accordance with that Act.

# Schedule 1—Warrant

## Form 1

*Health and Community Services Complaints Act 2004*

### Warrant

Magistrates Court of South Australia

An application for a warrant under section 49 of the *Health and Community Services Complaints Act 2004* has been made to me by the Health and Community Services Complaints Commissioner.

I, ..... a Magistrate of the Magistrates Court of South Australia, am satisfied that there are reasonable grounds for issuing the warrant.

The persons authorised to exercise the powers conferred by the warrant are as follows<sup>1</sup>:

.....

The address of the premises subject to the warrant is as follows: .....

.....

The warrant authorises the named person and any person assisting that person, with such force as is necessary—

- (a) to enter and remain in the premises; and
- (b) to search the premises and any person or thing in the premises; and
- (c) to break open and search anything in the premises in which any document or other thing relevant to the investigation may be contained; and
- (d) to take photographs; and
- (e) to seize and remove anything in the premises which the authorised person has reasonable grounds for believing is relevant to the investigation; and
- (f) to examine, seize and remove, make copies of, or take extracts from, any document in the premises which the authorised person has reasonable grounds for believing is relevant to the investigation; and
- (g) to require a health and community service provider or any other person employed in the premises to provide information by answering questions which the authorised person considers relevant to the investigation.

The period for which the warrant will be in force is 30 days from the date of issue (being the date shown below).

Dated: .....

Signed: .....

*Magistrate of the Magistrates Court of South Australia*

Notes—

1 Provide details (eg position title) of the person seeking authority to exercise the powers conferred by the warrant.

### 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 22 September 2005

No 203 of 2005

HEACS/05/040

South Australia

## Fisheries (General) Variation Regulations 2005

under the *Fisheries Act 1982*

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### Contents

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### Part 2—Variation of Fisheries (General) Regulations 2000

- 4 Variation of regulation 4—Interpretation
  - 5 Variation of Schedule 1—Classes of fishing activities prescribed for purposes of section 41 of Act
  - 6 Variation of Schedule 9—Expiation of offences
- 

### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *Fisheries (General) 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 *Fisheries (General) Regulations 2000*

#### 4—Variation of regulation 4—Interpretation

- (1) Regulation 4(1)—after the definition of *Act* insert:

*blue crab* means blue crab (*Portunus pelagicus*);

*blue groper* means blue groper (*Achoerodus gouldii*);

*calamary* means calamary (*Sepioteuthis australis*);

*callop (golden perch)* means callop (golden perch (*Macquaria ambigua*));

*callop (Lake Eyre perch)* means callop (Lake Eyre perch (*Macquaria n.sp.*));

*catfish* means catfish (Family Plotosidae);

*Charter Boat Fishery* means the fishery constituted by the *Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005*;



- (2) Regulation 4(1)—after the definition of *crab rake* insert:

*cuttlefish* means cuttlefish (*Sepia* spp.);

- (3) Regulation 4(1)—after the definition of *gill net* insert:

*Gulf St. Vincent, Investigator Strait and Backstairs Passage* means those waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage bounded by a line commencing at the high water mark at Cape Spencer on Yorke Peninsula, then a generally south south-westerly direction to Cape Borda on Kangaroo Island, then in an easterly direction along the high water mark of the Island to Cape Willoughby, then in a generally north-easterly direction to Newland Head on Fleurieu Peninsula, then along the high water mark of the eastern and western shore shoreline of Gulf St. Vincent back to the point of commencement;

*gummy shark* means gummy shark (*Mustelus antarcticus*);

- (4) Regulation 4(1)—after the definition of *Lakes Albert and Alexandrina* insert:

*large catfish* means catfish that exceeds 33 centimetres in length;

- (5) Regulation 4(1), definition of *length*—delete the definition and substitute:

*large mulloway* means mulloway that exceeds 75 centimetres in length;

*large salmon* means salmon that exceeds 35 centimetres in length;

*large snapper* means snapper that exceeds 60 centimetres in length;

*length* —

- (a) in relation to a fish—means the distance from the foremost part of the head to the end of the tail;
- (b) in relation to a net—means the length of that part of the cork line, buoyant line or other line on which the net is slung;

- (6) Regulation 4(1)—after the definition of *mesh net* insert:

*mulloway* means mulloway (*Argyrosomus hololepidotus*);

- (7) Regulation 4(1)—after the definition of *rod and line* insert:

*salmon* means salmon (*Arripis truttaceus*);

*sand crab* means sand crab (*Ovalipes australiensis*);

- (8) Regulation 4(1)—after the definition of *scallop dredge* insert:

*school shark* means school shark (*Galeorhinus galeus*);

- (9) Regulation 4(1)—after the definition of *shrimp trap* insert:

*small catfish* means catfish that does not exceed 33 centimetres in length;

- (10) Regulation 4(1)—after the definition of *small mesh multifilament hauling net* insert:

*small mulloway* means mulloway that is at least 46 centimetres in length but does not exceed 75 centimetres in length;

*small salmon* means salmon that is at least 21 centimetres in length but does not exceed 35 centimetres in length;

*small snapper* means snapper that is at least 38 centimetres in length but does not exceed 60 centimetres in length;

*snapper* means snapper (*Pagrus auratus*);

*southern bluefin tuna* means southern bluefin tuna (*Thunnus maccoyii*);

(11) Regulation 4(1)—after the definition of *yabbie pot* insert:

*yellowfin tuna* means yellowfin tuna (*Thunnus albacares*).

## 5—Variation of Schedule 1—Classes of fishing activities prescribed for purposes of section 41 of Act

(1) Schedule 1, clauses 66 to 77D (inclusive)—delete the clauses and substitute:

- 66(1) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2 from a boat from which the quantity specified in column 3 has already been taken by unlicensed persons on the same day.
- (2) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, of more fish of the class specified in column 2 than the quantity specified in column 4.

**Table—Recreational non-charter boat fishing daily boat and bag limits**

Column 1 Waters	Column 2 Species of fish	Column 3 Maximum quantity per boat per day	Column 4 Maximum quantity per person per day
	<b>Bream</b>		
The waters of the State	Bream ( <i>Acanthopagrus</i> spp.)	30	10
	<b>Calamary and cuttlefish</b>		
The waters of the State	Calamary ( <i>Sepioteuthis</i> <i>australis</i> )	45	15
The waters of the State	Cuttlefish ( <i>Sepia</i> spp.)	45	15
	<b>Callop</b>		
The waters of the State	Callop (golden perch ( <i>Macquaria</i> <i>ambigua</i> ))	15	5
The waters of the State	Callop (Lake Eyre perch ( <i>Macquaria</i> <i>n.sp</i> ))	15	5
	<b>Catfish</b>		
The waters of the Cooper Creek or the Diamantina Creek (including the anabranches and lakes of those creeks)	Large catfish (Family Plotosidae)	6	2

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per boat per day</b>	<b>Column 4 Maximum quantity per person per day</b>
The waters of the Cooper Creek or the Diamantina Creek (including the anabranches and lakes of those creeks)	Small catfish (Family Plotosidae)	30	10
	<b>Crab</b>		
The waters of the State	Blue crab ( <i>Portunus pelagicus</i> )	120	40
The waters of the State	Sand crab ( <i>Ovalipes australiensis</i> )	120	40
	<b>Flathead</b>		
The waters of the State	Flathead ( <i>Platycephalus</i> spp.)	30	10
	<b>Flounder</b>		
The waters of the State	Flounder (Family Bothidae or Pleuronectidae)	60	20
	<b>Garfish</b>		
The waters of the State	Garfish ( <i>Hyporhamphus melanochir</i> )	180	60
	<b>Groper</b>		
The waters of the State (other than those waters specified in regulation 6(d))	Blue groper ( <i>Achoerodus gouldii</i> )	6	2
	<b>Grunter</b>		
The waters of the State other than the waters of the Cooper Creek or the Diamantina Creek (and the anabranches and lakes of those creeks)	Grunter (Family Teraponidae)	15	5
	<b>Morwong</b>		
The waters of the State	Blue morwong ( <i>Nemadactylus valenciennesi</i> )	15	5
	<b>Mullet</b>		
The waters of the State	Mullet (Family Mugilidae)	180	60
	<b>Mulloway</b>		
The waters of the State other than Coorong (area 1) or Coorong (area 2)	Mulloway ( <i>Argyrosomus hololepidotus</i> )	6	2

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per boat per day</b>	<b>Column 4 Maximum quantity per person per day</b>
	<b>Nannygai, red snapper and swallowtail</b>		
The waters of the State	Nannygai ( <i>Centroberyx affinis</i> )	30	10
The waters of the State	Red snapper ( <i>Centroberyx gerrardi</i> )	30	10
The waters of the State	Swallowtail ( <i>Centroberyx lineatus</i> )	30	10
	<b>Razorfish</b>		
The waters of the State	Razorfish ( <i>Pinna bicolor</i> )	150	50
	<b>Salmon</b>		
The waters of the State	Large salmon ( <i>Arripis truttaceus</i> )	30	10
The waters of the State	Small salmon ( <i>Arripis truttaceus</i> )	60	20
	<b>Samson fish and yellowtail kingfish</b>		
The waters of the State	Samson fish ( <i>Seriola hippos</i> )	6	2
The waters of the State	Yellowtail kingfish ( <i>Seriola grandis</i> )	6	2
	<b>Scallop</b>		
The waters of the State	Scallop (Family Pectinidae)	300	100
	<b>Shark</b>		
The waters of the State	Gummy shark ( <i>Mustelus antarcticus</i> )	6	2
The waters of the State	School shark ( <i>Galeorhinus galeus</i> )	6	2
	<b>Snapper</b>		
The waters of the State	Large snapper ( <i>Pagrus auratus</i> )	6	2
The waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage	Small snapper ( <i>Pagrus auratus</i> )	15	5

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per boat per day</b>	<b>Column 4 Maximum quantity per person per day</b>
The waters of the State other than the waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage	Small snapper <i>(Pagrus auratus)</i>	30	10
	<b>Snook</b>		
The waters of the State	Snook ( <i>Sphyraena novaehollandiae</i> )	60	20
	<b>Sweep</b>		
The waters of the State	Sweep (Genus Scorpis)	60	20
	<b>Tommy ruff</b>		
The waters of the State	Tommy ruff ( <i>Arripis georgianus</i> )	180	60
	<b>Trevally</b>		
The waters of the State	Silver trevally <i>(Pseudocaranx dentex)</i>	60	20
	<b>Tuna</b>		
The waters of the State	Southern bluefin tuna ( <i>Thunnus maccoyii</i> )	6	2
The waters of the State	Yellowfin tuna <i>(Thunnus albacares)</i>	6	2
	<b>Whiting</b>		
The waters of the State	King George whiting <i>(Sillaginodes punctatus)</i>	36	12
The waters of the State	Yellowfin whiting <i>(Sillago schomburgkii)</i>	60	20

## (3) The taking by an unlicensed person, in the waters of the State—

- (a) of calamary or cuttlefish from a boat from which 45 calamary and cuttlefish in combination have been taken by unlicensed persons on the same day; or
- (b) of callop (being callop (golden perch) or callop (Lake Eyre perch) from a boat from which 15 callop (being a combination of callop (golden perch) and callop (Lake Eyre perch) have already been taken by unlicensed persons on the same day; or
- (c) of crab (being blue crab or sand crab) from a boat from which 120 crab (being a combination of blue crab and sand crab) have already been taken by unlicensed persons on the same day; or

- (d) of shark (being gummy shark or school shark) from a boat from which 6 shark (being a combination of gummy shark and school shark) have already been taken by unlicensed persons on the same day; or
  - (e) of tuna (being southern bluefin tuna or yellowfin tuna) from a boat from which 6 tuna (being a combination of southern bluefin tuna and yellowfin tuna) have already been taken by unlicensed persons on the same day.
- (4) The taking by an unlicensed person, in the waters of the State—
- (a) of calamary or cuttlefish if the person has already taken 15 calamary and cuttlefish in combination on the same day; or
  - (b) of callop (being callop (golden perch) or callop (Lake Eyre perch)) if the person has already taken 5 callop (being a combination of callop (golden perch) and callop (Lake Eyre perch)) on the same day; or
  - (c) of crab (being blue crab or sand crab) if the person has already taken 40 crab (being a combination of blue crab and sand crab) on the same day; or
  - (d) of shark (being gummy shark or school shark) if the person has already taken 1 gummy shark and 1 school shark on the same day; or
  - (e) of tuna (being southern bluefin tuna or yellowfin tuna) if the person has already taken 1 southern bluefin tuna and 1 yellowfin tuna on the same day.
- (5) Subclauses (1) and (3) do not apply in relation to fish taken by unlicensed persons from a registered boat being used pursuant to a licence in respect of the Charter Boat Fishery.
- 67 (1) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2 from a boat from which the quantity specified in column 3 has already been taken by unlicensed persons on the same day.
- (2) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, of more fish of the class specified in column 2 than the quantity specified in column 4.

