



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 17 DECEMBER 2009

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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@dpc.sa.gov.au](mailto:governmentgazette@dpc.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, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Forestry Corporation Board, pursuant to the provisions of the South Australian Forestry Corporation Act 2000:

Member: (from 1 January 2010 until 31 December 2011)

John Stuart Ross  
Stephen James Duncan  
Julie Ann Meeking  
Graham Foreman  
Kathryn Helen Adams

Chair: (from 1 January 2010 until 31 December 2011)

John Stuart Ross

By command,

GAIL GAGO, for Acting Premier

MFOR09/003CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Nursing and Midwifery Board of South Australia, pursuant to the provisions of the Nursing and Midwifery Practice Act 2008:

Special Member: (from 17 December 2009 until 16 December 2012)

Derek Brian Frewin

By command,

GAIL GAGO, for Acting Premier

HEAC-2009-00081

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Dental Board of South Australia, pursuant to the provisions of the Dental Practice Act 2001:

Member: (from 24 December 2009 until 22 June 2011)  
Steven Oppes

Member: (from 19 April 2010 until 18 April 2013)  
Roger Antoniazzi

By command,

GAIL GAGO, for Acting Premier

HEAC-2009-00069

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australia Council on Reproductive Technology, pursuant to the provisions of the Reproductive Technology (Clinical Practices) Act 1988:

Member: (from 29 January 2010 until 28 January 2011)

Peter George Woolcock  
Sheryl Lynne de Lacey  
Terence George Donald  
Martyn John Evans  
Bernadette Joy Richards

Deputy Member: (from 29 January 2010 until 28 January 2011)

John Henry Chandler (Deputy to Woolcock)  
Margaret Ruth Ripper (Deputy to de Lacey)  
Jacqueline Mary Street (Deputy to Donald)  
Carlo D'Ortenzio (Deputy to Evans)  
Ngairé May Naffine (Deputy to Richards)

By command,

GAIL GAGO, for Acting Premier

HEAC-2009-00071

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Adelaide Festival Centre Trust, pursuant to the provisions of the Adelaide Festival Centre Trust Act 1971:

Trustee: (from 21 January 2010 until 20 January 2013)

Carolyn Anne Mitchell  
Caroline Susan Cordeaux  
Zannie Mair Flanagan  
Ian John Kowalick  
William Thomas Spurr

By command,

GAIL GAGO, for Acting Premier

ASACAB009-02

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Multicultural and Ethnic Affairs Commission, pursuant to the provisions of the South Australian Multicultural and Ethnic Affairs Commission Act 1980:

Member: (from 1 January 2010 until 31 December 2011)

Hieu Van Le  
Peter Ppiros  
Vahedeh Mansoury  
Norman Anthony Schueler

Member: (from 29 January 2010 until 28 January 2012)

George Fomba  
Sumeja Skaka

Chair: (from 1 January 2010 until 31 December 2011)

Hieu Van Le

Deputy Chair: (from 1 January 2010 until 31 December 2011)

Peter Ppiros

By command,

GAIL GAGO, for Acting Premier

AGO0082/07CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Northern and Yorke Natural Resources Management Board, pursuant to the provisions of the Natural Resources Management Act 2004:

Member: (from 17 December 2009 until 30 June 2010)  
Mervyn John Lewis

Presiding Member: (from 17 December 2009 until 30 June 2010)

Mervyn John Lewis

By command,

GAIL GAGO, for Acting Premier

WBCS09/0035

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

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

Deputy President: (from 13 January 2010 until 12 January 2015)

Janet Ethel Howell

Section 8 (1) Panel Member: (from 25 January 2010 until 24 January 2013)

Linley Alice Denson  
Jonathan Andrew Fry  
Janece Maree Petrie  
Lucy Victoria Sheppard

By command,

GAIL GAGO, for Acting Premier

AGO0219/09CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

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

Section 8 (1) Panel Member: (from 17 December 2009 until 16 December 2012)

Gregory Bernard Box  
Helen Elaine Nichols

Section 8 (2) Panel Member: (from 17 December 2009 until 16 December 2012)

Kaaren Mary Jean Dahl  
Dianne Elizabeth Gursansky  
Rosemary Frances Hordern  
Lange John Powell  
Paul Leslie Simpson

Deputy President: (from 17 December 2009 until 16 December 2014)

Jane Elizabeth Anderson  
Ian Laurie Shephard

By command,

GAIL GAGO, for Acting Premier

AGO0219/09CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint Hieu Van Le as Governor's Deputy of South Australia for the period from 7 a.m. on Wednesday, 23 December 2009 until 5 p.m. on Sunday, 27 December 2009 and for the period from 7 a.m. on Monday, 11 January 2010 until 2 p.m. on Tuesday, 19 January 2010.

By command,

GAIL GAGO, for Acting Premier

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has revoked the appointment of the Honourable Kevin Owen Foley, MP, Deputy Premier, Treasurer, Minister for Industry and Trade and Minister for Federal/State Relations to be also Acting Premier, Acting Minister for Economic Development, Acting Minister for Social Inclusion and Acting Minister for Sustainability and Climate Change on 21 December 2009, during the absence of the Honourable Michael David Rann, MP.

By command,

MICHAEL O'BRIEN, for Acting Premier

T&F09/092CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Paul Holloway, MLC, Minister for Mineral Resources Development, Minister for Urban Development and Planning and Minister for Small Business to be also Acting Premier, Acting Minister for Economic Development,

Acting Minister for Social Inclusion and Acting Minister for Sustainability and Climate Change on 21 December 2009, during the absence of the Honourable Michael David Rann, MP.

By command,

MICHAEL O'BRIEN, for Acting Premier

T&F09/092CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Paul Holloway, MLC, Minister for Mineral Resources Development, Minister for Urban Development and Planning and Minister for Small Business to be also Acting Deputy Premier, Acting Treasurer, Acting Minister for Industry and Trade and Acting Minister for Federal/State Relations for the period from 21 December 2009 to 22 December 2009 inclusive, during the absence of the Honourable Kevin Owen Foley, MP.

By command,

MICHAEL O'BRIEN, for Acting Premier

T&F09/092CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Michael John Atkinson, MP, Attorney-General, Minister for Justice, Minister for Multicultural Affairs and Minister for Veterans' Affairs to be also Acting Deputy Premier, Acting Treasurer, Acting Minister for Industry and Trade and Acting Minister for Federal/State Relations for the period from 9 January 2010 to 12 January 2010 inclusive, during the absence of the Honourable Kevin Owen Foley, MP.

By command,

MICHAEL O'BRIEN, for Acting Premier

T&F09/092CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Jennifer Mary Rankine, MP, Minister for Families and Communities, Minister for the Northern Suburbs, Minister for Housing, Minister for Ageing and Minister for Disability to be also Acting Minister for State/Local Government Relations, Acting Minister for the Status of Women, Acting Minister for Consumer Affairs, Acting Minister for Government Enterprises and Acting Minister Assisting the Minister for Transport, Infrastructure and Energy for the period from 24 December 2009 to 3 January 2010 inclusive, during the absence of the Honourable Gail Elizabeth Gago, MLC.

By command,

MICHAEL O'BRIEN, for Acting Premier

09MLG0014CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint Klynton Wanganeen as Commissioner for Aboriginal Engagement for a period commencing on 1 January 2010 and expiring on 30 June 2010, pursuant to section 68 of the Constitution Act 1934.

By command,

MICHAEL O'BRIEN, for Acting Premier

AACS09/0006

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint Barry Joseph Grear as Fund Administrator of the State Emergency Relief Fund for a term of three years commencing on 17 December 2009 and expiring on 16 December 2012, pursuant to section 68 of the Constitution Act 1934.

By command,

MICHAEL O'BRIEN, for Acting Premier

DFCCN/09/048

Department of the Premier and Cabinet  
Adelaide, 17 December 2009

HIS Excellency the Governor in Executive Council has been pleased to determine:

- pursuant to section 45 (4) of the Supreme Court Act 1935, the Civil and Criminal Registries of the Supreme Court of South Australia will be maintained at Sir Samuel Way Building, Victoria Square, Adelaide, S.A. 5000 from 1 March 2010;
- pursuant to section 21 (4) of the District Court Act 1991, the Adelaide Registry of the District Court will be maintained at:
  - Supreme Court Registry Building, 1 Gouger Street, Adelaide, S.A. 5000 from 23 December 2009, up until and including 11 January 2010;
  - Sir Samuel Way Building, Victoria Square, Adelaide, S.A. 5000 from 12 January 2010;
- pursuant to section 18 (4) of the Environment, Resources and Development Court Act 1993, the Adelaide Registry of the Environment, Resources and Development Court will be maintained at:
  - Supreme Court Registry Building, 1 Gouger Street, Adelaide, S.A. 5000 from 23 December 2009, up until and including 11 January 2010;
  - Sir Samuel Way Building, Victoria Square, Adelaide, S.A. 5000 from 12 January 2010.

By command,

MICHAEL O'BRIEN, for Acting Premier

AGO0055/06CS

#### CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY vary the notice as described in The Schedule by declaring that the Reserve for Aged Persons Accommodation and Aged Persons Care Purposes as defined in The Schedule shall cease to be under the care, control and management of the Ceduna Koonibba Aboriginal Health Service Incorporated and by further declaring that the said Reserve for Aged Persons Accommodation and Aged Persons Care Purposes shall be under the care, control and management of Country Health SA Hospital Incorporated.

#### The Schedule

Reserve for Aged Persons Accommodation and Aged Persons Care Purposes, Allotment 2 in Deposited Plan 53108, Town of Thevenard, Hundred of Bonython, County of Way, the notice of which was published in the *Government Gazette* of 3 July 2008 at page 3137, being the whole of the land comprised in Crown Record Volume 6009, Folio 821.

Dated 17 December 2009.

JAY WEATHERILL, Minister for Environment  
and Conservation

DENR 08/0855

#### DEVELOPMENT ACT 1993, SECTION 28 (1) DECLARATION OF INTERIM OPERATION OF RURAL CITY OF MURRAY BRIDGE BDP AND GENERAL DEVELOPMENT PLAN AMENDMENT

##### NOTICE

PURSUANT to section 28 (1) of the Development Act 1993, I, Paul Holloway, Minister for Urban Development and Planning, am of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'Rural City of Murray Bridge—BDP and General Development Plan Amendment' that the Plan Amendment should come into operation without delay on an interim basis on 17 December 2009.

Dated 17 December 2009.

PAUL HOLLOWAY, Minister for Urban  
Development and Planning

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

##### Preamble

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18. Application has now been made for a minor land division to divide a large residential waterfront allotment into four smaller allotments.

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

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

21. For ease of reference the conditions of the conditions attached to the Cape Jaffa Marina Development Authorisation are republished in full with a new drawing reference added to Conditions 1.

#### Decision

PURSUANT to section 48 (7) (b) (ii) of the Development Act 1993 and having regard due to the matters set out in section 48 (5) and all other relevant matters, the Development Assessment Commission exercising the power of the Governor delegated by notice in the *South Australian Government Gazette* dated 12 January 2006, pursuant to section 48 (8), varies the Cape Jaffa Marina Development Authorisation dated 12 January 2006, as subsequently varied on the dates set out in paragraphs 4-17 of the preamble of this decision, by inserting an additional drawing reference to Condition 1 of the development authorisation that, pursuant to section 48 (6) and Regulation 64 (1), reserves a decision on the following matters:

- (i) compliance with the Building Rules in relation to all aspects of the proposed major development (refer to Conditions and Notes to the Applicant below);
- (ii) specify all matters relating to the provisional development authorisation as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions attached;
- (iii) specify for the purposes of section 48 (11) (b) the period of two years from the date of the original notice dated 12 January 2006 as the time within which substantial work must be commenced on site, failing which I may cancel this authorisation.

For ease of reference the conditions of the authorisation as amended to date are republished in full hereunder.

#### Conditions of Approval

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

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

- Drawing Titled: 'Figure 3.3—Locality'; February 2005;
- Drawing Titled: 'Figure 3.7—Breakwater Typical Cross section'; February 2005;
- Drawing Titled: 'Figure 3.9—Central Facilities'; August 2004, 9399;
- Drawing Titled: 'Figure 3.10—Boat Ramp'; February 2005;
- Drawing Titled: 'Figure 3.11—Waterway and Wharf Edge Treatment'; August 2004, 9399;
- Drawing Titled: 'Figure 3.12—Reserves and Open Space'; August 2004, 9399-10-a;
- Drawing Titled: 'Figure 3.13—Landscape Concept'; February 2005;

- Drawing Titled: 'Figure 3.14—Landscape Buffers'; February 2005;
- Drawing Titled: 'Figure 3.15—Storm Water Management Concept'; August 2004, 9399-10-a;
- Drawing Titled: 'Figure 3.16—Land Division Plan'; December 2004, 9399-a;
- Drawing Titled: 'Figure 3.17—Main Basin looking South'; February 2005;
- Drawing Titled: 'Figure 3.18—Waterway View looking West'; February 2005;
- Drawing Titled: 'Figure 3.19—Beach Reserve View into the Main Basin'; February 2005;
- Drawing Titled: 'Figure 3.20—Aerial View looking South-East'; February 2005;
- Drawing Titled: 'Figure 3.21—Aerial View looking East'; February 2005;
- Drawing Titled: 'Figure 3.22—Typical Cross Section and Allotment Plan'; August 2004, 9399-02-a;
- Drawing Titled: 'Figure 3.23—Coastal Reserve Walkway'; August 2004, 9399;
- Drawing Titled: 'Figure 3.24—Staging Plan'; August 2004, 9399-10-a;
- Drawing Titled: 'Figure 3.25—Management Structure'; August 2005;
- Drawing Titled: 'Figure 5.12—Irrigation and Storage Site'; August 2004, 9399-01-b;
- Drawing Titled: 'Figure 5.35—Coastal Reserves and Buffers'; August 2004, 9399-01-b; and
- Drawing Titled: 'Figure 5.59—Cape Jaffa Proposed Zones'; February 2005,

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

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

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

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

Also

- Drawing Titled: 'Proposed Industrial' Templeton Constructions B07 101 01 Revision A—August 2007;
- Drawing Titled 'Proposed Industrial' Templeton Constructions B07 101 01 Revision A—October 2007 stamped by Professional Building Services, South Plympton, S.A. 5038;
- Drawing Titled: (Land Division) Steed & Pohl Ref. 9163\_cd1\_B2 11/04/07 attached to letter of 17 May 2007 from Masterplan;
- Development application 640/DO16/07 Steed & Pohl Ref. 9163 mm\_B2 17/12/07 submitted on 7 December 2007; and
- Development application 640/CO17/07 Steed & Pohl Ref. 9163 cp1 B2 13/08/07 submitted on 10 December 2007.

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

Including:

- Figure 1, October 2007, Water Supply Cape Jaffa Anchorage #1124;
- Figure 2, Infrastructure Layout Plan 2008 11242, and as amended by the following drawings from the attached conditions. The wastewater treatment plant and treated wastewater storage lagoon shall be located and constructed in strict accordance with the plans, drawings and additional information contained in:
  - Cape Jaffa Anchorage Marina Wastewater Treatment Plant for the Cape Jaffa Development Company—Tonkin Consulting, Tender Documents July 2007.
  - Cape Jaffa Anchorage Marina—WWTP Additional Information letter dated 14 April 2008 from Jeff Tyler, Tonkin Consulting to Planning SA (20050683LA21/JT/JT).
  - Cape Jaffa Anchorage Marina—Winter Storage Lagoon letter dated 29 July 2008 from Jeff Tyler, Tonkin Consulting to Masterplan SA (20050683LA37/JT/JT).
  - Cape Jaffa Anchorage Stage 1 and 2 Wastewater Storage Lagoon Geometric Setout Plan for Cape Jaffa Development Company by Tonkin Consulting, Job Number 2005.0683, Sheet Number's 115, 116 and 117, Revision B.
  - Drawing titled: Steed & Pohl Ref PT CT 6022/406 Plan of Division to Supersede Allotments 494-497 (Incl) in 640/D004/06 Piece 2005 in D79232 of Section 92 submitted on 1 October 2009.

(b) The following documents:

- Development application, 'Cape Jaffa Anchorage Marina Development' prepared by Simon Tonkin (Masterplan) on behalf of the Cape Jaffa Development Company dated 20 February 2003, (except to the extent that it may be varied by a subsequent document in this paragraph).
- Environmental Impact Statement, Cape Jaffa Anchorage Marina prepared by the Cape Jaffa Development Company dated February 2005 (except to the extent that it may be varied by a subsequent document in this paragraph).
- Response to Submissions document, Cape Jaffa Anchorage Marina Development prepared by the Cape Jaffa Development Company dated 19 September 2005 (except to the extent that it may be varied by a subsequent document in this paragraph).
- Assessment Report prepared by the Minister for Urban Development and Planning dated December 2005 including an appended report from Simon Tonkin of Masterplan dated 4 November 2005 (except to the extent that it may be varied by a subsequent document in this paragraph).
- Letter from Simon Tonkin of Masterplan dated 11 November 2005, outlining the final amended application and listing appropriate plans.
- Letter from Simon Tonkin of Masterplan dated 18 April 2006, concerning reserved matters (b) (ii) and (b) (iii) from Governor's decision on 12 January 2006.
- Final Land division application 640/D004/06 lodged electronically on EDALA with the Development Assessment Commission on 1 August 2006.
- Building Rules Certification package for Stage 1 Breakwater and Waterway edge construction dated 14 August 2006 by Tecon Australia Pty Ltd.
- Letter from Kingston District Council on 28 September 2007 for an Industrial Building to be constructed by Templeton Constructions.
- An email from Templeton Constructions (Graham Dowie) on 10 October 2007 outlining proposed colour scheme for shed (Colorbond Shale Grey).

- Letter from Kingston District Council on 12 October 2007 for Building Rules Certification for an Industrial Building to be constructed by Templeton Constructions.
- Letter from Masterplan on 17 May 2007 for Concrete Batching Plant, including relevant attached information related to the Concrete Batching Plant.
- Letter from Masterplan on 30 July 2008 for 'Substantial Commencement' of Cape Jaffa Anchorage Marina.
- Letter from Masterplan on 20 August 2008 for a Signal Mast (15 m in height).
- Letter from Kingston District Council on 28 August 2008 for Lease Plan for Recreational Marina Berths.
- Letter from Tecon on 29 August 2008 for Building Rules Certification for Stage 2.
- Letter from Masterplan, 9 May 2008, Ref.: 11655LET02.docx including relevant attached information on the Borefield and associated pipes, wastewater treatment facility and storage lagoon.
- Letter from Masterplan, 3 November 2008, with application for alteration to existing retaining wall for a garage at Lot 523, with setback of 5.5 m.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 30. Road Construction/Design:

#### (a) Seal

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

#### (b) Pavement Construction—Base

The following minimum standards shall apply:

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

#### (c) Seal for Intersections

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

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

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

#### (d) Cul-de-sac Ends

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

#### (e) Road Reserve and Road Width

Council requirements for road reserves shall be as follows:

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

Road Reserves (other) 15 m.

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

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

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

The following minimum road seal widths shall apply:

All Residential Streets 7 m.

*Cul-de-sac* (entrance) 6 m.

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

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

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

(f) *Footpaths*

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

(g) *Water Tables and Kerbing*

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

(h) *Drainage*

- A detailed drainage design shall be provided for all of the proposed development, and if necessary, due to existing land form, include areas outside the proposed development but within the drainage catchment affecting the development.
- Design shall be in accordance with procedures in the current edition of 'Australian Rainfall and Run-off (IEA)' or to the reasonable satisfaction of the Kingston District Council.
- As a general rule return period is to be five years, but engineering discretion should be used in areas where storm damage may be more significant (i.e. shopping areas, end of *cul-de-sacs*, etc.).
- Drainage computations are required to be prepared by a qualified and experienced Engineer and submitted with the detailed engineering drawings for the proposal.

- All stormwater run-off attributable to the proposal shall be adequately disposed of within the development area in accordance with the development authorisation or variations thereof.
- As a general rule, side entry pits shall be spaced at no greater than 100 m and at closer spacing if required, depending on conditions and detailed design.
- Drainage bores and associated settlement tanks shall be constructed to meet the requirements of Council and the Department of Primary Industries and Resources. Drainage capacity of any bore shall exceed the calculated drainage discharge for the designated stormwater system and the bore is to be proved to the reasonable satisfaction of the Kingston District Council.
- Storage basins capable of holding the run-off of the designated rainfall storm shall be provided at suitable locations if drainage bores prove to be unacceptable.
- Spoon drains, when required at junctions, shall be constructed to maintain the pavement width of the through street and to ensure continuity of flow of all stormwater. A spoon drain shall not be constructed across a through street.
- All stormwater storage basins shall be provided with appropriate warning signs to the reasonable satisfaction of the Kingston District Council.
- Council requires a separate drainage reserve in land divisions of adequate area to provide stormwater treatment and retention for a one in five year storm event in residential areas and a one in 10 year storm event in other zones. Any requirements above these limits may be incorporated into the public open space calculation.
- Swale drains shall be constructed with side slopes of three horizontal: one vertical to facilitate maintenance slashing. The longer general gradients shall be no steeper than that consistent with avoidance of scouring, have regard to soil type, vegetation cover and the design flow average velocity. Where site conditions are not consistent with this requirement, the drain shall be rock lined, or shall incorporate steps or drop structures, with appropriate protection against local scouring. Details of these provisions shall be subject to the specific approval of the Kingston District Council.

(i) *Street Lighting*

- Street lighting shall be provided throughout the subdivision. The following minimum categories (AS 1158.0-1997) will apply.
- Roads B2.
- The street lights and poles shall be of a type approved by the Kingston District Council.

(j) *Street Names, Numbers and Signage*

- All naming of roads shall be in accordance with section 219 of the Local Government Act 1999.
- All numbers assigned to allotments shall be in accordance with section 220 of the Local Government Act 1999.
- Kingston District Council reserves the right to name all roads.
- Street signs shall be supplied (from an approved supplier) and erected so as to indicate the appropriate streets to the reasonable satisfaction of the Kingston District Council.

