



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 29 NOVEMBER 2012

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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**. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au

Department of the Premier and Cabinet
Adelaide, 29 November 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Superannuation Funds Management Corporation of South Australia Board (Funds SA), pursuant to the provisions of the Superannuation Funds Management Corporation of South Australia Act 1995:

Director: (from 9 December 2012 until 8 December 2015)
Helen Marion Nugent

Director: (from 4 March 2013 until 3 March 2016)
Leigh Loddington Hall

By command,
JAY WILSON WEATHERILL, Premier

T&F12/084CS

Department of the Premier and Cabinet
Adelaide, 29 November 2012

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:

Member: (from 21 January 2013 until 20 January 2016)
James Thomas Hazel
Corinne Suzanne Namblard
William Thomas Spurr
Carolyn Anne Mitchell
Zannie Mair Flanagan

By command,
JAY WILSON WEATHERILL, Premier

ASACAB167/11

Department of the Premier and Cabinet
Adelaide, 29 November 2012

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 (2) Panel Member: (from 29 November 2012 until 28 November 2015)
Rosemary Anne Clancy

By command,
JAY WILSON WEATHERILL, Premier

AGO0217/04CS

Department of the Premier and Cabinet
Adelaide, 29 November 2012

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

Member: (from 29 November 2012 until 28 November 2015)
Simon Patrick O'Sullivan

Member: (from 29 January 2013 until 28 January 2016)
Gregory Guy Holland

By command,
JAY WILSON WEATHERILL, Premier

AGO0067/07CS

Department of the Premier and Cabinet
Adelaide, 29 November 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable John Robert Rau, MP, Deputy Premier, Attorney-General, Minister for Planning and Minister for Business Services and Consumers to be also Acting Minister for Manufacturing, Innovation and Trade, Acting Minister for Mineral Resources and Energy and Acting Minister for Small Business for the period from 4 December 2012 to 11 December 2012 inclusive, during the absence of the Honourable Tom Koutsantonis, MP.

By command,
JAY WILSON WEATHERILL, Premier

MMIT12/012SC

Department of the Premier and Cabinet
Adelaide, 29 November 2012

HIS Excellency the Governor in Executive Council has revoked the appointment of Matthew Karl Roesler as the Registrar of the Residential Tenancies Tribunal, effective from 3 December 2012, pursuant to the provisions of the Residential Tenancies Act 1995 and Section 36 of the Acts Interpretation Act 1915.

By command,
JAY WILSON WEATHERILL, Premier

MCA0017/12CS

Department of the Premier and Cabinet
Adelaide, 29 November 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint Lee-Ann Lillyman as Registrar of the Residential Tenancies Tribunal for a period commencing on 3 December 2012 and expiring on 2 December 2015, inclusive, pursuant to the provisions of the Residential Tenancies Act 1995.

By command,
JAY WILSON WEATHERILL, Premier

MCA0017/12CS

Department of the Premier and Cabinet
Adelaide, 29 November 2012

HIS Excellency the Governor in Executive Council has been pleased to appoint the people listed as Justices of the Peace for South Australia for a period of ten years commencing from 29 November 2012 and expiring on 28 November 2022, it being a condition of appointment that the Justices of the Peace must take the oaths required of a Justice under the Oaths Act 1936 and return the oaths form to the Justice of the Peace Services within 3 months of the date of appointment, pursuant to Section 4 of the Justices of the Peace Act 2005:

Peter Douglas Ackland
Carole June Afford
Gillian Mary Aldridge
Marilyn Baker
Philip Michael Chandler
Linda Woon-Yin Cheng
Dilip Gopalkrishna Chirmuley
Andrew Rex Daly
Julie Anne Marie Dellavia
Colin Dennis Drew
John William Hall
Raelene Ann Hanley
Anthony James Harvey
John Arthur Holmes
Kent Leslie Johncock
Kathleen Therese Johnston
Elizabeth Mary Karzis
Mary Ann Kasperski

David Robert King
 James Douglas Kitchin
 Neville Edward Kitchin
 David Knox
 Theodore Kousiandas
 Stephen Francis Larkin
 Alan Lindon Light
 Mary Lucas
 Megan Clare McFarlane
 Tony Ante Maglica
 Robert Kennion Marshall
 Monica Jean Moore
 John Charles O'Farrell
 Milivoj Anton Oreb
 Jennifer Kaye Dale Osis
 Georgine Gisela Packer
 Diogenis Patsouris
 Edwin Ernest Paues
 Nicos Pavlou
 Anna Maria Renna
 Jane Renwick
 Lorraine Lesley Rice
 Donald Christopher Sarre
 Ross Sharrad
 Francis John Stanton
 Jeanette Margaret Tiltman
 Kathleen Maria Terezia Walker
 Diane Joy Wickett
 Edward George Wilkins
 Maxine Raye Williams
 Raymond Clarence Williams
 Andrew Mark Woolford

By command,
 JAY WILSON WEATHERILL, Premier

JP12/041CS

Department of the Premier and Cabinet
 Adelaide, 29 November 2012

HIS Excellency the Governor in Executive Council has been pleased to issue a notice declaring the draft Marine Parks Management Plans referred to in Schedule 1 of the Marine Parks (Authorised Management Plans) Notice 2012, to be authorised Management Plans and fixing 29 November 2012 as the day on which they will come into operation, pursuant to the provisions of the Marine Parks Act 2007.

By command,
 JAY WILSON WEATHERILL, Premier

12MSECCS067

DEVELOPMENT ACT 1993, SECTION 25 (17): DISTRICT COUNCIL OF BARUNGA WEST—BETTER DEVELOPMENT PLAN AND GENERAL DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan Amendment entitled the District Council of Barunga West—Better Development Plan and General Development Plan Amendment has been finalised in accordance with the provisions of the Development Act 1993.

2. The Hon. John Rau has decided to approve the Amendment.

NOTICE

PURSUANT to Section 25 of the Development Act 1993, I—

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

Dated 20 November 2012.

JOHN RAU, Deputy Premier, Minister
 for Planning

DEVELOPMENT ACT 1993, SECTION 25 (17): DISTRICT COUNCIL OF STREAKY BAY—RESIDENTIAL WEST DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan Amendment entitled District Council of Streaky Bay—Residential West has been finalised in accordance with the provisions of the Development Act 1993.

2. The Hon. John Rau has decided to approve the Amendment.

NOTICE

PURSUANT to Section 25 of the Development Act 1993, I—

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

Dated 20 November 2012.

JOHN RAU, Deputy Premier, Minister
 for Planning

DEVELOPMENT ACT 1993, SECTION 25 (17): NARACOORTE LUCINDALE COUNCIL—INFRASTRUCTURE ZONE DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan Amendment entitled Naracoorte Lucindale Council Naracoorte Lucindale Council—Infrastructure Zone Development Plan Amendment has been finalised in accordance with the provisions of the Development Act 1993.

2. The Hon. Minister Rau has decided to approve the Amendment.

NOTICE

PURSUANT to Section 25 of the Development Act 1993, I—

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

Dated 23 November 2012.

JOHN RAU, Deputy Premier, Minister
 for Planning

DEVELOPMENT ACT 1993

ADOPTION OF MINISTER'S CODE:
 UNDERTAKING DEVELOPMENT IN BUSHFIRE PROTECTION AREAS—
 FEBRUARY 2009 (AS AMENDED OCTOBER 2012)

Preamble

It is necessary to amend the 'Minister's Code—Undertaking Development in Bushfire Protection Areas February 2009 (as amended May 2010).

Regulation 106 of the Development Regulations 2008 prescribes the Minister for Planning for the purposes of Section 23 (5) of the Development Act 1993. This section provides that a Development Plan may adopt, wholly or partially and with or without modification, a code prepared or published by the Minister for Planning under Regulation 106.

The Minister for Planning has prepared the 'Minister's Code—Undertaking Development in Bushfire Protection Areas February 2009 (as amended October 2012)'. Relevant Development Plans will require that an application for a development plan consent or a land division consent in relation to development in a bushfire protection area must be assessed taking into account the mandatory requirements of the Minister's Code.

NOTICE

PURSUANT to Regulation 106 of the Development Regulations 2008, notice is given of the adoption of the Minister's Code—Undertaking Development in Bushfire Protection Areas—February 2009 (as amended October 2012) as published by the Minister for Planning.

The adoption of the Minister's Code—Undertaking Development in Bushfire Protection Areas—February 2009 (as amended October 2012) will take effect for the purposes of the Development Regulations 2008 from the date of this notice.

Dated 23 November 2012.

JOHN RAU, Deputy Premier, Minister
for Planning

DEVELOPMENT ACT 1993
SECTION 29 (2) (b) (ii) AMENDMENT

Preamble

It is necessary to amend the Tea Tree Gully Development Plan dated 26 July 2012 and the Port Adelaide Enfield Development Plan dated 15 November 2012.

NOTICE

PURSUANT to Section 29 (2) (b) (ii) of the Development Act 1993, I amend the Tea Tree Gully Development Plan dated 26 July 2012 and the Port Adelaide Enfield Development Plan dated 15 November 2012, by:

1. Replacing Principles of Development Control 2 (b) and (c) in the General Section 'Regulated Trees' with the following:
 - (b) the tree represents a material risk to public or private safety;
 - (c) the tree is causing damage to a building.
2. Fix the day on which this notice is published in the *Gazette* as the day on which the Amendment will come into operation.

JOHN RAU, Deputy Premier, Minister
for Planning

DEVELOPMENT ACT 1993
SECTION 29 (2) (c) AMENDMENT

Preamble

Adelaide Hills Council	Mount Remarkable (DC)
Alexandrina Council	Murray Bridge Council
The Barossa Council	Naracoorte Lucindale Council
Berri Barmera Council	Northern Areas Council
Burnside (City)	Onkaparinga (City)
Campbelltown Council	Playford Council
Clare and Gilbert Valleys Council	Port Lincoln Council
Elliston (DC)	Port Pirie (RC)
Gawler (CT)	Renmark Paringa Council
Grant (DC)	Robe Council
Kangaroo Island Council	Salisbury (City)
Kingston District Council	Streaky Bay (DC)
Land not within a Council Area (Coastal Waters)	Tea Tree Gully (City)
Lower Eyre Peninsula (DC)	Tatiara (DC)
Light Regional Council	Tumby Bay (DC)
Mallala (DC)	Victor Harbor (City)
Mid Murray Council	Wakefield Regional Council
Mitcham (City)	Wattle Range Council
Mount Barker (DC)	Yankalilla (DC)
Mount Gambier (City)	Yorke Peninsula City

NOTICE

PURSUANT to Section 29 (2) (c) of the Development Act 1993, I amend the following list of Development Plans by:

1. Replacing the Principle of Development Control (PDC) listed within the Table A below with the contents of 'Attachment A':

TABLE A

Development Plan	Dated	Section/Heading	PDC
Adelaide Hills Council	12 April 2012	Council Wide/Bushfire Protection	301
Alexandrina Council	3 May 2012	Council Wide/Bushfire Protection	300
Burnside (City)	19 April 2012	Council Wide/Bushfire Protection	94
Elliston (DC)	1 Dec 2011	Council Wide/Bushfire Protection	60
Gawler (CT)	17 May 2012	Council Wide/Bushfire Protection	15
Grant (DC)	10 November 2011	Council Wide/Bushfire Protection	186
Lower Eyre Peninsula (DC)	30 August 2012	Council Wide/Bushfire Protection	14
Light Regional Council	12 April 2012	Council Wide/Bushfire Protection	238
Mallala (DC)	22 March 2012	Council Wide/Bushfire Protection	305
Mid Murray Council	19 October 2012	Council Wide/Bushfire Protection	389
Mitcham (City)	19 April 2012	Council Wide/Bushfire Protection	191
Mount Barker (DC)	7 June 2012	Council Wide/Bushfire Protection	385
Mount Gambier (City)	10 May 2012	Council Wide/Bushfire Protection	2
Mount Remarkable (DC)	22 March 2012	Council Wide/Bushfire Protection	262
Onkaparinga (City)	19 September 2012	Council Wide/Bushfire	8
Port Pirie (RC)	12 January 2012	Council Wide/Bushfire Protection	82
Salisbury (City)	19 April 2012	Council Wide/Bushfire Protection	2
Streaky Bay (DC)	15 December 2011	Council Wide/Bushfire Protection	89
Tatiara (DC)	22 March 2012	Council Wide/Bushfire Protection	207
Tumby Bay (DC)	24 November 2011	Council Wide/Bushfire Protection	253
Victor Harbor (City)	3 November 2011	Council Wide/Bushfire Protection	352
Yankalilla (DC)	22 March 2012	Council Wide/Bushfire Protection	236

2. Replacing the Principle of Development Control (PDC) listed within the Table B below with the contents of 'Attachment B':

TABLE B

Development Plan	Dated	Section/Heading	PDC
The Barossa Council	10 November 2011	General Section/Hazards	10
Berri Barmera Council	1 December 2011	General Section/Hazards	9
Campbelltown Council	27 January 2012	General Section/Hazards	10
Clare and Gilbert Valleys Council	9 February 2012	General Section/Hazards	9
Kangaroo Island Council	22 December 2011	General Section/Hazards	9
Kingston District Council	1 March 2012	General Section/Hazards	9

Development Plan	Dated	Section/Heading	PDC
Land not within a Council Area (Coastal Waters)	8 March 2012	Boston Island Zone/Bushfire	87
Murray Bridge Council	27 October 2011	General Section/Hazards	11
Naracoorte Lucindale Council	16 February 2012	General Section/Hazards	10
Northern Areas Council	9 February 2012	General Section/Hazards	11
Playford Council	13 September 2012	General Section/Hazards	15
Port Lincoln Council	24 May 2012	General Section/Hazards	9
Renmark Paringa Council	1 December 2011	General Section/Hazards	9
Robe Council	10 November 2011	General Section/Hazards	9
Tea Tree Gully (City)	26 July 2012	General Section/Hazards	11
Wakefield Regional Council	9 August 2012	General Section/Hazards	8
Wattle Range Council	9 February 2012	General Section/Hazards	8
Yorke Peninsula Council	22 November 2012	General Section/Hazards	9

3. Within the Country Living (Hindmarsh Island) Zone of the Alexandrina Development Plan dated 3 May 2012, delete Principle of Development Control 18 (b) and consecutively renumber the remaining sub-principles 18 (c), (d), (e), (f) and (g) to 18 (b), (c), (d), (e) and (f).

4. Within the Boston Island Zone of the Land Not Within A Council Area (Coastal Waters) Development Plan dated 8 March 2012 insert, immediately following PDC 87, the following new PDC and consecutively renumber the remaining principles within the zone:

88. Residential, tourist accommodation and other habitable buildings should provide an additional 5 000 litres or more of water supply for general household fire-fighting purposes over and above the dedicated bushfire-fighting water supply required by the Development Regulations 2008.

5. Fix the day on which this notice is published in the *Gazette* as the day on which the Amendment will come into operation.

Attachment A

Residential, tourist accommodation and other habitable buildings should:

- (a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect;
- (b) be sited in areas with low bushfire hazard vegetation and set back at least 20 m from existing hazardous vegetation; and
- (c) have a dedicated and accessible water supply available at all times for fire fighting.

Attachment B

Residential, tourist accommodation and other habitable buildings should:

- (a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect;
- (b) be sited in areas with low bushfire hazard vegetation and set back at least 20 m from existing hazardous vegetation; and
- (c) have a dedicated and accessible water supply available at all times for fire fighting.

Dated 23 November 2012.