**Table—Recreational non-charter boat fishing daily boat and bag limits**

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per boat per day</b>	<b>Column 4 Maximum quantity per person per day</b>
	<b>Abalone</b> ( <i>Haliotis</i> spp.)	10	5
	<b>Murray cod</b>		
The waters of the State	Murray cod ( <i>Maccullochella peeli</i> )	6	2

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per boat per day</b>	<b>Column 4 Maximum quantity per person per day</b>
<b>Rock lobster</b>			
The waters of the Northern Zone Rock Lobster Fishery or Southern Zone Rock Lobster Fishery	Rock lobster ( <i>Jasus edwardsii</i> )	8	4

- (3) Subclause (1) does not apply in relation to fish taken by unlicensed persons from a registered boat being used pursuant to a licence in respect of the Charter Boat Fishery.

68 The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, of more fish of the class specified in column 2 than the quantity specified in column 3.

**Table—Recreational fishing—daily bag limits**

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per person per day</b>
<b>Cockle</b>		
The waters of the State	Goolwa cockle ( <i>Donax deltoides</i> )	600
The waters of the State	Mud cockle ( <i>Katelysia</i> spp.)	300
<b>Cowrie</b>		
The waters of the State	Black cowrie ( <i>Zoila friendii thersites</i> )	1
<b>Mulloway</b>		
The waters of Coorong area 1 or Coorong area 2	Large mulloway ( <i>Argyrosomus hololepidotus</i> )	2
The waters of Coorong area 1 or Coorong area 2	Small mulloway ( <i>Argyrosomus hololepidotus</i> )	10
<b>South-east crayfish</b>		
The waters of the State	South-east crayfish ( <i>Euastacus bispinosa</i> )	5
<b>Yabby</b>		
The waters of the State	Yabby ( <i>Cherax destructor</i> )	200

- 69(1) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat carrying more than 3 but not more than 6 passengers from which the quantity specified in column 3 has already been taken by unlicensed persons on the same day.

- (2) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2 below, from a boat carrying more than 3 but not more than 6 passengers from which a quantity equal to 3 times the quantity specified in column 3 has already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).

Table—**Recreational charter boat fishing daily bag limits**

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per boat per day (charter boat carrying more than 3 but not more than 6 passengers)</b>
	<b>Bream</b>	
The waters of the State	Bream ( <i>Acanthopagrus</i> spp.)	30
	<b>Calamary and cuttlefish</b>	
The waters of the State	Calamary ( <i>Sepioteuthis australis</i> )	45
The waters of the State	Cuttlefish ( <i>Sepia</i> spp)	45
	<b>Crab</b>	
The waters of the State	Blue crab ( <i>Portunus pelagicus</i> )	120
The waters of the State	Sand crab ( <i>Ovalipes australiensis</i> )	120
	<b>Flathead</b>	
The waters of the State	Flathead ( <i>Platycephalus</i> spp.)	30
	<b>Flounder</b>	
The waters of the State	Flounder (Family Bothidae or Pleuronectidae)	60
	<b>Garfish</b>	
The waters of the State	Garfish ( <i>Hyporhamphus melanochir</i> )	180
	<b>Groper</b>	
The waters of the State (other than those waters specified in regulation 6(d))	Blue groper ( <i>Achoerodus gouldii</i> )	6
	<b>Morwong</b>	
The waters of the State	Blue morwong ( <i>Nemadactylus valenciennesi</i> )	15
	<b>Mullet</b>	
The waters of the State	Mullet (Family Mugilidae)	180



<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per boat per day (charter boat carrying more than 3 but not more than 6 passengers)</b>
	<b>Mulloway</b>	
The waters of the State other than Coorong (area 1) or Coorong (area 2)	Large mulloway ( <i>Argyrosomus hololepidotus</i> )	6
	<b>Nannygai and swallowtail</b>	
The waters of the State	Nannygai ( <i>Centroberyx australis</i> )	30
The waters of the State	Swallowtail ( <i>Centroberyx lineatus</i> )	30
	<b>Razorfish</b>	
The waters of the State	Razorfish ( <i>Pinna bicolor</i> )	150
	<b>Salmon</b>	
The waters of the State	Large salmon ( <i>Arripis truttaceus</i> )	30
The waters of the State	Small salmon ( <i>Arripis truttaceus</i> )	60
	<b>Samson fish and yellowtail kingfish</b>	
The waters of the State	Samson fish ( <i>Seriola hippos</i> )	6
The waters of the State	Yellowtail kingfish ( <i>Seriola grandis</i> )	6
	<b>Scallop</b>	
The waters of the State	Scallop (Family Pectinidae)	300
	<b>Shark</b>	
The waters of the State	Gummy shark ( <i>Mustelus antarcticus</i> )	6
The waters of the State	School shark ( <i>Galeorhinus galeus</i> )	6
	<b>Snook</b>	
The waters of the State	Snook ( <i>Sphyraena novaehollandiae</i> )	60
	<b>Sweep</b>	
The waters of the State	Sweep (Genus Scorpis)	60
	<b>Tommy ruff</b>	
The waters of the State	Tommy ruff ( <i>Arripis georgianus</i> )	180

Column 1 Waters	Column 2 Species of fish	Column 3 Maximum quantity per boat per day (charter boat carrying more than 3 but not more than 6 passengers)
	<b>Trevally</b>	
The waters of the State	Silver trevally ( <i>Pseudocaranx dentex</i> )	60
	<b>Whiting</b>	
The waters of the State	School whiting ( <i>Sillago flindersi</i> )	60
The waters of the State	Yellowfin whiting ( <i>Sillago schomburgkii</i> )	60

- (3) This clause applies only in relation to fish taken by unlicensed persons from a registered boat being used pursuant to a licence in respect of the Charter Boat Fishery.
- 70(1) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat carrying not more than 3 passengers, of more fish of the class specified in column 2 than the quantity specified in column 3.
- (2) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat carrying not more than 3 passengers from which a quantity equal to 3 times the quantity specified in column 3 has already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).
- (3) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat carrying more than 6 passengers, of more fish of the class specified in column 2 than the quantity specified in column 4.

- (4) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat carrying more than 6 passengers from which a quantity equal to 3 times the quantity specified in column 4 has already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).

**Table—Recreational charter boat fishing daily bag limits**

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)</b>	<b>Column 4 Maximum quantity per person per boat per day (charter boat carrying more than 6 passengers)</b>
<b>Bream</b>			
The waters of the State	Bream ( <i>Acanthopagrus</i> spp.)	10	5
<b>Calamary and cuttlefish</b>			
The waters of the State	Calamary ( <i>Sepioteuthis</i> <i>australis</i> )	15	8
The waters of the State	Cuttlefish ( <i>Sepia</i> spp)	15	8
<b>Crab</b>			
The waters of the State	Blue crab ( <i>Portunus</i> <i>pelagicus</i> )	40	20
The waters of the State	Sand crab ( <i>Ovalipes</i> <i>australiensis</i> )	40	20
<b>Flathead</b>			
The waters of the State	Flathead ( <i>Platycephalus</i> spp.)	10	5
<b>Flounder</b>			
The waters of the State	Flounder (Family Bothidae or Pleuronectidae)	20	10
<b>Garfish</b>			
The waters of the State	Garfish ( <i>Hyporhamphus</i> <i>melanochir</i> )	60	30

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)</b>	<b>Column 4 Maximum quantity per person per boat per day (charter boat carrying more than 6 passengers)</b>
	<b>Groper</b>		
The waters of the State (other than those waters specified in regulation 6(d))	Blue groper ( <i>Achoerodus gouldii</i> )	2	1
	<b>Morwong</b>		
The waters of the State	Blue morwong ( <i>Nemadactylus valenciennesi</i> )	5	3
	<b>Mullet</b>		
The waters of the State	Mullet (Family Mugilidae)	60	30
	<b>Mulloway</b>		
The waters of the State other than Coorong (area 1) or Coorong (area 2)	Large mulloway ( <i>Argyrosomus hololepidotus</i> )	2	1
The waters of the State	Mud cockle ( <i>Katelysia</i> spp.)	300	150
	<b>Nannygai and swallowtail</b>		
The waters of the State	Nannygai ( <i>Centroberyx australis</i> )	10	5
The waters of the State	Swallowtail ( <i>Centroberyx lineatus</i> )	10	5
	<b>Razorfish</b>		
The waters of the State	Razorfish ( <i>Pinna bicolor</i> )	50	25
	<b>Salmon</b>		
The waters of the State	Large salmon ( <i>Arripis truttaceus</i> )	10	5
The waters of the State	Small salmon ( <i>Arripis truttaceus</i> )	20	10
	<b>Samson fish and yellowtail kingfish</b>		
The waters of the State	Samson fish ( <i>Seriola hippos</i> )	2	1

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)</b>	<b>Column 4 Maximum quantity per person per boat per day (charter boat carrying more than 6 passengers)</b>
The waters of the State	Yellowtail kingfish ( <i>Seriola grandis</i> )	2	1
	<b>Scallop</b>		
The waters of the State	Scallop (Family Pectinidae)	100	50
	<b>Snook</b>		
The waters of the State	Snook ( <i>Sphyraena novaehollandiae</i> )	20	10
	<b>Sweep</b>		
The waters of the State	Sweep (Genus Scorpis)	20	10
	<b>Tommy ruff</b>		
The waters of the State	Tommy ruff ( <i>Arripis georgianus</i> )	60	30
	<b>Trevally</b>		
The waters of the State	Silver trevally ( <i>Pseudocaranx dentex</i> )	20	10
	<b>Whiting</b>		
The waters of the State	School whiting ( <i>Sillago flindersi</i> )	20	10
The waters of the State	Yellowfin whiting ( <i>Sillago schomburgkii</i> )	20	10

- (5) The taking by an unlicensed person, in the waters of the State—
- (a) of calamary or cuttlefish from a boat carrying not more than 3 passengers—
    - (i) from which the person has already taken 15 calamary and cuttlefish in combination on the same day; or
    - (ii) from which 45 calamary and cuttlefish in combination have already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days); or
  - (b) of calamary or cuttlefish from a boat carrying more than 6 passengers—
    - (i) from which the person has already taken 8 calamary and cuttlefish in combination on the same day; or

- (ii) from which 24 calamary and cuttlefish in combination have already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).
  - (6) The taking by an unlicensed person, in the waters of the State—
    - (a) of crab (being blue crab or sand crab) from a boat carrying not more than 3 passengers—
      - (i) from which the person has already taken 40 crab (being a combination of blue crab and sand crab) on the same day; or
      - (ii) from which 120 crab (being a combination of blue crab and sand crab) have already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days); or
    - (b) of crab (being blue crab or sand crab) from a boat carrying more than 6 passengers—
      - (i) from which the person has already taken 20 crab (being a combination of blue crab and sand crab) on the same day; or
      - (ii) from which 60 crab (being a combination of blue crab and sand crab) have already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).
  - (7) This clause applies only in relation to fish taken by unlicensed persons from a registered boat being used pursuant to a licence in respect of the Charter Boat Fishery.
- 71 (1) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat carrying not more than 3 passengers, of more fish of the class specified in column 2 than the quantity specified in column 3.
- (2) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat carrying not more than 3 passengers from which a quantity equal to 3 times the quantity specified in column 3 has already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).
  - (3) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat carrying more than 3 passengers, of more fish of the class specified in column 2 than the quantity specified in column 4.

- (4) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat carrying more than 3 passengers from which a quantity equal to 3 times the quantity specified in column 4 has already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).

**Table—Recreational charter boat fishing daily bag limits**

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)</b>	<b>Column 4 Maximum quantity per person per boat per day (charter boat carrying more than 3 passengers)</b>
<b>Abalone</b>			
The waters of the State	Abalone ( <i>Haliotis</i> spp.)	5	3
<b>Cockle</b>			
The waters of the State	Goolwa cockle ( <i>Donax deltoides</i> )	600	300
The waters of the State	Mud cockle ( <i>Katelysia</i> spp.)	300	150
<b>Crab</b>			
The waters of the State	Giant crab ( <i>Pseudocarcinus gigas</i> )	2	2
<b>Rock lobster</b>			
The waters of the State	Rock lobster ( <i>Jasus edwardsii</i> )	4	2
<b>Whiting</b>			
The waters of the State	King George whiting ( <i>Sillaginodes punctatus</i> )	12	10

- (5) This clause applies only in relation to fish taken by unlicensed persons from a registered boat being used pursuant to a licence in respect of the Charter Boat Fishery.
- 72 (1) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of a class specified in column 2, from a boat carrying more than 3 passengers from which the quantity specified in column 3 has already been taken by unlicensed persons on the same day.
- (2) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2 from a boat from which the quantity specified in column 3 has already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).