(k) *Landscaping and Tree Planting*

All proposed landscaping and tree planting proposed as part of the development shall be provided to the reasonable satisfaction of the Kingston District Council.

(l) *Electricity Supply*

Electricity supply shall be under-grounded throughout the subdivision. The proponent shall make arrangements with ETSA for the provision of an adequate electricity supply to each allotment.



*(m) Water Supply*

Water supply services shall be installed in accordance with Australian Standard AS/NZS 3500.1.2 and any other relevant approvals and standards for the installation of a full reticulated water system, for the provision of an adequate water supply to each created allotment and in accordance with the development authorisation granted by the Governor.

*(n) Sewer and Waste Water Disposal*

- The proponent shall be responsible for the design and construction of a suitable sewer and waste water system to service the allotments within the subdivision and in accordance with the development authorisation granted by the Governor.
- The proponent shall provide Council with a full design and specifications for the sewer and waste water disposal system. All design specifications to meet the requirements of the Kingston District Council.

*(o) Reserves and Easement for Stormwater Drainage and Electricity Supply*

- The requirements of the Electricity's Trust of South Australia with respect to the provision of easements shall be met.
- Drainage reserves under the control of the Kingston District Council shall be provided over any stormwater retention basin, settling pond, gross pollution trap or like structure, not located on a road reserve.

*(p) Open Space*

- The proponent, at the discretion of Council, may be required to provide open space associated with the development to satisfy the requirements of the Development Act provisions.
- The proponent shall provide all open space reserves as shown in the approved layout plan.
- In the event that the requirements as to the provision of open space are not satisfied, the proponent shall forward the appropriate monetary contribution for the open space requirement to Council as applicable under the Development Act or the State Government Planning and Development Fund. (All contributions received by Council will be appropriated to an open space development reserve fund).

## NOTE:

- The Council, when dealing with land division applications, seeks where appropriate to have open space reserve contributions in parcels of at least 2 000 m<sup>2</sup>. Such areas should link with other reserves where possible and practicable.
- Open space reserves in the land division area shall be developed in conjunction with and to the reasonable satisfaction of the Kingston District Council.
- In instances where screening reserves are required, the development approval and/or land management agreement, shall include a requirement for the proponent to fence the screening reserve and develop the reserve in accordance with a plan approved by Council.

*(q) Construction Record*

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

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

*(r) Defects Liability Period*

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

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

*(s) Nuisance*

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

31. *Building*

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

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

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

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

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

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

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

*Concrete Batching Plant*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### NOTES TO THE APPLICANT

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

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

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

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

5. The new sewerage system has been assessed as part of this development application and approved subject under the Public and Environmental Health Act 1987, has been obtained, re: letter Tony Farrer (delegate Minister of Health), 19 September 2008, Ref.: WCS 2630. For the sewerage treatment facility and any subsequent irrigation an environmental authorisation will be

required under the Environment Protection Act 1993. A licence under the Environment Protection Act 1993, will be required by the proponent prior to operation of the wastewater treatment plant. An Irrigation Management Plan will be required under this licence.

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

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

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

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

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

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

[http://www.epa.sa.gov.au/pdfs/info\\_construction.pdf](http://www.epa.sa.gov.au/pdfs/info_construction.pdf)

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

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

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

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

- The land division.
- The marina moorings and other marina facilities.
- The public boat ramp, hard stand, boat maintenance facilities and car park areas.
- The boat refuelling and boat effluent disposal facility.
- Installation of navigational aids.
- All residential, commercial, retail, tourist related and other buildings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Given under my hand at Adelaide, 8 December 2009.

T. BYRT, Presiding Member, Development Assessment Commission

## ELECTORAL ACT 1985

### *Part 6—Registration of Political Parties*

NOTICE is hereby given that the following application for registration as a registered political party under the provisions of Part 6 of the Electoral Act 1985, has been received:

Name of Party: United Party—Water, Housing, Health Care

Abbreviation of Party Name: United

Name of Applicant: Darian Hiles

Any elector who believes that the party should not be registered:

- because the party does not have as a purpose, the promotion of the election to the State Parliament of its endorsed candidate(s);
- because the application does not fulfil the technical requirements specified in the Act; or
- because the party's name is likely to be confused with that of another registered party, parliamentary party or prominent public body,

can formally object in writing to the Electoral Commissioner by close of business on 18 January 2010. Objections must contain the postal address and signature of the objector.

Dated 17 December 2009.

K. MOUSLEY, Electoral Commissioner,  
Level 6, 60 Light Square, Adelaide,  
S.A. 5000

ECSA 232/09

## ELECTORAL ACT 1985

### *Part 6—Registration of Political Parties*

NOTICE is hereby given that the following application for registration as a registered political party under the provisions of Part 6 of the Electoral Act 1985, has been received:

Name of Party: Gamers 4 Croydon

Abbreviation of Party Name: G4C

Name of Applicant: Christopher Prior

Any elector who believes that the party should not be registered:

- because the party does not have as a purpose, the promotion of the election to the State Parliament of its endorsed candidate(s);
- because the application does not fulfil the technical requirements specified in the Act; or
- because the party's name is likely to be confused with that of another registered party, parliamentary party or prominent public body,

can formally object in writing to the Electoral Commissioner by close of business on 18 January 2010. Objections must contain the postal address and signature of the objector.

Dated 17 December 2009.

K. MOUSLEY, Electoral Commissioner,  
Level 6, 60 Light Square, Adelaide,  
S.A. 5000

ECSA 231/09

## ENVIRONMENT PROTECTION ACT 1993

*Approval of Additional Collection Depot*

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

*Approval of Additional Collection Depot*(i) *Approval of Collection Depot:*

Approve the collection depot identified by reference to the following matters, to receive all containers belonging to a class of containers which is, at or subsequent to, the date of this Notice, approved as Category B Containers:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice; and
- (c) the location of the depot described in Columns 4-6 of Schedule 1 of this Notice.

(ii) *Conditions of Approval:*

Impose the following conditions of these approvals:

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

## SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Depot Name	Company/Trading Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title No. Volume/Folio No.
Yorke town Recycling Centre	Minlaton Warooka Transport	Bill Cadd, Joan Cadd, Robert Cadd and David Cadd	Allotment 2 in FP 3709, Hundred of Melville Maitland-Yorke town Road	Yorke town	Volume 5510, Folio 479

## EDUCATION ACT 1972

## SECTION 85

*Establishment of a School Council for a Government School*

TAKE notice that pursuant to section 85 (1) (a) of the Education Act 1972, I, JANE LOMAX-SMITH, Minister of the Crown to whom the administration of the Education Act 1972, is committed DO HEREBY establish the Mark Oliphant College (B-12) School Council.

*Transitional Provisions (Section 85 (2))*

All decisions made as a body prior to this notice by the persons forming the interim school Council for the Mark Oliphant College (B-12) will be taken to be decisions of the Council establishment by this notice.

Dated 15 December 2009.

JANE LOMAX-SMITH, Minister for Education

## EDUCATION ACT 1972

## SECTION 85

*Establishment of a School Council for a Government School*

TAKE notice that pursuant to section 85 (1) (a) of the Education Act 1972, I, JANE LOMAX-SMITH, Minister for Education, Minister of the Crown to whom the administration of the Education Act 1972 is committed DO HEREBY establish the John Hartley School (B-7) School Council.

*Transitional Provisions (section 85 (2))*

All decisions made as a body prior to this notice by the persons forming the interim school council for the John Hartley School (B-7) will be taken to be decisions of the Council established by this notice.

Dated 8 December 2009.

JANE LOMAX-SMITH, Minister for Education

## FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 8 December 2009, referring to the West Coast Prawn Fishery, is hereby revoked.

Dated 15 December 2009.

A. FISTR, Prawn Fishery Manager

## FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, dated 23 December 2008, and published in the *South Australian Government Gazette* on page 2, dated 8 January 2009, being the fourth notice on that page, referring to the Gulf St Vincent Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Gulf St Vincent Prawn Fishery Licence to use prawn trawl nets in the area specified in Schedule 1 during the period specified in Schedule 2.

## SCHEDULE 1

1. The waters of the Gulf St Vincent Prawn Fishery, within the following co-ordinates: Latitude 35°04.00'S, longitude 137°58.00'E, then to position latitude 35°04.00'S, longitude 138°10.00'E, then to position latitude 35°09.00'S, longitude 138°10.00'E, then to position latitude 35°09.00'S, longitude 138°06.50'E, then returning to position latitude 35°04.00'S, longitude 137°58.00'E.

## SCHEDULE 2

From 2030 hours on 14 December 2009 to 0600 hours on 17 December 2009.

Dated 14 December 2009.

A. FISTR, Prawn Fishery Manager

## FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that, pursuant to section 115 of the Fisheries Management Act 2007, the holder of a Prawn Fishery Licence issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2006, for the Gulf St Vincent Prawn Fishery listed in Schedule 1 (the 'exemption holders'), or their registered masters, are exempt from the notices made under section 79 of the Fisheries Management Act 2007, prohibiting the taking of western king prawns (*Melicertus latisulcatus*) but only insofar as the exemption holders shall not be guilty of an offence when using prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of stock assessment survey (the 'exempted activity'), subject to the conditions contained in Schedule 2.

## SCHEDULE 1

Licence No.	Licence Holder	Boat Name
V02	St Vincent Gulf Fisheries & Investments Pty Ltd	<i>Angela Kaye</i>
V03	Josephine K Fisheries Pty Ltd	<i>Josephine-K</i>
V04	Ledo Pty Ltd	<i>Miss Anita</i>
V05	Maurice J Corigliano	<i>Frank Cori</i>
V06	Todreel Pty Ltd	<i>Anna Pearl</i>
V09	Hamid Huseljic	<i>Candice K</i>

## SCHEDULE 2

1. The exemption is valid from 2030 hours on 11 December 2009 until 0600 hours on 14 December 2009.

2. All trawling activity must be completed by 0600 hours on each day with nets out of the water.

3. The exemption holder must comply with instructions from the SARDI Stock Assessment Co-ordinator and work within the allotted survey trawl stations.

4. All fish, other than prawns, southern calamary (*Sepioteuthis australis*) and slipper lobster (*Ibacus* spp.) taken during the exempted activity for stock assessment purposes, are to be returned to the water immediately after capture.

5. Prawns, southern calamary and slipper lobster taken pursuant to the exempted activity must not be retained by the exemption holder, their agent, crew or any other person.

6. Prawns, southern calamary and slipper lobster taken pursuant to the exempted activity must be disposed of by the exemption holders in accordance with the 'GSV Prawn Fishery Survey Participation Agreement' and must not be retained by the exemption holder, their agent, crew or any other person.

7. While engaged in the exempted activity or while unloading the survey catch, the exemption holder must have on board their boat or near their person a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

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

Dated 8 December 2009.

A. FISTR, Prawn Fishery Manager

## FISHERIES MANAGEMENT ACT 2007: SECTION 79

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

## SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery that are:

1. North of the following co-ordinates: Latitude 33°36.00'S, longitude 137°14.00'E, then to position latitude 33°36.00'S, longitude 137°28.00'E, then to position latitude 33°29.00'S, longitude 137°32.00'E, then to position latitude 33°29.00'S, longitude 137°34.00'E, then to position latitude 33°38.00'S, longitude 137°34.00'E, then to position latitude 33°46.00'S, longitude 137°44.00'E.

2. Within the following co-ordinates: Latitude 33°41.00'S, longitude 137°06.00'E, then to position latitude 33°52.00'S, longitude 137°15.00'E, then to position latitude 33°56.00'S, longitude 137°05.00'E, then to position latitude 34°00.00'S, longitude 137°07.00'E, then to position latitude 34°22.00'S, longitude 136°52.00'E, then to position latitude 34°22.00'S, longitude 136°41.00'E, then to position latitude 34°03.00'S, longitude 136°51.00'E, then to position latitude 33°51.00'S, longitude 136°41.00'E.

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

## SCHEDULE 2

From 2030 hours on 12 December 2009 to 0600 hours on 16 December 2009.

Dated 8 December 2009.

A. FISTR, Prawn Fishery Manager

## FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 5 March 2009, referring to the West Coast Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery Licence to use prawn trawl nets in the waters specified in Schedule 1, under the conditions specified in Schedule 2, during the period specified in Schedule 3.

## SCHEDULE 1

The waters of the West Coast Prawn Fishery:

- (a) adjacent to Coffin Bay; and
- (b) adjacent to Corvisart Bay (north of Point Westall and south of Cape Bauer).

## SCHEDULE 2

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

- (a) the average catch per vessel, per night (for all three vessels) drops below 300 kg for two consecutive nights;
- (b) the average prawn 'bucket count' for all three vessels exceeds 270 prawns per bucket on any single fishing night in the Corvisart Bay area, or 240 prawns per bucket on any single fishing night in the Coffin Bay area.

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

3. No fishing activity may be undertaken between 0630 hours and 2030 hours on any day during the period of this notice.

## SCHEDULE 3

From 2030 hours on 12 December 2009 to 0630 hours on 17 December 2009.

Dated 8 December 2009.

A. FISTR, Prawn Fishery Manager

## HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
Flat 3, 9 Beatty Avenue, Hillcrest	Allotment 285 in Deposited Plan 3275, Hundred of Yatala	5173	808	26.2.09, page 751	163
31 Blanford Street, West Croydon	Allotment 33 in Deposited Plan 1615, Hundred of Yatala	5721	659	24.9.09, page 4696	185
7 Brown Street, Semaphore	Allotment 234 in Filed Plan 16224, Hundred of Port Adelaide	5062	234	4.6.09, page 2331	78
4 Clifton Street, Malvern	Allotment 12 in Deposited Plan 23634, Hundred of Adelaide	5443	703	22.10.09, page 4900	240
2 Dew Street, Kent Town	Allotment 2 of portion of section 255, Hundred of Adelaide	5703	548	12.4.79, page 994	295
32 Dublin Road, Mallala	Allotment 1 in Deposited Plan 27485, Hundred of Grace	5117	5	27.7.06, page 2380	109
21 Gray Street, Murray Bridge	Allotment 7 in Filed Plan 105510, Hundred of Mobilong	5160	835	22.2.07, page 555	175
716A Lower North East Road, Paradise	Allotment 37 of portion of section 334 in Deposited Plan 273, Hundred of Adelaide	5837	612	1.5.69, page 1243	100
716B Lower North East Road, Paradise	Allotment 37 of portion of section 334 in Deposited Plan 273, Hundred of Adelaide	5837	612	1.5.69, page 1243	100
8 Oratava Avenue (also known as Lot 304), Bridgewater	Allotment 304 in Deposited Plan 1949, Hundred of Noarlunga	5275	557	30.7.09, page 3420	185
7 Queen Street, Kapunda	Allotment 508 in Filed Plan 211294, Hundred of Kapunda	5594	621	13.8.09, page 3617	195

Dated at Adelaide, 17 December 2009.

D. HUXLEY, Director, Corporate Services, Housing SA



## HOUSING IMPROVEMENT ACT 1940

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

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
4 Bedwin Street	Salisbury North	Allotment 3 in Filed Plan 31592, Hundred of Munno Para	5067	716
29 Carlisle Street	Camden Park	Allotment 163 in Deposited Plan 1901, Hundred of Adelaide	5970	306
4 Cushen Street	Smithfield Plains	Allotment 359 in Deposited Plan 7888, Hundred of Munno Para	5554	532
34 Greenwood Crescent	Smithfield Plains	Allotment 152 in Deposited Plan 7868, Hundred of Munno Para	5585	630
141 Hampstead Road	Greenacres	Allotment 5 in Deposited Plan 36863, Hundred of Yatala	5169	654
Lot 589 (also known as 334) Nelshaby Road	Napperby	Allotment 589 in filed Plan 188721, Hundred of Napperby	5407	498
25A (Unit at rear of 25) Reo Road	Croydon Park	Allotments 869 in Deposited Plan 4475, Hundred of Yatala	5693	173

Dated at Adelaide, 17 December 2009.

D. HUXLEY, Director, Corporate Services, Housing SA

## HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
26 Angas Street, Alberton	Allotment 26 in Deposited Plan 535, Hundred of Yatala	5420	835	23.12.1993, page 3049
179 Coglein Street, Brompton	Allotment 74 in Filed Plan 119592, Hundred of Yatala	5650	75	7.4.1977, page 1097
36 Gilbert Street, Lyndoch	Allotments 91, 92 and 93 in Filed Plan 164778, Hundred of Barossa	5309	448	9.10.2008, page 4766
Lot 101, Powerline Road, Mallala	Allotment 101 in Deposited Plan 68779, Hundred of Grace	5964	774	22.10.2009, page 4900
17 Sabina Street, Salisbury	Allotment 65 in Filed Plan 113760, Hundred of Yatala	5797	931	28.10.2004, page 4065

Dated at Adelaide, 17 December 2009.

D. HUXLEY, Director, Corporate Services, Housing SA

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2009

	\$		\$
Agents, Ceasing to Act as.....	42.75	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	28.50
Incorporation .....	21.70	Discontinuance Place of Business .....	28.50
Intention of Incorporation .....	53.50	Land—Real Property Act:	
Transfer of Properties .....	53.50	Intention to Sell, Notice of.....	53.50
Attorney, Appointment of.....	42.75	Lost Certificate of Title Notices .....	53.50
Bailiff's Sale.....	53.50	Cancellation, Notice of (Strata Plan) .....	53.50
Cemetery Curator Appointed.....	31.75	Mortgages:	
Companies:		Caveat Lodgement.....	21.70
Alteration to Constitution .....	42.75	Discharge of.....	22.70
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Incorporation .....	42.75	Leases—Application for Transfer (2 insertions) each .....	10.90
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	31.75
First Name.....	31.75	Licensing.....	63.50
Each Subsequent Name.....	10.90	Municipal or District Councils:	
Meeting Final.....	35.75	Annual Financial Statement—Forms 1 and 2 .....	598.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	425.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name .....	85.00
First Name.....	42.75	Each Subsequent Name.....	10.90
Each Subsequent Name.....	10.90	Noxious Trade.....	31.75
Notices:		Partnership, Dissolution of .....	31.75
Call.....	53.50	Petitions (small).....	21.70
Change of Name .....	21.70	Registered Building Societies (from Registrar-	
Creditors.....	42.75	General).....	21.70
Creditors Compromise of Arrangement .....	42.75	Register of Unclaimed Moneys—First Name.....	31.75
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name .....	10.90
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	53.50	Rate per page (in 8pt) .....	272.00
Release of Liquidator—Application—Large Ad.....	85.00	Rate per page (in 6pt) .....	359.00
—Release Granted .....	53.50	Sale of Land by Public Auction.....	54.00
Receiver and Manager Appointed.....	49.50	Advertisements.....	3.00
Receiver and Manager Ceasing to Act.....	42.75	¼ page advertisement .....	127.00
Restored Name.....	40.00	½ page advertisement .....	254.00
Petition to Supreme Court for Winding Up.....	74.50	Full page advertisement.....	498.00
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Order of Supreme Court for Winding Up Action.....	42.75	column line, tabular one-third extra.	
Register of Interests—Section 84 (1) Exempt.....	96.00	Notices by Colleges, Universities, Corporations and District	
Removal of Office.....	21.70	Councils to be charged at \$3.00 per line.	
Proof of Debts .....	42.75	Where the notice inserted varies significantly in length from	
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## MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2009

Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	2.60	1.20	497-512	36.25	35.25
17-32	3.50	2.20	513-528	37.25	36.00
33-48	4.55	3.25	529-544	38.50	37.25
49-64	5.75	4.40	545-560	39.50	38.50
65-80	6.70	5.55	561-576	40.50	39.50
81-96	7.80	6.45	577-592	41.75	40.00
97-112	8.90	7.60	593-608	43.00	41.50
113-128	9.95	8.75	609-624	43.75	42.75
129-144	11.10	9.85	625-640	45.00	43.25
145-160	12.20	10.90	641-656	46.00	45.00
161-176	13.30	12.00	657-672	46.75	45.50
177-192	14.50	13.10	673-688	48.75	46.75
193-208	15.60	14.40	689-704	49.50	47.75
209-224	16.50	15.20	705-720	50.25	49.00
225-240	17.60	16.30	721-736	52.00	50.00
241-257	18.90	17.20	737-752	52.50	51.00
258-272	19.90	18.30	753-768	53.50	52.00
273-288	21.00	19.70	769-784	54.50	53.50
289-304	21.90	20.60	785-800	55.50	54.50
305-320	23.20	21.80	801-816	57.00	55.00
321-336	24.20	22.80	817-832	58.00	57.00
337-352	25.40	24.10	833-848	59.00	58.00
353-368	26.25	25.20	849-864	60.00	58.50
369-384	27.50	26.25	865-880	61.50	60.00
385-400	28.75	27.25	881-896	62.00	60.50
401-416	29.75	28.25	897-912	63.50	62.00
417-432	31.00	29.50	913-928	64.00	63.50
433-448	32.00	30.75	929-944	65.00	64.00
449-464	32.75	31.50	945-960	66.00	64.50
465-480	33.25	32.50	961-976	68.50	65.50
481-496	35.25	33.25	977-992	69.50	66.00

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## Christmas/New Year Holiday Publishing Information

***Last Gazette for 2009 will be Wednesday, 23 December 2009.***

Closing date for notices for publication will be  
**4 p.m. Monday, 21 December 2009.**

***First Gazette for 2010 will be Thursday, 7 January 2010.***

Closing date for notices for publication will be  
**4 p.m. Tuesday, 5 January 2010.**

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

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

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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 Excelsior (SA) No. 1 Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 110 Coglein Street, Brompton Park, S.A. 5007 and known as Hotel Excelsior Brompton.

The applications have been set down for hearing on 13 January 2010 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 6 January 2010).

The applicant's address for service is c/o Wallmans Lawyers, G.P.O. Box 1018, Adelaide, S.A. 5001 (Attention: Ben Allen or Andrew Fisher).

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

Dated 8 December 2009.