JOHN RAU, Deputy Premier, Minister for Planning

DEVELOPMENT REGULATIONS 2008

COMPLYING DEVELOPMENT—REGULATION 8A AND SCHEDULE 4

*Areas to be Revoked and Determined by the Minister for the Purposes of Schedule 4—
Complying Development, Clause 2B—New Dwellings**Preamble*

For the purposes of Section 35 of the Development Act 1993, the development of new dwellings that are located within areas determined by the Minister and that meet the requirements of Clause 2B of Schedule 4 of the Development Regulations 2008, will be complying development.

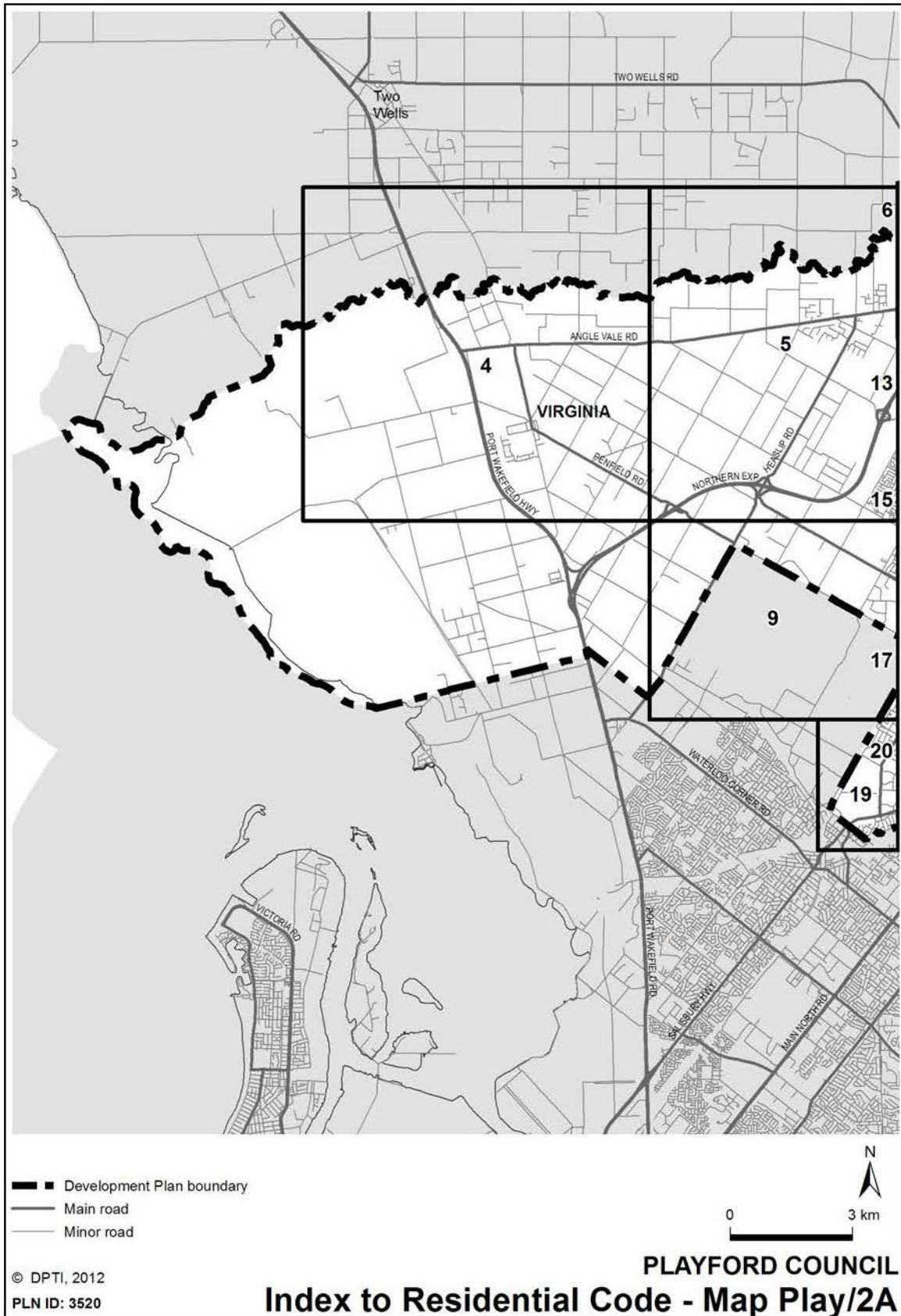
The Minister has decided to extend the existing determined area within the City of Playford Local Government Area under which Clause 2B of Schedule 4 applies. To give effect to this adjustment, the Minister has decided to revoke the existing determined area for the City of Playford and apply an alternative determined area.

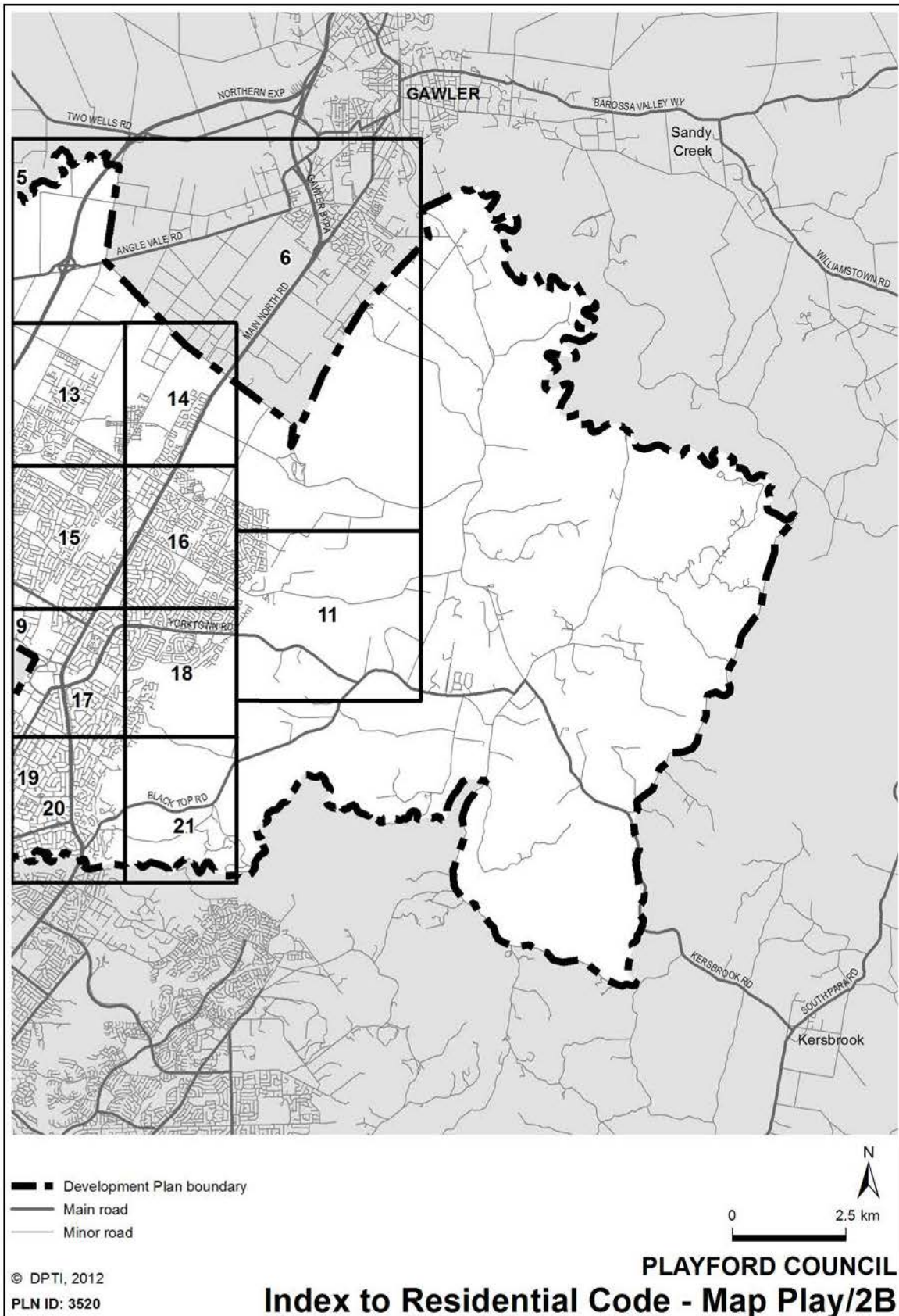
NOTICE

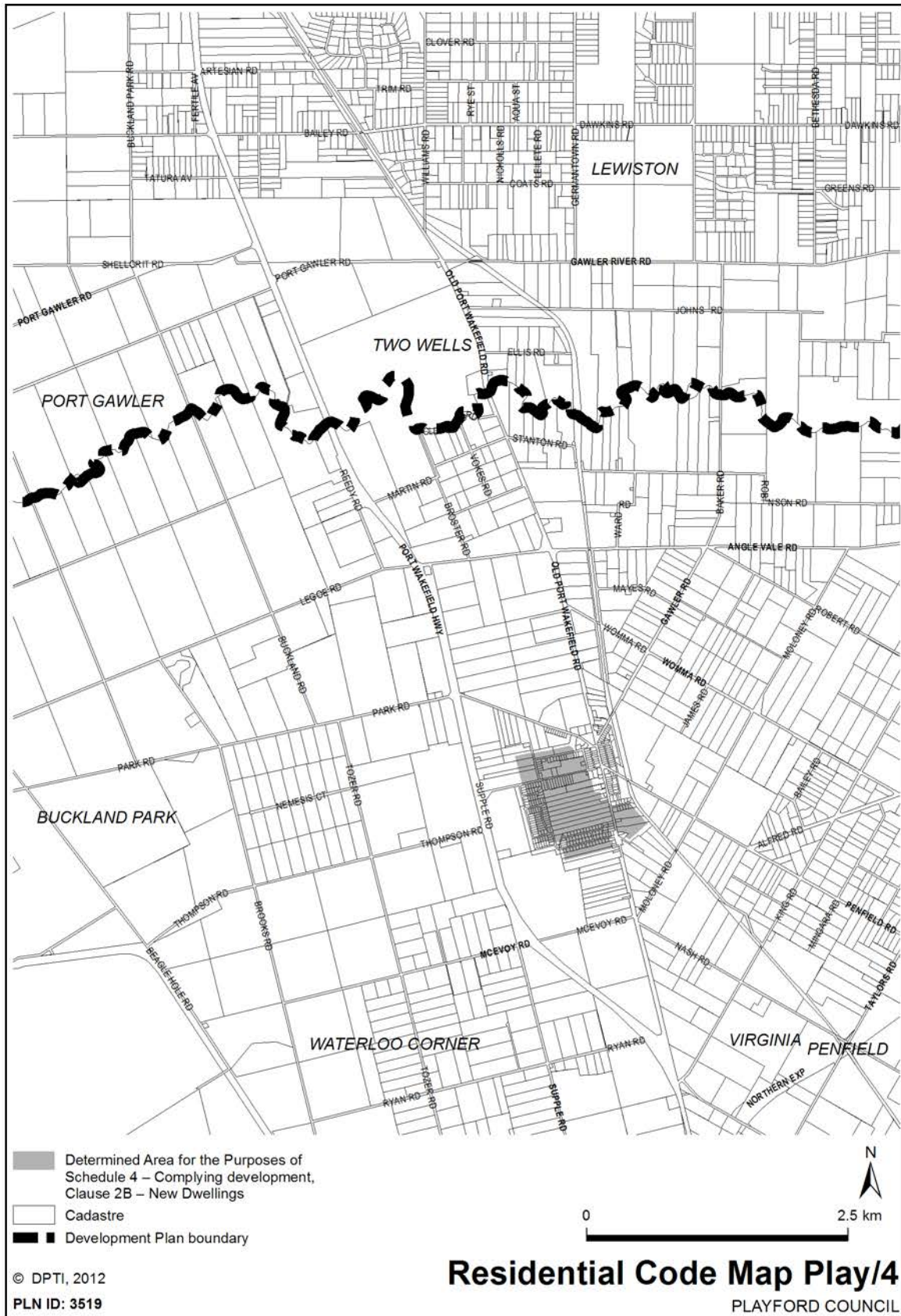
PURSUANT to Schedule 4, Part 2B (1) of the Development Regulations 2008, I, John Rau, being the Minister administering the Development Act 1993 have revoked all determined areas applying to the City of Playford as published in the *Government Gazette* on 27 November 2009 (listed from page 5736 to page 5751).

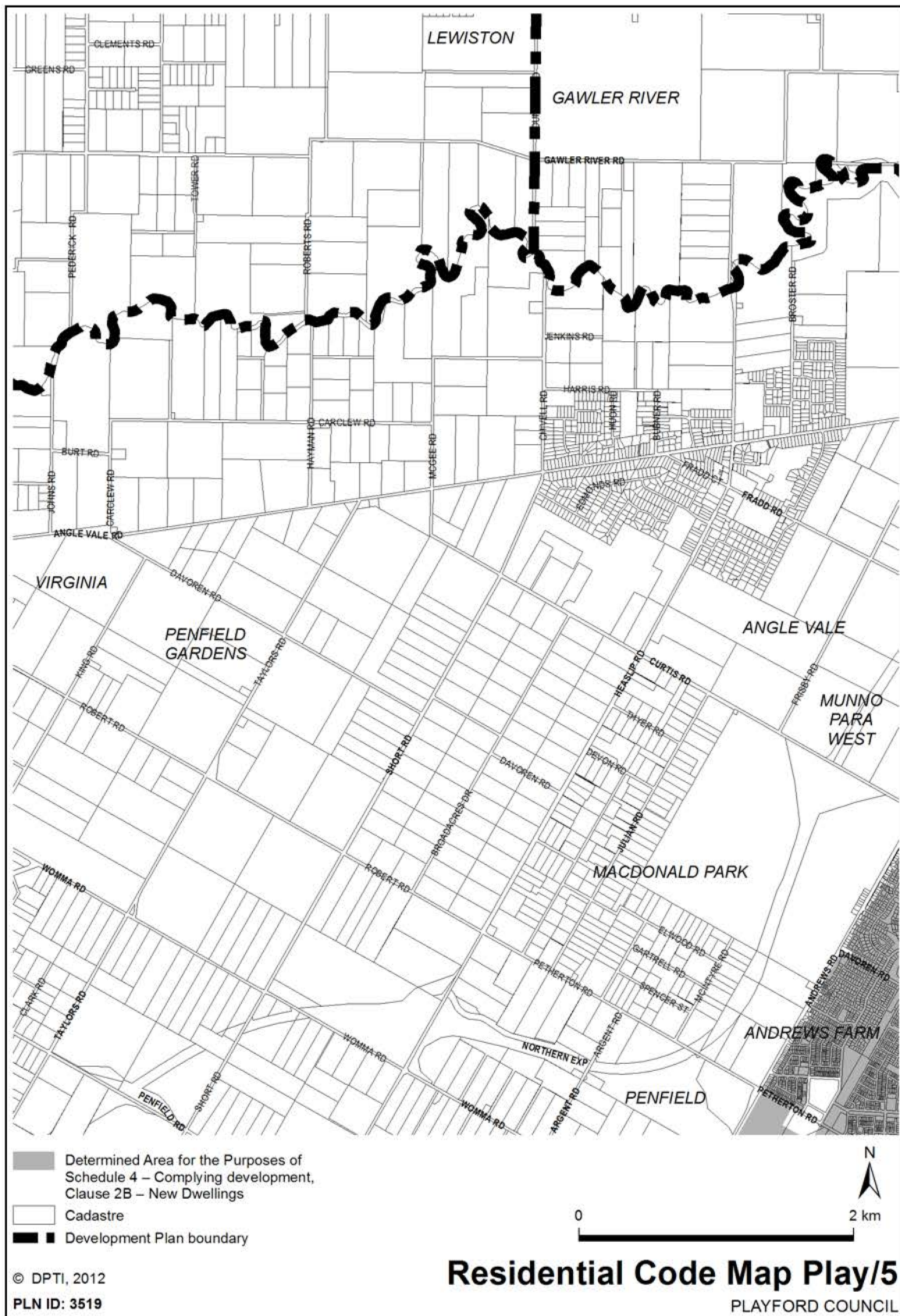
Further, I have determined that Clause 2B of Schedule 4 will, in the City of Playford, apply in relation to the shaded area shown on the Residential Code Maps attached to this Notice marked 'ATTACHMENT A' and fix the day on which this Notice is published in the *Government Gazette* as the day on which the determined area will apply.