- (3) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat carrying not more than 3 passengers, of more fish of the class specified in column 2 than the quantity specified in column 4.

Table—**Recreational charter boat fishing daily boat and bag limits**

Column 1 Waters	Column 2 Species of fish	Column 3 Maximum quantity per boat per day (charter boat carrying more than 3 passengers)	Column 4 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)
<b>Barracouta</b>			
The waters of the State	Barracouta ( <i>Thyrsites atun</i> )	30	10
<b>Bight redfish</b>			
The waters of the State	Bight redfish ( <i>Centroberyx garrardi</i> )	30	10
<b>Gemfish</b>			
The waters of the State	Gemfish ( <i>Rexea solandri</i> )	30	10
<b>Ling</b>			
The waters of the State	Ling ( <i>Genypterus tigerinus</i> )	18	3
<b>Morwong</b>			
The waters of the State	Jackass morwong ( <i>Nemadactylus macropterus</i> )	30	10
<b>Shark</b>			
The waters of the State	Gummy shark ( <i>Mustelus antarcticus</i> )	6	2
The waters of the State	School shark ( <i>Galeorhinus galeus</i> )	6	2
<b>Tuna</b>			
The waters of the State	Albacore ( <i>Thunnus alalunga</i> )	6	2
The waters of the State	Southern bluefin tuna ( <i>Thunnus maccoyii</i> )	6	2
The waters of the State	Yellowfin tuna ( <i>Thunnus albacares</i> )	6	2



<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per boat per day (charter boat carrying more than 3 passengers)</b>	<b>Column 4 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)</b>
<b>Warehou</b>			
The waters of the State	Blue warehou ( <i>Seriolella brama</i> )	30	10
The waters of the State	Spotted warehou ( <i>Seriolella punctata</i> )	30	10

- (4) The taking by an unlicensed person, in the waters of the State—
- (a) of shark (being gummy shark or school shark) from a boat carrying more than 3 passengers from which 6 shark (being a combination of gummy shark and school shark) have already been taken by unlicensed persons on the same day; or
  - (b) of shark (being gummy shark or school shark) from a boat from which 6 shark (being a combination of gummy shark and school shark) have already been taken by unlicensed persons on the same trip (being a trip lasting more than 3 days); or
  - (c) of shark (being gummy shark or school shark) from a boat carrying not more than 3 passengers from which the person has already taken 2 shark (being a combination of gummy shark and school shark) on the same day.
- (5) The taking by an unlicensed person, in the waters of the State—
- (a) of tuna (being southern bluefin tuna or yellowfin tuna) from a boat carrying more than 3 passengers from which 6 tuna (being a combination of southern bluefin tuna and yellowfin tuna) have already been taken by unlicensed persons on the same day; or
  - (b) of tuna (being southern bluefin tuna or yellowfin tuna) from a boat from which 6 tuna (being a combination of southern bluefin tuna and yellowfin tuna) have already been taken by unlicensed persons on the same trip (being a trip lasting more than 3 days); or
  - (c) of tuna (being southern bluefin tuna or yellowfin tuna) from a boat carrying not more than 3 passengers from which the person has already taken 2 tuna (being a combination of southern bluefin tuna and yellowfin tuna) on the same day.
- (6) This clause applies only in relation to fish taken by unlicensed persons from a registered boat being used pursuant to a licence in respect of the Charter Boat Fishery.
- 73 The taking in any 1 day by any person of more than 4 rock lobster by diving in the waters of the State.
- 74 The taking by any person, in the waters of the State, of blue groper that exceeds 100 centimetres in length.

- 75 The taking by any person, in the waters of the State, of Murray cod that exceeds 100 centimetres in length.
- 76 The taking by any person, in the waters of the State, of Murray cod during the period commencing on 1 September and ending on the following 31 December in any year.
- (2) Schedule 1, clause 123—after its present contents (now to be designated as subclause (1)) insert:
- (2) Subclause (1) does not apply in relation to the taking of fish by unlicensed persons for a purpose other than trade or business from a registered boat being used pursuant to a licence in respect of the Charter Boat Fishery.

## 6—Variation of Schedule 9—Expiation of offences

Schedule 9, table, items relating to clauses 66 to 77D (inclusive)—delete the items and substitute:

66	Taking fish ( <i>recreational non-charter boat fishing bag or boat limit</i> )—exceeding limit:	
	• by up to 10 fish	\$50
	• by 11 to 20 fish	\$100
	• by more than 20 fish	\$200
67	Taking abalone ( <i>recreational non-charter boat fishing bag or boat limit</i> )—exceeding limit:	
	• by up to 5 abalone	\$50
	• by 6 to 10 abalone	\$100
	• by more than 10 abalone	\$200
67	Taking Murray cod ( <i>recreational non-charter boat fishing bag or boat limit</i> )—exceeding limit:	
	• by up to 5 Murray cod	\$100
	• by more than 5 Murray cod	\$200
67	<i>Taking rock lobster—exceeding recreational non-charter fishing bag or boat limit in a rock lobster fishery</i>	\$300
68	Taking black cowrie ( <i>recreational bag limit</i> )—exceeding limit:	
	• by up to 5 black cowrie	\$200
	• by more than 5 black cowrie	\$300
68	Taking Goolwa cockles ( <i>recreational bag limit</i> )—exceeding limit:	
	• by up to 100 cockles	\$50
	• by 101 to 200 cockles	\$100
	• by more than 200 cockles	\$200
68	Taking mud cockles ( <i>recreational bag limit</i> )—exceeding limit:	
	• by up to 50 cockles	\$50
	• by 51 to 100 cockles	\$100
	• by more than 100 cockles	\$200

68	Taking mullock in Coorong (area 1) or Coorong (area 2) ( <i>recreational bag limit</i> )—exceeding limit:	
	• by up to 10 mullock	\$50
	• by 11 to 20 mullock	\$100
	• by more than 20 mullock	\$200
68	Taking South-east crayfish ( <i>recreational bag limit</i> )—exceeding limit:	
	• by up to 5 crayfish	\$100
	• by more than 5 crayfish	\$200
68	<i>Taking yabbies—exceeding bag limit (recreational)</i>	\$300
69	Taking fish ( <i>recreational charter boat fishing boat or trip limit</i> )—exceeding limit:	
	• by up to 10 fish	\$50
	• by 11 to 20 fish	\$100
	• by more than 20 fish	\$200
70	Taking fish ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	• by up to 10 fish	\$50
	• by 11 to 20 fish	\$100
	• by more than 20 fish	\$200
71	Taking abalone ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	• by up to 5 abalone	\$50
	• by 6 to 10 abalone	\$100
	• by more than 10 abalone	\$200
71	Taking Goolwa cockles ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	• by up to 100 cockles	\$50
	• by 101 to 200 cockles	\$100
	• by more than 200 cockles	\$200
71	Taking mud cockles ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	• by up to 100 cockles	\$50
	• by 101 to 200 cockles	\$100
	• by more than 200 cockles	\$200
71	Taking rock lobster ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	• by up to 5 rock lobster	\$50
	• by 6 to 10 rock lobster	\$100
	• by more than 10 rock lobster	\$200

71	Taking King George whiting ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	• by up to 10 whiting	\$50
	• by 11 to 20 whiting	\$100
	• by more than 20 whiting	\$200
72	Taking fish ( <i>recreational charter boat fishing bag, boat or trip limit</i> )—exceeding limit:	
	• by up to 10 fish	\$50
	• by 11 to 20 fish	\$100
	• by more than 20 fish	\$200
73	Taking rock lobster by diving ( <i>bag limit</i> )—exceeding limit:	
	• by up to 5 abalone	\$50
	• by 6 to 10 abalone	\$100
	• by more than 10 abalone	\$200
74	Taking blue groper—exceeding maximum length limit:	
	• by up to 5 blue groper	\$100
	• by more than 5 blue groper	\$200
75	Taking Murray cod—exceeding maximum length limit:	
	• by up to 5 Murray cod	\$100
	• by more than 5 Murray cod	\$200
76	<i>Taking Murray cod during closed season</i>	\$200

**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 22 September 2005

No 204 of 2005

MAFF05/0015CS

South Australia

## **Aquaculture Regulations 2005**

under the *Aquaculture Act 2001*

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## Part 1—Preliminary

### 1—Short title

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

### 2—Commencement

These regulations will come into operation on 1 October 2005.

### 3—Interpretation

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

***abalone*** means abalone (*Haliotis* spp.) of all species;

***accredited laboratory*** means a laboratory accredited by the National Association of Testing Authorities and capable of detecting oxidised nitrogen, ammonia and soluble phosphorous at concentrations of 0.1 mg/L or less and total suspended solids at 5 mg/L or less;

***Act*** means the *Aquaculture Act 2001*;

***antifoulant*** means a chemical substance designed for application to water submerged surfaces to inhibit the growth of plants, animals or other organisms on those surfaces;

***aquaculture waste*** means waste generated in the course of carrying on aquaculture, but does not include waste created by living aquatic organisms;

***disease*** includes any bacterium, virus, parasite, insect or other organism or agent capable of causing disease in animals or humans;

***farming structure*** includes sea cages and racks, longlines and submerged lines used for aquaculture, together with their associated baskets, barrels, lanterns and other culture units;

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

***GDA94*** means the Geocentric Datum of Australia 1994;

***large marine vertebrates*** means sharks, seals, sea lions, dolphins and whales;

***licence area*** means the area of the licence described on the public register under section 80 of the Act;

***licensee*** means the holder of an aquaculture licence;

***protected animal*** means—

(a) a protected animal within the meaning of the *National Parks and Wildlife Act 1972*;  
or

(b) a great white shark (*Carcharodon carcharias*);

***reporting day***, in relation to a licence, means the day falling 1 month before the anniversary of the day on which the licence was granted;

***reporting year***, in relation to a licence, means the 12 months preceding the day falling 2 months before the anniversary of the day on which the licence was granted;

***sea cage*** means a floating farming structure used for aquaculture comprised of or incorporating a net;

***tuna*** means southern bluefin tuna (*Thunnus maccoyii*);

***WGS84*** means the World Geodetic System 1984;

**zone** means an aquaculture zone, a prospective aquaculture zone, an aquaculture exclusion zone or an aquaculture emergency zone.

- (2) Without limiting when the number of aquatic organisms farmed under a licence that die within a period of 24 hours will be taken to be **unusually high**, the number will be taken to be unusually high if it is 20% (or more) greater than the average number of aquatic organisms farmed under the licence that have died each day over the preceding 3 months.

## **Part 2—General provisions supporting Act**

### **4—Procedures for making aquaculture policies**

For the purposes of section 12(4)(a) of the Act, the following bodies are prescribed:

- (a) Aboriginal Legal Rights Movement Incorporated;
- (b) Conservation Council of South Australia Incorporated;
- (c) Local Government Association of South Australia;
- (d) Seafood Council SA;
- (e) SA Fishing Industry Council Incorporated;
- (f) South Australian Aquaculture Council;
- (g) South Australian Recreational Fishing Advisory Council;
- (h) if the policy is expressed to apply only in relation to 1 or more zones or areas—
  - (i) any registered representatives of native title holders or claimants to native title in land comprising or forming part of a zone or area to which the policy applies; and
  - (ii) any person holding an aquaculture licence or aquaculture lease over an area comprising or forming part of a zone or area to which the policy applies; and
  - (iii) any regional NRM Board (within the meaning of the *Natural Resources Management Act 2004*) responsible for a region comprising or forming part of a zone or area to which the policy applies;
- (i) if the policy is not expressed to apply only in relation to 1 or more zones or areas—  
all regional NRM Boards (within the meaning of the *Natural Resources Management Act 2004*).

### **5—Amendment of aquaculture policies by notice in Gazette**

The Minister may, by notice in the Gazette under section 14(1) of the Act, amend an aquaculture policy in order to make a change of the following kind:

- (a) for identifying, varying the boundaries of, or revoking, an aquaculture emergency zone;
- (b) if in the opinion of the Minister there is ambiguity as to the boundary of an aquaculture zone, prospective aquaculture zone, aquaculture exclusion zone or aquaculture emergency zone—to remove the ambiguity.



## 6—Transfer of production leases

For the purposes of section 39(2) of the Act, the following details are prescribed:

- (a) the full name, address and telephone number of the transferor and transferee;
- (b) the number of the production lease.

## 7—Reference of matters to EPA

For the purposes of section 59(3) of the Act, the prescribed period is 6 weeks.