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 Chapati Investments Pty Ltd as trustee for the John Cyril Allen Family Trust has applied to the Licensing Authority for Alterations, Redefinition, variation to an Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 40 Ellen Street, Port Pirie, S.A. 5540 and known as International Hotel Port Pirie.

The application has been set down for hearing on 12 January 2010 at 10 a.m.

*Conditions*

The following licence conditions are sought:

- Variation to an Extended Trading Authorisation for Areas 2 to 6 to include the following days and times:
  - Monday: Midnight to 2 a.m. the following day;
  - Tuesday and Wednesday: Midnight to 2 a.m. the following day;
  - Good Friday: Midnight to 2 a.m.;
  - Christmas Day: Midnight to 2 a.m.;
  - Sunday Christmas Eve: Midnight to 2 a.m. the following day.
- Variation to Entertainment Consent in Areas 2 to 5 to include the abovementioned days and times.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 5 January 2010).

The applicant's address for service is c/o Piper Alderman Lawyers, G.P.O. Box 65, Adelaide, S.A. 5001 (Attention: Geoff Forbes or Jonathan Dodd).

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 9 December 2009.

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 Senderbasket Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 6 Dunrobin Road, Hove, S.A. 5048 and to be known as Senderbasket.

The application has been set down for hearing on 18 January 2010 at 11 a.m.

*Conditions*

The following licence conditions are sought:

- Under section 40 of the Liquor Licensing Act the licence authorises the licensee to sell liquor for consumption off the licensed premises and in accordance with any other conditions of the licence.
- Liquor sales will be transacted between 9 a.m. and 5 p.m. Monday to Friday. The office and warehouse will be closed on all proclaimed South Australian Public Holidays.
- All liquor sales will be transacted through the internet, telephone and/or fax.
- The sale of liquor will be limited to a maximum of 5 litres per gift basket or hamper.
- Liquor will only be sold as part of a gift basket or hamper.
- There will be no retail consumption of liquor on the licensed premises.
- Liquor will not be delivered to minors and delivery drivers will verify proof of age from persons to whom liquor is delivered.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 11 January 2010).

The applicant's address for service is c/o Paul Hastings, 6 Dunrobin Road, Hove, S.A. 5048.

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 9 December 2009.

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 Horlin-Smith Holdings Pty Ltd has applied to the Licensing Authority for redefinition in respect of premises situated at 176 Greenhill Road, Parkside, S.A. 5063 and known as Tiffins on the Park.

The application has been set down for hearing on 19 January 2010 at 9.30 a.m.

*Conditions*

The following licence conditions are sought:

- Redefinition to include the outdoor area between the main entrance and the driveway on Greenhill Road as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 12 January 2010).

The applicant's address for service is c/o DMAW Lawyers, Level 3, 80 King William Street, Adelaide, S.A. 5000 (Attention: Craig Vozzo).

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

Dated 10 December 2009.

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 Renee Ann Hoff and Kim Michelle Brown have applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at Lot 1, Adelaide to Mannum Road, Inglewood, S.A. 5133 and to be known as Gift Heaven.

The application has been set down for hearing on 19 January 2010 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 12 January 2010).

The applicants' address for service is c/o Renee Hoff, P.O. Box 50, Inglewood, S.A. 5133.

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

Dated 11 December 2009.

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 James Phillip Lee and Jennifer Jane Lee have applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at Moorundie Street, Truro, S.A. 5356 and known as Truro Weighbridge Motel Licensed Restaurant.

The application has been set down for hearing on 19 January 2010 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 12 January 2010).

The applicants' address for service is c/o James Lee, 45-47 Moorundie Street, Truro, S.A. 5356.

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

Dated 11 December 2009.

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 Haidee Louise Bound has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 1 Heron Way, Hallett Cove, S.A. 5158 and to be known as Boatshed Cafe.

The application has been set down for hearing on 19 January 2010 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 12 January 2010).

The applicant's address for service is c/o Haidee Bound, 28B Finnis Street, Hallett Cove, S.A. 5158.

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

Dated 11 December 2009.

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 Party Hoppers Catering SA (1) Pty Ltd as trustee for Party Hoppers Catering SA (1) Unit Trust has applied to the Licensing Authority for a Special Circumstances Licence with Extended Trading authorisation and Entertainment Consent in respect of premises situated at 1 Markey Street, Eastwood, S.A. 5063 to be known as Party Hoppers.

The application has been set down for hearing on 20 January 2010 at 9.30 a.m.

*Conditions*

The following licence conditions are sought:

- The licence will authorise the sale of liquor on the Licensed Premises at any time with the consumption at a place other than the Licensed premises with the provision of entertainment consent, provided that such consumption is only by persons attending a pre-booked function and ancillary to food provided by the Licensee at the function.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 13 January 2010).

The applicant's address for service is c/o Donaldson Walsh Lawyers, G.P.O. Box 2873, Adelaide, S.A. 5001 (Attention: Jarrod Ryan).

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

Dated 11 December 2009.

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 Abraham Efron, 108 Galway Avenue, Broadview, S.A. 5083 has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Monde Sales.

The application has been set down for hearing on 19 January 2010 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 12 January 2010).

The applicant's address for service is c/o Abraham Efron, 108 Galway Avenue, Broadview, S.A. 5083.

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

Dated 11 December 2009.

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 Yorke Peninsula Food Group Pty Ltd as trustee for Yorke Peninsula Food Group Unit Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Lot 21, Corny Point Road, Warooka, S.A. 5577 and known as Inland Sea Seafood Restaurant.

The application has been set down for hearing on 20 January 2010 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 13 January 2010).

The applicant's address for service is c/o Graham Wheeler, Lot 21, Corny Point Road, Warooka, S.A. 5577.

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

Dated 11 December 2009.

Applicant

#### LICQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Zupo Pty Ltd as trustee for Zupo Unit Trust has applied to the Licensing Authority for the transfer of an Entertainment Venue licence in respect of premises situated at 162-170 Pulteney Street, Adelaide, S.A. 5000 and known as Caffe Amore.

The application has been set down for hearing on 20 January 2010 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 13 January 2010).

The applicant's address for service is c/o David Altamura, 105 Devereux Road, Beaumont, S.A. 5066.

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 December 2009.

Applicant

#### MINING ACT 1971

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

Applicant: Golden Cross Operations Pty Ltd

Location: Codna Hill area—Approximately 115 km east-south-east of Coober Pedy.

Pastoral Lease: Anna Creek

Term: 1 year

Area in km<sup>2</sup>: 747

Ref: 2009/00143

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

J. MARTIN, Acting Mining Registrar

#### MINING ACT 1971

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

Applicant: Doray Minerals Limited

Location: Lake Labyrinth area—Approximately 50 km east of Tarcoola.

Pastoral Lease: Wilgena

Term: 1 year

Area in km<sup>2</sup>: 150

Ref: 2009/00169

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

J. MARTIN, Acting Mining Registrar

#### MINING ACT 1971

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

Applicant: Marmota Energy Limited

Location: Aurora Tank area—Approximately 100 km south-west of Coober Pedy.

Pastoral Lease: Pt Woorong Downs

Term: 1 year

Area in km<sup>2</sup>: 48

Ref: 2009/00263

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

J. MARTIN, Acting Mining Registrar

#### NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2001

##### *Closure of Flinders Ranges National Park including (Wilpena Pound)*

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, close to the public, the whole of Flinders Ranges National Park from 6 a.m. on Monday, 1 February 2010 until 6 p.m. on Friday, 5 February 2010, with the following exceptions:

Hawker to Blinman Road;

Hawker to Arkaroola (Wirrealpa) Road;

Sacred Canyon Road;

Brachina Gorge Road (open for through traffic only—no stopping);

Dingley Dell Campground;

Wilpena Pound Resort and Campground; and

Wilpena Pound will be closed from 6 a.m. to 6 p.m. on Friday, 5 February 2010 only.

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

##### *Use of Firearms within the Reserve*

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, grant permission to members of the Sporting Shooters Association of Australia Hunting & Conservation Branch (SA) Inc. in possession of both a current Hunting Permit and a firearm to enter and remain in Flinders Ranges National Park from 6 a.m. on Monday, 1 February 2010 until 6 p.m. on Friday, 5 February 2010 for the purpose of taking feral animals..

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

Dated 10 December 2009.

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

## NATIVE VEGETATION REGULATIONS 2003

*Clearance Approval for Public Safety within the Ambit of Regulation 5 (1) (lb)*

PURSUANT to the Regulation 5 (1) (lb) of the Native Vegetation Regulations 2003, I, Jay Weatherill, Minister for Environment and Conservation, hereby authorise those persons filling the positions of Presiding Member, Native Vegetation Council, the Executive Officer, Native Vegetation Council, or in the absence of those persons, the Manager, Native Vegetation Management and Biodiversity Unit, Department of Water Land and Biodiversity Conservation or their successors to approve the clearance of native vegetation necessary to protect public safety.

This notice will commence on the date below and remain in effect until varied or revoked.

Dated 8 December 2009.

JAY WEATHERILL, Minister for Environment and Conservation

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Statement of Environmental Objectives for Existing Regulated Activities*

PURSUANT to section 104 (1) of the Petroleum and Geothermal Energy Act 2000 (the Act) I, Barry Alan Goldstein, Director Petroleum and Geothermal, Minerals and Energy Resources Division, Department of Primary Industries and Resources SA, Delegate of the Minister for Mineral Resources Development, pursuant to Delegation dated 1 October 2009, *Gazetted* 1 October 2009, do hereby publish the following document as having been approved as a statement of environmental objectives under the Act:

*Document:*

1. SEAGas Pty Ltd, Statement of Environmental Objectives, Pipeline Licence No. 13, December 2009

This document is available for public inspection on the Environmental Register section of the Petroleum and Geothermal Group's website ([www.pir.sa.gov.au/petrol/envreg](http://www.pir.sa.gov.au/petrol/envreg)) or at the Public Office determined pursuant to section 107 (1) of the Act to be at:

Office of Minerals and Energy Resources  
Customer Services  
Level 7, 101 Grenfell Street  
Adelaide, S.A. 5000

Dated 17 December 2009.

B GOLDSTEIN,  
Director Petroleum and Geothermal  
Delegate of the Minister for Mineral  
Resources Development

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Statement of Environmental Objectives for Existing Regulated Activities*

PURSUANT to section 104 (1) of the Petroleum and Geothermal Energy Act 2000 (the Act) I, Barry Alan Goldstein, Director Petroleum and Geothermal, Minerals and Energy Resources Division, Department of Primary Industries and Resources SA, Delegate of the Minister for Mineral Resources Development, pursuant to Delegation dated 1 October 2009, *Gazetted* 1 October 2009, do hereby publish the following document as having been approved as a statement of environmental objectives under the Act:

*Document:*

1. Epic Energy, Statement of Environmental Objectives, Pipeline Licence No. 1, December 2009

This document is available for public inspection on the Environmental Register section of the Petroleum and Geothermal Group's website ([www.pir.sa.gov.au/petrol/envreg](http://www.pir.sa.gov.au/petrol/envreg)) or at the Public Office determined pursuant to section 107 (1) of the Act to be at:

Office of Minerals and Energy Resources  
Customer Services  
Level 7, 101 Grenfell Street  
Adelaide, S.A. 5000

Dated 17 December 2009.

B GOLDSTEIN,  
Director Petroleum and Geothermal  
Delegate of the Minister for Mineral  
Resources Development

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Statement of Environmental Objectives for Existing Regulated Activities*

PURSUANT to section 104 (1) of the Petroleum and Geothermal Energy Act 2000 (the Act) I, Barry Alan Goldstein, Director Petroleum and Geothermal, Minerals and Energy Resources Division, Department of Primary Industries and Resources SA, Delegate of the Minister for Mineral Resources Development, pursuant to Delegation dated 1 October 2009, *Gazetted* 1 October 2009, do hereby publish the following document as having been approved as a statement of environmental objectives under the Act:

*Document:*

1. Santos Ltd, Statement of Environmental Objectives, Pipeline Licence No. 2, Moomba to Port Bonython Liquids Line, December 2009.

This document is available for public inspection on the Environmental Register section of the Petroleum and Geothermal Group's website ([www.pir.sa.gov.au/petrol/envreg](http://www.pir.sa.gov.au/petrol/envreg)) or at the Public Office determined pursuant to section 107 (1) of the Act to be at:

Office of Minerals and Energy Resources  
Customer Services  
Level 7, 101 Grenfell Street  
Adelaide, S.A. 5000

Dated 17 December 2009.

B GOLDSTEIN,  
Director Petroleum and Geothermal  
Delegate of the Minister for Mineral  
Resources Development

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Statement of Environmental Objectives for Existing Regulated Activities*

PURSUANT to section 104 (1) of the Petroleum and Geothermal Energy Act 2000 (the Act) I, Barry Alan Goldstein, Director Petroleum and Geothermal, Minerals and Energy Resources Division, Department of Primary Industries and Resources SA, Delegate of the Minister for Mineral Resources Development, pursuant to Delegation dated 1 October 2009, *Gazetted* 1 October 2009, do hereby publish the following document as having been approved as a statement of environmental objectives under the Act:

*Document:*

1. Heathgate Resources Pty Ltd, Statement of Environmental Objectives, Pipeline Licence No. 12, December 2009

This document is available for public inspection on the Environmental Register section of the Petroleum and Geothermal Group's website ([www.pir.sa.gov.au/petrol/envreg](http://www.pir.sa.gov.au/petrol/envreg)) or at the Public Office determined pursuant to section 107 (1) of the Act to be at:

Office of Minerals and Energy Resources  
Customer Services  
Level 7, 101 Grenfell Street  
Adelaide, S.A. 5000

Dated 17 December 2009.

B GOLDSTEIN,  
Director Petroleum and Geothermal  
Delegate of the Minister for Mineral  
Resources Development





## REAL PROPERTY ACT NOTICE

WHEREAS the persons named at the foot hereof have each respectively for himself made application to have the land set forth and described before his name at the foot hereof brought under the operation of the Real Property Act: Notice is hereby given that unless caveat be lodged with the Registrar-General by some person having estate or interest in the said lands on or before the expiration of the period herein below for each case specified, the said several pieces of land will be brought under the operation of the said Act as by law directed. Diagrams delineating these parcels of land may be inspected at the Lands Titles Registration Office, Adelaide, and in the offices of the several corporations or district councils in which the lands are situated.

## THE SCHEDULE

No. of Application	Description of Property	Name	Residence	Date up to and inclusive of which caveat may be lodged
31152	Portion of Section No. 3042, Hundred of Yatala more particularly delineated as Allotment 5 in Filed Plan 219097	City of Salisbury	12 James Street, Salisbury, S.A. 5108	18 January 2010
Dated 17 December 2009, at the Lands Titles Registration Office, Adelaide.			I. GANT, Deputy Registrar-General	

## ROAD TRAFFIC ACT 1961

*Authorised Officers to Conduct Oral Fluid Screening*

I, MALCOLM ARTHUR HYDE, Commissioner of Police, pursuant to section 47EAA (7) of the Road Traffic Act 1961, do hereby certify that on 4 December 2009, the following Police Officers were authorised to conduct oral fluid screening:

PD Number	Officer Name
73800	Davies, Stuart Harold
7760	Dicker, Bryan Dean
72003	Ellis, Michael Thomas
72602	Gardner, Andrew Solomon
57417	Glanville, Michael Raymond
26828	Pearson, David John

Dated 4 December 2009.

MALCOLM ARTHUR HYDE, Commissioner of Police

## ROAD TRAFFIC ACT 1961

*Authorised Officers to Conduct Oral Fluid Screening*

I, MALCOLM ARTHUR HYDE, Commissioner of Police, pursuant to section 47EAA (7) of the Road Traffic Act 1961, do hereby certify that on 4 December 2009, the following Police Officers were authorised to conduct oral fluid screening:

PD Number	Officer Name
47090	Doherty, Justin Marc
93815	Hayter, Allen James
79240	O'Connell, Jacquelynn
72571	Roden, Jason Paul
21126	Weeks, David Alan
79568	Winsor, John Michael

Dated 4 December 2009.

MALCOLM ARTHUR HYDE, Commissioner of Police

## RULES OF COURT

### Supreme Court Civil Rules 2006 (Amendment No. 10)

BY virtue and in pursuance of section 72 of the Supreme Court Act 1935 and all other enabling powers, We, Judges of the Supreme Court of South Australia, make the following Supreme Court Civil Rules 2006 (Amendment No. 10).

1. These Rules may be cited as the 'Supreme Court Civil Rules 2006 (Amendment No. 10)'.

2. The Supreme Court Civil Rules 2006 are amended as set out below.

3. This amendment will commence upon 1 January 2010, or upon its *gazettal*, whichever is the later.

4. Rule 162 is amended by deleting subrules (3), (4), (7) and (8) and inserting in their place the following new subrules:

'(3) An affidavit must be made before an authorised person (**the authorised person**) to whom the maker of the affidavit (**the witness**) swears or affirms his or her honest belief in the truth of the contents of the affidavit.

(4) The contents of an affidavit cannot be altered after it has been sworn or affirmed (but this subrule does not prevent the making of a later affidavit drawing attention to the error in the earlier affidavit).

(7) If the witness is illiterate or blind the authorised person must state in the attestation clause that:

(a) he or she read the affidavit to the witness or that the affidavit was read in his or her presence to the witness; and

(b) the witness appeared to understand and approve the contents of the affidavit.

(8) Subject to the operation of section 14 (2) of the *Evidence Act 1929* (SA), if the witness does not appear to understand English sufficiently, the authorised person must state in the attestation clause that an interpreter swore or affirmed before the authorised person that:

(a) the interpreter had, in the presence of the authorised person, interpreted the contents of the affidavit to the witness;

(b) the witness appeared to understand and approve the contents of the affidavit;

(c) the interpreter had interpreted the oath to the witness;

(d) the witness swore or affirmed that the contents of the affidavit were true;

and must state in the attestation clause the name and address of the interpreter.'

5. Rule 187 is amended by deleting the present subrule (7) and inserting in its place a new subrule (7) as follows:

(7) 'A formal offer of settlement may be withdrawn at any time before it has been accepted by the filing and service on each party to the proceeding of a notice of withdrawal and in such cases, subject to any Court order to the contrary, the offer will be treated as if it had never been made.'

6. The whole of Chapter 13 is deleted and a new Chapter 13 is inserted as follows:

#### **'Chapter 13—Appellate proceedings**

##### **Part 1—General**

#### **280—Forum for hearing appellate proceedings**

(1) Subject to any statute or rule to the contrary:

(a) an appellate proceeding arising from a judgment of a Judge or Master of the Court is to be heard and determined by the Full Court; and

**Exception—**

An appellate proceeding arising from an interlocutory judgment of a Master is (subject to subrule (2)) to be heard and determined by the Court constituted of a single Judge.

- (b) an appellate proceeding arising from a judgment of a court or tribunal constituted of a judicial officer who has, by statute, the status of judge is to be heard and determined by the Full Court; and

**Exception—**

An appellate proceeding arising from an interlocutory judgment of a District Court Judge is (subject to subrule (2)) to be heard and determined by the Court constituted of a single Judge.

**Note—**

Note that, under sections 43 (2) (a) and 44 (1) of the *District Court Act 1991*, appellate proceedings arising from a judgment, order or decision of a Master of the District Court are to be heard and determined by the District Court itself constituted of a single Judge.

- (c) any other appellate proceeding is, subject to an order under subrule (2), to be heard and determined by the Court constituted of a single Judge.
- (2) The Court (constituted of a Judge) may, on application by a party or on its own initiative, refer an appellate proceeding for hearing and determination by the Full Court if the difficulty or importance of the questions raised justify the reference.

**Part 2—Appeals****281—Time for appeal**

- (1) Subject to any statute or rule to the contrary, an appeal must be commenced within 21 days after the date of the judgment, order or decision subject to the appeal.

**Note—**

See in particular, Rules 289, 291 and 292 to the contrary.

- (2) If, however, an appeal requires permission and an application or summons for permission to appeal is filed before the appeal is commenced, the appeal must be commenced within 7 days after the appellant obtains permission to appeal.

**282—How to commence appeal**

- (1) An appeal is commenced by filing a notice of appeal.
- (2) A notice of appeal:
- (a) must be in an approved form;
  - (b) must identify the judgment, order or decision subject to the appeal;
  - (c) must state in detail the grounds of the appeal;
  - (d) must state the orders sought by the appellant on the appeal; and
  - (e) if the appeal is of a kind for which permission to appeal is necessary:
    - (i) must include a request for the necessary permission; or
    - (ii) if permission has been obtained already, must state when, and from which court, permission to appeal was obtained; and
  - (f) if an extension of time for commencing the appeal is necessary—must include an application for the necessary extension of time.
- (3) Unless the Court otherwise directs, an appellant may not rely on grounds which are not stated in the notice of appeal.

**283—Parties to appeal**

- (1) A party to the proceedings in which the judgment under appeal was given is a party to the appeal unless the party has no interest in the subject matter of the appeal.

- (2) The Court may order the addition or removal of a person as a party to an appeal.
- (3) A person cannot be added as an appellant without the person's consent.

**284—Notification to be given of appeal**

- (1) The appellant must, within two days after filing a notice of appeal, serve a copy of the notice of appeal on:
  - (a) all parties to the appeal; and
  - (b) if the appeal is from another court or tribunal—the proper officer of the court or tribunal.
- (2) On receipt of a notice of appeal under this rule, the proper officer of a court or tribunal must, subject to any direction by the Court, transmit to the Registrar:
  - (a) all documents lodged with the court or tribunal in the relevant proceedings;
  - (b) a copy of any transcript of evidence or proceedings;
  - (c) any other evidentiary material relating to the proceedings in the custody of the court or tribunal; and
  - (d) a copy of the judgment, order or decision subject to the appeal and of any reasons given for it.
- (3) The proper officer of the court or tribunal should comply with any reasonable request from the Registrar for transmission of the materials referred to in subrule (3) in electronic form.