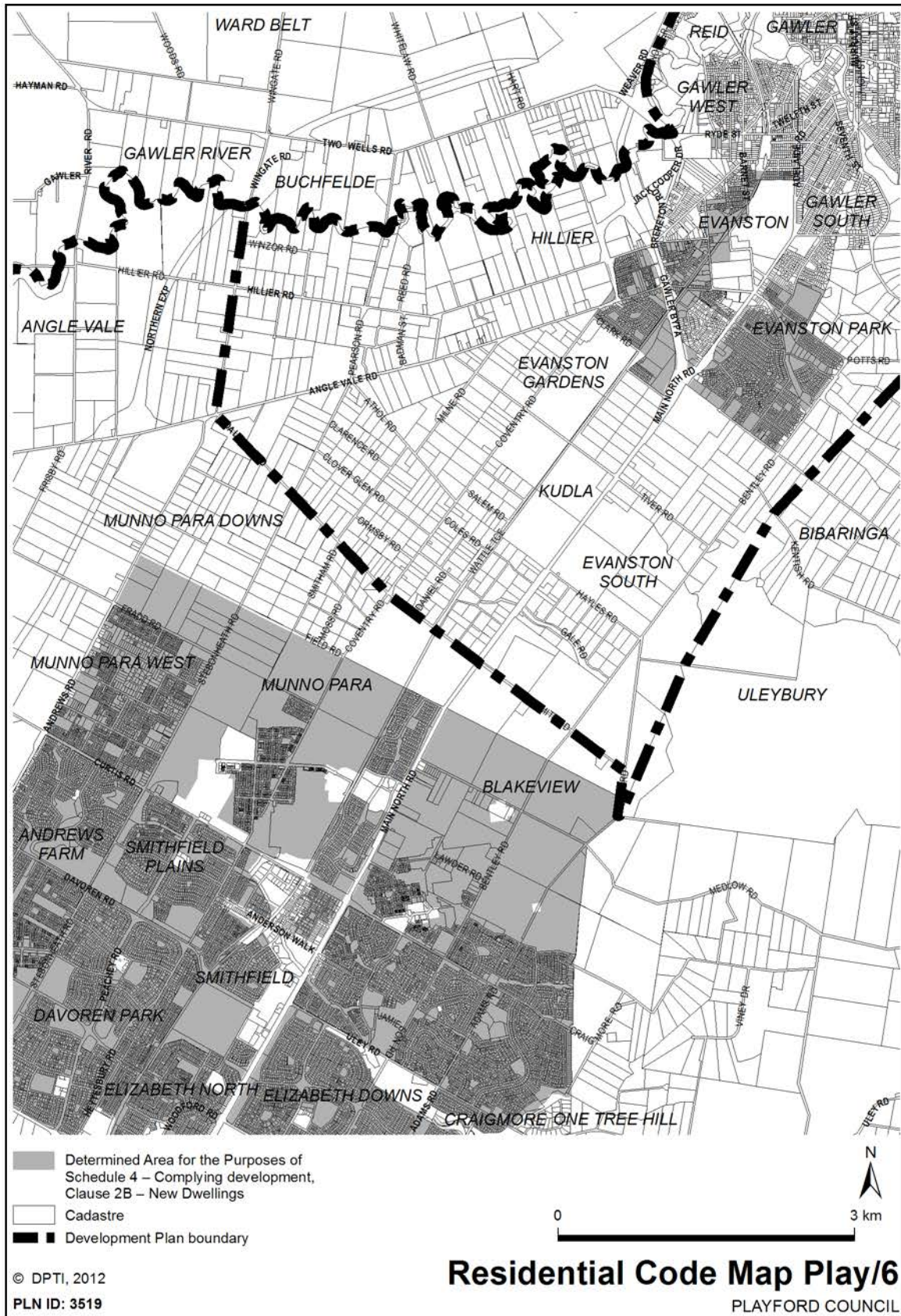
ATTACHMENT A

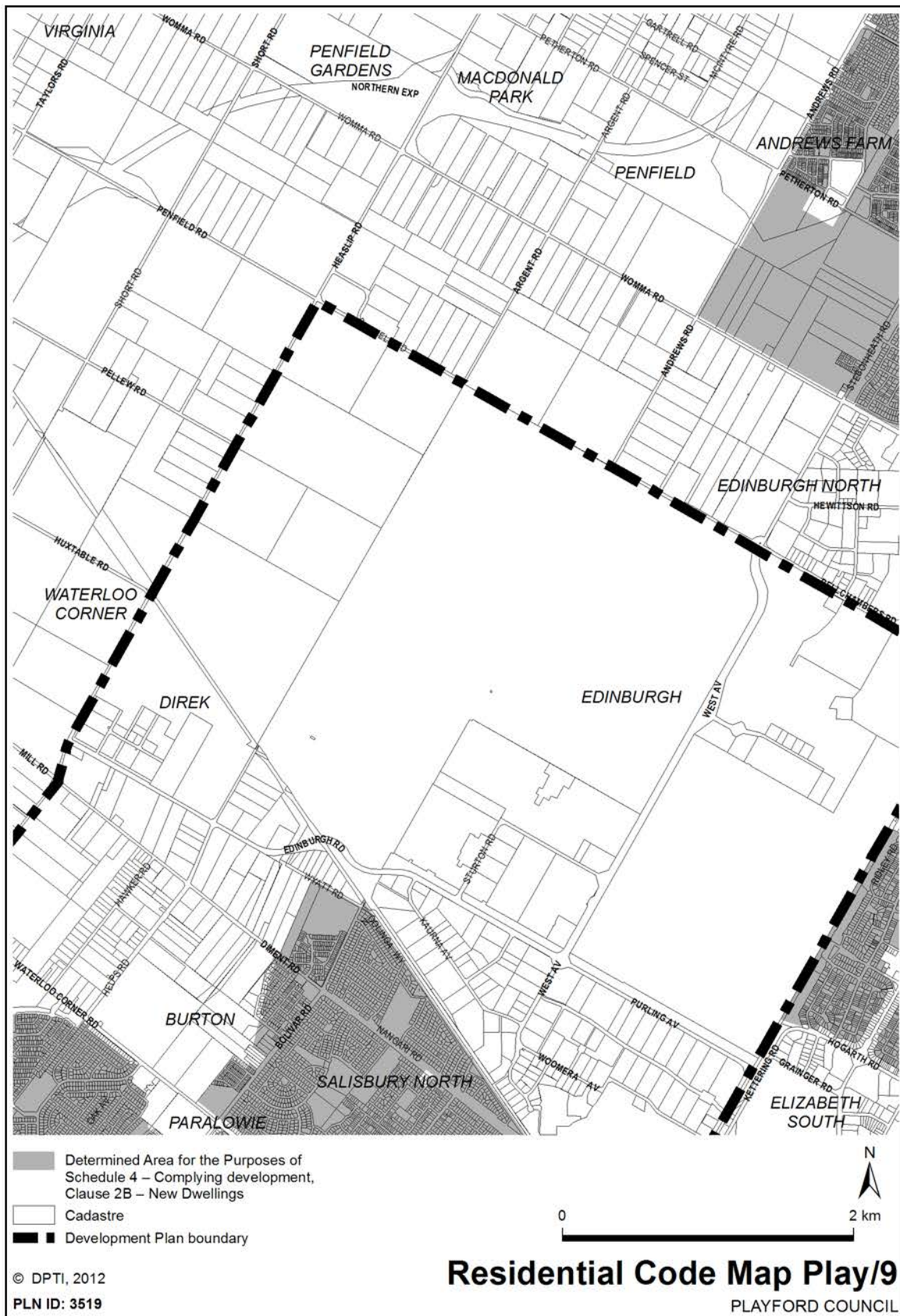
















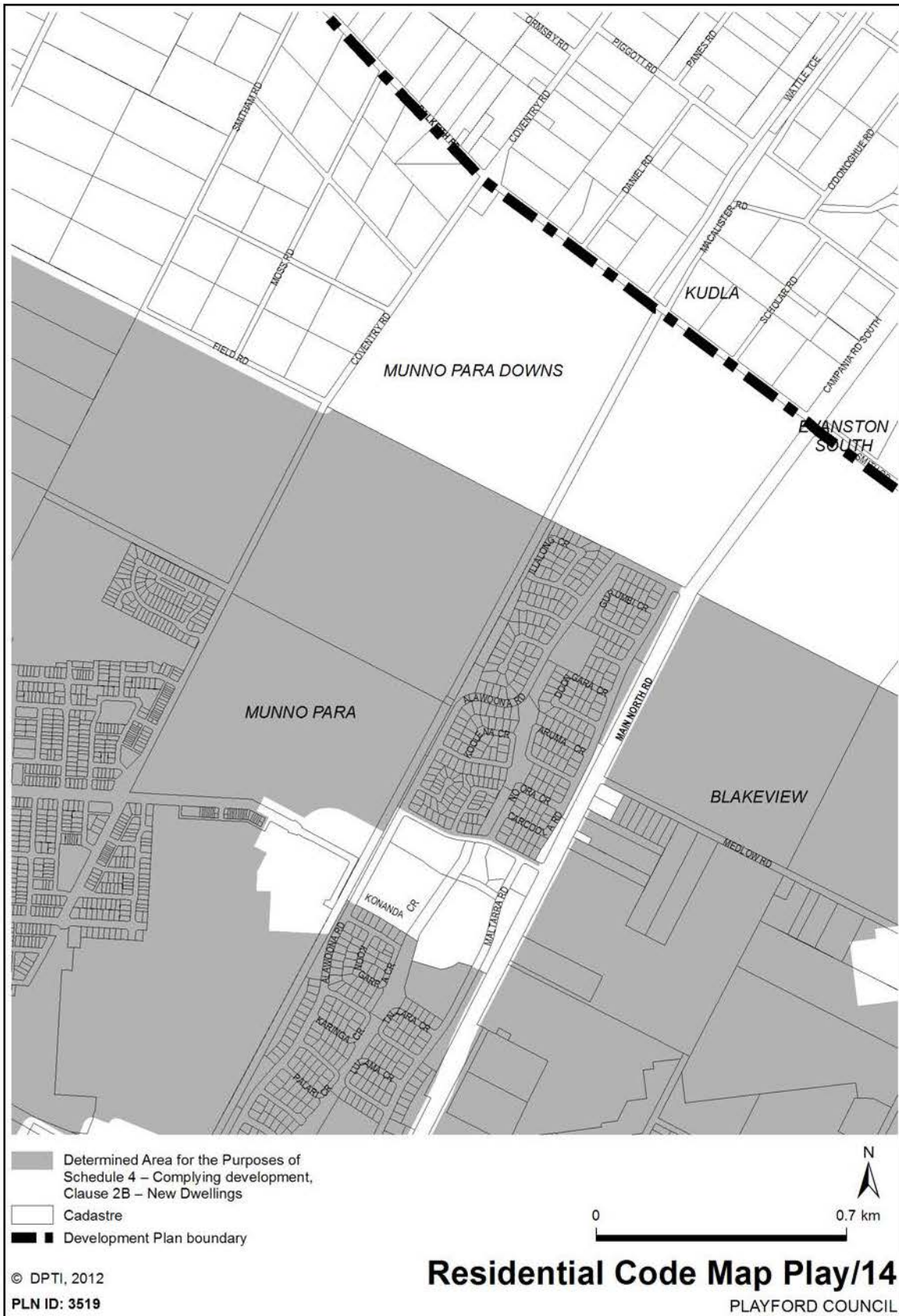
- Determined Area for the Purposes of Schedule 4 - Complying development, Clause 2B - New Dwellings
- Cadastre
- Development Plan boundary



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 PLN ID: 3519




Residential Code Map Play/13

PLAYFORD COUNCIL







-  Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
-  Cadastrate
-  Development Plan boundary