## 8—Aquaculture Resource Management Fund

For the purposes of section 79(3) of the Act—

- (a) the prescribed percentage of fees (other than expiation fees) paid under the Act is 100%; and
- (b) the prescribed percentage of penalties recovered in respect of offences against the Act is 100%.

# Part 3—Regulation of licensed activities

## Division 1—General

### 9—Aquaculture waste

(1) A licensee must ensure that—

- (a) aquaculture waste does not cause an unsightly or offensive condition at the licence area; and
- (b) aquaculture waste is secured or treated in a manner designed to prevent it being blown, washed or swept off the licence area.

Maximum penalty: \$5 000.

Expiation fee: \$315.

(2) A licensee must ensure that if aquaculture waste is blown, washed or swept off the licence area it is recovered as soon as practicable.

Maximum penalty: \$5 000.

Expiation fee: \$315.

### 10—Use of chemicals

(1) A licensee must ensure that a substance is not used for therapeutic or prophylactic purposes or as an antifoulant in the course of aquaculture carried on under the licence unless—

- (a) it is a registered veterinary chemical product, within the meaning of the *Agricultural and Veterinary Products (Control of Use) Act 2002*, and is used in accordance with—
  - (i) the instructions on the approved label for the product within the meaning of that Act; or
  - (ii) a permit within the meaning of that Act; or

- (b) the licensee has obtained the written approval of the Minister to use the substance in that way.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A licensee must ensure that a substance is not used as a disinfectant in the course of aquaculture carried on under the licence unless—

- (a) it is 1 of the following:

- Citric acid

- Hydrogen peroxide

- Iodophore

- Sodium carbonate

- Sodium hydroxide

- Sodium hypochlorite

- Virkon (registered trademark); or

- (b) the licensee has obtained the written approval of the Minister to use the substance in that way.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## **11—Notification of unusually high mortality rate and duty to isolate unaffected organisms**

If an unusually high number of aquatic organisms farmed under a licence die within a period of 24 hours (see regulation 3(2)) and the cause is not immediately apparent, the licensee must ensure that—

- (a) the Minister is immediately notified by means of a telephone call to the number provided to the licensee for the purpose; and
- (b) the Minister is, as soon as practicable after having been notified, given a written and signed notice containing the following:
  - (i) the licence number;
  - (ii) the name of the species affected;
  - (iii) the number or biomass (or an estimate of the number or biomass) of aquatic organisms that have died;
  - (iv) details of any clinical signs observable in the organisms prior to death;
  - (v) the number or biomass (or an estimate of the number or biomass) of aquatic organisms that show similar clinical signs but have not died;
  - (vi) details of circumstances that may be contributing factors such as extreme weather, power failures, poor water quality or water temperature; and
- (c) all reasonable steps are taken to isolate aquatic organisms apparently affected from aquatic organisms not apparently affected.

Maximum penalty: \$5 000.

Expiation fee: In the case of an offence against paragraph (a) or paragraph (b)—\$315.

## 12—Aquatic organisms affected with disease

- (1) If a licensee knows, or ought reasonably to know, that an aquatic organism proposed to be introduced into the licence area is or may be affected with a disease, the licensee must ensure that the aquatic organism is not introduced into the licence area without the prior written approval of the Minister.

Maximum penalty: \$5 000.

- (2) If a licensee knows, or ought reasonably to know, that an aquatic organism being farmed under the licence is or may be affected with a disease, the licensee must ensure that the aquatic organism is not removed from the licence area unless—

- (a) it is removed for testing; or
- (b) it is removed for disposal (other than by sale or supply to another); or
- (c) it is removed in accordance with the written approval of the Minister obtained by the licensee.

Maximum penalty: \$5 000.

- (3) If an unusually high number of aquatic organisms farmed under a licence die within a period of 24 hours (see regulation 3(2)) and the cause is not immediately apparent, the licensee will be taken to know that the aquatic organisms may be affected with a disease.

## 13—Stock register

- (1) A licensee must maintain a stock register in accordance with this regulation.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) The stock register must contain (in a readily understandable and legible form)—

- (a) the following information in respect of aquatic organisms supplied to the licensee:
  - (i) the date on which the aquatic organisms were received by the licensee;
  - (ii) the name and address of the person who supplied the aquatic organisms;
  - (iii) the species of aquatic organisms;
  - (iv) the number or biomass of aquatic organisms received;
  - (v) the age or developmental stage of the aquatic organisms when received;
  - (vi) details identifying the place at which the aquatic organisms were last reared before supply or the place at which the aquatic organisms were collected;
  - (vii) a copy of any health certification that accompanied the aquatic organisms; and
- (b) the following information in respect of aquatic organisms collected by the licensee:
  - (i) details identifying the authority under the *Fisheries Act 1982* under which the aquatic organisms were collected;
  - (ii) the date the aquatic organisms were collected;
  - (iii) details identifying the place at which the aquatic organisms were collected;
  - (iv) the species of aquatic organisms;

- (v) the number or biomass of aquatic organisms collected;
  - (vi) the age or developmental stage of the aquatic organisms when collected;  
and
  - (c) the following information in respect of aquatic organisms bred by the licensee:
    - (i) the date (or an estimate of the date) the aquatic organisms were bred;
    - (ii) the species of aquatic organisms;
    - (iii) details identifying the broodstock used to breed the aquatic organisms;
    - (iv) the number or biomass (or an estimate of the number or biomass) of aquatic organisms bred; and
  - (d) the following information in respect of aquatic organisms supplied by the licensee to another person:
    - (i) the date on which the aquatic organisms were supplied;
    - (ii) the name and address of the person to whom the aquatic organisms were supplied;
    - (iii) the species of aquatic organisms;
    - (iv) the number or biomass of aquatic organisms supplied;
    - (v) the age or developmental stage of the aquatic organisms when supplied;
    - (vi) a copy of any health certification provided by the licensee to accompany the aquatic organisms; and
  - (e) the following information in respect of aquatic organisms that have died during aquaculture:
    - (i) the species of aquatic organisms;
    - (ii) the date (or an estimate of the date) the aquatic organisms died;
    - (iii) the number or biomass (or an estimate of the number or biomass) of aquatic organisms that have died;
    - (iv) the age or developmental stage of the aquatic organisms at death;
    - (v) a description of how and where the aquatic organisms were disposed of;  
and
  - (f) details of treatment administered for therapeutic or prophylactic purposes to aquatic organisms kept under the licence including—
    - (i) the reasons for the treatment; and
    - (ii) the dates on which the treatment was administered; and
    - (iii) the name (including trade or patent name) of each substance used as part of the treatment and the dosages or amounts administered; and
    - (iv) information that identifies the aquatic organisms that received treatment by reference to tank or cage number or by other means.
- (3) A record required to be entered in the stock register must be entered within 7 days after the event to which it relates.
- (4) A record entered in the stock register must be retained for 5 years from the date on which it was entered.

## 14—Periodic returns

A licensee must, on a date or dates determined by the Minister in each year, provide the Minister with a periodic return containing such information as the Minister requires in the manner and form determined by the Minister.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## Division 2—Aquaculture in State waters

### 15—Application of Division

This Division applies to aquaculture leases and to aquaculture licences authorising aquaculture in an area comprised of State waters or State waters and adjacent land within the meaning of the *Harbors and Navigation Act 1993*.

### 16—Requirement to mark-off area and maintain structures or equipment used to mark-off area

The holder of an aquaculture lease is guilty of an offence if—

- (a) the boundaries of the marked-off area of the lease are not marked off or indicated in the manner required under the conditions of the lease or a corresponding licence; or
- (b) the structures or equipment used to mark off or indicate the boundaries of the marked-off area of the lease under the conditions of the lease or a corresponding licence are not maintained in good working condition.

Maximum penalty: \$5 000.

Expiation fee: \$315.

### 17—Farming structures

(1) A licensee must ensure that—

- (a) sea cages used for aquaculture are clearly marked with the licence number; and
- (b) farming structures being used for aquaculture are—
  - (i) except when being placed into position, moved or recovered—
    - (A) securely fixed or moored in place so as to remain wholly within the licence area; and
    - (B) anchored in a manner that minimises the impact on the benthos; and
  - (ii) maintained in good working condition; and
- (c) equipment used to secure, anchor or mark the position of a farming structure is located wholly within the licence area; and
- (d) if the aquaculture involves the use of a floating culture unit in subtidal waters—the distance between the unit and the sea floor is at least 3 metres at all times unless otherwise approved in writing by the Minister; and

- (e) stocked sea cages are not located in the same place that stocked sea cages have been located within the preceding 12 months.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A licensee must ensure that if a farming structure used for aquaculture, or any equipment used to secure, anchor or mark the position of the structure, is blown, washed or swept off the licence area, the structure or equipment is recovered as soon as practicable.

Maximum penalty: \$5 000.

Expiation fee: \$315.

### **18—Health certificates for abalone farmed on navigable vessel**

- (1) A licensee authorised to carry on abalone aquaculture on a navigable vessel as it operates within an area of State waters must ensure that the following requirements are complied with in respect of aquaculture stock brought on to the vessel:

- (a) the aquaculture stock must be comprised of abalone that have been hatchery reared in South Australia;
- (b) the abalone must be accompanied by a certificate—
  - (i) that is in a form approved by the Minister; and
  - (ii) that has been issued—
    - (A) by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
    - (B) within the previous 14 days; and
    - (C) following examination of at least 30 abalone; and
  - (iii) that certifies that the abalone in the test sample are not affected with a notifiable condition within the meaning of the *Livestock Act 1997* and do not display signs of being affected with a disease;
- (c) at least 2 days before the abalone are brought on to the vessel the Minister must be provided with a copy of the certificate referred to in paragraph (b).

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A licensee authorised to carry on abalone aquaculture on a navigable vessel as it operates within an area of State waters must ensure that at least once in each 6 month period the Minister is provided with a copy of a certificate—

- (a) that is in a form approved by the Minister; and
- (b) that has been issued—
  - (i) by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
  - (ii) within the previous 14 days; and
  - (iii) following examination of at least 30 abalone that have been farmed on the vessel for at least 1 month; and

- (c) that certifies that the abalone in the test sample are not affected with a notifiable condition within the meaning of the *Livestock Act 1997* and do not display signs of being affected with a disease.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## **19—Strategies relating to escape of stock and interaction with seabirds and large marine vertebrates**

- (1) A licensee must—
- (a) have a written strategy approved by the Minister—
- (i) for minimising the risk of the escape of aquaculture stock into the wild; and
- (ii) for minimising adverse interactions with seabirds and large marine vertebrates resulting from aquaculture carried on under the licence; and
- (b) ensure that activities under the licence conform with the approved strategy.

Maximum penalty: \$5 000.

- (2) If, at any time, the Minister is not satisfied as to the adequacy of an approved strategy, the Minister may require the strategy to be resubmitted for approval within a specified period in a modified form (which may be specified by the Minister).
- (3) If a licensee fails to resubmit a strategy as required, the licensee is guilty of an offence.
- Maximum penalty: \$5 000.
- Expiation fee: \$315.
- (4) Before requiring a strategy to be resubmitted, the Minister must give the licensee written notice of the proposed action, inviting the licensee to make written submissions in relation to the proposed action within a period specified in the notice (being not less than 14 days from the day on which the notice is given to the licensee).
- (5) Subregulation (1) does not apply to a licensee who held a licence immediately before the commencement of this regulation until 6 months after that commencement.
- (6) A licensee who held a licence immediately before the commencement of this regulation must submit a written strategy (as referred to in subregulation (1)) for approval within 3 months after the commencement of this regulation.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## **20—Notification of entanglement of certain animals**

If a protected animal becomes confined in or entangled in a farming structure or other equipment used in connection with aquaculture, the licensee must—

- (a) immediately after becoming aware of the situation notify the Minister by means of a telephone call to the number provided to the licensee for the purpose; and
- (b) within 2 days after becoming aware of the situation notify the Minister in writing of the action taken to deal with the situation.

Maximum penalty: \$5 000.

**21—Notification of escape of stock or damage that may lead to escape of stock**

A licensee must—

- (a) within 12 hours after becoming aware of the escape of hatchery reared aquaculture stock or damage to a farming structure, or to other equipment, that may lead to the escape of hatchery reared aquaculture stock, notify the Minister (by means of a telephone call or fax to the number provided to the licensee for the purpose) of the escape or damage, including the following details:
  - (i) the species of aquatic organisms affected;
  - (ii) the date (or an estimate of the date) on which the escape or damage took place;
  - (iii) the number and biomass (or an estimate of the number and biomass) of aquatic organisms that have escaped;
  - (iv) the age or developmental stage of the aquatic organisms at the time of their escape;
  - (v) details of the circumstances in which the escape or damage took place; and
- (b) within 7 days after becoming aware of the escape or damage notify the Minister in writing of the action taken to deal with it.