**285—Notices of cross-appeal and contention**

- (1) If a respondent to an appeal also wishes to appeal against the judgment subject to the appeal, the respondent may, within 14 days after service of the notice of appeal, file a notice of cross-appeal.
- (2) If the Court's permission for the cross-appeal is necessary, the notice of cross-appeal must include a request for the Court's permission.
- (3) A notice of cross-appeal must conform with the requirements for a notice of appeal (so far as applicable).
- (4) If a respondent wishes to contend that a decision subject to appeal should be upheld for reasons which differ from those given by the court or tribunal from whose decision the appeal is brought, the respondent must, within 14 days after service of the notice of appeal, file notice of the respondent's contention stating in detail the grounds on which the respondent asserts the decision should be upheld.

**286—Hearing of appeal**

- (1) An appeal is to be by way of rehearing (unless the law under which the appeal is brought provides to the contrary).
- (2) Subject to any limitation on its powers arising apart from these rules, the Court may determine an appeal as the justice of the case requires despite the failure of parties to the appeal to raise relevant grounds of appeal, or to state grounds of appeal appropriately, in the notice of appeal.
- (3) Subject to any limitation on its powers arising apart from these rules, the Court may:
  - (a) draw inferences of fact from evidence taken at the original hearing and, in its discretion, hear further evidence on a question of fact;
  - (b) amend or set aside the judgment subject to the appeal and give any judgment that the justice of the case requires;
  - (c) remit the case or part of the case for rehearing or reconsideration;
  - (d) make orders for the costs of the appeal.

**287—Discontinuance of appeal**

- (1) An appellant may discontinue an appeal by filing a notice of discontinuance in the Court.
- (2) If there are two or more appellants and not all discontinue the appeal, the discontinuance does not prevent the remaining appellant or appellants from continuing the appeal.
- (3) The appellant must, as soon as practicable after filing a notice of discontinuance, give a copy of the notice to:
  - (a) all other parties to the appeal; and
  - (b) if the appeal is from another court or tribunal—the proper officer of the court or tribunal.
- (4) An appellant discontinuing an appeal is liable to the other parties to the appeal for the costs arising from the appeal.
- (5) The discontinuance of an appeal does not affect a cross-appeal in the same proceedings.

**Part 3—Applications for permission to appeal****288—Appeals requiring permission**

- (1) Subject to any statutory provision to the contrary, an appeal to the Court lies by permission of the Court if—
  - (a) the judgment subject to the appeal is:
    - (i) an interlocutory judgment of the Court given by a Judge;
    - (ii) a judgment given on appeal from an interlocutory judgment;
    - (iii) a judgment given by a single Judge on appeal from a Magistrate sitting in the Youth Court, or
  - (b) the appeal is limited to a question about costs.
- (2) If the appellant commences an appeal before obtaining permission to appeal, the appeal is conditional on permission to appeal being granted and, if permission is refused, the appeal lapses.

**289—Appeals to the Full Court—Manner of seeking permission to appeal**

- (1) When permission to appeal is required and the appeal will, if permission is granted, be heard by the Full Court, the appellant may seek permission to appeal:
  - (a) by commencing the appeal in the ordinary way and including in the notice of appeal a request for the necessary permission;
  - (b) if a statute authorises a single Judge to grant permission to appeal to the Full Court, by filing, within 14 days after the date of the judgment against which the appellant seeks to appeal, a summons for permission to appeal;or
  - (c) if the appeal is against a judgment of a single Judge or Master of the Court, by making, within 14 days of the judgment, application to that Judge or Master for permission to appeal.
- (2) If an application under subrule (1) (c) is refused, the appellant may renew the application to the Full Court by commencing, within 14 days of the refusal, an appeal in the ordinary way under Rule 290 and by including in the notice of appeal a request for the necessary permission.

**290—Appeals to the Full Court—Request for permission contained in the notice of appeal**

- (1) When the application for permission to appeal to the Full Court is made in the notice of appeal the appellant:
  - (a) must file with the notice of appeal any affidavit to be relied upon in support of the application and must exhibit to one such affidavit any relevant orders and reasons of a lower court or tribunal (but not of the Supreme Court);
  - (b) must, within 14 days of the filing of the notice of appeal:
    - (i) file one copy and lodge three additional copies of the appellant's summary of argument in the Court and must serve copies of the summary on the other parties to the application; and
    - (ii) lodge in the Court three copies of an application book prepared in accordance with the Practice Directions.
- (2) The summary of argument is to contain the heading 'Appellant's Summary of Argument on Application to the Full Court for Permission to Appeal' and is to be a concise statement of the factual and legal basis upon which the appellant seeks permission to appeal, including, when relevant:
  - (a) references to specific passages of the transcript of evidence (stating the name of the witness and page reference); and
  - (b) references to authorities and legislative provisions on which the applicant relies.
- (3) The other parties are not to file any summary of argument unless and until a direction to that effect is given by the Court.
- (4) When the application relates to a judgment of a lower court or tribunal, the Court may obtain the file of that court or tribunal and have regard to its contents.
- (5) The application for permission in the notice of appeal will be referred to the Full Court without the applicant requesting it or setting it down for hearing.
- (6) The Full Court will ordinarily consider the application for permission without hearing from the respondent and may, at its discretion:
  - (a) grant or refuse permission to appeal;
  - (b) determine the application without hearing oral argument from the appellant;
  - (c) direct that the application be listed for oral argument;
  - (d) direct that the application and the appeal be heard concurrently; or
  - (e) make any other order which may be appropriate in the circumstances.
- (7) As soon as practicable after any direction or order has been made by the Full Court the Court will give written notification to the parties of the direction or order.

**291—Appeals to the Full Court—Request for Permission by Separate Summons or Application**

- (1) When a summons seeking permission to appeal to the Full Court is filed under Rule 289 (1) (b):
  - (a) the appellant must file with the summons an affidavit setting out the grounds of the application and must exhibit to an affidavit any relevant orders and reasons of a lower court or tribunal;
  - (b) the appellant must serve the summons and each supporting affidavit on all parties to the proposed appeal;

- (c) the appellant must, within seven days after filing the summons, file and serve a summary of argument with the same content as is required by Rule 290 (2), save only that the summary is to contain the heading 'Appellant's Summary of Argument on Application to a Single Judge for Permission to Appeal to the Full Court';
  - (d) the Court may obtain the file of a lower court or tribunal and have regard to its contents.
- (2) An application under Rule 289 (1) (c) to a Judge or Master for permission to appeal to the Full Court against a judgment of that Judge or Master may be made:
- (a) subject to any contrary order of the Judge or Master, by oral application at the time of any attendance before the Judge or Master in relation to the action; or
  - (b) by interlocutory application supported by an affidavit setting out the grounds of the application.
- (3) The other parties are not to file any affidavit or summary of argument unless and until a direction to that effect is given by the Court.
- (4) When a summons is filed or an application is made under subrules (1) or (2), the Court may:
- (a) determine the summons or application without hearing oral argument from any party;
  - (b) direct some or all of the other parties to file and serve a summary of argument;
  - (c) direct that the summons or application be listed for oral argument;
  - (d) grant or refuse permission to appeal;
  - (e) make any other order which may be appropriate in the circumstances.

#### **292—Appeals to Single Judges—Applications for Permission to appeal**

- (1) Except in the case of appeals to which subrule (2) applies, when permission to appeal is required and the appeal will, if permission is granted, be heard by a single Judge, the appellant may seek permission to appeal:
- (a) by commencing the appeal in the ordinary way and including in the notice of appeal a request for the necessary permission; or
  - (b) by filing, within 14 days of the judgment against which the appellant wishes to appeal, a separate application to a single Judge of the Court for permission to appeal.

#### **Note—**

if the application is made in relation to a judgment in current proceedings in the Court, the application is to be made by interlocutory application under Rule 131. In all other cases, the application is to be made by summons.

- (2) The appellant must, within two days after filing the application or summons seeking permission to appeal, serve a copy of the application or summons upon all parties to the appeal.
- (3) In the case of an appeal against a judgment of a Master, the appellant may, within 14 days of the judgment against which the appellant wishes to appeal, make a separate application to the Master for permission to appeal.
- (4) If the appellant makes a separate application for permission to appeal before filing a notice of appeal, the appellant must file with the application an affidavit setting out the grounds of the application and, in the case of an application for permission to appeal against a judgment of a lower court or tribunal (but not of a Master of the Court) should exhibit to the affidavit any relevant orders or reasons of that lower court or tribunal.
- (5) The other parties are not to file any affidavit or summary of argument unless and until a direction to that effect is given by the Court.



- (6) In relation to an application made under subrule (1) (b), the Court may, at its discretion:
  - (a) determine the summons or application without hearing oral argument from any party;
  - (b) direct some or all of the parties to file and serve a summary of argument;
  - (c) direct that the summons or application be listed for oral argument;
  - (d) grant or refuse permission to appeal;
  - (e) direct that the application and the appeal be heard concurrently; or
  - (f) make any other order which may be appropriate in the circumstances.

#### **Part 4—Reservation or reference of questions of law**

##### **293—Reservation or reference of questions of law**

- (1) If the Court (constituted of a single Judge or Master) reserves or refers a question of law for determination by the Full Court, the Court must, when reserving or referring the question, designate a party to the action to be the responsible party who is to have the carriage of the proceedings.
- (2) If some other court or a tribunal reserves or refers a question of law for determination by the Court under any other law, the court or tribunal must (subject to contrary direction by the Full Court) designate a party to the action to be the *responsible party* who is to have the carriage of the proceedings.
- (3) The responsible party must, as soon as practicable after a question of law is reserved or referred for determination, submit a concise statement stating the question for determination and the facts out of which it arises.
- (4) The statement must be approved by the judicial officer who made the decision to refer the question for determination by the Court.
- (5) Unless the Court otherwise directs, the proper officer of a court or tribunal by which a question of law is reserved or referred for determination by the Court must forward to the Registrar of the Court:
  - (a) those of the documents filed in the court or tribunal in relation to the case; and
  - (b) that part of the transcript of any evidence taken in the court or tribunal;identified by the judicial officer approving the statement of the question to be referred as necessary to be considered by the Full Court in relation to the question referred or reserved.
- (6) The proper officer of the court or tribunal should comply with any reasonable request from the Registrar for transmission of the materials referred to in subrule (5) in electronic form.

#### **Part 5—Miscellaneous**

##### **294—Amendment of appeal notice**

- (1) In this rule, an *appeal notice* means:
  - (a) an application or summons for permission to appeal;
  - (b) a notice of appeal;
  - (c) a notice of cross-appeal; or
  - (d) a notice of contention.
- (2) An appeal notice may be amended by filing an amended appeal notice.
- (3) After the appeal has been set down for hearing an appeal notice may be amended only by permission of the Court.
- (4) A party who amends an appeal notice must serve copies of the amended notice on all other parties.

**295—Powers of Court incidental to appeal or proceeding for permission to appeal**

- (1) The Court may exercise any of the following powers in relation to an appeal or an application for permission to appeal:
  - (a) the Court may extend the time for commencing the appeal or making the application or taking any step in the appeal;
  - (b) the Court may permit a party to amend an application for permission to appeal, a notice of appeal or cross-appeal, a notice of contention or other document filed in the Court in relation to the appeal;
  - (c) the Court may make, vary or reverse interlocutory orders in relation to the appeal or application for permission to appeal, or vary or reverse interlocutory orders of the court or tribunal from which the appeal arises;
  - (d) the Court may direct that notice of the appeal or application be given to a nominated person;
  - (e) if an appeal arises from the judgment of another court or a tribunal, the Court may request the court or tribunal, or a judge, magistrate or other officer of the court or tribunal, to provide a report on questions relevant to the appeal or application;
  - (f) the Court may direct a party to prepare and file in the Court a written statement of its case prepared in accordance with the Court's directions and to give copies of the statement of case to the other parties to the appeal or application;
  - (g) the Court may, in special circumstances, order that security be given for the costs of an appeal;
  - (h) the Court may summarily dismiss the appeal if it is obvious that it cannot succeed.
- (2) A copy of a report requested under subrule (1) (e) must be made available to the parties to the appeal.
- (3) The powers conferred by this rule and any other power which is incidental to the conduct or determination of an appellate proceeding or of an application for permission to appeal, including applications for stays of execution under Rule 300 or section 17 of the *Enforcement of Judgments Act 1991*, may be exercised:
  - (a) in relation to appeals to be heard by the Full Court, on the hearing of the appeal or application by the Full Court or in interlocutory proceedings before a single Judge;
  - (b) in relation to all other appeals, on the hearing of the appeal or application or in interlocutory proceedings before a single Judge or Master.
- (4) The Court may, in interlocutory proceedings for the exercise of a power conferred by this rule, reserve a question raised in the proceedings for determination at the hearing of the appeal.
- (5) In this rule, an **application for permission to appeal** includes a summons for permission to appeal.

**296—Setting down appellate proceedings for hearing**

- (1) If the party having the carriage of an appellate proceeding fails to set the proceeding down for hearing within the time fixed by practice direction, another party may apply to the Court for permission to set the proceeding down for hearing or for an order dismissing the proceeding.
- (2) Unless an appellate proceeding is set down for hearing within 6 months after the proceeding is commenced or a longer time allowed by the Court, the proceeding is taken to have been discontinued and lapses.
- (3) If a proceeding lapses under subrule (2), all parties are to bear their own costs.

**297—Summary of argument for hearing of the appeal**

- (1) Each party to an appellate proceeding must deliver to the Court a summary of the party's argument in the Court.
- (2) The summary of argument must be delivered to the Court within the relevant time limit prescribed by practice direction.
- (3) Subject to any direction given by a Judge or Master, a summary of argument must conform with each of the following requirements:
  - (a) it must contain a concise statement of any facts on which the party relies;
  - (b) if an error is alleged in the reasoning of the judicial officer at first instance, it must identify any relevant passage in the reasons for judgment;
  - (c) if an error of fact is alleged, it must identify relevant passages in the transcript of evidence;
  - (d) if an error of law is alleged, or the appellate proceeding is in the nature of the reservation or reference of a question of law, it must refer to relevant decided cases and to relevant legislation;
  - (e) it must identify those of the grounds of appeal which are to be pursued, and those which are not;
  - (f) it must comply with any requirements imposed:
    - (i) by practice direction; or
    - (ii) by direction of a Judge or Master.

**298—Case book**

- (1) The party responsible for the carriage of appellate proceedings in the Full Court must:
  - (a) prepare a case book; and
  - (b) lodge the case book at the Registry within the time limit prescribed by the relevant practice direction.
- (2) The case book is to be prepared in accordance with the relevant practice direction.
- (3) The responsible party must lodge sufficient copies of the case book (as determined by the Registrar) for the use of the Court.
- (4) The Court or the Registrar may give directions about the contents of the case book.
- (5) The party who prepared the case book must, on receiving the appropriate fee for a copy of the case book, provide another party to the proceedings with a copy of the case book.

**299—Notification of decision**

- (1) When the Court decides appellate proceedings from another court or tribunal, the Registrar must:
  - (a) give the proper officer of the court or tribunal written notice of the Court's decision together with any written reasons given by the Court; and
  - (b) return any documents or materials forwarded to the Court by the proper officer of the court or tribunal (other than documents and materials forwarded in electronic form) in connection with the proceedings.
- (2) If the Court refuses to give its permission for appellate proceedings from another court or tribunal or, for some other reason, such appellate proceedings are not completed in the Court, the Registrar must:
  - (a) give the proper officer of the court or tribunal written notice of that fact; and

- (b) return any documents or materials forwarded to the Court by the proper officer of the court or tribunal (other than documents and materials forwarded in electronic form) in connection with the proceedings.

**300—Stay of execution**

- (1) An appeal or an application or summons for permission to appeal does not operate to stay execution of or proceedings on the judgment subject to the appeal or application nor does it invalidate proceedings which have already been taken on the judgment.
- (2) The Court may, however, order a stay of execution of, or proceedings on, a judgment for any proper reason.

**Examples—**

- 1 If the judgment is subject to appeal to the Court or the High Court, the existence of the appeal may constitute a proper reason for granting a stay.
- 2 If the Court is satisfied that an appeal or an application for permission to appeal to the Court or the High Court is intended, the Court may be satisfied that the proposed appellate proceeding is a proper reason for granting a stay.'

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 30th day of December 2009.

(L.S.)

J. J. DOYLE, CJ  
K. P. DUGGAN, J  
M. J. NYLAND, J  
D. J. BLEBY, J  
T. A. GRAY, J  
J. R. SULAN, J  
A. M. VANSTONE, J  
T. R. ANDERSON, J  
R. C. WHITE, J  
R. A. LAYTON, J  
M. DAVID, J  
C. KOURAKIS, J

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## TRAINING AND SKILLS DEVELOPMENT ACT 2008

### Part 4 – Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the gazette notices of:

- |                      |                     |                       |                       |
|----------------------|---------------------|-----------------------|-----------------------|
| 1. 25 September 2008 | 2. 23 October 2008  | 3. 13 November 2008   | 4. 4 December 2008    |
| 5. 18 December 2008  | 6. 29 January 2009  | 7. 12 February 2009   | 8. 5 March 2009       |
| 9. 12 March 2009     | 10. 26 March 2009   | 11. 30 April 2009     | 12. 18 June 2009      |
| 13. 25 June 2009     | 14. 27 August 2009  | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009   | 18. 22 October 2009 | 19. 3 December 2009   |                       |

### Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the

#### Community Services Training Package (CHC08)

*Trade/#Declared Vocation	Code	Title	Duration (months)	Probation Period (months)
Personal Services Worker (Aged Care)	CHC30208	Certificate III in Aged Care	12/15 part-time	1
Personal Services Worker (Aged Care)	CHC30308	Certificate III in Home and Community Care	12	1
Personal Services Worker (Disability)				
Child Care Aide	CHC30708	Certificate III in Children's Services	12	1
Personal Services Worker (Disability)	CHC30408	Certificate III in Disability	12	1
	CHC30908	Certificate III in Employment Services	12	1
Children's Services Worker	CHC50908	Diploma of Children's Services (Early childhood education and care)	36	3
	CHC51008	Diploma of Children's Services (Outside school hours care)	36	3

South Australia

## **Mutual Recognition Notice 2009**

under section 47 of the *Mutual Recognition Act 1992* of the Commonwealth as adopted by section 4 of the *Mutual Recognition (South Australia) Act 1993*

### **1—Short title**

This notice may be cited as the *Mutual Recognition Notice 2009*.

### **2—Commencement**

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

### **3—Request for regulations to be made**

For the purposes of section 47 of the *Mutual Recognition Act 1992* of the Commonwealth, it is requested that the proposed regulations set out in Schedule 1 be made.

## Schedule 1—Proposed regulations



### **Mutual Recognition Act 1992 Amendment Regulations 2009 (No. )'**

#### **Select Legislative Instrument 2009 No.**

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I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Mutual Recognition Act 1992*.

Dated 2009

Governor-General

By Her Excellency's Command

**KIM CARR**  
Minister for Innovation, Industry, Science and Research

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**Regulation 1**

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**1 Name of Regulations**

These Regulations are the *Mutual Recognition Act 1992 Amendment Regulations 2009 (No. )*.

**2 Commencement**

These Regulations commence on the day after they are registered.

**3 Amendment of *Mutual Recognition Act 1992***

Schedule 1 amends the *Mutual Recognition Act 1992*.

**Schedule 1 Amendment**

(regulation 3)

**[1] Schedule 2, after item 32**

*insert*

33. *Summary Offences Act 1953* of South Australia, section 9B

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.

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2	<i>Mutual Recognition Act 1992 Amendment Regulations 2009 (No. )</i>	2009,
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**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009



South Australia

## **Penola Pulp Mill Authorisation (Prescribed Period) Notice 2009**

under section 12 of the *Penola Pulp Mill Authorisation Act 2007*

### **1—Short title**

This notice may be cited as the *Penola Pulp Mill Authorisation (Prescribed Period) Notice 2009*.

### **2—Commencement**

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

### **3—Prescribed period**

For the purposes of the definition of *prescribed period* in section 12(4) of the *Penola Pulp Mill Authorisation Act 2007*, the period of 6 years is prescribed.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

MFOR09/004CS

South Australia

## **Trans-Tasman Mutual Recognition Notice 2009**

under section 43 of the *Trans-Tasman Mutual Recognition Act 1997* of the Commonwealth as adopted by section 4 of the *Trans-Tasman Mutual Recognition (South Australia) Act 1999*

### **1—Short title**

This notice may be cited as the *Trans-Tasman Mutual Recognition Notice 2009*.

### **2—Commencement**

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

### **3—Endorsement of regulations**

The proposed regulations set out in Schedule 1 are endorsed for the purposes of section 45 of the *Trans-Tasman Mutual Recognition Act 1997* of the Commonwealth.

## Schedule 1—Proposed regulations



### **Trans-Tasman Mutual Recognition Act 1997 Amendment Regulations 2009 (No. )<sup>1</sup>**

**Select Legislative Instrument 2009 No.**

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I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Trans-Tasman Mutual Recognition Act 1997*.

Dated 2009

Governor-General

By Her Excellency's Command

KIM CARR  
Minister for Innovation, Industry, Science and Research

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**Regulation 1**

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**1 Name of Regulations**

These Regulations are the *Trans-Tasman Mutual Recognition Act 1997 Amendment Regulations 2009 (No. )*.

**2 Commencement**

These Regulations commence on the day after they are registered.

**3 Amendment of *Trans-Tasman Mutual Recognition Act 1997***

Schedule 1 amends the *Trans-Tasman Mutual Recognition Act 1997*.

**Schedule 1 Amendment**

(regulation 3)

**[1] Schedule 2, clause 8, after subheading "Other"**

*substitute*

*Environment Protection Act 1993, Part 8, Division 2 (dealing with beverage containers)*

*Summary Offences Act 1953, Section 9B*

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.

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2 *Trans-Tasman Mutual Recognition Act 1997 Amendment Regulations 2009 (No. )* 2009,

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

South Australia

# **Children's Protection (Implementation of Report Recommendations) Amendment Act (Commencement) Proclamation 2009**

## **1—Short title**

This proclamation may be cited as the *Children's Protection (Implementation of Report Recommendations) Amendment Act (Commencement) Proclamation 2009*.