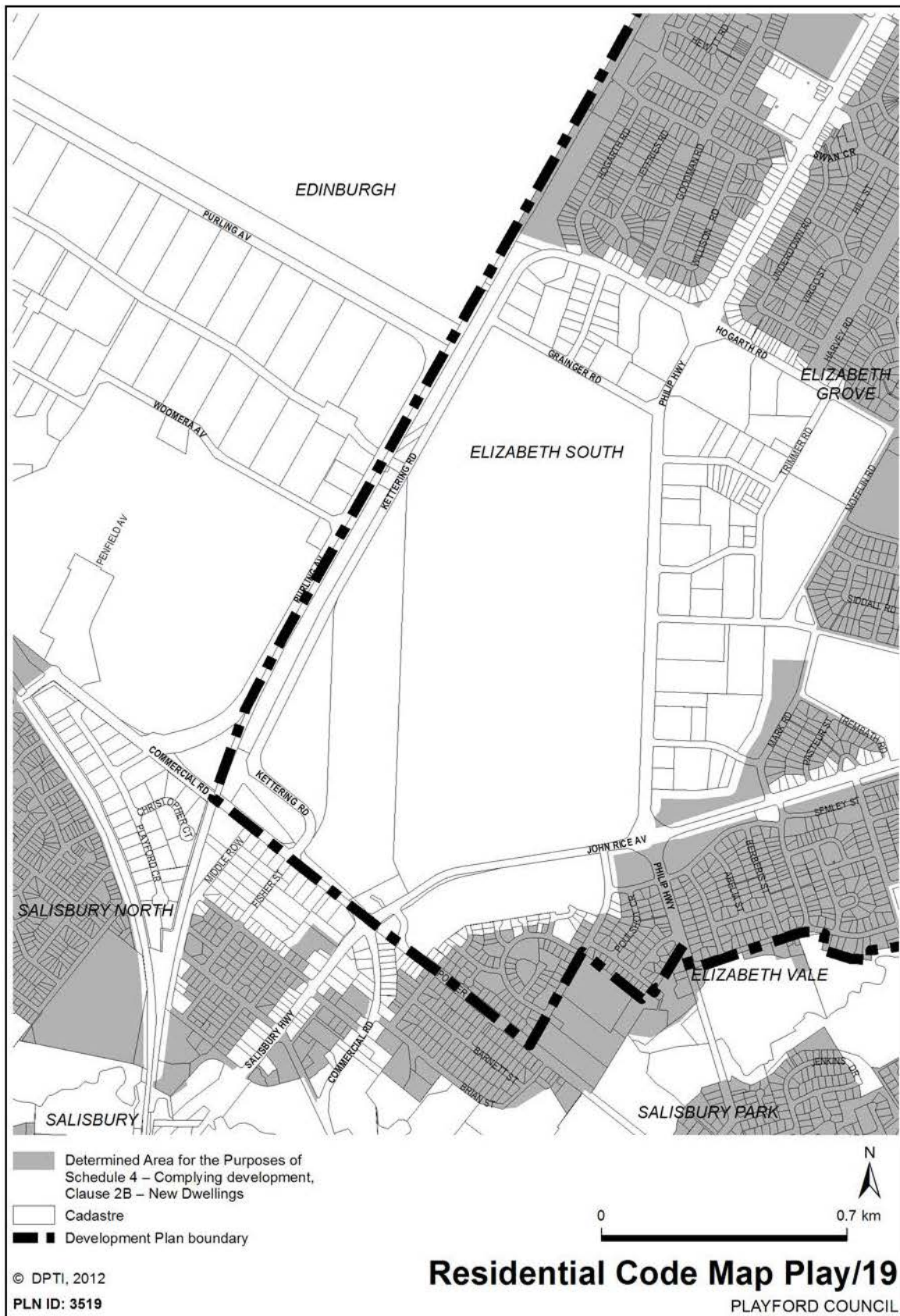


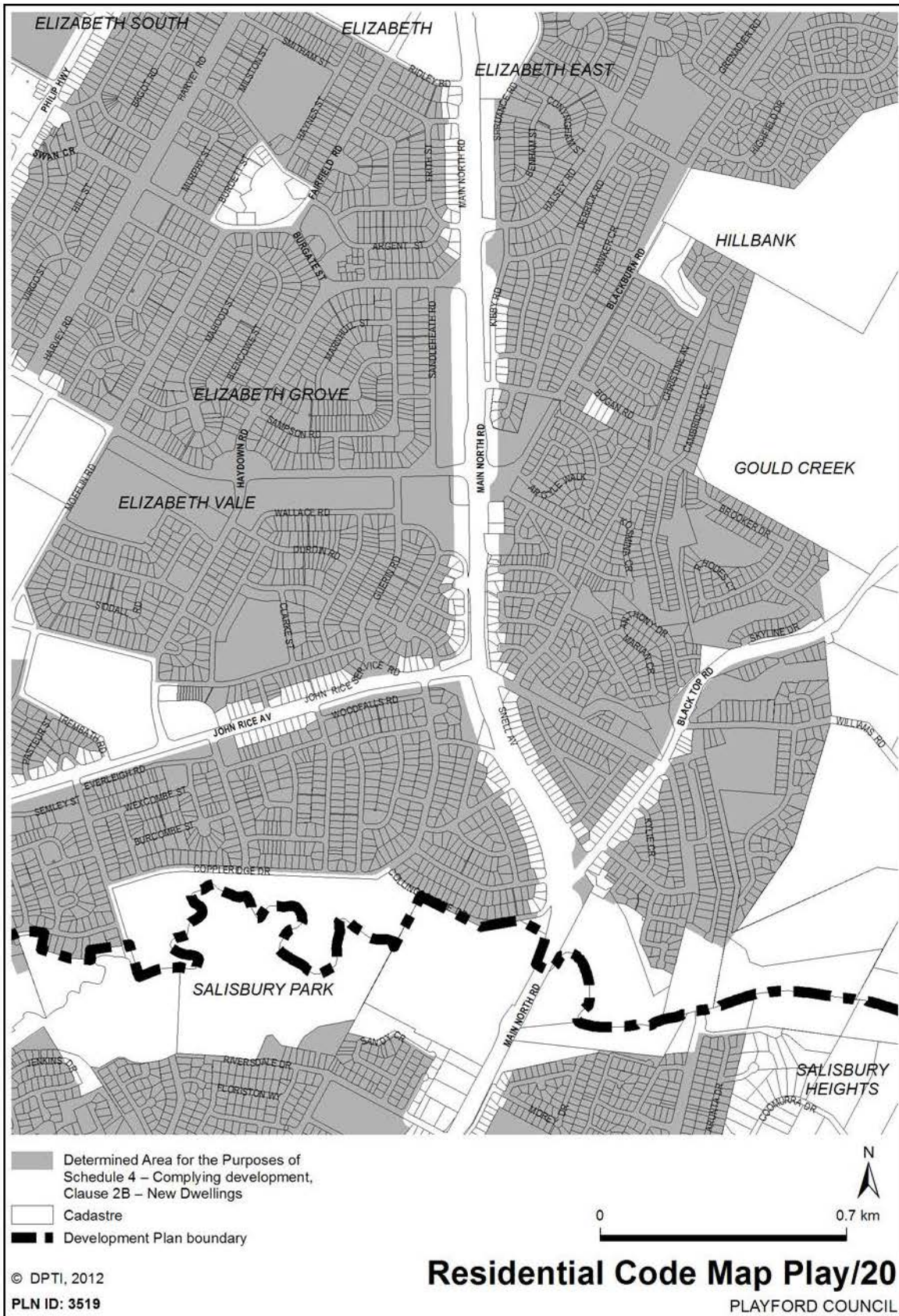
© DPTI, 2012
PLN ID: 3519

Residential Code Map Play/16

PLAYFORD COUNCIL









Dated 16 November 2012.

JOHN RAU, Deputy Premier, Minister for Planning

EMERGENCY MANAGEMENT ACT 2004

INSTRUMENT OF APPOINTMENT

State Emergency Relief Fund

I HEREBY appoint the following persons to the State Emergency Relief Fund Committee as ongoing members for a term of three years, pursuant to Section 37 (3) of the Emergency Management Act 2004. The appointments will commence on the date that the notice of appointment is published in the *South Australian Government Gazette*:

- Barry Joseph Grear, AO;
- Veronica Margaret Fagotter;
- Raina Nella Nechvoglod; and
- Sherree Goldsworthy.

I hereby appoint the following person to the State Emergency Relief Fund Committee as a new member for a term of three years, pursuant to Section 37 (3) of the Emergency Management Act 2004. The appointment will commence on 9 December 2012.

- Danielle Melanie Kowalski.

Dated 21 November 2012.

IAN HUNTER, Minister for Communities
and Social Inclusion

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that, pursuant to Section 115 of the Fisheries Management Act 2007, (the Act) those classes of persons specified in Schedule 1 are exempt from Sections 71 and 72 (2) (b) of the Act, insofar as they may take, injure, damage, or otherwise harm, or possess White Shark also known as Great White or White Pointer Shark (*Carcharodon carcharias*) (the exempt activity) in all waters of the State, subject to the conditions specified in Schedule 2, from November 2012 until November 2013, unless otherwise varied or revoked. Exemption No. 9902569.

SCHEDULE 1

- 1.1 Fisheries Officers appointed under the Fisheries Management Act 2007; or
- 1.2 Members of the South Australia Police.

SCHEDULE 2

- 2.1 Subject to Condition 2.2, the exempt activity must not be carried out without the written authorisation and direction of one of the following:
 - 2.1.1 Executive Director, Fisheries and Aquaculture.
 - 2.1.2 Director Policy, Fisheries and Aquaculture.
 - 2.1.3 Director Operations, Fisheries and Aquaculture.
 - 2.1.4 Regional Manager, Fisheries and Aquaculture.
 - 2.1.5 Manager Offshore Patrol Operations, Fisheries and Aquaculture.
- 2.2 Authorisation to carry out the exempt activity may only be granted in such circumstances where there is threat to human life and/or public safety and is in the public interest.
- 2.3 Authorisation may be verbal if the urgency of the situation requires an immediate response. In these circumstances written confirmation of the authorisation and direction must be given within 48 hours.
- 2.4 No authorisation is required if:
 - 2.4.1 The threat to human life from shark attack is considered to be so imminent that seeking authorisation is not reasonably practicable; or
 - 2.4.2 All reasonable attempts to contact the persons listed in 2.1 have been unsuccessful.

Dated 21 November 2012.

I. HUNTER, Acting Minister for Agriculture,
Food and Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Peter Goonan of the Environment Protection Authority, Level 9, 250 Victoria Square, Adelaide, S.A. 5000 (the 'exemption holder'), is exempt from Section 70 of the Fisheries Management Act 2007 and Regulation 7, Schedule 6, Clause 54 and Regulation 10 of the Fisheries Management (General) Regulations 2007, but only insofar as he may engage in the collection of fish from the waters described in Schedule 1, using the gear specified in Schedule 2 (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 27 November 2012 to 29 November 2012, unless varied or revoked earlier.

SCHEDULE 1

- Lake Bonney, South East, South Australia.
- Inflowing drains into Lake Bonney, South East, South Australia.
- Bucks Lake, East of Carpenter Rocks, South Australia.

SCHEDULE 2

- 7 fyke nets.

SCHEDULE 3

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

2. All native fish taken pursuant to the exempted activity must be immediately released and returned to the water once they have been identified and assessed.

3. All non-native species of fish must be destroyed and disposed of appropriately.

4. Before conducting the exempted activity, the exemption holder must contact the PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902586

5. The exemption holder must provide a written report detailing the outcomes of the collection of organisms pursuant to this notice to the Executive Director Fisheries and Aquaculture, (G.P.O. Box 1625, Adelaide, S.A. 5001) upon completion, giving the following details:

- the date and time of collection; and
- the number of each species collected and released or destroyed.

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

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

Dated 26 November 2012.

PROFESSOR M. DOROUDI, Director of Fisheries

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Barrel and Vine Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Barrel and Vine.

The application has been set down for hearing on 14 January 2013 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: 7 January 2013).

The applicant's address for service is c/o Hunt and Hunt, G.P.O. Box 439, Adelaide, S.A. (Attention: Rick Harley).

The application and certain documents and material relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2012.

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 Darkhorse Trading Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence with Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 142-160 Flinders Street, Adelaide, S.A. 5000 and known as The Jade Monkey.

The application has been set down for hearing on 8 January 2013 at 11.30 a.m.

Conditions

The following licence conditions are sought:

- To sell liquor in accordance with Section 40 of the Liquor Licensing Act 1997 and any other conditions of this licence.
- Extended Trading Authorisation is sought for the following days and times:
 - Monday to Tuesday: Midnight to 1 a.m. the following day;
 - Wednesday: Midnight to 3 a.m. the following day;
 - Thursday to Saturday: Midnight to 4 a.m. the following day;
 - Sunday: 8 a.m. to 11 a.m. and 8 p.m. to 1 a.m. the following day;
 - Maundy Thursday: Midnight to 2 a.m. the following day;
 - Christmas Eve: Midnight to 2 a.m. the following day;
 - Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;
 - New Years Eve: 2 a.m. the following day to 4 a.m. the following day;
 - Days preceding other Public Holidays: Midnight to 4 a.m. the following day; and
 - Sundays preceding Public Holidays: 8 p.m. to 1 a.m. the following day.
- Entertainment Consent is sought for the following days and times:
 - Monday to Tuesday: 8 a.m. to 1 a.m. the following day;
 - Wednesday: 8 a.m. to 3 a.m. the following day;
 - Thursday to Saturday: 8 a.m. to 4 a.m. the following day;
 - Sunday: 8 a.m. to 1 a.m. the following day;
 - Maundy Thursday: 8 a.m. to 2 a.m. the following day;
 - Christmas Eve: 8 a.m. to 2 a.m. the following day;
 - Sunday Christmas Eve: 8 a.m. to 2 a.m. the following day;
 - New Years Eve: 8 a.m. to 4 a.m. the following day;
 - Days preceding other Public Holidays: 8 a.m. to 4 a.m. the following day; and
 - Sundays preceding Public Holidays: 8 a.m. to 1 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the 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: 1 January 2013).

The applicant's address for service is c/o Zac Coligan, P.O. Box 345, Aldgate, S.A. 5154.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2012.

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 DTMM Pty Ltd as trustee for Rainbow Family Trust has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) authorisation and Entertainment Consent in respect of premises situated at 1 Mount Alma Road, Inman Valley, S.A. 5211 and to be known as Rock View Cafe.

The application has been set down for hearing on 14 January 2013 at 9.30 a.m.

Conditions

The following licence conditions are sought:

- Entertainment Consent is sought for the Area 1 Dining Room and the Outdoor Verandah Area for the following days and times:
 - Monday to Sunday: 9 a.m. to midnight;
 - Christmas Eve: 9 a.m. to 2 a.m. the following day;
 - Sunday Christmas Eve: 9 a.m. to 2 a.m. the following day;
 - New Years Eve: 9 a.m. to 2 a.m. the following day;
 - Days preceding other Public Holidays: 9 a.m. to midnight; and
 - Sundays preceding Public Holidays: 9 a.m. to midnight.

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: 7 January 2013).

The applicant's address for service is c/o Todd Grant, 10 Albyn Terrace, Strathalbyn, S.A. 5255.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2012.

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 Zephyr Quest Pty Ltd as trustee for the Julian Forwood Family Trust has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 39A Wakefield Street, Kent Town, S.A. 5067 and to be known as Ministry of Clouds Wine Company.

The application has been set down for hearing on 14 January 2013 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: 7 January 2013).

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

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2012.

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 Arrizza Services Pty Ltd has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) in respect of premises situated at 18/119 Belair Road, Torrens Park, S.A. 5062 and to be known as Cafe Ambra.

The application has been set down for hearing on 7 January 2013 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 31 December 2012).

The applicant's address for service is c/o David Arrizza, 18/119 Belair Road, Torrens Park, S.A. 5062.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2012.

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 Katawa Holdings Pty Ltd as trustee for Shavers Ridge Trust has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at Bournes Road, Bool Lagoon, S.A. 5271 and to be situated at Akuna Station, 15103 Sturt Highway, Wigley Flat via Kingston on Murray, S.A. 5332 and known as Bool Lagoon Wines.

The application has been set down for hearing on 10 January 2013 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: 3 January 2013).

The applicant's address for service is c/o Ian McNeil, P.O. Box 445, Loxton, S.A. 5333.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2012.

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 Renmark Club Inc. has applied to the Licensing Authority for Alterations and Redefinition of licensed premises, variation to Entertainment Consent and variation to Extended Trading Authorisation in respect of premises

situated at 160 Murray Avenue, Renmark, S.A. 5341 and known as Renmark Club.

The application has been set down for hearing on 10 January 2013 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 applicant at the applicant's address, at least seven days before the hearing date (viz: 3 January 2013).

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

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 November 2012.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that The Barossa Valley Cider Company Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as The Barossa Valley Cider Company Pty Ltd.

The application has been set down for hearing on 14 January 2013 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 applicant at the applicant's address, at least seven days before the hearing date (viz: 7 January 2013).

The applicant's address for service is c/o Finlaysons, G.P.O. Box 1244, Adelaide, S.A. (Attention: Phillip Richardson).

The application and certain documents and material relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 23 November 2012.

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 Bacchus Wine Bar Pty Ltd as trustee for The Phil Brooks Trust has applied to the Licensing Authority for a variation to an Entertainment Consent in respect of premises situated at 253 The Esplanade, Henley Beach, S.A. 5022 and known as Bacchus Wine Bar.

The application has been set down for hearing on 8 January 2013 at 10.30 a.m.

Conditions

The following licence conditions are sought:

Variation to Entertainment Consent to include:

New Years Eve: 8.30 p.m. to 12.30 a.m. the following day.

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: 10 January 2013).

The applicant's address for service is c/o Phillip Brooks, P.O. Box 513, Henley Beach, S.A. 5022.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 20 November 2012.

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 Sophia Sauying Cheng has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 67 George Street, Moonta, S.A. 5558 and to be known as Town Hall Deli & Tong Chinese Restaurant.

The application has been set down for hearing on 9 January 2013 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 applicant at the applicant's address, at least seven days before the hearing date (viz: 2 January 2013).

The applicant's address for service is c/o Sophia Sauying Cheng, 67 George Street, Moonta, S.A. 5558.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 21 November 2012.

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 J. C. Universale Pty Ltd has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) authorisation with Extension of Trading Area in respect of premises situated at 11 Ebenezer Place, Adelaide, S.A. 5000 and known as Hey Jupiter.

The application has been set down for hearing on 8 January 2013 at 11 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Area to include an outdoor area 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: 1 January 2013).

The applicant's address for service is c/o Jacqueline Lodge, 11 Ebenezer Place, Adelaide, S.A. 5000.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 8226 8655. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 21 November 2012.

Applicant

LOCAL GOVERNMENT ACT 1999

EASTERN WASTE MANAGEMENT AUTHORITY

Charter

PART 1—PRELIMINARY

1. DICTIONARY

In this Charter:

Absolute Majority means a majority of the whole number of the Constituent Councils.

Act means Local Government Act 1999.

Annual Plan means an Annual Plan that conforms to Part 14 and last adopted by the Board.