Maximum penalty: \$5 000.

Expiation fee: In the case of an offence against paragraph (b)—\$315.

**22—Environmental monitoring and reporting—farming of molluscs in subtidal area**

- (1) If a licence authorises the farming of molluscs in a subtidal area, the licensee must cause a benthic assessment recording to be made as follows:
  - (a) a colour videotape of the sea floor must be made at least once each reporting year at approximately the same time in each year;
  - (b) the underwater path videotaped must transect at least 100 metres of the licence area, originating within the licence area, proceeding parallel to and within 2 metres of longlines or other farming structures and finishing at least 50 metres outside the boundary of the licence area;
  - (c) the path must include at least 1 anchor of a farming structure and an area of at least 1 metre of the sea floor either side of the anchor;
  - (d) the path must follow, as close as practically possible, a straight line;
  - (e) the same path must be videotaped each reporting year;
  - (f) the videotape must be continuously recorded from start to finish with no editing breaks;
  - (g) the videotape must start and finish with an above water 360° pan of the horizon lasting at least 30 seconds per pan;
  - (h) a minimum width of 2 metres of sea floor must be in the field of view at all times;
  - (i) the angle of videotaping to the sea floor must be approximately 45°;
  - (j) the correct date and time must be continuously present on the videotape;



- (k) footage must be steady and taken at a very slow pace of approximately 1 metre every 2 to 4 seconds and must stop at the site of any anchor videotaped for at least 30 seconds;
- (l) the camera lens must be focussed on the sea floor at all times;
- (m) the path videotaped must be adequately lit to show benthic flora and fauna colours (so that the lighting level is equivalent to that produced by 2 high intensity discharge underwater metal halide 10 watt lamps);
- (n) the videotape must be examined after the recording and, if it is not of sufficient quality to enable a satisfactory assessment of the benthic environment of the path required to be videotaped, a further recording must be made;
- (o) a written record must be made of the location (using WGS84 or GDA94 datum) of the start and finish of the path videotaped and of the date and time of the start and finish of the videotaping;
- (p) a written record must be made detailing each of the following for each 10 metres of the path videotaped:
  - (i) the level of sedimentary disturbance resulting from biological activity (bioturbation);
  - (ii) undulation;
  - (iii) natural organic waste;
  - (iv) aquaculture waste including detached farming shell debris;
  - (v) sand colour;
  - (vi) macroalgal cover;
  - (vii) seagrass cover;
  - (viii) microbial mats (for example, *Beggiatoa sp*);
  - (ix) blue-green algal mats;
  - (x) sponge cover;
  - (xi) the presence of—
    - (A) holothurians (sea cucumbers);
    - (B) ascidians (sea squirts);
    - (C) razor fish (*Pinna sp*);
    - (D) scallops;
    - (E) crabs;
    - (F) gastropods;
    - (G) fish;
    - (H) seahorses and sea dragons.

Maximum penalty: \$5 000.

- (2) If a licence authorises the farming of molluscs in a subtidal area, the licensee must, on or before the reporting day in each year, provide to the Minister a report for the preceding reporting year—
- (a) containing the following:
    - (i) a map showing—
      - (A) the boundary of the licence area; and
      - (B) the location (using WGS84 or GDA94 datum) of the corners of the licence area; and
      - (C) the location (using WGS84 or GDA94 datum) of farming structures and the number, dimensions and spacing of the structures; and
      - (D) the location (using WGS84 or GDA94 datum) of the underwater path videotaped for the benthic assessment recording;
    - (ii) for each month—
      - (A) the amount and type of supplemental feed used in the licence area; and
      - (B) the amount and type of chemicals (including but not limited to therapeutic or prophylactic substances, antifoulants and disinfectants) used in the licence area;
    - (iii) such of the following details as are known about interaction that has occurred between large marine vertebrates and farming structures or equipment, personnel or aquaculture stock:
      - (A) the date of the interaction;
      - (B) the species of marine vertebrate involved;
      - (C) the location of the interaction;
      - (D) a description of the nature of the interaction;
    - (iv) if the author of the report is not the licensee—the author's name and address; and
  - (b) accompanied by a copy of the benthic assessment recording made for the reporting year (in a format approved by the Minister) and the records made in conjunction with the recording.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) This regulation does not apply to a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters.

### **23—Environmental monitoring and reporting—farming of molluscs in intertidal area**

If a licence authorises the farming of molluscs in an intertidal area, the licensee must, on or before the reporting day in each year, provide to the Minister a report for the preceding reporting year containing the following:

- (a) a map showing—

- (i) the boundary of the licence area; and
  - (ii) the location (using WGS84 or GDA94 datum) of the corners of the licence area; and
  - (iii) the location (using WGS84 or GDA94 datum) of farming structures and the number, dimensions and spacing of the structures;
- (b) for each month—
- (i) the number of pacific oysters found in the licence area and not contained within a farming structure; and
  - (ii) the location in which they were found; and
  - (iii) a statement of whether they have been removed;
- (c) for each month—the amount and type of chemicals (including but not limited to therapeutic or prophylactic substances, antifoulants and disinfectants) used in the licence area;
- (d) such of the following details as are known about interaction that has occurred between large marine vertebrates and farming structures or equipment, personnel or aquaculture stock:
- (i) the date of the interaction;
  - (ii) the species of marine vertebrate involved;
  - (iii) the location of the interaction;
  - (iv) a description of the nature of the interaction;
- (e) if the author of the report is not the licensee—the author's name and address.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## **24—Environmental monitoring and reporting—farming of finfish**

- (1) If a licence authorises the farming of finfish, the licensee must cause a benthic assessment recording to be made as follows:
- (a) a colour videotape of the sea floor must be made at least once each reporting year at approximately the same time in each year;
  - (b) at least 3 underwater paths must be videotaped as follows:
    - (i) 1 must be within the licence area originating as close as practicable to the side of a sea cage used for aquaculture under the licence and proceeding in the direction of the prevailing current (down current) for 150 metres; and
    - (ii) 1 must be within the licence area originating as close as practicable to the opposite side of the same sea cage and proceeding in the opposite direction of the prevailing current (up current) for 150 metres; and
    - (iii) 1 must be outside the licence area originating at the midpoint of the prevailing down current boundary of the licence area and proceeding at right angles to the boundary for 150 metres (the *off-site transect*);
  - (c) the same off-site transect must be videotaped each year;
  - (d) the videotape of each path must be continuously recorded from start to finish with no editing breaks;

- (e) the videotape of each path must start and finish with an above water 360° pan of the horizon lasting at least 30 seconds per pan;
- (f) a minimum width of 2 metres of sea floor must be in the field of view at all times;
- (g) the angle of videotaping to the sea floor must be approximately 45°;
- (h) the correct date and time must be continuously present on the videotape;
- (i) footage must be steady and taken at a very slow pace of approximately 1 metre every 2 to 4 seconds;
- (j) the camera lens must be focussed on the sea floor at all times;
- (k) each path videotaped must be adequately lit to show benthic flora and fauna colours (so that the lighting level is equivalent to that produced by 2 high intensity discharge underwater metal halide 10 watt lamps);
- (l) the videotape must be examined after the recording and, if it is not of sufficient quality to enable a satisfactory assessment of the benthic environment of the paths required to be videotaped, a further recording must be made;
- (m) a written record must be made of—
  - (i) the location (using WGS84 or GDA94 datum) of the start and finish of each path videotaped and of the date and time of the start and finish of the videotaping of each path; and
  - (ii) the location of the sea cage concerned (using WGS84 or GDA94 datum);
- (n) a written record must be made detailing each of the following for each 10 metres of each path videotaped:
  - (i) the level of sedimentary disturbance resulting from biological activity (bioturbation);
  - (ii) undulation;
  - (iii) natural organic waste;
  - (iv) aquaculture waste including waste baitfish and pellets;
  - (v) sand colour;
  - (vi) macroalgal cover;
  - (vii) seagrass cover;
  - (viii) microbial mats (for example, *Beggiatoa sp*);
  - (ix) blue-green algal mats;
  - (x) sponge cover;
  - (xi) the presence of—
    - (A) holothurians (sea cucumbers);
    - (B) ascidians (sea squirts);
    - (C) razor fish (*Pinna sp*);
    - (D) scallops;
    - (E) crabs;
    - (F) gastropods;

- (G) fish;
- (H) seahorses and sea dragons.

Maximum penalty: \$5 000.

- (2) However, subregulation (1) only applies in a particular reporting year to a licence authorising the farming of tuna if the Minister notifies the licensee in writing of its application at least 1 month before the commencement of the reporting year.
- (3) The Minister may, by notice in writing to a licensee authorised to farm finfish, require the licensee to prepare, within a period specified in the notice (but not more than once in each reporting year) a report on the health of benthic infaunal communities in the licence area and to take and analyse samples as specified in the notice for the purposes of the report.
- (4) A licensee must comply with a notice given under subregulation (3).

Maximum penalty: \$5 000.

- (5) If a licence authorises the farming of finfish, the licensee must, on or before the reporting day in each year, provide to the Minister a report for the preceding reporting year—
  - (a) containing the following:
    - (i) a map showing—
      - (A) the boundary of the licence area; and
      - (B) the location (using WGS84 or GDA94 datum) of the corners of the licence area; and
      - (C) the location (using WGS84 or GDA94 datum) of farming structures and the number, dimensions and spacing of the structures; and
      - (D) the location (using WGS84 or GDA94 datum) of fallowed areas and the period for which the areas were fallow; and
      - (E) if the licensee is required to make a benthic assessment recording—the location (using WGS84 or GDA94 datum) of each of the underwater paths videotaped for the benthic assessment recording;
    - (ii) for each month—
      - (A) an estimate of the number and biomass of finfish in the licence area; and
      - (B) the amount and type of supplemental feed used in the licence area; and
      - (C) the amount and type of chemicals (including but not limited to therapeutic or prophylactic substances, antifoulants and disinfectants) used in the licence area;
    - (iii) such of the following details as are known about interaction that has occurred between large marine vertebrates and farming structures or equipment, personnel or aquaculture stock:
      - (A) the date of the interaction;
      - (B) the species of marine vertebrate involved;
      - (C) the location of the interaction;

- (D) a description of the nature of the interaction;
- (iv) if the author of the report is not the licensee—the author's name and address; and
- (b) if the licensee is required to make a benthic assessment recording—accompanied by a copy of the benthic assessment recording made for the reporting year (in a format approved by the Minister) and the records made in conjunction with the recording; and
- (c) if the licensee is required to prepare a report on the health of the benthic infaunal communities—accompanied by a copy of the report.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## **25—Environmental monitoring and reporting—navigable vessels**

- (1) If a licence authorises the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters, the licensee must carry out water testing as follows:
  - (a) water samples must be collected at least 6 times per reporting year (at intervals not closer than 2 months) at approximately the same times and dates in each year;
  - (b) samples of water to be used for aquaculture on the vessel must be collected as follows:
    - (i) the samples must be representative samples of water to be used on the vessel;
    - (ii) 2 samples must be collected;
  - (c) samples of waste water discharged from the vessel must be collected as follows:
    - (i) the samples must be representative samples of water discharged from the vessel (after the water has been treated ready for discharge);
    - (ii) the samples must be of waste water resulting from the use of the water sampled under paragraph (b);
    - (iii) if there is only 1 point at which waste water is discharged from the vessel—at least 2 samples must be collected directly from the discharge point;
    - (iv) if there is more than 1 discharge point—a sample must be collected directly from at least 2 of the discharge points;
  - (d) the samples must be tested for oxidised nitrogen (as nitrogen  $\text{NO}_3 + \text{NO}_2$ ), ammonia (total as nitrogen  $\text{NH}_4 + \text{NH}_3$ ), soluble phosphorous and total suspended solids in an accredited laboratory;
  - (e) the samples must be collected in a manner and using containers that comply with the requirements of the testing laboratory.

Maximum penalty: \$5 000.

- (2) If a licence authorises the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters, the licensee must, on or before the reporting day in each year, provide to the Minister a report for the preceding reporting year—
  - (a) containing the following:

- (i) the dates on which water samples were collected;
  - (ii) for each month—
    - (A) the amount and type of supplemental feed used in aquaculture on the vessel; and
    - (B) the amount and type of chemicals (including but not limited to therapeutic or prophylactic substances, antifoulants and disinfectants) used in aquaculture on the vessel;
  - (iii) if the author of the report is not the licensee—the author's name and address; and
- (b) accompanied by a copy of the results of the testing of the water samples provided by the laboratory.

Maximum penalty: \$5 000.

Expiation fee: \$315.