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

- (1) The *Children's Protection (Implementation of Report Recommendations) Amendment Act 2009* (No 65 of 2009) will come into operation on 31 December 2009.
- (2) The operation of the following provisions of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations:
  - (a) section 4;
  - (b) section 5(1) and (2);
  - (c) section 7;
  - (d) section 8;
  - (e) section 9;
  - (f) section 20.

## **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

DFCC/09/038

South Australia

## **Electoral (Miscellaneous) Amendment Act (Commencement) Proclamation 2009**

### **1—Short title**

This proclamation may be cited as the *Electoral (Miscellaneous) Amendment Act (Commencement) Proclamation 2009*.

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

- (1) The *Electoral (Miscellaneous) Amendment Act 2009* (No 48 of 2009) will come into operation on 6 January 2010.
- (2) The operation of sections 9 to 15 (inclusive) of the *Electoral (Miscellaneous) Amendment Act 2009* is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

AGO0170/04CS

South Australia

## **Magistrates Court (Special Justices) Amendment Act (Commencement) Proclamation 2009**

### **1—Short title**

This proclamation may be cited as the *Magistrates Court (Special Justices) Amendment Act (Commencement) Proclamation 2009*.

### **2—Commencement of Act**

The *Magistrates Court (Special Justices) Amendment Act 2009* (No 69 of 2009) will come into operation on 17 December 2009.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

AGO0127/09CS

South Australia

## **Statutes Amendment (National Industrial Relations System) Act (Commencement) Proclamation 2009**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (National Industrial Relations System) Act (Commencement) Proclamation 2009*.

### **2—Commencement of Act**

The *Statutes Amendment (National Industrial Relations System) Act 2009* (No 58 of 2009) will come into operation on 1 January 2010.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

MIR09/044CS

South Australia

## **Statutes Amendment (Property Offences) Act (Commencement) Proclamation 2009**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Property Offences) Act (Commencement) Proclamation 2009*.

### **2—Commencement of Act**

The *Statutes Amendment (Property Offences) Act 2009* (No 40 of 2009) will come into operation on 20 December 2009.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

AGO0043/08

South Australia

## **Upper South East Dryland Salinity and Flood Management (Extension of Project) Amendment Act (Commencement) Proclamation 2009**

### **1—Short title**

This proclamation may be cited as the *Upper South East Dryland Salinity and Flood Management (Extension of Project) Amendment Act (Commencement) Proclamation 2009*.

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

- (1) The *Upper South East Dryland Salinity and Flood Management (Extension of Project) Amendment Act 2009* (No 70 of 2009) will come into operation on 17 December 2009.
- (2) The operation of the following provisions of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations:
  - (a) sections 4 to 12 (inclusive);
  - (b) section 15(2), (3) and (4);
  - (c) section 16.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

WBCS09/0023



South Australia

## **Constitution (Prorogation of Parliament) Proclamation 2009**

under section 6 of the *Constitution Act 1934*

### **1—Short title**

This proclamation may be cited as the *Constitution (Prorogation of Parliament) Proclamation 2009*.

### **2—Commencement**

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

### **3—Prorogation of Parliament**

The Parliament of South Australia is prorogued until 1 March 2010.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

DPC037/99CS

South Australia

## **Fair Work (Continuity of Industrial Arrangements— Government Business Enterprises) Proclamation 2009**

under Schedule 2 of the *Fair Work Act 1994*

### **1—Short title**

This proclamation may be cited as the *Fair Work (Continuity of Industrial Arrangements—Government Business Enterprises) Proclamation 2009*.

### **2—Commencement**

This proclamation will come into operation on 1 January 2010.

### **3—Declaration of GBEs**

An entity referred to in Schedule 1 is declared to be a government business enterprise for the purposes of Schedule 2 of the *Fair Work Act 1994*.

## **Schedule 1—Government business enterprises**

Adelaide Convention Centre Corporation

Adelaide Entertainments Corporation

Homestart Finance

Land Management Corporation

Lotteries Commission of South Australia

Motor Accident Commission

South Australian Forestry Corporation

Superannuation Funds Management Corporation of South Australia

West Beach Trust

WorkCover Corporation of South Australia

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

MIR09/044CS

South Australia

## **Fair Work (Relevant Day—Schedule 2) Proclamation 2009**

under Schedule 2 of the *Fair Work Act 1994*

### **1—Short title**

This proclamation may be cited as the *Fair Work (Relevant Day—Schedule 2) Proclamation 2009*.

### **2—Commencement**

This proclamation will come into operation on 1 January 2010.

### **3—Relevant day**

1 January 2010 is, in relation to each GBE under Schedule 2 of the *Fair Work Act 1994*, fixed as being the relevant day for the purposes of the application of that Schedule to the GBE.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2009

MIR09/044CS

South Australia

## Lottery and Gaming Variation Regulations 2009

under the *Lottery and Gaming Act 1936*

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### Contents

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### Part 2—Variation of *Lottery and Gaming Regulations 2008*

- 4 Variation of regulation 3—Interpretation
  - 5 Variation of regulation 14—Grant of lottery licences
  - 6 Variation of regulation 22—Cancellation, suspension or surrender of licence
  - 7 Variation of regulation 24—Major lottery rules
  - 8 Variation of regulation 30—Minor trade promotion lottery rules
  - 9 Variation of regulation 31—Major trade promotion lottery rules
  - 10 Insertion of regulation 32A
    - 32A Modification of lottery rules for fundraising lottery conducted by registered association
- 

### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *Lottery and Gaming Variation Regulations 2009*.

#### 2—Commencement

These regulations will come into operation on 1 January 2010.

#### 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 *Lottery and Gaming Regulations 2008*

#### 4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1)—after the definition of *prohibited goods or services* insert:

*registered association* means an association registered under the *Fair Work Act 1994*, the *Workplace Relations Act 1996* of the Commonwealth or an Act of another State or a Territory of the Commonwealth that corresponds to the *Fair Work Act 1994*;

(2) Regulation 3—after subregulation (4) insert:

- (5) For the purposes of these regulations, an advertisement will not be taken to contain information unless the information is displayed so as to be clearly visible having regard to the nature of the advertisement and its size or length.

### **5—Variation of regulation 14—Grant of lottery licences**

(1) Regulation 14(1)(c)—before "that no part" insert:

except in the case of an application for the grant of a lottery licence to a registered association,

(2) Regulation 14(1)—after paragraph (c) insert:

- (ca) in the case of an application for the grant of a lottery licence to a registered association—that no part of the net proceeds of the lottery will be applied for the benefit of a member of the association except in the application of those proceeds for a purpose set out in paragraph (a) or (c) of the definition of *approved purposes*; and

### **6—Variation of regulation 22—Cancellation, suspension or surrender of licence**

(1) Regulation 22(1)(h)—delete paragraph (h)

(2) Regulation 22—after subregulation (1) insert:

- (1a) A licensee may, with the consent of the Minister, surrender a lottery licence or a trade promotion lottery licence.

(3) Regulation 22(2)—after "notice of cancellation" insert:

or notice of consent to the surrender of a licence

### **7—Variation of regulation 24—Major lottery rules**

(1) Regulation 24(r)—delete paragraph (r) and substitute:

- (r) before a lottery draw is held all butts of tickets sold before the draw or other record of the names and addresses of the purchasers of tickets sold before the draw must be in the hands of the licensee;
- (ra) before the lottery is drawn, or if there is more than 1 drawing of the lottery, before the final drawing of the lottery, all unsold tickets and proceeds from ticket sales must be in the hands of the licensee;

(2) Regulation 24(s)—delete "the lottery must be drawn" and substitute:

a lottery draw must be held

(3) Regulation 24(s)(i)—after "specified" insert:

for the draw

(4) Regulation 24(v)—delete "the lottery is drawn" and substitute:

the winning ticket is drawn

(5) Regulation 24(v)—delete "the drawing of the lottery" and substitute:

the draw

- (6) Regulation 24(w)—after "the drawing of the lottery" insert:  
or, if there is more than 1 drawing of the lottery, the final drawing of the lottery

### **8—Variation of regulation 30—Minor trade promotion lottery rules**

- (1) Regulation 30(g)—delete paragraph (g) and substitute:
- (g) a lottery draw must be held on the date and at the time and place specified for the draw in the advertisements of the lottery;
- (2) Regulation 30(i)—after paragraph (i) insert:
- (ia) the name and address of each winner of a prize the value of which is over \$250 must (except for any winner who has requested that his or her name and address not be so published) be published within 30 days of the drawing of the lottery or, if there is more than 1 drawing of the lottery, the final drawing of the lottery—
    - (a) in a newspaper circulating generally throughout the State; or
    - (b) if the lottery has only been advertised in a particular magazine, newspaper, newsletter or other publication (whether electronic or otherwise) or on a particular website, in that magazine, newspaper, newsletter or other publication or on that website (as the case may be); or
    - (c) if entry in the lottery is only permitted on a particular website, on that website;
- (3) Regulation 30(j)—delete "the lottery is drawn" and substitute:  
the winning ticket is drawn
- (4) Regulation 30(j)—delete "the drawing of the lottery" and substitute:  
the draw

### **9—Variation of regulation 31—Major trade promotion lottery rules**

- (1) Regulation 31(i)—delete paragraph (i) and substitute:
- (i) a lottery draw must be held on the date and at the time and place specified for the draw in the advertisements of the lottery;
- (2) Regulation 31(l)—after "the drawing of the lottery" insert:  
or, if there is more than 1 drawing of the lottery, the final drawing of the lottery
- (3) Regulation 31(m)—delete "the lottery is drawn" and substitute:  
the winning ticket is drawn
- (4) Regulation 31(m)—delete "the drawing of the lottery" and substitute:  
the draw
- (5) Regulation 31(n)—after "the drawing of the lottery" insert:  
or, if there is more than 1 drawing of the lottery, the final drawing of the lottery

## 10—Insertion of regulation 32A

After regulation 32 insert:

### 32A—Modification of lottery rules for fundraising lottery conducted by registered association

The lottery rules with which a registered association must comply in relation to conducting a fundraising lottery are modified so as to—

- (a) allow the association, in applying the net proceeds of the lottery for a purpose set out in paragraph (a) or (c) of the definition of *approved purposes*, to apply the proceeds for the benefit of a member of the association; and
- (b) if proceeds of the lottery may be applied for the benefit of a member of the association, require the association to disclose that fact—
  - (i) in the case of a minor lottery or major lottery—on each ticket; and
  - (ii) in the case of a bingo session—in an announcement made to the participants in the session before the commencement of the session; and
  - (iii) in the case of an instant lottery—either on each ticket or on the sign that must be displayed under regulation 27(i); and
  - (iv) in any case—in the terms and conditions of the lottery.

#### 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 17 December 2009

No 300 of 2009

MGA09/008CS

South Australia

## **SACE Board of South Australia Variation Regulations 2009**

under the *SACE Board of South Australia Act 1983*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *SACE Board of South Australia Regulations 2008***

- 4 Substitution of Schedule 1  
Schedule 1—Fees
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *SACE Board of South Australia Variation Regulations 2009*.

#### **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 *SACE Board of South Australia Regulations 2008*

### 4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

#### Schedule 1—Fees

1	<p><b>Registration fee</b> For registration as an assessment centre of an educational institution not in receipt of financial assistance from the State</p> <p><i>(Registration entitles the institution to services similar to that extended by the Board to educational institutions in receipt of financial assistance from the State.)</i></p>	\$1 679.00 per year
2	<p><b>Student fee</b> For enrolment, assessment and certification of a student of an educational institution not in receipt of financial assistance from the State or a full fee paying overseas student (within the meaning of the <i>Education Act 1972</i>)—</p> <p style="margin-left: 20px;">(a) in the case of a student enrolled at Stage 1 studying less than 4 units</p> <p style="margin-left: 20px;">(b) in the case of a student enrolled at Stage 1 studying 4 units or more</p> <p style="margin-left: 20px;">(c) in the case of a student enrolled at Stage 2 studying less than 4 units</p> <p style="margin-left: 20px;">(d) in the case of a student enrolled at Stage 2 studying 4 units or more</p>	<p>\$112.00 per student</p> <p>\$224.00 per student</p> <p>\$250.00 per student</p> <p>\$500.00 per student</p>
3	<p><b>Late enrolment fee</b> For enrolment of a student for assessment of completion of prescribed certification requirements after the closing date for receipt of enrolments set by the Board in any year</p>	\$87.00 per student
4	<p><b>Clerical check fee</b> For checking, at the request of a student, the clerical processes and procedures involved in determining a result in a subject</p>	\$10.00 per subject
5	<p><b>Student record fee</b> For access to information about the contribution of examination marks and moderated school assessment marks to the final result of a Year 12 level subject</p>	\$9.00 per subject
6	<p><b>Return of student material fee</b> For access of students to their assessment materials</p>	\$17.50 per subject
7	<p><b>Statement fee</b> For a statement or certified record replacing—</p> <p style="margin-left: 20px;">(a) a statement of results awarded in a specified year; or</p>	\$20.50 per record or statement

- (b) a certified record of studies undertaken towards completion of the prescribed certification requirements (SACE Record of Achievement); or
- (c) a certified record of results in individual subjects or requirements comprised in the prescribed certification requirements (SACE Statement of Results) issued
- |   |  |  |
|---|--|--|
| 8 | <b>Replacement fee for SACE Certificate</b><br>For a replacement copy of a South Australian Certificate of Education | \$35.00  |
| 9 | <b>Curriculum statement fee</b><br>For a copy of a curriculum statement  | \$8.50 if 80 pages or less<br>\$13.00 if more than<br>80 pages |

**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 17 December 2009

No 301 of 2009

MEDU09/037CS

South Australia

## **Local Government (General) Variation Regulations 2009**

under the *Local Government Act 1999*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Local Government (General) Regulations 1999***

- 4 Insertion of regulation 21A  
21A Local government sector employers
  - 5 Insertion of Schedule 3  
Schedule 3—Local government sector employers
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Local Government (General) Variation Regulations 2009*.

#### **2—Commencement**

These regulations will come into operation on 1 January 2010.

#### **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 *Local Government (General) Regulations 1999***

#### **4—Insertion of regulation 21A**

After regulation 21 insert:

##### **21A—Local government sector employers**

The local government sector employers referred to in Schedule 3 are brought within the ambit of subsection (1) of section 302A of the Act.

## 5—Insertion of Schedule 3

After Schedule 2 insert:

### **Schedule 3—Local government sector employers**

#### **Councils**

The Corporation of the City of Adelaide  
Adelaide Hills Council  
Alexandrina Council  
The Barossa Council  
District Council of Barunga West  
The Berri Barmera Council  
City of Burnside  
The Corporation of the City of Campbelltown  
The District Council of Ceduna  
City of Charles Sturt  
Clare and Gilbert Valleys Council  
The District Council of Cleve  
District Council of Coober Pedy  
The Coorong District Council  
District Council of the Copper Coast  
The District Council of Elliston  
The Flinders Ranges Council  
The District Council of Franklin Harbour  
Town of Gawler  
Regional Council of Goyder  
District Council of Grant  
City of Holdfast Bay  
Kangaroo Island Council  
The District Council of Karoonda East Murray  
The District Council of Kimba  
Kingston District Council  
Light Regional Council  
District Council of Lower Eyre Peninsula  
District Council of Loxton Waikerie  
The District Council of Mallala  
The Corporation of the City of Marion  
Mid Murray Council  
City of Mitcham  
The District Council of Mount Barker

**Councils**

City of Mount Gambier  
The District Council of Mount Remarkable  
Rural City of Murray Bridge  
Naracoorte Lucindale Council  
Northern Areas Council  
The Corporation of the City of Norwood Payneham and St Peters  
City of Onkaparinga  
District Council of Orroroo/Carrieton  
District Council of Peterborough  
City of Playford  
City of Port Adelaide Enfield  
The Corporation of the City of Port Augusta  
City of Port Lincoln  
Port Pirie Regional Council  
City of Prospect  
Renmark Paringa Council  
The District Council of Robe  
Municipal Council of Roxby Downs  
City of Salisbury  
Southern Mallee District Council  
The District Council of Streaky Bay  
The District Council of Tatiara  
City of Tea Tree Gully  
The District Council of Tumby Bay  
The Corporation of the City of Unley  
City of Victor Harbor  
Wakefield Regional Council  
The Corporation of the Town of Walkerville  
Wattle Range Council  
City of West Torrens  
The Corporation of the City of Whyalla  
Wudinna District Council  
The District Council of Yankalilla  
District Council of Yorke Peninsula

**Subsidiaries established under section 42 of Act**

Adelaide Park Lands Authority  
Doctor's House Management Authority  
Gawler Business Development Group

**Subsidiaries established under section 42 of Act**

Nuriootpa Centennial Park Authority

Rundle Mall Management Authority

**Regional subsidiaries established under section 43 of Act**

Adelaide Hills Region Waste Management Authority

Centennial Park Cemetery Authority

Central Local Government Region of SA Inc

Eastern Health Authority Inc

Eastern Waste Management Authority Inc

Eyre Peninsula Local Government Association

Flinders Mobile Library

Gawler River Floodplain Management Authority

Highbury Landfill Authority

Livestock Saleyards Association of South Australia

Murray Mallee Community Transport Scheme

Murray and Mallee Local Government Association

Northern Adelaide Waste Management Authority

Provincial Cities Association of South Australia

South East Local Government Association Inc

Southern & Hills Local Government Association

Southern Eyre Peninsula Subsidiary

Southern Region Waste Resource Authority

Waste Care SA

Water-proofing Northern Adelaide Regional Subsidiary

Western Region Waste Management Authority

**Other entities**

Local Government Association of South Australia

The Local Government Association Mutual Liability Scheme South Australia

Local Super

Local Government Disaster Fund

Stormwater Management Authority

**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 17 December 2009

No 302 of 2009

South Australia

## **Fair Work (General) Variation Regulations 2009**

under the *Fair Work Act 1994*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Fair Work (General) Regulations 2009***

- 4 Insertion of regulation 12
    - 12 Continuity of industrial arrangements—National Industrial Relations System
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Fair Work (General) Variation Regulations 2009*.

#### **2—Commencement**

These regulations will come into operation on 1 January 2010.

#### **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 *Fair Work (General) Regulations 2009***

#### **4—Insertion of regulation 12**

After regulation 11 insert:

##### **12—Continuity of industrial arrangements—National Industrial Relations System**

- (1) Pursuant to clause 2(1)(b) of Schedule 2 of the Act, the following modifications are made to a federal industrial instrument within the operation of that Schedule (as it applies as an award or enterprise agreement under the Act):
  - (a) a reference to the *Workplace Relations Act 1996* of the Commonwealth or to the *Fair Work Act 2009* of the Commonwealth will be taken to be a reference to the *Fair Work Act 1994*;



- (b) a reference to the Australian Industrial Relations Commission or to Fair Work Australia will be taken to be a reference to the Industrial Relations Commission of South Australia.
- (2) Pursuant to clause 3(1)(e) of Schedule 2A of the Act—
- (a) the *Municipal Officers (SA) Award 1998* is excluded from the operation of subclause (1) of clause 3 of that Schedule; and
  - (b) the following modifications are made to a federal industrial instrument within the operation of that Schedule (as it applies as an award or enterprise agreement under the Act):
    - (i) a reference to the *Workplace Relations Act 1996* of the Commonwealth or to the *Fair Work Act 2009* of the Commonwealth will be taken to be a reference to the *Fair Work Act 1994*;
    - (ii) a reference to the Australian Industrial Relations Commission or to Fair Work Australia will be taken to be a reference to the Industrial Relations Commission of South Australia.

**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 17 December 2009

No 303 of 2009

South Australia

# **Fisheries Management (General) Variation Regulations 2009**

under the *Fisheries Management Act 2007*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Fisheries Management (General) Regulations 2007***

- 4 Variation of Schedule 5—Protected species
  - 5 Variation of Schedule 6—Classes of fishing activities prescribed for purposes of section 70 of Act
  - 6 Variation of Schedule 10—Expiation fees
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Fisheries Management (General) Variation Regulations 2009*.

### **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 Management (General) Regulations 2007***

### **4—Variation of Schedule 5—Protected species**

Schedule 5—after the entry relating to Murray River Crayfish insert:

South-east Crayfish (*Euastacus bispinosa*)

### 5—Variation of Schedule 6—Classes of fishing activities prescribed for purposes of section 70 of Act

- (1) Schedule 6, clause 63, table, entry relating to Pipi (*Donax* spp), Column 3—delete "600" and substitute:

300

- (2) Schedule 6, clause 63, table, entry relating to South-east Crayfish (*Euastacus bispinosa*)—delete the entry

- (3) Schedule 6, clause 66, table, entry relating to Pipi (*Donax* spp), Column 3—delete "600" and substitute:

300

### 6—Variation of Schedule 10—Expiation fees

- (1) Schedule 10, table, entry relating to clause 63 of Schedule 6 relating to taking South-east Crayfish (*recreational bag limit*)—delete the entry

- (2) Schedule 10, table, entry relating to clause 63 of Schedule 6 relating to taking Pipi (*recreational bag limit*)—delete the entry and substitute:

63	Taking Pipi ( <i>recreational bag limit</i> )—exceeding limit:	
	• by up to 50 Pipi	\$50
	• by more than 50 but not more than 100 Pipi	\$100
	• by more than 100 Pipi	\$200

- (3) Schedule 10, table, entry relating to clause 66 of Schedule 6 relating to taking Pipi (*recreational charter boat fishing bag or trip limit*)—delete the entry and substitute:

63	Taking Pipi ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	• by up to 50 Pipi	\$50
	• by more than 50 but not more than 100 Pipi	\$100
	• by more than 100 Pipi	\$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 17 December 2009

No 304 of 2009

MAFF09/031CS

South Australia

## **Fisheries Management (Abalone Fisheries) Variation Regulations 2009**

under the *Fisheries Management Act 2007*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Fisheries Management (Abalone Fisheries) Regulations 2006***

- 4 Variation of regulation 14—Individual catch quota system—Central Zone
  - 5 Variation of regulation 15—Individual catch quota system—Southern Zone
  - 6 Variation of regulation 16—Individual catch quota system—Western Zone
  - 7 Substitution of regulation 18
    - 18 Use of registered masters in fishing activities
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Fisheries Management (Abalone Fisheries) Variation Regulations 2009*.