Authority means Eastern Waste Management Authority ('East Waste').

Board means the board of management of the Authority.

Borrowings Limit means at any time the amount authorised in the current Annual Plan and Budget of the Authority.

Budget means a budget that conforms to Part 14 and last adopted by the Board.

Business Plan means a business plan that conforms to Part 12 and last adopted by the Board.

Chief Executive Officer means at any time the chief executive officer of the Authority and includes that person's deputy or a person acting in that position.

Constituent Council means at any time a constituent council in relation to the Authority and on the date of publication of this Charter in the *Gazette* means Adelaide Hills Council, City of Burnside, City of Campbelltown, City of Norwood Payneham and St Peters, City of Mitcham, Corporation of the Town of Walkerville.

Core Activity means collection, recycling and/or disposal of waste produced within the area of one or more of the Constituent Councils.

Director means at any time a member of the Board.

Financial Year means 1 July in each year to 30 June in the subsequent year.

Gazette means the South Australian Government Gazette.

Non-core Activity means an activity that is not a Core Activity.

Non-core Assets means in relation to a Non-core Activity any assets of the Authority acquired for the purpose of that Non-core Activity and includes any revenue derived from that Non-core Activity. Where an asset or revenue is acquired or derived for both a Core Activity and a Non-core Activity, a fair allocation between those purposes must be made by the Board.

Non-core Liabilities means in relation to a Non-core Activity any liabilities of the Authority incurred or assumed for the purpose of that Non-core Activity. Where a liability is incurred or assumed for both a Core Activity and a Non-core Activity, a fair allocation between those purposes must be made by the Board.

Non-core Plan means a plan for a Non-core Activity that conforms to Part 13 and forms part of the Business Plan.

Share means a Constituent Council's percentage share in the assets, liabilities and revenue of the Authority. On the date of Gazettal of this Charter, the shares are held between the Constituent Councils in equal proportions

The Shares may be varied by agreement in writing of all the Constituent Councils, and must be reviewed (and if necessary, varied) where a new Constituent Council is admitted or an existing Constituent Council resigns.

Simple Majority means a majority of the Directors present at a Board Meeting and entitled to vote, or a majority decision of the Constituent Councils as the case may be.

Surplus Funds means funds that are surplus to the long-term financial requirements of the Authority, as evidenced by its Business Plan.

Unanimous Decision means a decision made by all of the Constituent Councils as voting in the same manner.

Waste means any and all waste as approved by the Environment Protection Act Licence held by the Authority and includes domestic and commercial kerbside waste, kerbside green and food/organics, kerbside recyclable material, Council waste and Council depot waste.

Subject to the above, words and expressions in this Charter have the same meaning as in a provision of the Act that deals with the same matter.

2. INTERPRETATION

In this Charter: The singular includes the plural and *vice versa* and words importing a gender include other genders; words importing natural persons include corporations; reference to a section(s) is to a section of the Act and includes any section that substantially replaces that section and deals with the same matter; headings are for ease of reference only and do not affect the construction of this Charter.

3. ABOUT THIS CHARTER

3.1 This Charter is the charter of the Authority.

3.2 This Charter binds the Authority and each Constituent Council.

3.3 Despite any other provision in this Charter:

3.3.1 if the Act prohibits a thing being done, the thing may not be done;

3.3.2 if the Act requires a thing to be done, Board approval is given for that thing to be done; and

3.3.3 if a provision of this Charter is or becomes inconsistent with the Act, that provision must be read down or failing that severed from this Charter to the extent of the inconsistency.

3.4 This Charter may not be amended except as all the Constituent Councils may agree by each passing a resolution in the same terms. An amendment is not effective unless and until published in the *Gazette*.

- 3.5 The Constituent Councils may review this Charter at any time, but must in any event review this Charter at least once in every four years.
- 3.6 Notwithstanding Clause 3.5, the first review of this Charter is to be completed two years from the date of Gazettal of the Charter.

PART 2—AUTHORITY

4. ABOUT THE AUTHORITY

The Authority is an Authority established under the Act.

5. NAME OF THE AUTHORITY

The name of the Authority is Eastern Waste Management Authority trading as 'East Waste'.

6. CORPORATE STATUS

The Authority is a body corporate.

PART 3—FUNCTIONS AND POWERS

7. PROPERTY

The Authority holds its property and assets on behalf of the Constituent Councils.

8. AREA OF INTEREST

The Authority may only undertake a Non-core Activity outside the areas of the Constituent Councils where that activity has been approved by Unanimous Decision of the Constituent Councils as being necessary or expedient to the performance by the Authority of its functions and is an activity included in a Business Plan of the Authority

9. PURPOSE AND FUNCTIONS

9.1 The Authority is established by the Constituent Councils for the purpose of the collection and disposal of Waste, primarily within the areas of the Constituent Councils and has the following functions in this regard:

- 9.1.1 to predominantly operate or obtain services for the collection of Waste on behalf of Constituent Councils and/or other approved Councils;
- 9.1.2 to provide waste management services whether in or (so far as the Act allows) outside the area of any of the Constituent Councils, including waste collection, recycling of organic and inorganic materials, disposal of waste;
- 9.1.3 to undertake management and collection of Waste (in accordance with regulatory approvals) and kerbside materials recovery, on behalf of Constituent Councils (and/or other approved councils) in an environmentally responsible, effective, efficient, economic and competitive manner;

9.2 The following functions may be undertaken by the Authority but only where required or directed by one or more Constituent Councils and charged directly to the Council or Councils so requiring or directing:

- 9.2.1 to promote the minimisation of Waste in the areas of the Constituent Councils;
- 9.2.2 to promote the recycling of recyclable materials in the areas of the Constituent Councils
- 9.2.3 to undertake Waste community education programs on behalf of the Constituent Councils;
- 9.2.4 on behalf of the Constituent Councils or on its own behalf, to liaise with other councils, the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for matters relating to Waste management in the common interest of the Constituent Councils;
- 9.2.5 on behalf of the Constituent Councils, provide a representative to any statutory board or statutory committee concerned with waste management that allows two or more of the Constituent Councils to nominate a representative;
- 9.2.6 on behalf of the Constituent Councils or on its own behalf, to make application for grants and other funding from the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for the purposes of the Authority;
- 9.2.7 to keep Constituent Councils abreast of any emerging opportunities/trends/issues in waste management;
- 9.2.8 to undertake activities which result in a beneficial use of Waste on behalf of the Constituent Councils;
- 9.2.9 to conduct all activities in a manner which complies with all regulatory requirements and minimises risks to the Constituent Councils;
- 9.2.10 on behalf of the Constituent Councils or on its own behalf, to liaise with relevant State Government agencies such as Zero Waste, Environment Protection Authority (or equivalent successor organisations), taking into account its approved Business Plan;
- 9.2.11 on behalf of the Constituent Councils, to perform and/or monitor the effectiveness and application of funding arrangements agreed by the Constituent Councils for waste management;
- 9.2.12 to provide a forum for discussion and consideration of topics relating to the Constituent Councils' responsibilities to manage waste particularly in the area of the Constituent Councils and the implications of that management beyond the area of the Constituent Councils.

10. POWERS

The Authority may do anything necessary, expedient or incidental to performing or discharging its functions including, without limitation:

- 10.1 become a member of and/or co-operate with any organisation with complementary functions;
- 10.2 receive gifts of money or property from any person;
- 10.3 make payable by a new Constituent Council any joining fee;
- 10.4 carry out its Annual Plan and Budget;
- 10.5 carry out its Business Plan and Non-core Plans;
- 10.6 make payable by Constituent Councils contributions to the Authority in proportion to their Core Shares;

- 10.7 employ and dismiss a Chief Executive Officer;
- 10.8 contract with any person;
- 10.9 acquire or dispose of any real or personal property in accordance with the Business Plan or otherwise with a Unanimous Decision of the Constituent Councils;
- 10.10 operate an account or accounts with a bank or with the Local Government Finance Authority, or both;
- 10.11 borrow or raise money within the Borrowings Limit;
- 10.12 lend money in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Council;
- 10.13 insure against any risk;
- 10.14 enter into a partnership or joint venture with any person in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Councils;
- 10.15 pay any cost or expense of the establishment, operation, administration or winding up of the Authority;
- 10.16 compromise, compound, abandon or settle a debt or claim owed to the Authority;
- 10.17 waive a legal or equitable or statutory right;
- 10.18 refer a dispute between the Authority and any third party (other than a Constituent Council) to arbitration;
- 10.19 allocate receipts and expenditure between Core Activity and Non-core Activities and between each Non-core Activity;
- 10.20 where the same services/activities are not being provided equally to all Constituent Councils, to charge the differential costs of those services/activities directly to the benefiting Councils;
- 10.21 charge Constituent Councils the full costs incurred in the delivery of the services to them, such costs being calculated on a user pays basis (including depreciation and other overheads for use of shared assets, and all other common expenses);
- 10.22 charge non Constituent Councils a price, based on an estimate of costs incurred in providing the service plus a margin for profit and risk;
- 10.23 make any election for the purpose of any tax;
- 10.24 delegate the exercise of any of its functions or other powers (including the receipt and payment of money) to any person;
- 10.25 those powers given to trustees by law, equity or statute and not necessarily inconsistent with this Charter or the functions of the Authority;
- 10.26 pay to the Constituent Councils or accumulate as reserves for up to such period as the law allows any surplus funds;
- 10.27 such other powers as the Act or this Charter may confer upon the Authority;
- 10.28 all things incidental to the exercise of any other power of the Authority.

11. POWER OF DELEGATION

As a matter of record, Schedule 2, Clause 36 of the Act vests a power of delegation in the Authority. The Authority may not delegate the following powers or functions:

- 11.1 the power to impose charges;
- 11.2 the power to enter into transactions in excess of \$50 000 unless authorised in an Annual Plan;
- 11.3 the power to borrow money or obtain any other form of financial accommodation unless authorised in an Annual Plan;
- 11.4 the power to approve expenditure of money on the works, services or operations of the Authority not set out in a Budget approved by the Authority or where required by this Charter approved by the Constituent Councils;
- 11.5 the power to approve the reimbursement of expenses or payment of allowances to members of the Board of Management;
- 11.6 the power to adopt a Budget;
- 11.7 the power to adopt an Annual Plan;
- 11.8 the power to adopt a Business Plan (or any component thereof);
- 11.9 the power to adopt or revise financial estimates and reports; and
- 11.10 the power to make any application or recommendation to the Minister.

12. GUIDING PRINCIPLES

The Authority must in the performance of its functions and in all of its plans, policies and activities give due weight to economic, social and environmental considerations.

PART 4—CONSTITUENT COUNCILS

13. CONSTITUENT COUNCILS MAY ACT INDEPENDENTLY

A Constituent Council may perform for itself the same functions and powers as the Authority could on behalf of that Constituent Council.

14. INCOMING CONSTITUENT COUNCILS

- 14.1 Any council may become a Constituent Council (an Incoming Constituent Council) if:
 - 14.1.1 it makes written application (in a form approved by the Board) to become a Constituent Council and agrees to be bound by this Charter (noting that Shares will change);
 - 14.1.2 its application is supported by a thorough, realistic, independent, and diligent Business Case analysis;
 - 14.1.3 it pays any joining fee or other payment as may be required by the Board;
 - 14.1.4 the Constituent Councils approve the application and revised Shares by Unanimous Decision; and
 - 14.1.5 the Minister approves.
- 14.2 An Incoming Constituent Council:
 - 14.2.1 is jointly and severally liable with the other Constituent Councils for the debts and liabilities of the Authority incurred before or after the date it becomes a Constituent Council, or as otherwise agreed;

14.2.2 is bound by a decision made or step taken by the Board in the affairs of the Authority before it became a Constituent Council to the extent such decision or step was recorded in minutes of the Board's meetings or otherwise notified to the Incoming Constituent Council before it made application to become a Constituent Council; and

14.2.3 upon becoming a Constituent Council has the Share agreed between the Incoming Constituent Council and the Constituent Councils.

15. OUTGOING CONSTITUENT COUNCILS

15.1 A Constituent Council may resign if and only if:

15.1.1 the Constituent Council gives at least 24 months' written notice of resignation to each Constituent Council, which notice is effective on the next 30 June on or after expiry of that period;

15.1.2 the Board by majority vote approves; and

15.1.3 the Minister approves.

15.2 A former Constituent Council remains liable to contribute to the debts and liabilities of the Authority incurred while it was a Constituent Council including by contributing to the depreciated value of any asset acquired during that time, and for a share of any future losses on contracts entered into whilst a Constituent Council.

15.3 A former Constituent Council:

15.3.1 is not entitled to any refund of contributions made;

15.3.2 relinquishes any beneficial interest in the assets of the Authority; and

15.3.3 remains bound by any separate contract in force between the Authority and the former Constituent Council.

15.4 This Clause is to be read conjunctively with Clause 57 of this Charter.

16. NO TRANSFER OF MEMBERSHIP

Membership of the Authority is personal to the Constituent Council and is not transferable.

17. CONSTITUENT COUNCILS MAY DIRECT THE AUTHORITY

17.1 The Authority is subject to the joint direction and control of the Constituent Councils.

17.2 To be effective, a determination or direction or other decision of the Constituent Councils must be a Unanimous Decision and evidenced by either:

17.2.1 a minute signed by the chair of a meeting of authorised delegates of the Constituent Councils that at such meeting a decision was duly made by each delegate on behalf of their Constituent Council; or

17.2.2 a resolution in the same terms in favour of that decision passed individually by each of the Constituent Councils.

18. CONSTITUENT COUNCILS ARE GUARANTORS OF THE AUTHORITY

18.1 As a matter of record, Schedule 2, Clause 31 (1) of the Act is that liabilities incurred or assumed by the Authority are guaranteed by the Constituent Councils.

18.2 As between the Constituent Councils, they share in the liabilities of the Authority in proportion to their respective Share.

19. SPECIAL DECISIONS FOR THE AUTHORITY

Neither the Authority nor any person on its behalf may give effect to a Special Decision unless the Constituent Councils vote in favour of a resolution for the Special Decision by Absolute Majority.

For these purposes, a Special Decision means any of the following:

(a) adopt or vary a Business Plan;

(b) adopt or vary an Annual Plan;

(c) delegate the authority of the Board to any person other than the Chief Executive Officer;

(d) to any extent not provided for in a Business Plan or Annual Plan and Budget:

(i) call on Constituent Councils to contribute funds;

(ii) grant or vary a guarantee/indemnity of the obligations of another person;

(iii) apply for government funding;

(iv) obtain credit except in the ordinary course of the activities of the Authority;

(v) acquire (by purchase or finance lease) a capital asset;

(vi) dispose of a capital asset except at the end of its effective life;

(vii) take a lease or tenancy of any premises;

(viii) employ any employees.

The Authority must promptly give effect to Special Decision made in conformity with this clause.

PART 5—DIRECTORS

20. QUALIFICATION OF DIRECTORS

A Director must be a natural person.