### **Division 3—Aquaculture not in State waters**

#### **26—Application of Division**

This Division applies to aquaculture licences authorising aquaculture in an area not comprised of State waters or State waters and adjacent land within the meaning of the *Harbors and Navigation Act 1993*.

#### **27—Environmental monitoring and reporting—general**

- (1) If the licence is designated by the Minister (in the licence or by notice in writing to the licensee) as having a medium or high environmental risk profile, the licensee must carry out water testing as follows:
- (a) in the case of a licence designated as having a medium environmental risk profile—water samples must be collected at least once each reporting year at approximately the same time and date from approximately the same locations;
  - (b) in the case of a licence designated as having a high environmental risk profile—water samples must be collected at least 3 times per reporting year (at intervals not closer than 3 months) at approximately the same times and dates in each year from approximately the same locations;
  - (c) samples of water from the body of water from which water is obtained for aquaculture must be collected as follows:
    - (i) the samples must be representative samples of water used for aquaculture in the licence area;
    - (ii) if there is only 1 point at which waste water is discharged from the licence area—2 samples must be collected either from water located upstream of the aquaculture activity or from water that is at least 500 metres away from the discharge point;
    - (iii) if there is more than 1 discharge point—a sample must be collected from at least 2 different sites (separated from each other by at least 500 metres) either located upstream of the aquaculture activity or from water that is at least 500 metres away from a discharge point;

- (d) samples of waste water discharged from the licence area must be collected as follows:
  - (i) the samples must be representative samples of water discharged from the licence area (if applicable, after the water has been treated ready for discharge);
  - (ii) if there is only 1 point at which waste water is discharged from the licence area—at least 2 samples must be collected at a location adjacent to or directly from the discharge point;
  - (iii) if there is more than 1 discharge point—a sample must be collected at a location adjacent to or directly from at least 2 of the discharge points;
- (e) the samples must be tested for oxidised nitrogen (as nitrogen  $\text{NO}_3 + \text{NO}_2$ ), ammonia (total as nitrogen  $\text{NH}_4 + \text{NH}_3$ ), soluble phosphorous and, except if there is a settlement pond for discharge waters, total suspended solids in an accredited laboratory;
- (f) the samples must be collected in a manner and using containers that comply with the requirements of the testing laboratory.

Maximum penalty: \$5 000.

- (2) A licensee must, on or before the reporting day in each year, provide to the Minister a report for the preceding reporting year—
  - (a) containing the following:
    - (i) a map showing the location relative to land holding boundaries of the following:
      - (A) farming structures (and also showing the number and dimensions of the structures);
      - (B) intake and discharge pipes used in the course of carrying on aquaculture;
      - (C) sheds or other structures used in the course of carrying on aquaculture;
      - (D) bodies of water in the vicinity that have the potential to be affected by the aquaculture;
      - (E) if the licensee is required to carry out water testing—the places at which water samples were collected;
    - (ii) in respect of water used in the course of aquaculture—
      - (A) a description of where and how the water has been sourced; and
      - (B) a statement of whether the water was fresh, brackish or saline; and
      - (C) for each month—the volume in litres of water used;
    - (iii) in respect of water discharged from farming structures—
      - (A) a description of where and how the water has been discharged (including details of bodies of water to which it has been discharged); and



- (B) a statement of whether the water has been treated before discharge and, if it has, a statement of how the water has been treated; and
- (C) for each month—the volume in litres of water discharged;
- (iv) if the licensee is required to carry out water testing—the dates on which water samples were collected;
- (v) for each month—
  - (A) the amount and type of supplemental feed used in connection with each farming structure in the licence area; and
  - (B) the amount and type of chemicals (including but not limited to therapeutic or prophylactic substances, antifoulants and disinfectants) used in the licence area;
- (vi) if the author of the report is not the licensee—the author's name and address; and
- (b) if the licensee is required to carry out water testing—accompanied by a copy of the results of the testing of the water samples provided by the laboratory.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## **28—Environmental monitoring and reporting—live organisms reared during transport**

- (1) If a licence authorises the use of a farming structure designed to be transported by road or rail, the licensee must carry out water testing as follows:
  - (a) water samples must be collected at least 3 times per reporting year (at intervals not closer than 3 months) at approximately the same times and dates in each year;
  - (b) samples of waste water discharged from the structure must be collected as follows:
    - (i) the samples must be representative samples of water discharged from the structure;
    - (ii) if there is only 1 point at which waste water is discharged from the structure—at least 2 samples must be collected directly from the discharge point;
    - (iii) if there is more than 1 discharge point—a sample must be collected directly from at least 2 of the discharge points;
  - (c) the samples must be tested for oxidised nitrogen (as nitrogen  $\text{NO}_3 + \text{NO}_2$ ), ammonia (total as nitrogen  $\text{NH}_4 + \text{NH}_3$ ), soluble phosphorous and total suspended solids in an accredited laboratory;
  - (d) the samples must be collected in a manner and using containers that comply with the requirements of the testing laboratory.

Maximum penalty: \$5 000.

- (2) If a licence authorises the use of a farming structure designed to be transported by road or rail, the licensee must, on or before the reporting day in each year, provide to the Minister a report for the preceding reporting year—
  - (a) containing the following:

- (i) the dates on which water samples were collected;
  - (ii) for each month—
    - (A) the amount and type of supplemental feed used in the structure; and
    - (B) the amount and type of chemicals (including but not limited to therapeutic or prophylactic substances, antifoulants and disinfectants) used in the structure;
  - (iii) if the author of the report is not the licensee—the author's name and address; and
- (b) accompanied by a copy of the results of the testing of the water samples provided by the laboratory.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## **Part 4—Miscellaneous**

### **29—Defects in applications**

- (1) The Minister may request an applicant to remedy a defect or deficiency in an application or accompanying document or information required by or under the Act or these regulations.
- (2) If an applicant in relation to whom a request has been made under subregulation (1) fails to comply with the request within 3 months, the Minister may refuse the application.

### **30—Powers of fisheries officer**

- (1) A fisheries officer may—
  - (a) require a person who is required to keep records under these regulations or in accordance with licence conditions to produce the records for inspection; and
  - (b) make copies of or take extracts from those records; and
  - (c) take photographs, films or audio, video or other recordings for the purposes of the administration or enforcement of the Act or these regulations.
- (2) Part 3 Division 3 of the *Fisheries Act 1982* is to be read as if—
  - (a) the additional powers conferred on fisheries officers by this regulation were conferred by section 28 of that Act; and
  - (b) section 28(2b)(a) read as follows:
    - (a) the premises are used by a licensee for activities authorised by the licence; or

### **31—Exemptions**

- (1) Subsections (2) to (6) (inclusive) of section 12 of the Act do not apply to an aquaculture policy providing for standard conditions of lease in the form set out in Schedule 2.
- (2) Section 17 of the Act does not apply to aquaculture carried on through the South Australian Research and Development Institute.
- (3) Section 19 of the Act does not apply to an aquaculture licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters.

## 32—Fees

- (1) The fees set out in Schedule 1 are prescribed for the purposes of the Act.
- (2) The Minister may waive or refund a fee (or part of a fee) payable under the Act or these regulations if satisfied that it is appropriate to do so in a particular case.
- (3) The Minister may enter into an arrangement with a person for payment of a periodic fee by instalments.
- (4) A fee payable to the Minister under the Act or these regulations may be recovered by the Minister by action in a court of competent jurisdiction as a debt due to the Minister.

## Schedule 1—Fees

### 1—Application fees

The following application fees are payable under the Act:

- (a) application for consent to transfer development lease (section 36)—\$745;
- (b) application for aquaculture licence authorising aquaculture in a lease area (section 49)—\$2 415;
- (c) application for aquaculture licence authorising aquaculture in an area other than a lease area (section 49)—
  - (i) for an aquaculture licence classified by the Minister (by virtue of the low level of intensity of farming to be carried on under the licence) as a class A licence—\$685;
  - (ii) for an aquaculture licence classified by the Minister (by virtue of the medium level of intensity of farming to be carried on under the licence) as a class B licence—\$1 095;
  - (iii) for an aquaculture licence classified by the Minister (by virtue of the high level of intensity of farming to be carried on under the licence) as a class C licence—\$2 080;
- (d) application to vary conditions of aquaculture licence authorising aquaculture in a lease area (section 52)—
  - (i) if the variation relates only to the farming system authorised to be used under the licence—\$1 240;
  - (ii) if the variation relates only to the species of aquatic organisms authorised to be farmed under the licence—\$1 520;
  - (iii) if the variation relates to both the farming system authorised to be used and the species authorised to be farmed under the licence—\$2 020;
  - (iv) in any other case—\$340;
- (e) application to vary conditions of aquaculture licence authorising aquaculture in an area other than a lease area (section 52)—\$225;
- (f) application for renewal of aquaculture licence (section 53)—no fee;
- (g) application for consent to transfer aquaculture licence (section 55)—
  - (i) in the case of a corresponding licence—\$860;
  - (ii) in any other case—\$225.

## 2—Periodic fees

- (1) A licensee authorised under the licence to carry on aquaculture in a lease area must, before the payment date fixed by the Minister for the financial year by written notice given to the licensee, pay to the Minister, in respect of each financial year, a fee of the following amount:
  - (a) for a licence to farm tuna—the amount obtained by multiplying \$65 by the number of hectares in the licence area;
  - (b) for a licence to farm finfish other than tuna—the amount obtained by multiplying \$165 by the number of hectares in the licence area;
  - (c) for a licence to farm abalone in a subtidal area—the amount obtained by multiplying \$150 by the number of hectares in the licence area;
  - (d) for a licence to farm molluscs other than abalone in a subtidal area—the amount obtained by multiplying \$220 by the number of hectares in the licence area;
  - (e) for a licence to farm molluscs (including abalone) in an intertidal area—the amount obtained by multiplying \$315 by the number of hectares in the licence area;
  - (f) for a licence to farm algae—the amount obtained by multiplying \$40 by the number of hectares in the licence area;
  - (g) for a licence authorising the storage of sea cages—the amount obtained by multiplying \$40 by the number of hectares in the licence area.
- (2) If 2 or more licences are held in respect of the same area—
  - (a) the licensee is only liable for 1 fee under subclause (1); and
  - (b) the fee payable is the higher or highest of the fees that would be payable under subclause (1) but for this subclause.
- (3) A licensee authorised under the licence to carry on aquaculture in an area other than a lease area must, before the payment date fixed by the Minister for the financial year by written notice given to the licensee, pay to the Minister, in respect of each financial year, a fee of the following amount:
  - (a) for an aquaculture licence classified by the Minister (by virtue of the low level of intensity of farming to be carried on under the licence) as a class A licence—\$125;
  - (b) for an aquaculture licence classified by the Minister (by virtue of the medium level of intensity of farming to be carried on under the licence) as a class B licence—
    - (i) in the case of a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters or the use of a farming structure designed to be transported by road or rail—\$1 340;
    - (ii) in any other case—\$165;
  - (c) for an aquaculture licence classified by the Minister (by virtue of the high level of intensity of farming to be carried on under the licence) as a class C licence—
    - (i) in the case of a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters or the use of a farming structure designed to be transported by road or rail—\$3 085;
    - (ii) in any other case—\$1 625.

### **3—Proportion of periodic fee payable before grant of licence**

A person who applies for an aquaculture licence must, before the licence is granted, pay to the Minister a fee of an amount calculated by multiplying—

- (a) the periodic fee that would have been payable by the person had the person held the licence at the last date for payment of periodic fees; and
- (b) the proportion that the number of whole months between the grant of the licence and the next 30 June bears to 12 months.

## **Schedule 2—Aquaculture policy**

### **Aquaculture (Standard Lease Conditions) Policy 2005**

under the *Aquaculture Act 2001*

#### **1—Short title**

This policy may be cited as the *Aquaculture (Standard Lease Conditions) Policy 2005*.

#### **2—Standard conditions of aquaculture lease**

The provisions of this policy constitute conditions of an aquaculture lease.

#### **3—Variation of lease or lease conditions**

- (1) Subject to this clause, an aquaculture lease or its conditions may be varied, at the request or with the consent of the lessee, by the Minister by written notice to the lessee.
- (2) The variation must not extend the area of the lease or the class of aquaculture that may be carried on in the area (see section 25(2)(c) of the *Aquaculture Act 2001*).
- (3) If the variation consists of or involves the substitution of the area leased:
  - (a) the variation may not be made if the lease is registered under the *Real Property Act 1886*; and
  - (b) if the original area leased was within an aquaculture zone or prospective aquaculture zone, the new area leased must not be within a different aquaculture zone or prospective aquaculture zone; and
  - (c) the variation may not be made unless the holder of each corresponding licence has requested or consented to a variation of the conditions of the licence by substitution of the licence area and the EPA has approved the variation (to take effect on the variation of the lease).