#### **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 Management (Abalone Fisheries) Regulations 2006***

#### **4—Variation of regulation 14—Individual catch quota system—Central Zone**

- (1) Regulation 14(3)(b)(i)—delete "10" and substitute:

50

- (2) Regulation 14(3)(b)(ii)—delete "10 kilograms but not more than 50" and substitute:

50 kilograms but not more than 100

- (3) Regulation 14(3)(c)(ii)—delete "50" and substitute:  
100
- (4) Regulation 14(3)(d)(i)—delete "20" and substitute:  
50
- (5) Regulation 14(6)—delete "the class specified in column 1 of the table below" and substitute:  
any class
- (6) Regulation 14(6)—delete "that class of abalone" and substitute:  
either class of abalone specified in column 1 of the following table

### **5—Variation of regulation 15—Individual catch quota system—Southern Zone**

- (1) Regulation 15(3)(b)(i)—delete "10" and substitute:  
50
- (2) Regulation 15(3)(b)(ii)—delete "10 kilograms but not more than 50" and substitute:  
50 kilograms but not more than 100
- (3) Regulation 15(3)(c)(ii)—delete "50" and substitute:  
100
- (4) Regulation 15(3)(d)(i)—delete "20" and substitute:  
50
- (5) Regulation 15(7)—delete "of the class specified in column 1 of the table below in a fishing zone specified alongside in column 2 if the unit entitlement under the licence in respect of that class of abalone and fishing zone" and substitute:  
in any fishing zone if the unit entitlement under the licence in respect of a class of abalone specified in column 1 of the following table, in a fishing zone specified alongside in column 2,

### **6—Variation of regulation 16—Individual catch quota system—Western Zone**

- (1) Regulation 16(3)(c)(i)—delete "10" and substitute:  
50
- (2) Regulation 16(3)(c)(ii)—delete "10 kilograms but not more than 50" and substitute:  
50 kilograms but not more than 100
- (3) Regulation 16(3)(d)(i)—delete "10" and substitute:  
50
- (4) Regulation 16(3)(d)(ii)—delete "10 kilograms but not more than 50" and substitute:  
50 kilograms but not more than 100
- (5) Regulation 16(3)(e)(ii)—delete "50" and substitute:  
100
- (6) Regulation 16(3)(f)(i)—delete "20" and substitute:  
50

- (7) Regulation 16(3)(g)(i)—delete "20" and substitute:

50

- (8) Regulation 16(6)—delete "of the class specified in column 1 of the table below in a prescribed region specified alongside in column 2 if the unit entitlement under the licence in respect of that class of abalone and region" and substitute:

in any prescribed region if the unit entitlement under the licence in respect of a class of abalone specified in column 1 of the following table, in a region specified alongside in column 2,

## 7—Substitution of regulation 18

Regulation 18—delete the regulation and substitute:

### 18—Use of registered masters in fishing activities

- (1) Subject to this regulation, the holder of a licence in respect of an abalone fishery must not cause, suffer or permit more than 1 person (who must be a registered master) to engage in fishing activities under the licence on the same day.
- (2) Subregulation (1) does not prevent 1 other (and only 1 other) registered master who is a trainee diver from engaging in fishing activities under the licence on the same day as the first registered master if—
  - (a) at all times while engaged in fishing activities, the trainee diver is under the direct supervision of the first registered master; and
  - (b) the trainee diver does not engage in fishing activities under the licence on more than 10 days in any quota period for the abalone fishery.
- (3) In this regulation—

*quota period* for an abalone fishery—see regulations 14(1), 15(1) and 16(1);

*trainee diver* means a person with less than 30 days commercial abalone diving experience.

#### 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 17 December 2009

No 305 of 2009

MAFF09/032CS

South Australia

## **Primary Industry Funding Schemes (McLaren Vale Wine Industry Fund) Variation Regulations 2009**

under the *Primary Industry Funding Schemes Act 1998*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Primary Industry Funding Schemes (McLaren Vale Wine Industry Fund) Regulations 2003***

- 4 Variation of regulation 3—Interpretation
  - 5 Variation of regulation 5—Contributions to Fund
  - 6 Insertion of regulation 6A
    - 6A Exchange of information
  - 7 Variation of regulation 7—Exclusion from benefits of person in default in relation to contributions
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Primary Industry Funding Schemes (McLaren Vale Wine Industry Fund) Variation Regulations 2009*.

#### **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 *Primary Industry Funding Schemes (McLaren Vale Wine Industry Fund) Regulations 2003***

#### **4—Variation of regulation 3—Interpretation**

- (1) Regulation 3(1)—after the definition of *Act* insert:

*delivered*—see subregulation (3);

- (2) Regulation 3—after subregulation (2) insert:
- (3) For the purposes of these regulations—
- (a) grapes will be taken to be *delivered* to a McLaren Vale grapes winemaker by a grower of McLaren Vale grapes when the winemaker takes possession of the grapes; and
  - (b) if a McLaren Vale grapes winemaker processes McLaren Vale grapes grown by the winemaker, grapes will be taken to be *delivered* to the winemaker when the grapes are placed in a container for the purposes of commencing processing of the grapes (including placing the grapes in a container for fermentation or in preparation for crushing or pressing).

### **5—Variation of regulation 5—Contributions to Fund**

- (1) Regulation 5(1) and (1a)—delete subregulations (1) and (1a) and substitute:
- (1) The following contributions are payable within 30 days after the end of each financial year to the Minister for payment into the Fund for each tonne of McLaren Vale grapes delivered to a McLaren Vale grapes winemaker during that financial year:
- (a) in the case of grapes grown by a person other than the winemaker—
    - (i) for the financial year commencing 1 July 2011—
      - (A) \$7.90 is payable by the grower of the grapes; and
      - (B) \$10.50 is payable by the winemaker;
    - (ii) for any earlier financial year—
      - (A) \$7.50 is payable by the grower of the grapes; and
      - (B) \$10.00 is payable by the winemaker;
  - (b) in the case of grapes grown by the winemaker—
    - (i) for the financial year commencing 1 July 2011—\$10.50 is payable by the winemaker;
    - (ii) for any earlier financial year—\$10.00 is payable by the winemaker.
- (1a) However—
- (a) contributions are not payable in respect of grapes delivered during the financial year commencing 1 July 2012 or in any subsequent financial year; and
  - (b) no more than \$30 000 is payable by each grower in respect of grapes delivered to winemakers during a financial year; and
  - (c) no more than \$30 000 is payable by each winemaker on the winemaker's own behalf in respect of grapes delivered to the winemaker during a financial year.
- (2) Regulation 5(3)—delete "processed by" and substitute:  
delivered to



- (3) Regulation 5(4) and (5)—delete "processed" wherever occurring and substitute in each case:  
delivered
- (4) Regulation 5(6)—after "refund is made" insert:  
and, if the Minister so requires, verification of that evidence in the form of a  
statutory declaration
- (5) Regulation 5(7)—after "financial year" insert:  
, together with interest calculated at the short term interest rate (as published by the  
Reserve Bank of Australia for the preceding financial year) on a monthly basis for  
the number of whole months in the period commencing on the date of payment of  
the amount and ending on the date of the refund

## **6—Insertion of regulation 6A**

After regulation 6 insert:

### **6A—Exchange of information**

- (1) The Minister may require a body to which payments are made out of the Fund under regulation 6(a) to provide the Minister with—
- (a) a copy of the financial statements of the body; and
  - (b) a copy of the annual report of the body; and
  - (c) a copy of any business plan of the body; and
  - (d) any other information reasonably required for the purposes of these regulations.
- (2) The Minister may provide a body to which payments are made out of the Fund under regulation 6(a) with information identifying growers of McLaren Vale grapes and McLaren Vale grape winemakers who have paid or been refunded contributions under these regulations.

## **7—Variation of regulation 7—Exclusion from benefits of person in default in relation to contributions**

Regulation 7—after "from the Fund" insert:

under regulation 6(1)(b)

### **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 17 December 2009

No 306 of 2009

MAFF09/030CS

South Australia

# Firearms (Regulated Imitation Firearms) Variation Regulations 2009

under the *Firearms Act 1977*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Firearms Regulations 2008*

- 4 Variation of regulation 3—Interpretation
  - 5 Variation of regulation 4—Prescribed firearms
  - 6 Substitution of regulation 5
    - 5 Certain imitation firearms included within definition of firearm
    - 5AA Classes of firearms expanded to include imitation firearms
  - 7 Variation of regulation 11—Purposes for which firearms may be used
  - 8 Variation of regulation 21—Conditions of firearms licences
  - 9 Variation of regulation 27—Reporting obligations of prescribed persons
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Firearms (Regulated Imitation Firearms) Variation Regulations 2009*.

### 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 *Firearms Regulations 2008*

### 4—Variation of regulation 3—Interpretation

Regulation 3(1)—after the definition of *prescribed firearm* insert:

*regulated imitation firearm*—see regulation 5;

## 5—Variation of regulation 4—Prescribed firearms

Regulation 4(1)—after paragraph (j) insert:

- (ja) regulated imitation firearms that closely resemble a firearm referred to in a preceding paragraph or that do not closely resemble such a firearm or a firearm of Class A, B, C, D or H;

## 6—Substitution of regulation 5

Regulation 5—delete the regulation and substitute:

### 5—Certain imitation firearms included within definition of firearm

- (1) Pursuant to paragraph (c) of the definition of *firearm* in section 5(1) of the Act, a regulated imitation firearm is declared to be a firearm for the purposes of the Act.
- (2) A regulated imitation firearm is—
  - (a) an item that contains a mechanism that imitates the loading mechanism or firing mechanism of a firearm; or
  - (b) an item that is an imitation of the receiver of a firearm,  
other than—
    - (c) an item that is a children's toy or a novelty item; or
    - (d) an item determined by the Registrar under subregulation (3) not to be a regulated imitation firearm.
- (3) The Registrar may, on application or on the Registrar's own initiative, determine that a particular item is not a regulated imitation firearm if satisfied that the item cannot readily be adapted to function as a firearm.
- (4) The Minister may, by notice in the Gazette, declare an item of a specified class to be a regulated imitation firearm (and such a notice has effect according to its terms despite subregulation (2)).
- (5) The Minister may, by subsequent notice in the Gazette, vary or revoke a notice made under this regulation.

### 5AA—Classes of firearms expanded to include imitation firearms

The definitions of class A, B, C, D and H firearms in section 5(1) of the Act are amended so that, if a regulated imitation firearm closely resembles a firearm of a particular class, the class will be taken to encompass the regulated imitation firearm.

## 7—Variation of regulation 11—Purposes for which firearms may be used

- (1) Regulation 11(2)—delete "Subject to subregulation (3)" and substitute:

Subject to this regulation

- (2) Regulation 11—after subregulation (4) insert:
  - (4a) A licence endorsed with a purpose listed in paragraphs (a) to (f) of subregulation (2) cannot authorise the possession of a regulated imitation firearm.

**8—Variation of regulation 21—Conditions of firearms licences**

Regulation 21—after subregulation (1) insert:

- (1a) It is a condition of a firearms licence that it does not authorise possession of a regulated imitation firearm unless it is specifically endorsed by the Registrar to that effect.
- (1b) It is a condition of a firearms licence that authorises possession of a regulated imitation firearm that the regulated imitation firearm must not, without the approval of the Registrar, be altered in a manner that would enable it to function as a firearm.

**9—Variation of regulation 27—Reporting obligations of prescribed persons**

Regulation 27—delete "20A" and substitute:

27A

**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 17 December 2009

No 307 of 2009

MPOL09/006CS

South Australia

## **Summary Offences (Dangerous Articles and Prohibited Weapons) Variation Regulations 2009**

under the *Summary Offences Act 1953*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Summary Offences (Dangerous Articles and Prohibited Weapons) Regulations 2000***

- 4 Variation of Schedule 1 clause 8—Gas injector devices
  - 5 Variation of Schedule 2—Prohibited weapons
    - 10A Laser pointer
  - 6 Variation of Schedule 3—Exemptions
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Summary Offences (Dangerous Articles and Prohibited Weapons) Variation Regulations 2009*.

#### **2—Commencement**

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

#### **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 *Summary Offences (Dangerous Articles and Prohibited Weapons) Regulations 2000***

#### **4—Variation of Schedule 1 clause 8—Gas injector devices**

Schedule 1, clause 8—delete "including a Farallon Shark Dart" and insert:

for example, a Farallon Shark Dart or a WASP Injector Knife

## 5—Variation of Schedule 2—Prohibited weapons

Schedule 2 —after clause 10 insert:

### 10A—Laser pointer

A hand-held device commonly known as a laser pointer designed or adapted to emit a laser beam with an accessible emission level of greater than 1 milliwatt.

## 6—Variation of Schedule 3—Exemptions

(1) Schedule 3, clause 4—after its present contents (now to be designated as subclause (1)) insert:

(2) In this clause—

*undetectable knife* means a knife declared to be a prohibited weapon by clause 17 of Schedule 2.

(2) Schedule 3—after clause 16 insert:

### 17—Laser pointers for astronomical use

(1) A person who has possession of, or uses, a laser pointer for the purpose or in the course of participating in astronomy is exempt from the offences of possession and use of a laser pointer under section 15(1c)(b) of the Act if the person—

(a) is a member of—

(i) the Astronomical Society of South Australia Incorporated;  
or

(ii) the Mars Society Australia Incorporated; or

(b) participates in astronomy under the supervision of a member of a body referred to in paragraph (a); or

(c) participates in astronomy at an observatory; or

(d) participates in astronomy as part of a course of study conducted by an educational institution.

(2) In this clause—

*laser pointer* means a device declared to be a prohibited weapon by clause 10A of Schedule 2.

## Made by the Governor

with the advice and consent of the Executive Council  
on 17 December 2009

No 308 of 2009

AGO0073/08CS

South Australia

## Electoral Regulations 2009

under the *Electoral Act 1985*

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### Contents

1	Short title
2	Commencement
3	Interpretation
4	Forms
5	Prescribed authorities (section 27A)
6	Deposit to be paid on nomination (sections 53 and 53A)
7	Procedure for lots (sections 59, 60, 92, 93, 95 and 96)
8	Photographs of candidates (section 64)
9	How-to-vote cards (section 66)
10	Applications for voting papers (section 73)
11	Prescribed mark (sections 73 and 94)
12	Prescribed manner for issue or dispatch of declaration voting papers (section 74)
13	Prescribed period (section 85)
14	Prescribed class of articles (section 112)
15	Prescribed requirements for how-to-vote cards (section 112A)
16	Prescribed circumstances (section 115)

Schedule 1—Forms

Schedule 2—Revocation

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### 1—Short title

These regulations may be cited as the *Electoral Regulations 2009*.

### 2—Commencement

These regulations will come into operation on the day on which the *Electoral (Miscellaneous) Amendment Act 2009* comes into operation.

### 3—Interpretation

In these regulations, unless the contrary intention appears—  
*Act* means the *Electoral Act 1985*.

### 4—Forms

- (1) The forms in Schedule 1 are prescribed for use for the purposes indicated in the form.
- (2) For the purposes of Legislative Council elections—
  - (a) Form 1 must be used where there are 20 or less groups of candidates and individual candidates to be printed on the ballot paper; and

- (b) Form 1A must be used where there are more than 20 groups of candidates and individual candidates to be printed on the ballot paper.

### **5—Prescribed authorities (section 27A)**

- (1) For the purposes of section 27A(1) of the Act, the following are prescribed authorities:
  - (a) the Commissioner of Police;
  - (b) the Sheriff, deputy sheriffs and sheriff's officers;
  - (c) the Chief Executive of the administrative unit that is, under the relevant Minister, responsible for the administration of the *Health Care Act 2008*;
  - (d) the South Australian Superannuation Board;
  - (e) Central Northern Adelaide Health Service Incorporated.
- (2) For the purposes of section 27A(2) of the Act, the following are persons of a prescribed class:
  - (a) a member of either of the Houses of Parliament;
  - (b) a nominated candidate for an election;
  - (c) the registered officer of a registered political party.

### **6—Deposit to be paid on nomination (sections 53 and 53A)**

For the purposes of section 53(2)(b) and 53A(2)(b) of the Act, the prescribed amount of the deposit to be paid in respect of each candidate on nominating for election is \$450.

### **7—Procedure for lots (sections 59, 60, 92, 93, 95 and 96)**

- (1) A lot to determine—
  - (a) the order of the groups referred to in section 59(1)(b) of the Act; and
  - (b) the order of the names of the candidates referred to in section 59(1)(c) of the Act; and
  - (c) the order of the names of the candidates referred to in section 60(a) of the Act,must be carried out by the Electoral Commissioner in the manner described in subregulations (4) to (7) (inclusive) as soon as practicable after the hour of nomination.
- (2) A lot must be carried out, subject to any necessary modifications, in the manner described in subregulations (4) to (7) (inclusive) to determine any of the following matters:
  - (a) a determination in respect of the marking of a ballot paper in relation to a Legislative Council election required by section 92(3)(d)(i) of the Act;
  - (b) a determination in respect of the marking of a ballot paper in relation to a House of Assembly election required by section 93(3)(d)(i) of the Act.
- (3) If a returning officer is required to make—
  - (a) a determination under section 95(19), (21) or (23) of the Act relating to the scrutiny of votes in a Legislative Council election; or
  - (b) a decision under section 96(6) of the Act relating to the scrutiny of votes in a House of Assembly election,



the returning officer may make the determination or decision (as the case requires) by lot to be carried out, subject to any necessary modifications, in the manner described in subregulations (4) to (7) (inclusive).

- (4) The procedure to be followed in conducting a lot is as follows:
  - (a) each group or name (as the case may be) must be written on a piece of paper using a separate piece of paper for each group or name;
  - (b) each separate piece of paper must be placed into a separate envelope and if it is necessary to fold the piece of paper to make it fit into the envelope, each piece of paper must be folded in the same manner so as to make it the same size and thickness;
  - (c) after a piece of paper has been placed in an envelope it must be sealed;
  - (d) all the envelopes must be placed into a container and shuffled;
  - (e) after the envelopes have been shuffled, the Electoral Commissioner or the returning officer (as the case may be) must draw them, 1 at a time, from the container.
- (5) For the purposes of subregulation (4), each separate piece of paper must be of the same kind, shape, size and colour and each envelope into which such paper is placed must be opaque and of the same kind, shape, size and colour.
- (6) The order in which an envelope is drawn from the container determines the order of the group or the names of the candidates (as the case may be), the first to be drawn being the first in the order, and so on, until the order has been determined, the last to be drawn being the last in the order.
- (7) Each of the procedures set out in subregulation (4) must be carried out in the presence of an officer and any candidate or representative of a candidate who chooses to be present.

## **8—Photographs of candidates (section 64)**

For the purposes of section 64(3)(b) of the Act, the requirements with which a candidate's photograph must comply are that it must—

- (a) be in black and white; and
- (b) be a full-faced vertical portrait of the candidate's head and shoulders; and
- (c) be at least 15 cm in length and at least 10 cm in width; and
- (d) have written on the reverse side the full name of the candidate and a statement signed by the candidate to the effect that the photograph was taken within 12 months before being submitted.

## **9—How-to-vote cards (section 66)**

- (1) For the purposes of section 66(2) of the Act, a how-to-vote card submitted for inclusion in posters under section 66(1)(a) of the Act—
  - (a) must—
    - (i) be printed; and
    - (ii) if a candidate is contesting a seat in the Legislative Council—be 65 mm in length and 145 mm in width; and
    - (iii) if a candidate is contesting a seat in the House of Assembly—be 150 mm in length and 90 mm in width; and

- (iv) have printed on it the following information:
- (A) the words "how-to-vote";
  - (B) the name of the candidate, group of candidates or all candidates;
  - (C) the name and address of the person who authorised the printing of the card;
  - (D) the name and address of the person who printed the card;
  - (E) if a candidate is contesting a seat in the House of Assembly—the name of the district being contested;
  - (F) immediately before the surname of all candidates contesting a House of Assembly election, figures surrounded by a square indicating the order of preference the candidate recommends for each candidate;
  - (G) in the case of a Legislative Council election—
    - immediately before the surname of all candidates whose names appear on the how-to-vote card, figures surrounded by a square indicating the order of preference the candidate or group of candidates recommends for each of those candidates, together with a statement to the effect that an elector must express a preference for all other candidates; or
    - if a candidate or group of candidates contesting the election has lodged a voting ticket under section 63 of the Act, a figure "1" in a voting ticket square, together with a statement to the effect that if there is an expression of a preference in that square there is no necessity for an elector to express a preference for all the candidates; or
    - if a candidate or group of candidates contesting the election chooses to print the names of all candidates on the card, a statement directing the voter to express a preference for all the candidates; and
- (b) may have printed on it the following information:
- (i) the name of the registered political party (or composite name if there is more than one such party) supporting the candidate or group of candidates;
  - (ii) in relation to a candidate or group of candidates, the description "Independent" or such description followed by not more than 5 words.
- (2) If in the opinion of the Electoral Commissioner it is necessary to do so, the Electoral Commissioner may, when preparing a poster for display in a polling booth, proportionally reduce the size of each how-to-vote card submitted for inclusion in the poster.
- (3) Except for the matters referred to in subregulation (1), no other matter may be printed on or otherwise appear on the card.

**10—Applications for voting papers (section 73)**

- (1) For the purposes of section 73(2) of the Act, a person may make a written application for the issue of voting papers by completing and signing—
  - (a) Form 3, 4, 5 or 6 in Schedule 1 (whichever is appropriate in the circumstances); or
  - (b) an application containing the information that would have been required to complete Form 3, 4, 5 or 6 in Schedule 1 (whichever is appropriate in the circumstances).
- (2) An oral application may not be made until the day after the nomination day.