21. APPOINTMENT OF DIRECTORS

21.1 Subject to the provisions of Clauses 33.1 and 33.2 the Board shall consist of seven Directors appointed as follows:

21.1.1 one person appointed by each Constituent Council which person may be an officer, employee, elected member of a Constituent Council or an independent person who will be appointed for a two year term; and

- 21.1.2 one independent person (who shall be the Chair) appointed jointly by Absolute Majority of the Constituent Councils for a two year term (and at the expiration of the term is eligible for re-appointment) who is not an officer, employee or elected member of a Constituent Council, but who has expertise in:
- (a) corporate financial management and/or
 - (b) general management and/or
 - (c) waste management and/or
 - (d) transport fleet management and/or
 - (e) public sector governance and/or
 - (f) marketing and/or
 - (g) economics and/or
 - (h) environmental management.
- 21.2 Each Constituent Council must give to the Authority a written notice of appointment of the Director appointed under Clause 21.1.1 and written confirmation of their agreement with the proposed appointment of the Director under Clause 21.1.2.
- 21.3 Each Director must give to the Authority a written consent to act as a Director, signed by him/herself.
- 22. REMOVAL OF DIRECTORS**
- 22.1 Neither the Authority nor the Board may remove a Director.
- 22.2 A Constituent Council which appointed a person as a Director may remove that person from office by giving to the Authority a written notice of removal of the Director, signed by the Chief Executive Officer of the Constituent Council.
- 22.3 The Director appointed pursuant to Clause 21.1.2 may be removed by a decision being a resolution in the same or similar terms passed by an Absolute Majority of the Constituent Councils.
- 22.4 The Board may recommend to Constituent Councils, that the appointment of a Director be terminated in the event of:
- 22.4.1 behaviour of the Director which in the opinion of the Board amounts to impropriety;
 - 22.4.2 serious neglect of duty in attending to the responsibilities of Director;
 - 22.4.3 breach of fiduciary duty to the Board;
 - 22.4.4 breach of the duty of confidentiality to the Board;
 - 22.4.5 breach of the conflict of interest rules of the Board; or
 - 22.4.6 any other behaviour which may discredit the Board.
- 22.5 The office of a Director becomes vacant if the Director:
- 22.5.1 dies;
 - 22.5.2 is not reappointed;
 - 22.5.3 resigns by written notice addressed to the Constituent Councils and served on any of them;
 - 22.5.4 becomes bankrupt or applies for the benefit of a law for the relief of insolvent debtors;
 - 22.5.5 was when appointed an elected member or employee of the Constituent Council who appointed them and ceases to be an elected member or employee of that Constituent Council; or
 - 22.5.6 was appointed by a Constituent Council, which ceases to be a Constituent Council.
- 23. REMUNERATION AND EXPENSES OF DIRECTORS**
- 23.1 The Authority will only remunerate the Independent Director/Chair appointed under Clause 21.1.2.
- 23.2 The Board will determine the level of the remuneration (no matter how it is classified) of the Independent Director/Chair, by having regard to its Director/Chair Remuneration Policy.
- 23.3 The Authority can pay a Director's travelling and other expenses that they properly incur in connection with the Authority's business and with the prior approval of the Board as recorded in minutes of Board meetings.
- 24. REGISTER OF INTERESTS**
- A Director is required to submit returns to the Authority under Chapter 5, Part 4, Division 2 of the Act.
- 25. PROTECTION FROM LIABILITY**
- As a matter of record, Schedule 2, Clause 38 of the Act protects a Director from certain civil liabilities.
- 26. SAVING PROVISION**
- As a matter of record, Schedule 2, Clause 40 of the Act is that no act or proceeding of the Authority is invalid by reason of:
- 26.1 a vacancy or vacancies in the membership of the Board; or
 - 26.2 a defect in the appointment of a Director.

PART 6—OTHER OFFICERS

27. CHAIR

- 27.1 At all times, the Authority must have a Chair, who will be the independent Director appointed under Clause 21.1.2.
- 27.2 The Chair's functions are:
- 27.2.1 to preside at all meetings of the Board;
 - 27.2.2 to serve as an *ex officio* member and chair of all committees established by the Board;
 - 27.2.3 to represent the Authority in relations with the media and the public generally; and
 - 27.2.4 to exercise other functions as the Board determines.

28. DEPUTY CHAIR

- 28.1 At all times, the Authority must have a Deputy Chair, who must be a Board Member.
- 28.2 The Board appoints the Deputy Chair and may at any time remove from office the Deputy Chair and appoint a replacement Deputy Chair.
- 28.3 The Deputy Chair's functions are:
 - 28.3.1 to assist the Chair; and
 - 28.3.2 to exercise the Chair's functions whenever the Chair is unable to do so.
- 28.4 A person ceases to be Deputy Chair if they cease to be a Board Member.

29. CHIEF EXECUTIVE OFFICER

- 29.1 At all times so far as practicable, the Authority must have a Chief Executive Officer.
- 29.2 At any time the Board may give a new title to the position of Chief Executive Officer in which case this Charter is taken to refer to the same position under a new title.
- 29.3 The Board shall appoint a Chief Executive Officer on a fixed term performance based employment contract, which does not exceed five years in duration.
- 29.4 The Board may at the end of the contract term, enter into a new contract not exceeding five years in duration with the same person.
- 29.5 The Board may revoke or vary an appointment of a Chief Executive Officer, subject to any agreement made between the Chief Executive Officer and the Authority.
- 29.6 In the absence of the Chief Executive Officer for any period exceeding one week, the Chief Executive Officer shall appoint a suitable person as Acting Chief Executive Officer. If the Chief Executive Officer does not make or is incapable of making such an appointment, a suitable person must be appointed by the Board.
- 29.7 The Board delegates responsibility for day to day management of the Authority to the Chief Executive Officer, who will ensure that sound business, risk minimisation, financial and human resource management practices are applied in the efficient and effective management of the operations of the Authority.
- 29.8 The functions of the Chief Executive Officer shall include:
 - 29.8.1 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
 - 29.8.2 providing information to assist the Board to assess the Authority's performance against its Business Plan;
 - 29.8.3 appointing, managing, suspending and dismissing other employees of the Authority;
 - 29.8.4 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
 - 29.8.5 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority;
 - 29.8.6 ensuring that the assets and resources of the Authority are properly managed and maintained;
 - 29.8.7 ensuring that records required under the Act or any other legislation are properly kept and maintained;
 - 29.8.8 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board, and achieving financial outcomes in accordance with adopted plans and budgets.
 - 29.8.9 issuing notices calling Board meetings;
 - 29.8.10 attending all Board meetings and keeping correct minutes of the proceedings unless excluded by resolution of the Board;
 - 29.8.11 managing all other employees of the Authority;
 - 29.8.12 receiving and answering correspondence and notices to the Authority;
 - 29.8.13 keeping all documents and records belonging to the Authority;
 - 29.8.14 supervising the handling of money by or for the Authority and the keeping of financial records;
 - 29.8.15 issuing receipts for moneys received and keep a correct account of all receipts and expenditure;
 - 29.8.16 operating the Authority's bank account (including sign cheques and other negotiable instruments and make payments over the Internet within the delegations to the position) together with one other signatory appointed by the Board. Unless the Board determines otherwise, that other person must be the Chair;
 - 29.8.17 having custody and safekeeping of the records of the Authority;
 - 29.8.18 preparing draft Annual and Business Plans for consideration of the Board;
 - 29.8.19 monitoring the financial performance of the Authority against an adopted Annual and Business Plan and promptly reporting to the Board any material discrepancies known or anticipated;
 - 29.8.20 preparing such statements, reports, returns or other written information as the Act or any law requires the Authority to lodge with government;
 - 29.8.21 preparing draft financial statements; and
 - 29.8.22 such other functions as the Board may vest in the Chief Executive Officer.
- 29.9 The Board may delegate to the Chief Executive Officer any of the powers that the Board can exercise where those powers are not restricted from delegation by the Act or this Charter, noting that:
 - 29.9.1 the Chief Executive Officer may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the Chief Executive Officer. Such delegation or sub-delegation may be subject to conditions or limitations as determined by the Chief Executive Officer;

- 29.9.2 where a power or function is delegated to an employee, the employee is responsible to the Chief Executive Officer for the efficient and effective exercise or performance of that power or function; and
- 29.9.3 a written record of delegations and sub-delegations must be kept by the Chief Executive Officer at all times.
- 29.10 The Chief Executive Officer enjoys functions and responsibilities set out at Section 99 (1) (a), (b), (c), (d), (e) and (h) and 103 of the Act as if the Authority were a council and the Chief Executive Officer were a chief executive officer of a council.
- 29.11 The Chief Executive Officer may establish an Operations Assistance Committee consisting of one appropriately qualified senior officer from each Constituent Council and this Committee will:
 - 29.11.1 advise and assist the Chief Executive Officer in operations matters;
 - 29.11.2 report to the Board via the Chief Executive Officer;
 - 29.11.3 meet at least four times in each calendar year;
 - 29.11.4 be chaired by the Chief Executive Officer; and
 - 29.11.5 have its terms of reference written by the Chief Executive Officer.

30. AUDITOR

The Authority must have an auditor. Subject to the Act, an auditor holds office on the terms and conditions (including as to remuneration) that the Board determines.

PART 7—AUDIT COMMITTEE

31. AUDIT COMMITTEE

As a matter of record, the Authority is required to establish an audit committee and Schedule 2, Clause 30 of the Act governs the constitution and functions of the audit committee.

PART 8—STAFF

32. STAFF

- 32.1 In addition to a Chief Executive Officer, the Authority may employ other staff subject to the Board making appropriate financial provision.
- 32.2 The Board and a Constituent Council may arrange for that Constituent Council to make available its staff in connection with the Authority's affairs for such remuneration (if any) as those parties may agree.

PART 9—BOARD

33. BOARD

The Authority must at all times have a Board comprised of Directors.

- 33.1 The Constituent Councils acknowledge and accept that the Directors will act and take decisions in the best interest of the Authority.
- 33.2 The Constituent Councils understand that each Director nominated by a Constituent Council will bring to discussion a perspective from the Council which nominated that Director but that shall not interfere with the obligations of Directors in respect of Clause 33.1.

34. BOARD'S POWERS

- 34.1 As a matter of record, Schedule 2, Clause 22 (1) of the Act is that the Board is responsible for the administration of the affairs of the Authority.
- 34.2 As a matter of record, Schedule 2, Clause 22 (3) of the Act is that anything done by the Board in the administration of the Authority's affairs is binding on the Authority.
- 34.3 The Board may exercise all the powers of the Authority except any powers that the Act or this Charter requires the Constituent Councils to exercise.
- 34.4 As a matter of record, Schedule 2, Clause 36 (1) of the Act authorises the Board to delegate powers or functions conferred under this or another Act.
 - 34.4.1 A delegation of powers by the Board:
 - (a) may authorise the delegate to sub-delegate all or any of the powers vested in the delegate;
 - (b) is concurrent with the exercise by the Board of those powers;
 - (c) is subject to any specified conditions and limitations; and
 - (d) is revocable at will.

35. BOARD MEETINGS

- 35.1 Subject to Schedule 2, Clause 21 of the Act, to a direction of the Constituent Councils and to the other provisions of this Charter.
 - 35.1.1 the Board must determine its own procedures for meetings, which must be fair and contribute to free and open decision making;
 - 35.1.2 the Board must set out the adopted meeting procedures in a meeting procedure code of practice which will be available to the public for inspection (without charge) and by way of a copy (on payment of a fee fixed by the Board); and
 - 35.1.3 the code of practice may be reviewed by the Board at any time but must be reviewed at least once in every three years.
- 35.2 An ordinary meeting of the Board must be held at least every three calendar months.
- 35.3 Ordinary meeting of the Board must take place at such times and places as may be fixed by the Board or absent any decision of the Board the Chief Executive Officer of the Authority. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all Board Members.

- 35.4 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the ordinary meeting.
- 35.5 Notice of ordinary meetings of the Board must be given by the Chief Executive Officer to each Board Member and to each Constituent Council not less than three clear days prior to the holding of the meeting and shall be accompanied by the agenda for the meeting and any written reports.
- 35.6 The Chair or any two Directors may call a special meeting of the Board.
- 35.7 A special meeting of the Board must be held at a reasonable time and if the meeting is to be held in person, at a reasonable place.
- 35.8 Unless all Directors entitled to vote at the meeting agree otherwise, the persons calling a special Board meeting must give to the Chief Executive Officer a notice of meeting that:
- 35.8.1 sets out the place, date and time for the meeting;
 - 35.8.2 states the general nature of the business of the meeting;
 - 35.8.3 is accompanied by relevant information so far as reasonably available (if not already given to the Directors); and
 - 35.8.4 is provided at least one clear business day before the special meeting (or such other period as all the Directors in office may as a matter of general policy determine otherwise).
- 35.9 A notice of special meeting provided to Directors by the Chief Executive Officer will at the same time be placed on public display at the principal office of the Authority and of each Constituent Council.
- 35.10 As a matter of record, Schedule 2, Clause 21 (5) of the Act permits a Board meeting by telephone or videoconference.
- 35.10.1 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Directors provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Directors taking part in the meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Directors present. At the commencement of the meeting, each Director must announce his/her presence to all other Directors taking part in the meeting. A Director must not leave a telecommunications meeting by disconnecting his/her telephone, audio visual or other communication equipment, unless that Director has previously notified the chair of the meeting.
- 35.11 As a matter of record, Schedule 2, Clause 21 (6) of the Act permits a decision of the Board to be made in writing and not at a meeting.
- 35.11.1 A proposed resolution in writing and given to all Directors in accordance with proceedings determined by the Board will be a valid decision of the Board where a simple majority of Directors vote in favour of the resolution by signing and returning the resolution to the Chief Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Chief Executive Officer. The resolution shall thereupon be as valid and effectual as if it had been passed at the meeting of the Board duly convened and held.
- 35.12 Chapter 6, Parts 3 and 4 (public access to meetings and minutes) of the Act (to the extent that Part 4 is not inconsistent with this Charter) apply to Board meetings as if the Authority were a council and the Directors were members of a council.
- 35.13 Unless the Directors determine otherwise, the quorum for a Board meeting is a number ascertained by dividing the total number of members of the committee by two, ignoring any fraction resulting from the division and adding one.
- 35.14 At any time, the Board may agree to invite a person to attend a Board meeting as an observer or adviser.
- 35.15 As a matter of record, Schedule 2, Clauses 21 (4) (one vote per Director, no casting vote) and 21 (3) (majority vote) of the Act govern voting at a Board meeting.
- 35.16 A Director may not vote by proxy.
- 35.17 As a matter of record, Schedule 2, Clause 21 (11) of the Act obliges the Board to keep minutes of its proceedings. All minutes must be prepared and distributed to both Directors and also to Constituent Councils within seven business days of the meeting to which they relate.

PART 10—COMPETITIVE NEUTRALITY

36. COMPETITIVE NEUTRALITY

- 36.1 For the purposes of Schedule 2, Clause 32 of the Act, the Authority is not involved in a significant business activity in undertaking its Core Activity.
- 36.2 In respect of any Non-core Activity that is a significant business activity, the Authority must at all times have current a National Competition Policy Statement in relation to competitive neutrality which it will adhere to in undertaking that Non-core Activity.

PART 11—GOVERNANCE

37. DIRECTOR'S CONFLICT OF INTEREST

As a matter of record, by Section 75 (2) of the Act, the provisions of Chapter 5, Part 4, Division 3 apply to Directors.

38. DIRECTOR'S DUTIES OF CARE

As a matter of record, Schedule 2, Clause 23 of the Act (care and diligence) and Schedule 2, Clause 34 of the Act (honesty, use of information, use of position) set out certain statutory duties that apply to a Director.

39. BOARD POLICIES AND CODES

- 39.1 The Authority must, in consultation with the Constituent Councils, prepare and adopt and thereafter keep under review policies on:
- 39.1.1 procedures for meetings of the Board (in accordance with Clause 35.1 of this Charter);
 - 39.1.2 contracts and tenders, as would conform to Section 49 of the Act;
 - 39.1.3 public consultation, as would conform to Section 50 of the Act.
 - 39.1.4 governance including as concerns:
 - (a) the operation of any account with a bank or Local Government Finance Authority;

- (b) human resource management;
 - (c) improper assistance to a prospective contract party;
 - (d) improper offering of inducements to Directors or to staff of the Authority;
 - (e) improper lobbying of Directors or staff of the Authority;
- 39.1.5 occupational health and safety;
- 39.1.6 protection of the environment.
- 39.2 To the extent it is able, the Board must ensure that such policies as above are complied with in the affairs of the Authority.
- 39.3 The Board must prepare and adopt within six months after the Gazettal of this Charter, a code of conduct to be observed by Directors.