## **Schedule 3—Related variations and revocations**

### **Part 1—Preliminary**

#### **1—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 *Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 2000***

### **2—Variation of regulation 4—Interpretation**

- (1) Regulation 4, definition of *fish farm*—delete the definition
- (2) Regulation 4, definitions of *operator* and *povidone-iodine*—delete the definitions

### **3—Revocation of regulations 9 to 22**

Regulations 9 to 22 (inclusive)—delete the regulations

### **4—Variation of regulation 23—Powers of fisheries officer in relation to fish suffering from prescribed notifiable disease**

Regulation 23(1)—delete ", other than farm fish,"

### **5—Revocation of regulations 24 to 26**

Regulations 24 to 26 (inclusive)—delete the regulations

### **6—Variation of regulation 27—Prohibition against importation or possession of live fish**

Regulation 27—after subregulation (2) insert:

- (3) Subregulation (1) does not apply in relation to live fish brought into the State as aquaculture stock for aquaculture carried on under the *Aquaculture Act 2001*.

### **7—Revocation of regulations 28 and 29**

Regulations 28 to 29 (inclusive)—delete the regulations

### **8—Revocation of Schedule 6**

Schedule 6—delete the Schedule

## **Part 3—Variation of *Fisheries (Fish Processors) Regulations 1991***

### **9—Variation of regulation 4—Interpretation**

- (1) Regulation 4, definition of *eligible applicant*—delete the definition and substitute:

*eligible applicant*, in relation to an application for registration or renewal of registration as a fish processor under section 54 of the Act, means the holder of a fishery licence or an aquaculture licence who applies for registration as a fish processor for the sole purpose of processing fish taken or farmed under the licence for sale to a person who—

- (a) is an unregistered fish processor; and
  - (b) carries on a business in the course of which fish is sold, or fish is supplied as a meal or part of a meal, directly to the public;
- (2) Regulation 4—after the definition of *the Act* insert:

*aquaculture licence* means a licence under the *Aquaculture Act 2001*;

**10—Variation of regulation 7—Persons not required to be registered as fish processors (section 54 of Act)**

Regulation 7(b)—delete paragraph (b) and substitute:

- (b) a person—
  - (i) who is the holder of a fishery licence or an aquaculture licence; and
  - (ii) who only processes fish taken or farmed under the licence for sale to a registered fish processor or directly to persons who consume the fish.

**11—Variation of regulation 8—Written records to be kept**

Regulation 8(5)—delete subregulation (5) and substitute:

- (5) The holder of a fishery licence or an aquaculture licence is not required to comply with this regulation in relation to fish taken or farmed under the licence.

**12—Variation of regulation 9—Returns to be lodged with Executive Director of SARDI**

Regulation 9(3)—delete subregulation (3) and substitute:

- (3) The holder of a fishery licence or aquaculture licence is only required to comply with this regulation in relation to fish sold or delivered to an unregistered fish processor.

**13—Variation of regulation 11—Procedure to be followed if registered fish processor obtains fish from unlicensed person**

- (1) Regulation 11(1)—delete "or in the course of the operation of a registered fish farm"
- (2) Regulation 11(1)(b)(i)(B)—delete subsubparagraph (B) and substitute:
  - (B) —
    - (a) if the fish were taken in the course of recreational fishing—"Rec";
    - (b) if the fish were farmed under an aquaculture licence—"FF"; and

**Part 4—Variation of *Fisheries (General) Regulations 2000*****14—Variation of regulation 26—Marking of receptacles in which fish are transported, consigned for sale etc**

Regulation 26(1)(f)—delete paragraph (f) and substitute:

- (f) if the person is the holder of a fishery licence or aquaculture licence—the person's licence number.

**Part 5—Revocation of *Aquaculture Regulations 2002*****15—Revocation**

The *Aquaculture Regulations 2002* 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 22 September 2005

No 205 of 2005

MAFF 04/003/CS & 05/0028/CS



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## CITY OF NORWOOD, PAYNEHAM AND ST PETERS

## SUPPLEMENTARY ELECTION FOR MAYOR

*Nominations Received*

NOTICE is hereby given that at the close of nominations at 12 noon on Thursday, 15 September 2005, the following persons have been accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Mayor (1 Vacancy)

Winderlich, David  
Bria, Robert

*Postal Voting*

The election will be conducted entirely by postal voting. No polling booth will be open for voting on polling day. Voting is not compulsory.

Voting material will be dispatched by post to every natural person, body corporate and group listed on the voters roll as at roll closure on Friday, 29 July 2005.

The mailout will commence on Tuesday, 27 September 2005, with all voting materials to be delivered by Monday, 3 October 2005.

A person who has not received voting material by Tuesday, 4 October 2005 and who believes that he or she is entitled to vote should apply to the State Electoral Office on 8401 4318.

A pre-paid addressed envelope for each elector entitlement will be provided. Completed ballot material must be returned to reach the Returning Officer no later than 12 noon on Monday, 17 October 2005.

A ballot box will be provided at the Council Office, 175 The Parade, Norwood for electors who wish to personally deliver their completed ballot material during office hours.

*Place of Counting Votes*

The scrutiny and counting of votes will take place in the Mayor's Parlour, Norwood Town Hall, 175 The Parade, Norwood, as soon as practicable after 12 noon on Monday, 17 October 2005. A provisional declaration will be made at the conclusion of the election count.

*Campaign Donations Return*

All candidates must forward a campaign donations return to the Council Chief Executive Officer within six weeks after the conclusion of the election.

K. MOUSLEY, Returning Officer

## CITY OF PORT ADELAIDE ENFIELD

## SUPPLEMENTARY ELECTION FOR COUNCILLOR

*Nominations Received*

NOTICE is hereby given that at the close of nominations at 12 noon on Thursday, 15 September 2005, the following persons have been accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Councillor for Outer Harbour (1 Vacancy)

Johansen, Bruce  
Hogg, Peter

*Postal Voting*

The election will be conducted entirely by postal voting. No polling booth will be open for voting on polling day. Voting is not compulsory.

Voting material will be dispatched by post to every natural person, body corporate and group listed on the voters roll as at roll closure on Friday, 29 July 2005.

The mailout will commence on Tuesday, 27 September 2005, with all voting materials to be delivered by Monday, 3 October 2005.

A person who has not received voting material by Tuesday, 4 October 2005 and who believes that he or she is entitled to vote should apply to the State Electoral Office on 8401 4318.

A pre-paid addressed envelope for each elector entitlement will be provided. Completed ballot material must be returned to reach the Returning Officer no later than 12 noon on Monday, 17 October 2005.

A ballot box will be provided at the Council Office, 163 St Vincent Street, Port Adelaide for electors who wish to personally deliver their completed ballot material during office hours.

*Place of Counting Votes*

The scrutiny and counting of votes will take place at the Town Hall, 34 Nile Street, Port Adelaide as soon as practicable after 12 noon on Monday, 17 October 2005. A provisional declaration will be made at the conclusion of the election count.

*Campaign Donations Return*

All candidates must forward a campaign donations return to the Council Chief Executive Officer within six weeks after the conclusion of the election.

K. MOUSLEY, Returning Officer

## CITY OF TEA TREE GULLY

## SUPPLEMENTARY ELECTION FOR COUNCILLOR

*Nominations Received*

NOTICE is hereby given that at the close of nominations at 12 noon on Thursday, 15 September 2005, the following persons have been accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Councillor for Hillcott (1 Vacancy)

Hacking, Todd  
Panagaris, Peter  
Barbaro, Paul  
Keane, Bernie

*Postal Voting*

The election will be conducted entirely by postal voting. No polling booth will be open for voting on polling day. Voting is not compulsory.

Voting material will be dispatched by post to every natural person, body corporate and group listed on the voters roll as at roll closure on Friday, 29 July 2005.

The mailout will commence on Tuesday, 27 September 2005, with all voting materials to be delivered by Monday, 3 October 2005.

A person who has not received voting material by Tuesday, 4 October 2005 and who believes that he or she is entitled to vote should apply to the State Electoral Office on 8401 4318.

A pre-paid addressed envelope for each elector entitlement will be provided. Completed ballot material must be returned to reach the Returning Officer no later than 12 noon on Monday, 17 October 2005.

A ballot box will be provided at the Council Office, 571 Montague Road, Modbury for electors who wish to personally deliver their completed ballot material during office hours.

*Place of Counting Votes*

The scrutiny and counting of votes will take place at the Council Chambers, 571 Montague Road, Modbury as soon as practicable after 12 noon on Monday, 17 October 2005. A provisional declaration will be made at the conclusion of the election count.

*Campaign Donations Return*

All candidates must forward a campaign donations return to the Council Chief Executive Officer within six weeks after the conclusion of the election.

K. MOUSLEY, Returning Officer

## ALEXANDRINA COUNCIL

*Change of Council Meeting Dates for October 2005*

NOTICE is hereby given that Council at its meeting held on Monday, 19 September 2005, resolved that due to the Public Holiday being held on Monday, 3 October 2005, the Council meetings in October will now be held on Monday, 10 October 2005 commencing at 1.30 p.m. and Monday, 24 October 2005 commencing at 4.30 p.m.

J. COOMBE, Chief Executive

## DISTRICT COUNCIL OF LE HUNTE

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 3—Local Government Land*

FOR the management and regulation of the use of and access to local government land vested in or under the control of Council, including the prohibition and regulation of particular activities on local government land.

1. *Definitions*

In this by-law:

- 1.1 'camp' means allowing a caravan, campervan or tent or other similar apparatus to remain on land whether any person is in attendance and includes setting up a camp;
- 1.2 'emergency vehicle' has the same meaning as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules 1999;
- 1.3 'local government land' means land owned by the Council or under the control of the Council's care, control and management;
- 1.4 'parkland' means community land reserved or delineated as parkland or designated by the Council as parklands;
- 1.5 'reserve' means community land reserved or dedicated as a reserve or designated by the Council as a reserve.

2. *Camping and Tents*

No person shall without permission camp, sleep or stay overnight on any local government land provided that this Clause shall not apply to any specified area of local government land which the Council has, by resolution, declared to be exempt from the application of this Clause.

3. *Directions*

Any person on local government land must comply with any reasonable direction or request from an authorised person relating to:

- 3.1 that person's use of the land;
- 3.2 that person's conduct and behaviour on the land;
- 3.3 that person's safety on the land;
- 3.4 the safety and enjoyment of the land by other persons.

4. *Exemptions*

The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to the drivers of Emergency Vehicles while driving that vehicle in relation to an emergency.

The foregoing by-law was duly made and passed at a meeting of the District Council of Le Hunte held on 19 September 2005 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of members present.

A. F. MCGUIRE, Chief Executive Officer

## DISTRICT COUNCIL OF LE HUNTE

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 4—Permits and Penalties*

TO provide for a permit system and continuing penalties in Council by-laws and to clarify the construction of such by-laws.

1. *Permits*

- 1.1 In any by-law of the Council unless the contrary intention is clearly indicated the word 'permission' means the permission of the Council given in writing.
- 1.2 The Council may attach such conditions to a grant of permission as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- 1.3 Any permit holder shall comply with every such condition.
- 1.4 The Council may revoke such grant of permission at any time by notice in writing to the permit holder.

2. *Penalties*

- 2.1 Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999 that may be fixed by by-law for any breach of a by-law.
- 2.2 Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and, in addition to any other penalty that may be imposed, shall be liable to further penalty for every day on which the offence is continued, such penalty being the maximum amount referred to in the Local Government Act 1934, as amended, and/or the Local Government Act 1999, which may be prescribed by by-law for offences of a continuing nature.

3. *Construction*

Every by-law of the Council shall be subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Le Hunte held on 19 September 2005 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of members present.

A. F. MCGUIRE, Chief Executive Officer

## DISTRICT COUNCIL OF LE HUNTE

*Appointment*

NOTICE is hereby given that at a meeting of the Council held on 19 September 2005, the following appointment was made:

Craig Anthony Coburn as a Dog Management Officer pursuant to section 27 of the Dog and Cat Management Act 1995.

A. F. MCGUIRE, Chief Executive Officer

## DISTRICT COUNCIL OF LOXTON WAIKERIE

## DEVELOPMENT ACT 1993

*General Plan Amendment Report (PAR)—  
Draft for Public and Government Agency Consultation*

NOTICE is hereby given that the District Council of Loxton Waikerie has prepared a draft Plan Amendment Report (PAR) to amend the Loxton Waikerie (DC) Development Plan.

The PAR will amend the Development Plan by implementing changes investigated within the Development Plan Review undertaken in 2003. The amendments include policies relating to the following issues:

- Commercial Forestry;
- Tourism;
- Stormwater Management;
- River Murray Flood Zone;
- Movement and Access;
- Residential and Country Living Development;
- Infrastructure Provisions;
- Heritage;
- General Farming and Horticulture; and
- Town Centre and Country Township Development.