**11—Prescribed mark (sections 73 and 94)**

For the purposes of section 73(3)(b) and 94(1)(a) of the Act, the prescribed mark is—

- (a) a water mark containing a circle within which the letters "SA" are intertwined; or
- (b) circles within which the letters "SA" are intertwined printed on the ballot paper.

**12—Prescribed manner for issue or dispatch of declaration voting papers (section 74)**

For the purposes of section 74(2a)(b), each of the following is prescribed as a manner in which declaration voting papers may be issued or dispatched:

- (a) by hand delivery by an officer;
- (b) by courier engaged by an officer.

**13—Prescribed period (section 85)**

For the purposes of section 85(3) of the Act, the prescribed period is 90 days.

**14—Prescribed class of articles (section 112)**

For the purposes of section 112(2)(b) of the Act, an electoral advertisement consisting of a letter or leaflet that carries the signature and the name and the address (not being a post office box) of its author and is not printed—

- (a) by a person who carries on the business of printing or a business a significant part of which involves printing; or
- (b) by or on behalf of a person who publishes a newspaper, magazine, periodical or similar publication,

is a prescribed class of articles.

**15—Prescribed requirements for how-to-vote cards (section 112A)**

For the purposes of section 112A(1)(b), the information referred to in subparagraphs (i) and (ii) of that paragraph must be printed on the how-to-vote card in—

- (a) Times New Roman font no smaller than 10 points; or
- (b) Arial font no smaller than 9 points; or
- (c) Courier New font no smaller than 9 points; or
- (d) any other readily legible font no smaller than 9 points.

**16—Prescribed circumstances (section 115)**

For the purposes of section 115(3)(c) of the Act, the following circumstances are prescribed in relation to the exhibition of electoral advertisements:

- (a) the exhibition of electoral advertisements that are, in accordance with section 115(2) of the Act, to be taken to be a single electoral advertisement if all the advertisements that are taken to form the single advertisement are exhibited in such a position that they are at an angle of not less than 270° to each other;
- (b) the exhibition of an electoral advertisement at, or in the vicinity of, a place at which a press conference, meeting, campaign launching, campaign rally, fete, dinner, garden party, ball, barbecue or other gathering is held is the exhibition of an electoral advertisement in circumstances of a prescribed kind if—
  - (i) the gathering is organised by, on behalf of or for a registered political party or a candidate at a Legislative Council election or a House of Assembly election; and
  - (ii) the exhibition of the advertisement—
    - (A) occurs immediately before, during or immediately after the gathering; and
    - (B) for a period or periods the combined length of which does not exceed 24 hours.

# Schedule 1—Forms

## Form 1

South Australia  
**Ballot Paper for the Election of (a) Legislative Councillors**  
 You are not legally obliged to mark the ballot paper

**YOU MAY VOTE BY**

**EITHER**  
 Placing the number 1 in one of these squares to indicate the registered voting ticket(s) you wish to adopt for your vote

**OR**  
 Numbering all squares from 1 to (b) in the order of your choice

○  
Issuing Officer Initials

After voting, fold the ballot paper and place it in the ballot box or declaration envelope

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	
□ (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (d) (c)	□ (c)

Grouped Candidates      Ungrouped Candidates

(a) Insert here number of vacancies  
 (b) Insert here number of candidates  
 (c) If to be printed, insert here:  
 - registered name or abbreviation of registered political party, or  
 - composite name or composite abbreviation of two registered political parties, or  
 - description 'independent', or  
 - description 'independent', followed by not more than five additional words.  
 (d) Insert here name of candidate;

Form 1A

South Australia

Ballot Paper for the Election of (a) Legislative Councillors

You are not legally obliged to mark the ballot paper

YOU MAY VOTE BY

EITHER

Placing the number 1 in one of these squares to indicate the registered voting ticket(s) you wish to adopt for your vote

A	<input type="checkbox"/>	(c)	.
M	<input type="checkbox"/>	(c)	.
N	<input type="checkbox"/>	(c)	.
U	<input type="checkbox"/>	(c)	.
I	<input type="checkbox"/>	(c)	.
J	<input type="checkbox"/>	(c)	.
W	<input type="checkbox"/>	**	.
X	<input type="checkbox"/>	**	.
L	<input type="checkbox"/>	(c)	.

OR

Numbering all squares from 1 to (b) in the order of your choice

A	<input type="checkbox"/>	(d)	(c)	.	
	<input type="checkbox"/>	(d)	(c)	.	
	<input type="checkbox"/>	(d)	(c)	.	
	<input type="checkbox"/>	(d)	(c)	.	
B	<input type="checkbox"/>	(d)	(c)	.	
M	<input type="checkbox"/>	(d)	(c)	.	
	<input type="checkbox"/>	(d)	(c)	.	
N	<input type="checkbox"/>	(d)	(c)	.	
U	<input type="checkbox"/>	(d)	(c)	.	
I	<input type="checkbox"/>	(d)	(c)	.	
J	<input type="checkbox"/>	(d)	(c)	.	
V	<input type="checkbox"/>	**	(d)	(c)	.
W	<input type="checkbox"/>	**	(d)	(c)	.
K	<input type="checkbox"/>	(d)	(c)	.	
	<input type="checkbox"/>	(d)	(c)	.	
	<input type="checkbox"/>	(d)	(c)	.	
L	<input type="checkbox"/>	(d)	(c)	.	
X	<input type="checkbox"/>	**	(d)	(c)	.




Issuing Officer Initials

After voting, fold the ballot paper and place it in the ballot box or declaration envelope

- (a) Insert here number of vacancies
- (b) Insert here number of candidates
- (c) If to be printed, insert here:
  - registered name or abbreviation of registered political party; or
  - composite name or composite abbreviation of two registered political parties; or
  - description 'independent'; or
  - description 'independent', followed by not more than five additional words.
- (d) Insert here name of candidate;
  - Continue with additional letters and squares if required
  - \*\* Ungrouped candidates

**Form 2**

South Australia	 Issuing Officer Initials
<b>Ballot Paper</b>	
Election of one Member for the House of Assembly	
<b>DISTRICT OF (a)</b>	
<b>Number the squares from 1 to (b) in the order of your choice.</b>	
You are not legally obliged to mark the ballot paper.	
_____	
<input type="checkbox"/>	(c) (d)
_____	
<input type="checkbox"/>	(c) (d)
_____	
<input type="checkbox"/>	(c) (d)
_____	
<input type="checkbox"/>	(c) (d)
_____	
<input type="checkbox"/>	(c) (d)
_____	
<b>After voting, fold the ballot paper and place it in the ballot box or declaration envelope</b>	

- (a) Insert here name of District  
 (b) Insert here number of candidates  
 (c) Insert here name of candidate  
 (d) If to be printed, Insert here:
- the registered name or abbreviation of the political party; or
  - the composite name or composite abbreviation of two registered political parties; or
  - the description 'Independent'; or
  - the description 'Independent' followed by not more than 5 additional words.

## Form 3

Declaration Vote Envelope 1				
Roll Number				
Name of District				
<b>1. Elector Details - Please print firmly</b>				
Surname				
Given Names				
Residential Address for which you claim to be enrolled				
Date of Birth	Day	Month	Year	
<b>2. Elector Declaration</b>				
I declare that I:				
<ul style="list-style-type: none"> <li>• am entitled to a declaration vote;</li> <li>• have not already voted in this election/referendum; and</li> <li>• completed my ballot papers and this declaration before 6pm (South Australian time) on polling day.</li> </ul>				
Reason for applying for a Declaration Vote				
<input type="checkbox"/>	Unenrolled - My name, as a result of an official error, does not appear on the certified list of electors for the district.			
Signature or Mark of Elector				
<b>3. Authorised Witness to Complete - Only if elector is voting by post</b>				
Surname				
Given Names				
Address				
I certify that the elector signed/marked this declaration in my presence before 6pm (South Australian time) on polling day.				
Signature of Authorised Witness			Date	
			/ /	
<b>4. Issuing Officer to Complete</b>				
I certify that the elector is entitled to receive declaration voting papers for this election/referendum.				
Date of election/referendum	/ /			
Name of issuing office or declared institution				
Signature of Issuing Officer			Date	
			/ /	



**Form 4**

<b>Declaration Vote Envelope 2</b>					
Roll Number					
Name of District					
<b>1. Elector Details - Please print firmly</b>					
Surname					
Given Names					
Residential Address for which you claim to be enrolled					
Date of Birth	Day	Month	Year		
Former surname if changed since you last enrolled					
<b>2. Elector Declaration</b>					
I declare that I have not previously voted in this election/referendum and am entitled to a declaration vote because:					
Absent	<input type="checkbox"/>	I choose to attend a polling booth outside my enrolled district			
Unenrolled	<input type="checkbox"/>	My name, as a result of an official error, does not appear on the certified list of electors for the district			
Already Voted?	<input type="checkbox"/>	I appear, as a result of an error, to have already voted in this election/referendum			
Suppressed Address	<input type="checkbox"/>	My address has been suppressed from publication			
Signature or Mark of Elector					
<b>3. Issuing Officer to Complete</b>					
I certify that the elector is entitled to receive declaration voting papers for this election/referendum.					
Date of election/referendum	/ /				
Polling Place					
Issuing Officer's Signature					

**Form 5**

1. Elector Details		2. Elector Declaration	
Elector Number	DISTRICT	I declare that I:	
Issue Date	Issue Reason	<ul style="list-style-type: none"> <li>• am entitled to a declaration vote;</li> <li>• have not already voted in this election/referendum;</li> <li>• confirm my personal details on this declaration vote envelope are correct; and</li> <li>• completed my ballot papers and this declaration before 6pm (South Australian time) on polling day (penalties apply see overleaf)</li> </ul>	
Election Date	Date of Birth	Signature or Mark of Elector	
Elector Name & Enrolled Address			
BARCODE		3. Authorised Witness to Complete	
Elector Name		Surname	
Street Address 1		Given Names	
Street Address 2		Address	
Suburb		I certify that the elector signed/marked this declaration in my presence before 6pm (South Australian time) on polling day.	
		Signature of Authorised Witness	Date
			/ /

For Your Vote To Count	
<ul style="list-style-type: none"> <li>• Read the Postal Voting Guide</li> <li>• Complete and sign the Elector Declaration</li> <li>• Ensure the authorised witness completes and signs where indicated</li> <li>• Do not remove the flap containing your elector details. To ensure the secrecy of your vote, the flap will be removed by an electoral official before the envelope is opened</li> <li>• Place your completed ballot papers in this envelope and seal as directed</li> </ul>	
<p>It is an offence for the voter or witness to mark a ballot paper or sign a declaration envelope after the close of poll (6pm South Australian time) on polling day. Penalty: \$2,500 or imprisonment for 6 months.</p>	

**Form 6**

<b>Application for a Postal Vote</b>			
<b>Office Use Only</b>			
1. Complete Your Details - Please Print			
<b>Surname</b>			
<b>Given Names</b>			
<b>Residential Address</b> for which you claim to be enrolled <small>Post Office box, RMD &amp; RSD numbers are not acceptable.</small>			
<b>Date of Birth</b>	Day	Month	Year
<b>Contact Number</b>			
2. Address To Send Ballot Papers			
Please send ballot papers for this election/referendum to me at this address			
3. Declaration			
I declare that I:			
<ul style="list-style-type: none"> <li>• have not already voted in this election/referendum; and</li> <li>• am eligible for a postal vote for one of the following reasons: (✓ tick one box)</li> </ul>			
<input type="checkbox"/> Distance	<input type="checkbox"/> Advanced Pregnancy		
<input type="checkbox"/> Travelling	<input type="checkbox"/> Religion		
<input type="checkbox"/> Illness	<input type="checkbox"/> Working		
<input type="checkbox"/> Caring for Others	<small>See back of this application for detailed description of reasons</small>		
<b>Signature or Mark of Elector</b>		<b>Date</b>	
		/ /	
<b>Signature of Authorised Witness</b> <small>only if elector is unable to sign (see reverse)</small>		<b>Date</b>	
		/ /	

### Qualification To Apply For A Postal Vote

You are entitled to apply for a postal vote if you are unable to vote at a booth on polling day for one of the following reasons -

- **Distance** - Reside more than 8 kilometres from any polling booth
- **Travelling** - Away from residential address on polling day
- **Illness** - Sickness, infirmity or disability
- **Caring for Others** - Caring for a person who is sick, infirm or disabled
- **Advanced Pregnancy**
- **Religion** - Membership in a religious order or religious beliefs
- **Working** - Working throughout the hours of polling

### Obligations of Authorised Witness

An elector who is unable to write may, in the presence of an *authorised witness*, make his/her distinguishing **mark** in the space provided for the applicant's signature.

#### *Authorised witness*

- is any person (other than a candidate in the election) who is at least 18 years of age;
- can only witness this application if he/she has seen the applicant **mark** it.

### Application By Post

Completed applications must be received by 5pm on the Thursday immediately before the election/referendum at:

Electoral Commission SA,  
GPO Box 666,  
Adelaide SA 5001

Level 6, 60 Light Square  
Adelaide SA 5000

or an appointed overseas office.

The location of overseas offices will be published in local newspapers prior to the election/referendum and on the Electoral Commission SA website at:

[www.ecsa.sa.gov.au](http://www.ecsa.sa.gov.au)

### For Further Information

If you have any queries please contact the Electoral Commission SA

Enquiry Line: 1300 655 232

TTY: 08 7424 7451

For fax contact information refer to [www.ecsa.sa.gov.au](http://www.ecsa.sa.gov.au)

**Form 7**

**Declaration by elector who applied by post  
but failed to receive voting papers**

To the Returning Officer for the District of

(Insert Name of District)

<b>Elector's Name and Enrolled Address</b>	Surname	
	Given Names	
	Enrolled Address	

I declare that I failed to receive declaration voting papers in response to my postal application.

<b>Signature or Mark of Elector</b>	
-------------------------------------	--

**Polling Booth Manager to complete**

I, ..... , Polling Booth Manager at the  
(Name of Polling Booth Manager)

..... polling place, certify that the abovenamed  
(Name of Polling Place)

elector has been provided with the appropriate ballot papers so that he/she may vote in this election.

**Signature of Polling Booth Manager** ..... **Date** ...../...../.....

**Form 8**

ELECTORAL DISTRICT:

ELECTION DATE:

DUE DATE FOR RETURN  
OF NOTICE:**NOTICE OF APPARENT FAILURE TO VOTE**

Dear Elector

My records appear to indicate that you did not vote at the State election held on the date given above.

It is an offence under section 85(7) of the *Electoral Act 1985* to fail to vote without a valid and sufficient reason.  
(Expiation fee: \$10; maximum penalty: \$50)

I am now offering you the opportunity to provide the reason for your apparent failure to vote (refer Section 2A or 2B of this Notice).

If the elector to whom this Notice is addressed is absent, or unable to respond, another elector who knows the facts may respond on the elector's behalf.

It is also an offence under section 85(7) to fail to complete, sign and return this Notice to the State Electoral Office by the date given above.  
(Expiation fee: \$10; maximum penalty \$50)

A reply paid envelope is provided. Please note that your returned Notice **MUST** be witnessed (refer Section 4 of the Notice).

ELECTORAL COMMISSIONER

**Please Print**

<b>Section 1</b>	Name of Elector	Daytime Phone
	Current Address	Date of Birth

<b>Section 2 A</b>	<p><b>Please complete either Section 2A or 2B</b></p> <p><b>I did vote</b></p> <p><i>(Tick appropriate box)</i></p> <p><input type="checkbox"/> at the polling place at .....</p> <p><input type="checkbox"/> by post.....</p> <p><input type="checkbox"/> pre poll in person at.....</p> <p><i>(Our records will be re-checked against your claim.)</i></p> <p>OR</p>
<b>Section 2 B</b>	<p><b>The reason for not voting</b></p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

<b>Section 3 A</b>	<p><b>I declare that the information provided above is true to the best of my knowledge.</b></p> <p><b>Signature of elector OR person completing the Notice</b></p> <p>.....</p>
<b>Section 3 B</b>	<p><b>Name and address of any person acting on behalf of the elector</b></p> <p><b>Name</b>.....</p> <p><b>Address</b>.....</p>

**WITNESS SECTION**

<b>4</b>	<p>The declaration was signed in my presence.</p> <p><b>Signature of Witness</b></p> <p>.....</p>	<p><b>Address of Witness</b></p> <p>.....</p> <p>.....</p> <p style="text-align: right;">Date</p>
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**Schedule 2—Revocation**

The *Electoral Regulations 1997* 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 17 December 2009

No 309 of 2009

AGO0170/04CS



## FAXING COPY?

IF you fax copy to **Government Publishing SA** for inclusion in the *Government Gazette*, there is **no need** to send a Confirmation Copy to us as well.

This creates confusion and may well result in your notice being printed **twice**.

Please use the following fax number:

Fax transmission: (08) 8207 1040  
Phone Inquiries: (08) 8207 1045

Please include a contact person, phone number and order number so that we can phone back with any queries we may have regarding the fax copy.

**NOTE: Closing time for lodging new copy (fax, hard copy or email) is 4 p.m. on Tuesday preceding the day of publication.**

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**Government Gazette notices can be E-mailed.**

The address is:

governmentgazette@dpc.sa.gov.au

Documents should be sent as attachments in Word format.

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

Fax transmission: (08) 8207 1040  
Enquiries: (08) 8207 1045

**NOTE: Closing time for lodging new copy (fax, hard copy or email) is 4 p.m. on Tuesday preceding the day of publication.**

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## CITY OF MARION

*Declaration of Private Roads to Public Roads*

NOTICE is hereby given, pursuant to section 210 (2) (b), that the Corporation of the City of Marion proposes to declare Darlington Street, Sturt and Melbourne Street, Sturt from private roads to public roads at the expiration of three months from the date of this notice.

Any person who considers they have an interest in the described land should in the first instance contact Council on 8375 6600 and may also make application to the Land and Valuation Court for compensation for the land.

M. GRIFFIN, Team Leader Engineering

## RURAL CITY OF MURRAY BRIDGE

## DEVELOPMENT ACT 1993

*Better Development Plan (BDP) and General Development Plan Amendment—Draft for Agency and Public Consultation*

NOTICE is hereby given that the Rural City of Murray Bridge, pursuant to section 24 of the Development Act 1993, prepared a draft Development Plan Amendment (DPA) to amend the Murray Bridge (RC) Development Plan.

The Better Development Plan and General Development Plan Amendment (DPA) will amend the Murray Bridge (RC) Development Plan by Updating and improving the existing policy content of the current Development Plan by the introduction and utilisation of the Better Development Plan policies, including the following:

- renaming the Commercial (Monarto South) Zone to a Light Industry Zone with the conversion of the current policy areas to a single Monarto South Policy Area with four precincts and extending the boundaries of the Mixed Use precinct;
- introduction of a Community Zone to include existing educational, health and correctional facilities;
- renaming of the Primary Industry Zone to Primary Production Zone, with the retention of existing Policy Areas 14 to 17;
- rezoning of Central East Policy Area (Policy Area 18) of the Primary Industry Zone to the Rural Living Zone;
- incorporation of the Residential (Narooma) Zone into the Residential Zone with a Narooma Policy Area;
- incorporation of the Rural Fringe Zone into the Primary Production Zone with a policy area;
- extending the boundaries and renaming of the Rural (Monarto Zoological Park) Zone to the Monarto Zoological Park Zone;
- rezoning of a portion of the Tourist Development Zone within the area known as Queen Louisa to a Rural Living Zone;
- rezoning of a portion of the Tourist Development Zone adjacent Puzzle Park to a Rural Living Zone;
- rezoning of a portion of the Rural Fringe Zone adjacent Martin Road to Rural Living Zone;
- delete the Urban Waterfront Zone and incorporate in the Regional Town Centre Zone as the Urban Waterfront Policy Area; and
- extend the boundaries of the Regional Town Centre Zone along Adelaide Road to incorporate the current Residential Zone—Adelaide Road Policy Area 10.

In order to prevent inappropriate development and promote orderly planning, the draft DPA has been granted 'interim authorisation' by the Minister, giving the amendment immediate effect.

Copies of the draft DPA will be available for public inspection and purchase during normal office hours at the Council Office, 2 Seventh Street, Murray Bridge and on the Council website at <http://www.murraybridge.sa.gov.au>.

The draft DPA will be on display from 17 December 2009 until 25 February 2010.

Written submissions regarding the draft DPA should be submitted no later than 5.00 pm on 25 February 2010. All submissions should be addressed to Damien Moloney, Chief Executive Officer, Rural City of Murray Bridge, P.O. Box 421, Murray Bridge, S.A. 5253 and should clearly indicate whether you wish to be heard in support of your submission.

Copies of all submissions will be available for inspection by interested persons at the Rural City of Murray Bridge Offices, 2 Seventh Street, Murray Bridge from Friday, 26 February 2010 until the public meeting.

A public meeting will be held on 15 March 2010 at the Council Offices, 2 Seventh Street, Murray Bridge, at which time interested persons may appear to be heard in relation to the draft DPA and the submissions. The public meeting will not be held if no submissions are received or if no submission makes a request to be heard.

Queries should be directed to Simon Channon, Planning Officer or Gloria Booker, Manager of Development and Environmental Services on (08) 8539 1100.

Dated 17 December 2009.

D. MOLONEY, Chief Executive Officer

## CITY OF ONKAPARINGA

*Notice of Revocation of Community Land Classification*

NOTICE is hereby given that the City of Onkaparinga, at its meeting on 22 January 2008, resolved pursuant to section 194 (3) (b) of the Local Government Act 1999 (SA) to revoke the classification of community land of portion of the land comprised in allotment 798 in Deposited Plan 15435, being portion of the land comprised in certificate of title volume 5543, folio 547 and more specifically being the area marked in red on the plan below.



J. TATE, Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

Review of Elector Representation

NOTICE is hereby given that the City of Norwood Payneham & St Peters has completed a review of its elector representation arrangements, including its composition and ward structure, in accordance with the requirements of section 12 (4) of the Local Government Act 1999 (the Act).