40. BOARD DUTIES TO CONSTITUENT COUNCILS

As a matter of record, Schedule 2, Clause 22 (2) of the Act is that the Board must ensure as far as practicable:

- 40.1 that the Authority observes all plans, targets, structures, systems and practices required or applied to the Authority by the Constituent Councils;
- 40.2 that all information furnished to a Constituent Council is accurate; and
- 40.3 that the Constituent Councils are advised, as soon as practicable, of any material development that affects the financial or operating capacity of the Authority or gives rise to the expectation that the Authority may not be able to meet its debts as and when they fall due.

41. BOARD DUTIES TO THE AUTHORITY

The Board must ensure:

- 41.1 that the Authority acts in accordance with applicable laws, mandatory codes of practice, this Charter, Business Plan, Annual Plan and achieves the financial outcomes projected in its Budget;
- 41.2 that the Authority acts ethically and with integrity;
- 41.3 that the activities of the Authority are conducted efficiently and effectively and that any assets of the Authority are properly managed and maintained; and
- 41.4 that, subject to any overriding duty of confidence, the affairs of the Authority are undertaken in an open and transparent manner.

PART 12—BUSINESS PLANS

42. BUSINESS PLANS

As a matter of record, Schedule 2, Clause 24 of the Act sets out requirements for Business Plans. The following provisions of this Part are in addition to and not in derogation of the requirements of the Act.

43. ABOUT A BUSINESS PLAN

- 43.1 The Board must prepare at least a ten-year Business Plan for the region, in a collaborative manner with Constituent Councils which cannot be in conflict with this Charter.
- 43.2 The Board must also prepare a ten year Long Term Financial Plan (which, must include principles detailing the actual distribution of overheads between the Constituent Councils and any other matter required by the Constituent Councils or determined by the Board to be included therein) and an Asset Management Plan.
- 43.3 The Long Term Financial and Asset Management Plans form part of the Business Plan.
- 43.4 In preparing and when reviewing a Business Plan, the Board must at a minimum have regard to the following:
 - 43.4.1 any State Government Agency Waste plan then in force in relation to the area of a Constituent Council and any proposed changes to such plan;
 - 43.4.2 any initiatives proposed by the Commonwealth of Australia or the State Government as may impact upon or affect proper waste management in the area of an individual Constituent Council or Constituent Councils collectively;
 - 43.4.3 any plan or policy of a Constituent Council for waste management then in force, and any proposed changes to such plan or policy;
 - 43.4.4 the strategic management plans of each Constituent Council then in force; and
 - 43.4.5 the annual business plan and budget of each Constituent Council then in force.

PART 13—NON-CORE ACTIVITY

44. ABOUT NON-CORE ACTIVITY

- 44.1 Where before the date this Charter becomes effective the Authority has committed to a Non-core Activity:
 - 44.1.1 a Non-core Plan for that Non-core Activity must be prepared by the Chief Executive Officer and approved by Board resolution no later than 30 June 2013, so far as that Non-core Activity at the time then remains to be performed; and
 - 44.1.2 all the Constituent Councils are taken to be participants in that Non-core Activity with Non-core Shares equal to their Core Shares.
- 44.2 After the date this Charter becomes effective, the Authority must not tender for or commit to a Non-core Activity except in compliance with this Charter.

45. NON-CORE ACTIVITY PROPOSALS

The Chief Executive Officer, the Board or any Constituent Council may propose the Authority adopt a Non-core Plan.

46. NON-CORE ACTIVITY CONSULTATION

A proposer of a draft Non-core Plan must consult all the Constituent Councils in developing the draft.

47. NON-CORE PLAN REQUIREMENTS

A draft Non-core Plan must set out in reasonable detail in relation to the Non-core Activity it concerns:

- 47.1 the kind of service to which it relates;
- 47.2 its priority in relation to other existing or proposed Core Activity and Non-core Activity;
- 47.3 its expected duration;
- 47.4 a timetable for its full implementation;
- 47.5 its anticipated effect on the resources of the Authority (including financial, technological, physical and human resources) and in particular and without limiting the generality of the foregoing:
 - 47.5.1 personnel requirements over time, and how those requirements are to be satisfied;
 - 47.5.2 plant and equipment requirements over time, and how those requirements are to be satisfied;
 - 47.5.3 fuel and other consumables requirements over time, and how those requirements are to be satisfied;
 - 47.5.4 access to weigh-stations, recycling premises, and waste dump premises over time, and how those requirements are to be satisfied;
- 47.6 its anticipated expenditure, revenue and cash-flow outcomes over time (on a calendar monthly basis);
- 47.7 the sources of funds and when those funds need be sourced;
- 47.8 whether and if so what resources of a Constituent Council are required to be available to the Non-core Activity;
- 47.9 whether the Local Government Mutual Liability Scheme has forecast any peculiar liability issues for the Non-core Activity, and the advice given in relation to those liability issues;
- 47.10 whether the lawyers for the Authority have forecast any peculiar legal issues for the Non-core Activity, and the advice given in relation to those legal issues;
- 47.11 whether the auditors of the Authority have forecast any peculiar accounting or audit issues for the Non-core Activity;
- 47.12 governance issues, including whether and what delegations are required;
- 47.13 whether the Non-core Activity is a significant business activity and if so, how adherence to the National Competition Policy will be assured; and
- 47.14 how the Non-core Plan may change over time.

48. CONDITIONS OF ADOPTION OF A NON-CORE PLAN

A Non-core Plan is not effective unless and until all of the following are satisfied:

- 48.1 the Board resolves to adopt the Non-core Plan;
- 48.2 the Constituent Councils have each resolved to:
 - 48.2.1 approve their Council's participation in the Non-core Activity; and
 - 48.2.2 make any necessary consequential changes to their Council's strategic management plans, annual business plan and budget.

49. NON-CORE PLANS AS PART OF THE BUSINESS PLAN

A Non-core Plan adopted by the Authority forms part of the Business Plan.

50. REVIEW OF A NON-CORE PLAN

As part of a Business Plan, a Non-core Plan is subject to review by the Authority at the same times as the remainder of the Business Plan.

PART 14—ANNUAL PLAN AND BUDGET

51. ANNUAL PLAN

The Authority must, for each financial year, have an Annual Plan which supports and informs its Budget. The Annual Plan must:

- 51.1 include an outline of the Authority's objectives for the financial year, the activities that the Authority intends to undertake to achieve those objectives and the measures that the Authority intends to use to assess its performance against its objectives over the financial year;
- 51.2 assess the financial requirements of the Authority for the financial year and, taking those requirements into account, set out a summary of the Authority's proposed operating expenditure, capital expenditure and sources of revenue;
- 51.3 take into account the objectives set out in the Business Plan and, in particular, the Long Term Financial Plan and issues relevant to the management of assets and resources by the Authority;
- 51.4 set out proposals for the recovery of overheads over the financial year from the Constituent Councils; and
- 51.5 address or include any other matter prescribed by the Constituent Councils or determined to be relevant by the Board.

52. ABOUT AN ANNUAL PLAN

- 52.1 An adopted Annual Plan binds the Authority and is the basis upon which the Budget is prepared.
- 52.2 Before the Authority adopts its Annual Plan it must prepare a draft Annual Plan and obtain the consent of an Absolute Majority of the Constituent Councils to that Plan.
- 52.3 The Authority must prepare the draft Annual Plan and provide it to the Constituent Councils by a date determined by the Councils for the purpose of obtaining the consent of the Councils on or before 31 May in each financial year.

53. BUDGETS

As a matter of record, Schedule 2, Clause 25 of the Act sets out requirements for Budgets, and the Authority must advise Constituent Councils of the proposed fees for the next financial year by 1 April in the preceding financial year.

54. ABOUT A BUDGET

- 54.1 An adopted Budget (prepared in a manner consistent with the Annual Plan) binds the Authority and is authority for the Authority to perform work and incur debts and meet obligations according to its own terms without reference back to the Board or to a Constituent Council (except to any extent the Budget or the Annual Plan otherwise requires).
- 54.2 Each Budget of the Authority must be adopted:
- 54.2.1 after the Authority has adopted its Annual Plan;
 - 54.2.2 must be consistent with that Plan; and
 - 54.2.3 before 30 June in each financial year.

55. EXPENDITURE OUTSIDE A BUDGET

- 55.1 As a matter of record, Schedule 2, Clause 25 (4) is that the Authority may incur, for the purpose of genuine emergency or hardship, spending that is not authorised by its Budget without consulting with and seeking approval from the Constituent Councils.
- 55.2 As a matter of record, Schedule 2, Clause 25 (5) is that the Authority may, in a financial year, after consultation with the Constituent Councils, incur spending before adoption of its Budget for the year, but the spending must be provided for in the appropriate Budget for the year.

PART 15—SHARES

56. ABOUT SHARES

A Share means a Constituent Council's percentage share in the assets, liabilities and revenue of the Authority (after deducting Non-core Assets and Non-core Liabilities) as between all the Constituent Councils in accordance with this Part 15.

To avoid doubt, a third party dealing with the Authority is entitled to have recourse to all the Constituent Councils jointly and severally, regardless of the Shares of the Constituent Councils.

57. VARIATION OF SHARES

- 57.1 At the date of operation of this Charter the Constituent Councils' shares in the Authority are equal.
- 57.2 At any time, all the Constituent Councils may in writing agree to vary the Share of one or more of them.
- 57.3 The Shares must be reviewed and, as necessary, varied each time:
- 57.3.1 a council is admitted to the Authority as a Constituent Council;
 - 57.3.2 a Constituent Council amalgamates with another council; or
 - 57.3.3 a Constituent Council resigns from the Authority.
- 57.4 Notwithstanding the above, it is recognised and agreed that the Shares of the Constituent Councils immediately preceding the date of operation of this Charter are as follows:
- | | |
|---|--------|
| City of Burnside | 18.90% |
| City of Norwood Payneham and St. Peters | 16.93% |
| Corporation of the Town of Walkerville | 3.23% |
| City of Mitcham | 26.24% |
| City of Campbelltown | 19.83% |
| Adelaide Hills Council | 14.87% |
- 57.5 It is agreed between the Constituent Councils that the Constituent Councils are liable to contribute to any debts and liabilities of the Authority incurred prior to the date of operation of this Charter (including in relation to the depreciated value of any asset acquired and for any losses under contract entered into before that date) in the Shares set out at Clause 57.4 above.

PART 16—FUNDING

58. FUNDING

The Authority may decline to take any action where funds then available to the Authority are in the Board's opinion insufficient to defray the costs of such action and any debt or liability that may result.

59. CONSTITUENT COUNCIL CONTRIBUTIONS TO WORKING CAPITAL

- 59.1 This Clause applies only to a Core Activity.
- 59.2 A Constituent Council must contribute to the Authority such amounts at such times as the Budget requires (after deducting from the Budget any amounts identified as Non-core Assets and Non-Core Liabilities).
- 59.3 If the Budget does not specify a fixed dollar amount to be payable by the Contributor, the Constituent Council may require as a condition of payment that the Authority first provide an itemised estimate of the Core Activity expenditure reasonably expected to be incurred and which that contribution is to defray (after adjustments for payments previously made by that Constituent Council).
- 59.4 The Authority must use contributions received from a Constituent Council only for the purposes of a Core Activity as set out in the Budget.
- 59.5 If a Constituent Council (a Defaulter) fails to pay its full contribution so required when due:
- 59.5.1 the Defaulter must pay to the Authority interest on that amount at the official Reserve Bank Cash Rate Target plus 10% per annum from the due date to the date of actual payment;
 - 59.5.2 the Authority may recover that amount and that interest from the Defaulter as a debt;
 - 59.5.3 the Authority may, without prejudicing its other rights, set off any moneys otherwise payable by the Authority to the Defaulter against that amount and interest; and
 - 59.5.4 if the default continues for at least 14 days:
 - (a) the Authority must notify all Constituent Councils (including the Defaulter) of the fact and details of the default; and

- (b) Constituent Councils other than the Defaulter must together lend to the Authority an amount (equal to the amount not paid by the Defaulter) in such proportions as they may agree or failing agreement between themselves, in the proportion that their Share bears to the total Shares held by those Constituent Councils making such loan, for repayment when and to the extent the Defaulter makes good the contribution and accrued interest.

60. DEBT FUNDING

The Authority may borrow or raise money from the Local Government Finance Authority or a bank of such amount(s) as provided for in a Business Plan and Budget approved by the Constituent Councils.

61. DISTRIBUTIONS TO CONSTITUENT COUNCILS

The Authority must pay or credit surplus funds to the Constituent Councils in proportion to their Shares to the extent the Board determines the Authority can afford to pay having regard to future expenditure the Business Plan anticipates be incurred.

62. CONTRIBUTIONS ON INSOLVENCY

On the insolvency of the Authority, and subject to Clause 57 of this Charter, each Constituent Council must contribute in proportion to their Share to the debts and liabilities of the Authority and otherwise as incurred while the Constituent Council is a Constituent Council.

PART 17—ASSETS

63. ACQUISITION OF ASSETS

The Authority may in accordance with this Charter acquire such assets (real or personal) as its Business Plan provides or otherwise pursuant to a Unanimous Decision of the Constituent Councils.

64. DISPOSAL OF ASSETS

The Authority may dispose of (personal) assets as its Business Plan provides, or at the end of the asset's economic life.

65. INVESTMENTS

In accordance with its Business Plan and Budget the Authority may invest in the items below:

- 65.1 in waste management infrastructure and ancillary land;
- 65.2 in plant and equipment to store, transfer and/or treat waste;
- 65.3 in plant and equipment to transport waste from properties to an appropriate place of storage and/or disposal; and
- 65.4 cash on interest-bearing deposit with any bank

66. INTERESTS IN COMPANIES

As a matter of record, Schedule 2, Clause 39 of the Act prohibits the Authority from having an interest in most companies.

PART 18—INSURANCE

67. INSURANCE

- 67.1 The Authority must register with the *Local Government Association Mutual Liability Scheme* and comply with the rules of that Scheme.
- 67.2 If the Authority employs any person, it must register with the *Local Government Superannuation Scheme* and the *Local Government Association Workers Compensation Scheme* and comply with the rules of those Schemes.

PART 19—FINANCIAL PRACTICES

68. ACCOUNTING RECORDS

The Authority must comply with Section 124 of the Act as if the Authority were a council.

69. ABOUT ACCOUNTING FOR SERVICES

The Authority must keep accounting records in relation to services in such manner as will enable the calculation of Constituent Councils' contributions to, expenditure on and revenue from that service separately.

70. OTHER FINANCIAL PRACTICES

Except as may be stated elsewhere in this Charter or required by law, there are no special accounting, internal auditing or financial systems or practices to be established or observed by the Authority.

PART 20—ACCESS TO INFORMATION

71. ACCESS TO RECORDS

A Constituent Council and a Director each has a right to inspect and take copies of the books and records of the Authority for any proper purpose.

72. PROVISION OF INFORMATION

As a matter of record Schedule 2, Clause 27 of the Act entitles each Constituent Council to be furnished with information or records of the Authority.

73. BOARD REPORTS

The Authority must provide Board reports to the Directors and Constituent Councils in accordance with this Charter and otherwise at such times, in such format and with such content as the Board may determine.

74. ANNUAL REPORTS

- 74.1 As a matter of record, Schedule 2, Clause 28 of the Act requires the Authority to furnish an annual report to the Constituent Councils.
- 74.2 The annual report will be in such format and include such content as the Constituent Councils may prescribe by Absolute Majority.
- 74.3 The annual report must be delivered to the Councils on or before 30 September in each year subsequent to the financial year to which the report relates.