The draft PAR will be available for public inspection at the Council Offices, East Terrace, Loxton and Strangman Road, Waikerie from 28 September 2005 to 1 December 2005. Copies of the PAR can be purchased at the Council offices at \$5 each.

Written submissions regarding the draft amendment will be accepted by the District Council of Loxton Waikerie until 5 p.m. on Thursday, 1 December 2005. All submissions should be addressed to Neil Martinson, Manager Environmental Services, P.O. Box 409, Loxton, S.A. 5333. Copies of all written submissions received will be available for inspection by interested persons at the Council offices from 1 December 2005 to 16 December 2005.

A public hearing will be held on 16 December 2005 from 11 a.m. at the Council Chambers, Strangman Road, Waikerie, to enable people to speak to Council's committee in relation to the PAR and submissions.

For further information, contact Neil Martinson, Manager Environmental Services, on 8584 7221.

Dated 20 September 2005.

P. ACKLAND, Chief Executive Officer

**PORT PIRIE REGIONAL COUNCIL**  
ROADS (OPENING AND CLOSING) ACT 1991  
*Public Road, Crystal Brook*

NOTICE is hereby given that pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the Port Pirie Regional Council proposes to make a Road Process Order to close the public road adjacent to allotment 530 in Filed Plan 188662 and sections 39, 46, 47 and 56, Hundred of Howe, more particularly delineated and marked 'B' in Preliminary Plan No. 05/0051.

The portion marked 'B' is to be added to allotment 530 in Filed Plan 188662 and sections 39, 46, 47 and 56, Hundred of Howe to form one allotment.

A copy of the preliminary plan and statement of persons affected is available for public inspection at the Council Office, 115 Ellen Street, Port Pirie or at the Adelaide office of the Surveyor-General, during normal office hours.

Any person affected may object to the proposed road process, or apply for an easement to be granted in the person's favour over land subject to the proposed road closure. Such objection, or application for an easement, must set out the full name and address of the person, and reason for making the objection or application. Any application for an easement must give full particulars 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.

An objection or application for an easement, must be lodged in writing to the Port Pirie Regional Council, P.O. Box 45, Port Pirie, S.A. 5540, and a copy lodged with the Surveyor-General, Department of Administrative and Information Services, G.P.O. Box 1354, Adelaide, S.A. 5001, within 28 days of this notice.

Where an objection or application for an easement is made, the Council will give notification of a meeting at which the matter will be considered, so that the person making the objection or application may attend, if desired, personally or by a representative.

I. L. BURFITT, Chief Executive Officer

**DISTRICT COUNCIL OF STREAKY BAY**  
SUPPLEMENTARY ELECTION FOR COUNCILLOR

*Nominations Received*

NOTICE is hereby given that at the close of nominations at 12 noon on Thursday, 15 September 2005, the following persons have been accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Councillor for Flinders Ward (1 Vacancy)

Pearce, Graham  
Williams, Donald

*Postal Voting*

The election will be conducted entirely by postal voting. No polling booth will be open for voting on polling day. Voting is not compulsory.

Voting material will be dispatched by post to every natural person, body corporate and group listed on the voters roll as at roll closure on Friday, 29 July 2005.

The mailout will commence on Tuesday, 27 September 2005, with all voting materials to be delivered by Monday, 3 October 2005.

A person who has not received voting material by Tuesday, 4 October 2005 and who believes that he or she is entitled to vote should apply to the State Electoral Office on 8401 4318.

A pre-paid addressed envelope for each elector entitlement will be provided. Completed ballot material must be returned to reach the Returning Officer no later than 12 noon on Monday, 17 October 2005.

A ballot box will be provided at the Council Office, 29 Alfred Terrace, Streaky Bay for electors who wish to personally deliver their completed ballot material during office hours.

*Place of Counting Votes*

The scrutiny and counting of votes will take place at the Council Chambers, 29 Alfred Terrace, Streaky Bay as soon as practicable after 12 noon on Monday, 17 October 2005. A provisional declaration will be made at the conclusion of the election count.

*Campaign Donations Return*

All candidates must forward a campaign donations return to the Council Chief Executive Officer within six weeks after the conclusion of the election.

K. MOUSLEY, Returning Officer

**WATTLE RANGE COUNCIL**  
SUPPLEMENTARY ELECTION

*Nominations Received*

AT the close of nominations at 12 noon on Thursday, 15 September 2005, the following persons were accepted as candidates and are listed in the order in which they will appear on the ballot papers:

Sorby Adams Ward (one vacancy)  
Dycer, Robert  
Lawson, Travis  
Lobley, Kevin  
Stewart, Bob

*Postal Voting*

The elections will be conducted entirely by postal voting. No polling booth will be open for voting on polling day. Voting is not compulsory.

Voting material will be dispatched by post to every natural person, body corporate and group who were listed on the voters roll as at roll closure on Friday, 29 July 2005.

The mail out will commence on Tuesday, 27 September 2005 with all voting materials to be delivered by Monday, 3 October 2005.

A person who has not received voting material by Monday, 3 October 2005 and who believes that he or she is entitled to vote should apply to the Council Offices located at Millicent, Beachport and Penola.

A pre-paid addressed envelope for each elector entitlement will be provided. Completed ballot material must be returned to reach the Deputy Returning Officer no later than 12 noon on Monday, 17 October 2005.

A ballot box will be provided at all Council Offices located at Millicent, Beachport and Penola for electors who wish to personally deliver their completed ballot material during office hours.

*Place of Counting Votes*

The scrutiny and counting of votes will take place in the Committee Room at the Millicent Office, Civic Centre, George Street, Millicent as soon as practicable after 2 p.m. on Monday, 17 October 2005. A provisional declaration will be made at the conclusion of each election count.

*Campaign Donations Return*

Candidates must forward a campaign donations return to the Council's Chief Executive Officer within six weeks after the conclusion of the election.

F. N. BRENNAN, Deputy Returning Officer

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

*Badcock, Pearl Charlotte*, late of 251 Payneham Road, Joslin, of no occupation, who died on 11 July 2005.

*Boland, Robert*, late of 69 Helmsdale Avenue, Glengowrie, retired ganger, who died on 10 August 2005.

*Deer, Gwen Robina*, late of 437 Salisbury Highway, Parafield Gardens, retired school teacher, who died on 1 June 2005.

*Donnell, Gladys Mary*, late of 6 Ellis Street, Enfield, of no occupation, who died on 21 June 2005.

*Farmer, Kim Helga*, late of 17 Orinoco Street, Paralowie, hospitality worker, who died on 30 September 2001.

*Fry, Lillian Eunice*, late of 102 East Terrace, Henley Beach, widow, who died on 30 June 2005.

*Geyer, Louis Victor*, late of 150 Adams Road, Craigmore, retired orchard hand, who died on 22 July 2005.

*Graham, Ellen Marguarette*, late of 53-59 Austral Terrace, Morphettville, of no occupation, who died on 29 July 2005.

*Hallifax, Olive Esther*, late of 150-164 Bay Road, Encounter Bay, of no occupation, who died on 5 July 2005.

*Hasse, Phyllis Eileen*, late of 44A Skyline Drive, Flagstaff Hill, of no occupation, who died on 9 August 2005.

*Hutchinson, Neville Dennis*, late of Matthew Road, Nairne, Police officer, who died on 15 March 2005.

*Lambert, Colin Leslie*, late of 205 St Bernards Road, Rostrevor, retired fitter and turner, who died on 10 June 2005.

*McCulloch, Elizabeth*, late of 18 Cudmore Terrace, Marleston, of no occupation, who died on 26 June 2005.

*Morphett, Melva Eileen*, late of 3 Russell Street, Glenelg North, home duties, who died on 15 September 2005.

*Smith, Mary Margaret*, late of 15 Rosemary Street, Woodville West, widow, who died on 13 June 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 21 October 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 22 September 2005.

C. J. O'LOUGHLIN, Public Trustee

PARTNERSHIP ACT 1891

*Notice of Retirement from Partnership*

COLIN JAMES SMITH, Lot 21 St Andrews Terrace, Willunga, gives notice that on 23 August 2005, he retired from the partnership known as Heath Street Crash Repairs and does not accept responsibility for any debts incurred after that date.

COLIN J. SMITH

SOUTH AUSTRALIA—In the Supreme Court. No. 2618 of 1991. In the matter of Richmond Plastics Pty Ltd (ACN 007 914 043) and in the matter of the Corporations Law.

*Notice of Release of Liquidator and Dissolution of the Company*

Take notice that by order of the Supreme Court of South Australia dated 6 September 2005, I, Barrie Malcolm Mansom, 1st Floor, 17 Bagot Street, North Adelaide, S.A. 5006, the liquidator of the abovenamed company, was granted my release as liquidator and the company was dissolved as at the date of this order.

Dated 12 September 2005.

B. M. MANSOM, Liquidator

SOUTH AUSTRALIA—In the Supreme Court. No. 2618 of 1991. In the matter of Riteway Building Maintenance Pty Limited (ACN 008 158 343) and in the matter of the Corporations Law.

*Notice of Release of Liquidator and Dissolution of the Company*

Take notice that by order of the Supreme Court of South Australia dated 6 September 2005, I, Barrie Malcolm Mansom, 1st Floor, 17 Bagot Street, North Adelaide, S.A. 5006, the liquidator of the abovenamed company, was granted my release as liquidator and the company was dissolved as at the date of this order.

Dated 12 September 2005.

B. M. MANSOM, Liquidator

SOUTH AUSTRALIA—In the Supreme Court No. 1672 of 1996. In the matter of Seafood City Pty Ltd (ACN 008 077 530) and in the matter of the Corporations Law.

*Notice by a Liquidator of His Intention to Seek His Release*

Take notice that I, Barrie Malcolm Mansom, 1st Floor, Menai House, 17 Bagot Street, North Adelaide, S.A. 5006, the liquidator of the abovenamed company, intend to make application to the Supreme Court of South Australia for my release as the liquidator of the abovenamed company.

And take further notice that if you have any objection to the granting of my release you must file at the Supreme Court and also forward to me, within 21 days of the publication in the *Gazette* of the notice of my intention to apply for a release a notice of objection in the form laid down by the Corporations (South Australia) Rules 1993.

Dated 16 September 2005.

B. M. MANSOM, Liquidator

Note: Section 481 of the Corporations Law enacts that an order of the Court releasing a liquidator shall discharge him/her in the administration of the affairs of the company, or otherwise in relation to his or her conduct as liquidator, but any such order may be revoked on proof that it was obtained by fraud or by suppression or by concealment of any material fact.

## SALE OF PROPERTY

Auction Date: Friday, 14 October 2005 at 11 a.m.

Location: 20 Lilly Street, Blair Athol.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the Magistrates Court of South Australia, Action No. AMCCI 8435 of 2003, directed to the Sheriff of South Australia in an action wherein Australian Central Credit Union Ltd is the Plaintiff and Tai Luong Chau is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendant, Tai Luong Chau as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Blair Athol, being 20 Lilly Street, being the property comprised in certificate of title register book volume 5411, folio 746.

Further particulars from the auctioneers:

Griffin Real Estate  
8 Greenhill Road  
Wayville, S.A. 5034  
Telephone (08) 8357 3177

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## SALE OF PROPERTY

Auction Date: Friday, 7 October 2005 at 11 a.m.

Location: Lot 25, Thompson Circuit, Evanston Park.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the District Court of South Australia, Action No. 60 of 2005, directed to the Sheriff of South Australia in an action wherein Chamberlain Investments Pty Ltd and Kentia Developments Pty Ltd is the Plaintiff and Sue Sureyya Gures is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendant Sue Sureyya Gures as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Evanston Park, being Lot 25 Thompson Circuit, being the property comprised in Certificate of Title Register Book Volume 5918 Folio 87.

Further particulars from the auctioneers:

Griffin Real Estate  
8 Greenhill Road  
Wayville, S.A. 5034  
Telephone (08) 8357 3177

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## SALE OF PROPERTY

Auction Date: Wednesday, 5 October 2005 at 10 a.m.

Location: Government Auctions SA, 47 Transport Avenue, Netley.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Orders for Sale issued by the Fines Payment Unit of South Australia, Penalty No. EXREG 05/10796-1 and others, are directed to the Sheriff of South Australia in an action wherein Wayne Pitts is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Government Auctions SA make sale of the following:

Holden Commodore  
Registration No. VEE 694.

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# ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

**Remember**—the onus is on you to inform us of any corrections necessary to your notice.

**NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.**

**Email: [governmentgazette@saugov.sa.gov.au](mailto:governmentgazette@saugov.sa.gov.au)**