Pursuant to section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of section 12 of the Act. As such, the following structure will be put into effect as from the day of the first general election held after the publication of this notice:

- The elected Council will comprise the Mayor (elected 'at large' by the community) and 13 ward councillors.
- The City will be divided into six wards, as defined in Schedules One to Six inclusive.
- The wards be identified as St Peters (ward 1), Torrens (ward 2), Payneham (ward 3), Maylands/Trinity (ward 4), West Norwood/Kent Town (ward 5) and Kensington (ward 6).
- Maylands/Trinity Ward will be represented by three ward councillors and St Peters, Torrens, Payneham, West Norwood/Kent Town and Kensington Wards will each be represented by two ward councillors.

SCHEDULE ONE

St Peters Ward: Comprising the area contained within the suburbs of Hackney, College Park, St Peters and Joslin.



SCHEDULE TWO

Torrens Ward: Comprising the area contained within the suburbs of Royston Park, Felixstow and Marden.



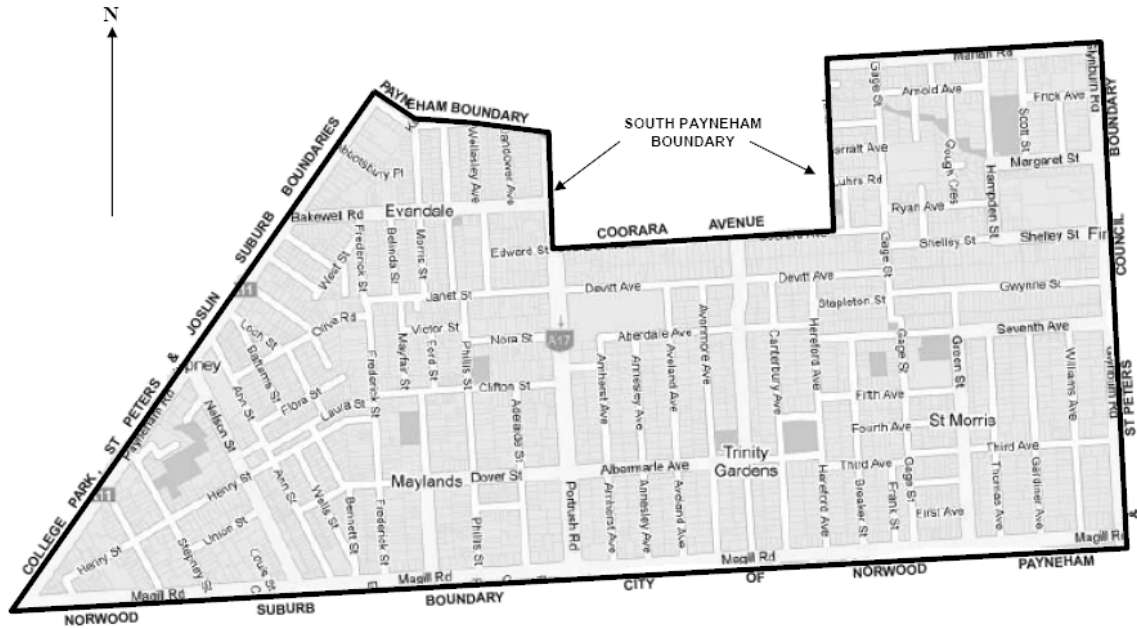
SCHEDULE THREE

Payneham Ward: Comprising the area contained within the suburbs of Payneham, Glynde and that part of Payneham South to the north of Coorara Avenue (centre of road).



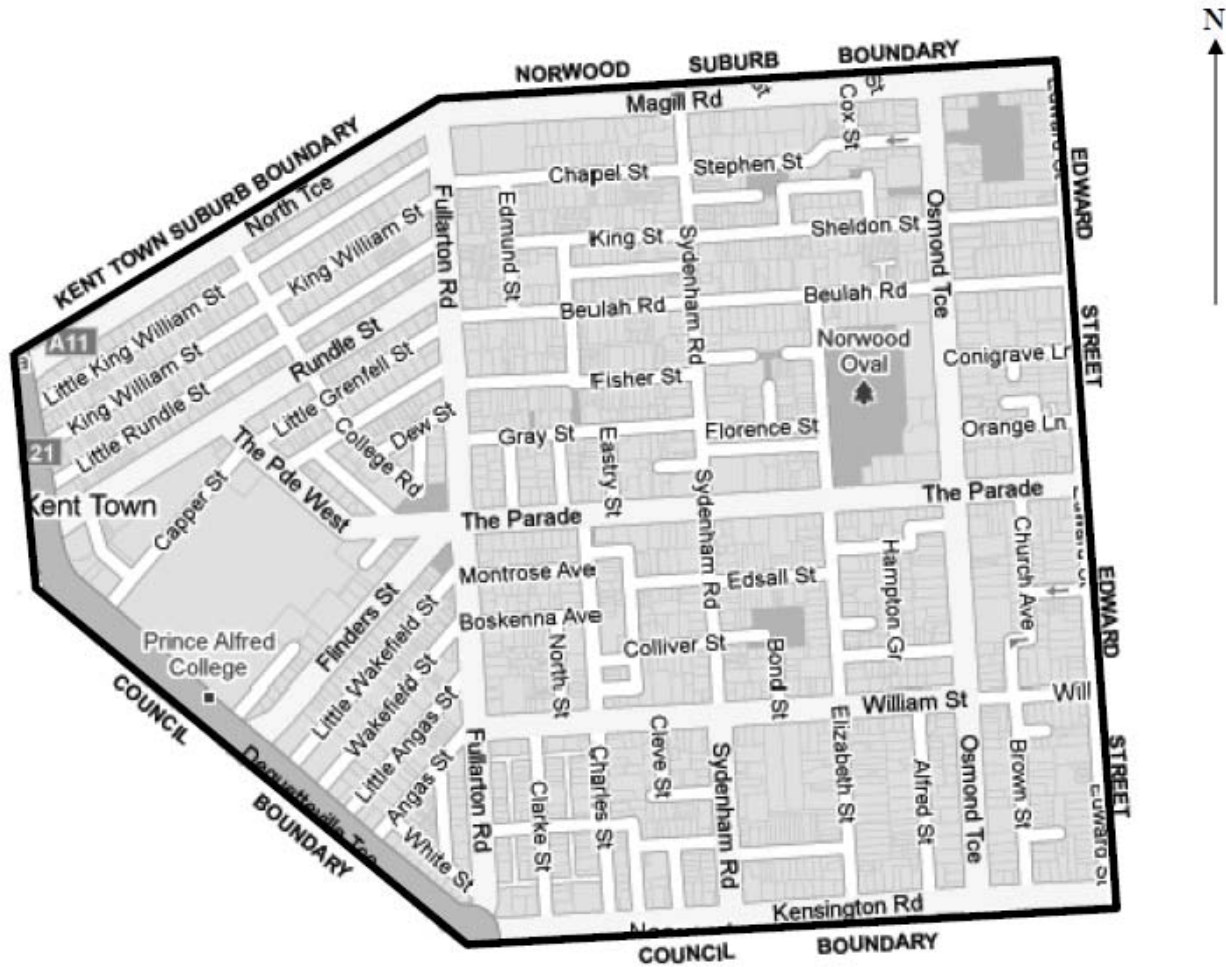
SCHEDULE FOUR

Maylands/Trinity: Comprising the area contained within the suburbs of Stepney, Evandale, Maylands, Trinity Gardens, St Morris, Firlie and that part of Payneham South to the south of Coorara Avenue (centre of road).



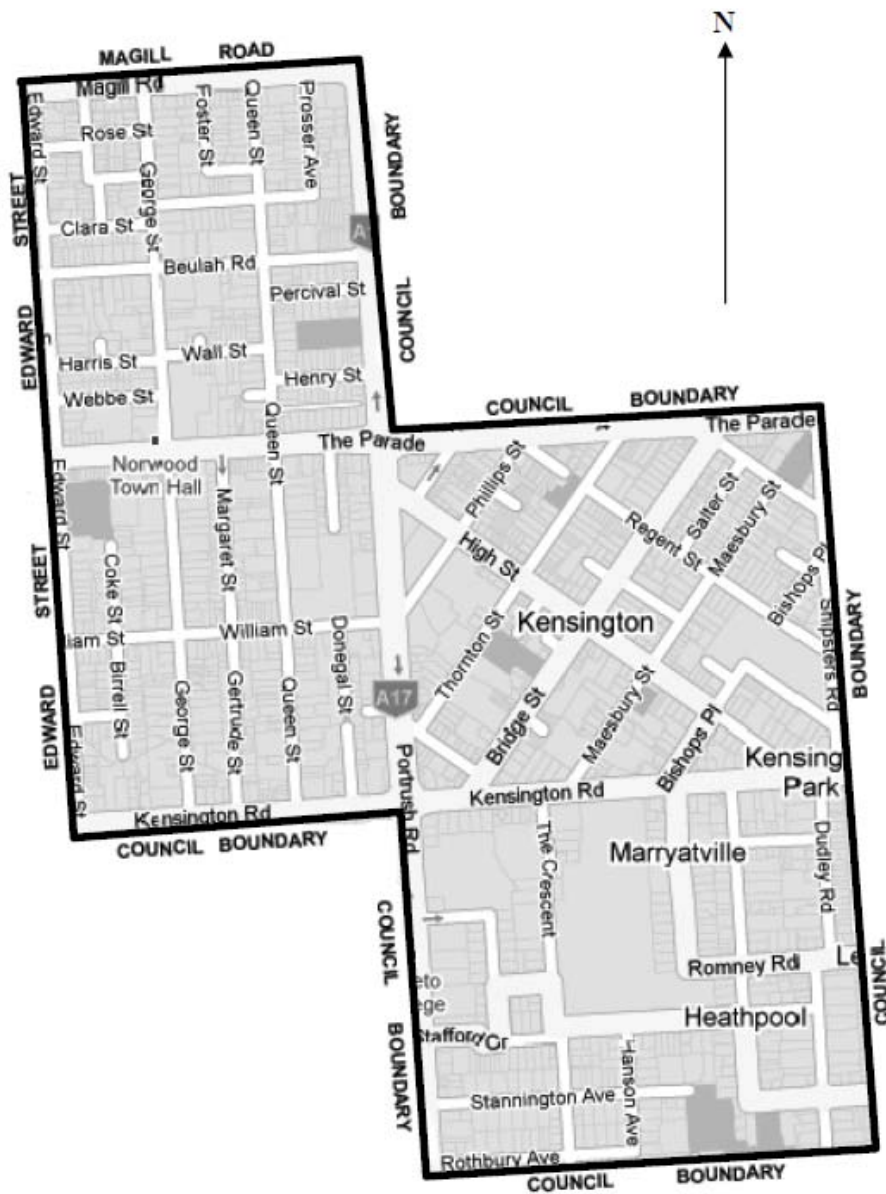
SCHEDULE FIVE

West Norwood/Kent Town: Comprising the area contained within the suburbs of Kent Town and that part of Norwood to the west of Edward Street (centre of road).



SCHEDULE SIX

Kensington Ward: Comprising the area contained within the suburbs of Kensington, Marryatville, Heathpool and that part of Norwood to the east of Edward Street (centre of road).



M. BARONE, Chief Executive Officer



## CITY OF PORT LINCOLN

*Appointment of Authorised Officer*

NOTICE is hereby given that Louise Mrdjen has been appointed authorised officer pursuant to section 137 of the Local Government Act 1999.

All previous appointments made to Michael Barker are hereby revoked.

G. DODD, Chief Executive Officer

*Office and Library Closure*

NOTICE is hereby given that the City of Port Lincoln's Administration Office and Library will be closed from 5 p.m. Wednesday, 23 December 2009 and re-open at 9 a.m. Monday, 4 January 2010.

The first Ordinary Council meeting for 2010 will be held Monday, 18 January 2010 at 7.30 p.m. in the Council Chamber, Level 1, 60 Tasman Terrace, Port Lincoln.

G. DODD, Chief Executive Officer

*Acting Chief Executive Officer*

NOTICE is hereby given that pursuant to section 102 (b) of the Local Government Act 1999, Council concurs with the appointment of Katrina Allen, Director Corporate and Community Services to act in the position of Chief Executive Officer from 21 December 2009 until 1 February 2010.

And that further for the purpose of the Council delegations made 6 October 2009, all delegations to the Chief Executive Officer extend to Katrina Allen appointed to act in the position of Chief Executive Officer for this period of leave.

G. DODD, Chief Executive Officer

## CITY OF TEA TREE GULLY

## ROADS (OPENING AND CLOSING) ACT 1991

*Proposal to Close Para Valley Road, Greenwith*

NOTICE is hereby given pursuant to section 10 of the Roads (Opening and Closing Act) 1991, that the City of Tea Tree Gully proposes to close portions of Para Valley Road, Greenwith from the intersection of Golden Grove Road continuing north until allotment 91 in Deposited Plan 55083 marked 'A' and 'B' on Preliminary Plan No. 09/0075.

It is proposed that:

- the area marked 'A' is to be transferred to Lifestyle Services (Australia) Pty Ltd, as part of an exchange of land, and amalgamated with allotment 2002 in Deposited Plan 71401. Council will acquire a parcel of land of proportionate value; and
- the area marked 'B' is to be retained by Council and amalgamated with the adjoining Council reserve.

A copy of the preliminary plan and a statement of persons affected are available for inspection at the Civic Centre, 571 Montague Road, Modbury between the hours of 8.45 a.m. and 5 p.m. Monday to Friday, from Council's website [www.teatreegully.sa.gov.au](http://www.teatreegully.sa.gov.au) or at the office of the Surveyor-General, 101 Grenfell Street, Adelaide, during normal office hours.

Any application for an easement or objection must set out the full name and address of the person making the submission, as well as the details of the submission and must be supported by reasons.

An application for an easement or objection must be made in writing to the City of Tea Tree Gully, P.O. Box 571, Modbury, S.A. 5092, by Friday, 22 January 2010. A copy of the submission must also be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001.

Where a submission is made, the City of Tea Tree Gully will give notice of the time and place at which a meeting will be held to consider the matter, so that the person making the submission (or their representative) may attend to support the submission, if desired.

Any enquiries relating to this matter may be directed to Desire'e Morgan on 8397 7412.

D. ROGOWSKI, Chief Executive Officer

## CITY OF WEST TORRENS

*Allocation of Road Name*

NOTICE is hereby given that the City of West Torrens, at its meeting held on 8 December 2009, issued a resolution, pursuant to section 219 (1) of the Local Government Act 1999, to allocate the name Harley Pearson Lane to the public road on Allotment 28 within Deposited Plan 1234 in the area named Thebarton, Hundred of Adelaide, certificate of title volume 434, folio 195.

T. BUSS, Chief Executive Officer

## DISTRICT COUNCIL OF BARUNGA WEST

*Resignation of Councillor*

NOTICE is hereby given that Councillor Stacey Ireland has tendered her resignation to Council, effective from 8 November 2009. In accordance with Council's policy, and with section 6 (2) (b) of the Local Government (Elections) Act 1999, Council will not be filling the vacancy.

N. HAND, Chief Executive Officer

## THE FLINDERS RANGES COUNCIL

*Temporary Road Closure*

NOTICE is hereby given that pursuant to section 33 of the Road Traffic Act 1961, that First Street, Quorn, between its intersections with Sixth Street and Seventh Street, be closed to all vehicles, excluding Council and emergency vehicles on Thursday, 24 December 2009 from 4.30 p.m. until 9.30 p.m. for the purpose of the Quorn Christmas Eve Street Party.

*Temporary Office Closures*

Notice is hereby given that at a meeting held on 10 November 2009, Council resolved, pursuant to section 34 of the Local Government Act 1999, that the following office closures will apply during the Christmas/New Year period:

- Quorn Principal Office—close at 12 noon on Thursday, 24 December 2009 and reopen at 9 a.m. on Monday, 4 January 2010;
- Quorn and Hawker Works Depots—close at 12 noon on Wednesday, 23 December 2009 and reopen at 7.30 a.m. on Monday, 4 January 2010.

C. J. DAVIES, Chief Executive Officer

## DISTRICT COUNCIL OF KAROONDA EAST MURRAY

*Railway Terrace, Karoonda—Road Closure*

NOTICE is hereby given that pursuant to section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12 March 2001, accordingly, Council pursuant to section 33 (1) (a) of the Road Traffic Act 1961, declares that the event to be conducted, being a Christmas Festival is an event to which section 33 of the Road Traffic Act 1961 applies and as such, makes an order that Railway Terrace, Karoonda, between Bodey Street and East Terrace, will be closed to traffic from 6 p.m. to 11 p.m. on 24 December 2009, for a Christmas Festival and from 6 p.m. on 31 December 2009, to 2 a.m. on 1 January 2010, for a New Year's Eve Street Party.

Pursuant to section 33 (1) (b) of the Road Traffic Act 1961, make an order directing that persons taking part in the event be exempted, in relation to roads, from the duty to observe the Australian Road Rules specified and attached to the exemption:

Rule 230—Crossing a Road—General.

P. SMITHSON, Chief Executive Officer

## DISTRICT COUNCIL OF PETERBOROUGH

*Results of Supplementary Election for Two Area Councillors  
Conducted on Monday, 7 December 2009*

Formal Ballot Papers: 751  
Informal Ballot Papers: 17

Quota: 251

Candidates	First Preference Votes	Result after Distribution of Preferences
Woodman, Christopher Kym.....	550	Elected
Hardbottle, Frank.....	81	
Beveridge, Bridget Margaret .....	120	Elected

K. MOUSLEY, Returning Officer

## DISTRICT COUNCIL OF STREAKY BAY

## CLOSE OF NOMINATIONS

*Supplementary Election for Councillor in Flinders Ward—  
Nominations Received*

AT the close of nominations at 12 noon on Thursday, 10 December 2009, the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Councillor for Flinders Ward (1 vacancy):

MacKenzie, Sherron  
Scurrah, Robert  
Whitford, Dean  
Kelsh, Gemma

*Postal Voting*

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday, 5 January 2010 and Monday, 11 January 2010, to every person, body corporate and group listed on the voters roll at roll close on Friday, 30 October 2009. Voting is voluntary.

A person who has not received voting material by Monday, 11 January 2010 and believes they are entitled to vote should contact the Deputy Returning Officer on (08) 8626 1001.

Completed voting material must be returned to reach the Deputy Returning Officer no later than 12 noon on Monday, 25 January 2010.

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

*Vote Counting Location*

The scrutiny and counting of votes will take place at Council Chambers, 29 Alfred Terrace, Streaky Bay, as soon as practicable after 12 noon on Monday, 25 January 2010. 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

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

*Adams, Helen*, late of 14 Frew Street, Fullarton, of no occupation, who died on 22 August 2009.  
*Besley, Silvija*, late of 101F Major Road, Fawkner, Victoria, widow, who died on 9 April 2009.  
*Bottrell, Thelma Winifred*, late of 19 Aldersey Street, McLaren Vale, of no occupation, who died on 15 September 2009.

*Buchanan, Moira Fay*, late of 12 Whittard Street, Risdon Park, home duties, who died on 15 October 2009.

*Burnos, Michael*, late of 160 O.G. Road, Felixstow, retired minister of religion, who died on 7 September 2009.

*Cane, Maxine Cameron*, late of Kennedy Court, Largs Bay, of no occupation, who died on 4 September 2009.

*Cruickshank, Catherine Milne*, late of 16-24 Penneys Hill Road, Hackham, retired army officer, who died on 18 July 2009.

*Dally, Jessie May*, late of 80 Moseley Street, Glenelg South, widow, who died on 31 August 2009.

*Davey, Rhonda June*, late of 360 Senate Road, Risdon Park, retired business proprietor, who died on 3 September 2009.

*Evans, Howard Leonard*, late of 1 McCarthy Street, Port Augusta West, office equipment technician, who died on 18 June 2009.

*Flack, Ida Martha*, late of 50 Gulfview Road, Christies Beach, of no occupation, who died on 21 October 2009.

*Goldsack, Kenneth Osmond*, late of 5 Luther Road, Loxton, retired fruit grower, who died on 18 August 2009.

*Hocking, Effie Kathleen*, late of 251 Payneham Road, Joslin, of no occupation, who died on 22 August 2009.

*Hollis, John James*, late of 37 Bertha Street, Mount Gambier, retired jockey, who died on 26 February 1962.

*Howes, Mary*, late of Pridham Boulevard, Aldinga Beach, of no occupation, who died on 17 November 2009.

*Male, Joyce Hartley*, late of 53A Elders Way, Waikerie, retired cashier, who died on 22 October 2009.

*Perkins, Phillip*, late of 3 Chesson Street, Woodville Gardens, trolley collector, who died on 9 January 2009.

*Pressley, Lillian Bertrand*, late of 73 Anglesey Avenue, St Georges, home duties, who died on 17 October 2009.

*Riedel, Harry*, late of 5 Churchill Road, Ovingham, retired butcher, who died on 7 September 2009.

*Sosa, Milenko*, late of 10 Smelts Road, Burra, of no occupation, who died on 10 July 2009.

*Stewart, Michael John*, late of 7 Taralga Road, O'Sullivans Beach, of no occupation, who died on 4 May 2009.

*Wright, Harold*, late of 43A Flinders Avenue, Whyalla Stuart, retired crane driver, who died on 26 June 2009.

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 22 January 2010, 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 17 December 2009.

M. I. BODYCOAT, Public Trustee

## PARTNERSHIP ACT 1891-1975

*Notice of Discontinuance of Partnership*

TAKE notice that as from 17 December 2009, the partnership of N. J. Mollison, 75 Harriet Street, West Croydon, S.A. 5008 and J. T. McGuinness, 6 Chatswood Grove, Newton, S.A. 5074 and P. A. Nielsen, 55 Seventh Avenue, St Morris, S.A. 5068, trading as Theimagen, is dissolved. J. T. McGuinness has retired from the partnership. N. J. Mollison and P. A. Nielsen will continue to operate the business under the name of Theimagen and shall be responsible for all the debts and liabilities thereof.

J. T. MCGUINNESS

N. J. MOLLISON

P. A. NIELSEN

# ATTENTION

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

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

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

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

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

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