PART 21—DISPUTE RESOLUTION

75. DISPUTE RESOLUTION**75.1 About this clause:**

75.1.1 The procedure in this Clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statute.

75.1.2 The Authority and a Constituent Council must continue to observe and perform this Charter despite the application or operation of this clause.

75.1.3 This Clause does not prejudice the right of a party:

(a) to require the continuing observance and performance of this Charter by all parties; or

(b) to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.

75.1.4 Pending completion of the procedure set out in this clause, and subject to this clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this clause.

75.2 Step 1: Notice of dispute: A party to the dispute must promptly notify each other party to the dispute:

75.2.1 the nature of the dispute, giving reasonable details;

75.2.2 what action (if any) the party giving notice thinks will resolve the dispute; and

but a failure to give such notice does not entitle any other party to damages.

75.3 Step 2: Meeting of the parties: A party to the dispute who complies with the previous step may at the same or a later time notify each other party to the dispute that the first party requires a meeting within 14 business days after the giving of such notice. In that case, each party to the dispute must send to the meeting a senior manager of that party with the Board to resolve the dispute and at the meeting make a good faith attempt to resolve the dispute.

75.4 Step 3: Mediation: Despite whether any previous step was taken, a dispute not resolved within 30 days must be referred to mediation, as to which:

75.4.1 the mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 business days, a mediator nominated by the then President of the South Australian Bar Association (or equivalent officer of any successor organisation);

75.4.2 the role of a mediator is to assist in negotiating a resolution of a dispute. A mediator may not make a decision binding on a party unless that party has so agreed in writing;

75.4.3 the mediation must take place in a location in Adelaide agreed by the parties;

75.4.4 a party in dispute must co-operate in arranging and expediting mediation;

75.4.5 a party in dispute must send to the mediation a senior manager with authority to resolve the dispute;

75.4.6 the mediator may exclude lawyers acting for the parties in dispute and may co-opt expert assistance as the mediator thinks fit;

75.4.7 a party in dispute may withdraw from mediation if there is reason to believe the mediator is not acting in confidence, or with good faith or is acting for a purpose other than resolving the dispute;

75.4.8 unless otherwise agreed in writing:

(a) everything that occurs before the mediator is in confidence and in closed session;

(b) discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent litigation by a party;

(c) documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party;

(d) the parties in dispute must report back to the mediator within 14 business days on actions taken, based on the outcome of the mediation;

75.4.9 a party in dispute need not spend more than one day in mediation for a matter under dispute;

75.4.10 a party in dispute must bear an equal share of the costs and expenses of the mediator and otherwise bears their own costs.

75.5 Step 4: Arbitration: Despite whether any previous step was taken, a dispute not resolved within 60 days must be referred to arbitration, as to which:

75.5.1 there must be only one arbitrator and who is a natural person agreed by the parties or, if they cannot agree within 14 business days, an arbitrator nominated by the then Chairperson of The Institute of Arbitrators and Mediators Australia (South Australian Chapter);

75.5.2 the role of the arbitrator is to resolve the dispute and make decisions binding on the parties;

75.5.3 the arbitration must take place in an agreed location in Adelaide;

75.5.4 a party must co-operate in arranging and expediting arbitration;

75.5.5 a party must send to the arbitration a senior manager with authority to resolve the dispute;

75.5.6 the parties may provide evidence and given written and verbal submissions to the arbitrator within the time set by the arbitrator;

75.5.7 the arbitrator must:

(a) consider the evidence and submissions;

(b) decide the dispute; and

- (c) give written reasons to each party;
- 75.5.8 subject to this clause, the arbitration must take place under Rules 5 to 18 (inclusive) of the Rules of The Institute of Arbitrators and Mediators for the Conduct of Commercial Arbitrations and the provisions of the Commercial Arbitration Act 1986 (S.A.) and which Rules are taken to be incorporated by reference into this clause or subject to this clause, the arbitrator must fix the rules of arbitration;
- 75.5.9 the costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

PART 22—WINDING UP

76. WINDING UP

The Authority may be wound up in circumstances as Schedule 2, Clause 33 (1) of the Act allows or requires.

77. DISTRIBUTION OF ASSETS AND LIABILITIES ON WINDING UP

In the event the Authority commences to wind up and except to any extent the Board unanimously determines otherwise, the Authority must divide among the Constituent Councils in kind all of the Authority's assets and liabilities in proportion to their Shares or as otherwise agreed by Unanimous Decision of the Constituent Councils.

PART 23—COMMITTEES

78. COMMITTEES

- 78.1 The Board may establish a committee of Directors for the purpose of enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference given by the Board to the committee.
- 78.2 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 78.3 The Board may establish advisory committees consisting of or including persons who are not Directors for enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference which must be given by the Board to the advisory committee.
- 78.4 A member of an advisory committee established under this Clause holds office at the pleasure of the Board.

PART 24—OTHER MATTERS

79. EXECUTION OF DOCUMENTS

The Chief Executive Officer must maintain a register of use of the Common Seal. As a matter of record, Schedule 2, Clause 37 of the Act governs the execution of documents by the Authority.

80. PRINCIPAL OFFICE

The Authority's principal office is at 1 Temple Court, Ottoway, S.A. 5013 or as the Board may determine otherwise.

81. SERVICE OF DOCUMENTS

A document to be given by the Authority to a Constituent Council, or by a Constituent Council to the Authority may be given in a manner Section 280 of the Act permits. A written notice given by the Authority to a Constituent Council must be marked, 'Attention: Chief Executive Officer'.

82. CIRCUMSTANCES NOT PROVIDED FOR

If any circumstances arise about which this Charter is silent, incapable of taking effect or being implemented according to its terms, the Board may consider the circumstances and determine the action to be taken.

The undersigned (being each Council specified in the Charter) agree to the above as the charter of the Authority.

MINING ACT 1971

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

Applicant: Diatreme Resources Limited
 Location: Tarlina South area—Approximately 220 km west of Coober Pedy.
 Term: 2 years
 Area in km²: 865
 Ref.: 2007/00418

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Diatreme Resources Limited
 Location: Ungoolya area—Approximately 290 km west of Coober Pedy.
 Term: 2 years
 Area in km²: 845
 Ref.: 2007/00430

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Diatreme Resources Limited
 Location: Tarlina area—Approximately 210 km west of Coober Pedy.
 Term: 2 years
 Area in km²: 713
 Ref.: 2007/00419

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Far North Minerals Pty Ltd
 Location: Pearlah area—Approximately 80 km north-west of Port Lincoln.
 Term: 2 years
 Area in km²: 65
 Ref.: 2011/00249

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Diatreme Resources Limited
 Location: Wilari area—Approximately 190 km west of Coober Pedy.
 Term: 2 years
 Area in km²: 895
 Ref.: 2007/00420

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: G E Resources Pty Ltd
 Location: Algebulcullia Creek area—Approximately 50 km north of Coober Pedy.
 Pastoral Leases: Mount Willoughby and Mount Barry.
 Term: 2 years
 Area in km²: 982
 Ref.: 2011/00294

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Diatreme Resources Limited
 Location: Meramangye area—Approximately 260 km west of Coober Pedy.
 Term: 2 years
 Area in km²: 966
 Ref.: 2007/00429

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Mount Isa Mines Limited
 Location: Southern Yorke Peninsula area—Approximately 110 km west of Adelaide.
 Term: 2 years
 Area in km²: 560
 Ref.: 2012/00093

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Investigator Resources Limited
 Location: Witchitie area—Approximately 115 km north-east of Port Augusta.
 Pastoral Leases: Holowilena South, Minburra, Three Creeks, Wilcowie and Witchitie.
 Term: 2 years
 Area in km²: 183
 Ref.: 2012/00144

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

J. MARTIN, Mining Registrar

NATIONAL ELECTRICITY LAW

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

Under Section 99, the making of a draft determination and draft *National Electricity Amendment (Changes to normal voltage) Rule 2012* (Project Ref. ERC0148). In relation to the draft determination:

- requests for a pre-determination hearing must be received by **6 December 2012**;
- submissions must be received by **18 January 2013**; and
- requests for a hearing should be forwarded to submissions@aemc.gov.au and must cite the Project Ref. in its title.

Submissions can be lodged online via the AEMC's website at www.aemc.gov.au. Before lodging your submission, you must review the AEMC's privacy statement on its website. Submissions should be made in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website subject to confidentiality.

Under Sections 102 and 103, the making of the *National Electricity Amendment (Economic Regulation of Network Service Providers) Rule 2012 No. 9* and related final determination. All provisions of Schedules 1, 2, 3 and 5 commence on **29 November 2012**. All provisions of Schedule 4 commence on **1 January 2013**.

Under Sections 102 and 103, the making of the *National Electricity Amendment (Small Generation Aggregator Framework) Rule 2012 No. 8* and related final determination. All provisions commence on **1 January 2013**.

All documents in relation to the above matters are published on the AEMC's website and are available for inspection at the offices of the AEMC.

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

29 November 2012.

NATIONAL GAS LAW

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

Under Sections 311 and 313, the making of the *National Gas Amendment (Price and Revenue Regulation of Gas Services) Rule 2012 No. 3* and related final determination. All provisions commence on **29 November 2012**.

Further details and all documents on the above matter are available on the AEMC's website www.aemc.gov.au. The relevant documents are also available for inspection at the offices of the AEMC.

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

29 November 2012.

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Application for Grant of Special Facilities Licence—
 SFL 2*

PURSUANT to Section 65 (6) of the Petroleum and Geothermal Energy Act 2000 (the Act) and Delegation dated 21 March 2012, notice is hereby given that an application for the grant of a Special Facilities Licence within the area described below has been received from:

KJM Contractors Pty Ltd

The application will be determined on or after 27 December 2012.

Description of Application Area

Commencing at a point being the intersection of latitude 28°00'19"S GDA94 and longitude 140°42'46"E GDA94, thence east to longitude 140°43'01"E GDA94, south to latitude 28°00'52"S GDA94, west to longitude 140°42'46"E GDA94 and north to the point of commencement.

Area: 0.42 km² approximately.

Dated 27 November 2012.

B. A. GOLDSTEIN,
 Executive Director,
 Energy Resources Division
 Department for Manufacturing, Innovation,
 Trade, Resources and Energy
 Delegate of the Minister for Mineral
 Resources and Energy

NOTICE TO MARINERS

NO. 36 OF 2012

*South Australia—Gulf St Vincent—Ardrossan Boat Ramp New
 Beacons Installed*

MARINERS are advised that the following three new lateral beacons have been installed at the Ardrossan boat ramp. They replace the existing lateral beacons that were removed.

Port hand beacon: Latitude 34°26'07.8"S, longitude 137°55'06.6"E. Fl. red every 3 secs, range 2 nm.

Starboard hand beacon: Latitude 34°26'06.8"S, longitude 137°55'07.2"E. Fl. green every 2 secs, range 2 nm.

Starboard hand beacon: Unlit—latitude 34°26'06.7"S, longitude 137°55'06.4"E.

Charts affected: Aus 139.

Adelaide, 21 November 2012.

PATRICK CONLON, Minister for Transport

DPTI 2012/00765

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2012

	\$		\$
Agents, Ceasing to Act as.....	47.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion)	31.25
Incorporation	23.80	Discontinuance Place of Business	31.25
Intention of Incorporation	59.00	Land—Real Property Act:	
Transfer of Properties	59.00	Intention to Sell, Notice of.....	59.00
Attorney, Appointment of.....	47.00	Lost Certificate of Title Notices	59.00
Bailiff's Sale	59.00	Cancellation, Notice of (Strata Plan).....	59.00
Cemetery Curator Appointed.....	34.75	Mortgages:	
Companies:		Caveat Lodgement	23.80
Alteration to Constitution	47.00	Discharge of	24.90
Capital, Increase or Decrease of	59.00	Foreclosures.....	23.80
Ceasing to Carry on Business	34.75	Transfer of	23.80
Declaration of Dividend.....	34.75	Sublet.....	12.00
Incorporation	47.00	Leases—Application for Transfer (2 insertions) each.....	12.00
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	34.75
First Name.....	34.75	Licensing.....	69.50
Each Subsequent Name.....	12.00	Municipal or District Councils:	
Meeting Final.....	39.25	Annual Financial Statement—Forms 1 and 2	657.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	467.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	93.50
First Name.....	47.00	Each Subsequent Name.....	12.00
Each Subsequent Name	12.00	Noxious Trade	34.75
Notices:		Partnership, Dissolution of.....	34.75
Call.....	59.00	Petitions (small)	23.80
Change of Name.....	23.80	Registered Building Societies (from Registrar-General)	23.80
Creditors.....	47.00	Register of Unclaimed Moneys—First Name	34.75
Creditors Compromise of Arrangement	47.00	Each Subsequent Name	12.00
Creditors (extraordinary resolution that 'the Com-		Registers of Members—Three pages and over:	
pany be wound up voluntarily and that a liquidator		Rate per page (in 8pt)	299.00
be appointed').....	59.00	Rate per page (in 6pt)	395.00
Release of Liquidator—Application—Large Ad	93.50	Sale of Land by Public Auction.....	59.50
—Release Granted	59.00	Advertisements	3.30
Receiver and Manager Appointed	54.00	¼ page advertisement	139.00
Receiver and Manager Ceasing to Act	47.00	½ page advertisement	279.00
Restored Name.....	44.00	Full page advertisement.....	546.00
Petition to Supreme Court for Winding Up.....	81.50	Advertisements, other than those listed are charged at \$3.30 per	
Summons in Action.....	69.50	column line, tabular one-third extra.	
Order of Supreme Court for Winding Up Action	47.00	Notices by Colleges, Universities, Corporations and District	
Register of Interests—Section 84 (1) Exempt.....	105.00	Councils to be charged at \$3.30 per line.	
Removal of Office.....	23.80	Where the notice inserted varies significantly in length from	
Proof of Debts	47.00	that which is usually published a charge of \$3.30 per column line	
Sales of Shares and Forfeiture.....	47.00	will be applied in lieu of advertisement rates listed.	
Estates:		South Australian Government publications are sold on the	
Assigned	34.75	condition that they will not be reproduced without prior	
Deceased Persons—Notice to Creditors, etc.....	59.00	permission from the Government Printer.	
Each Subsequent Name	12.00		
Deceased Persons—Closed Estates	34.75		
Each Subsequent Estate.....	1.55		
Probate, Selling of	47.00		
Public Trustee, each Estate	12.00		

All the above prices include GST

GOVERNMENT GAZETTE NOTICES

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

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2012

Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	2.90	1.35	497-512	39.75	38.75
17-32	3.80	2.40	513-528	40.75	39.50
33-48	5.00	3.55	529-544	42.25	40.75
49-64	6.30	4.85	545-560	43.50	42.25
65-80	7.35	6.10	561-576	44.50	43.50
81-96	8.55	7.10	577-592	46.00	44.00
97-112	9.75	8.35	593-608	47.25	45.50
113-128	10.90	9.60	609-624	48.00	47.00
129-144	12.20	10.80	625-640	49.25	47.50
145-160	13.40	12.00	641-656	50.50	49.25
161-176	14.60	13.20	657-672	51.50	49.75
177-192	15.90	14.40	673-688	53.00	51.50
193-208	17.10	15.80	689-704	54.00	52.00
209-224	18.10	16.70	705-720	55.50	53.50
225-240	19.30	17.90	721-736	57.00	54.50
241-257	20.80	18.90	737-752	57.50	56.00
258-272	21.90	20.00	753-768	59.00	57.00
273-288	23.00	21.70	769-784	60.00	59.00
289-304	24.10	22.60	785-800	61.00	60.00
305-320	25.50	24.00	801-816	62.50	60.50
321-336	26.50	25.10	817-832	63.50	62.50
337-352	27.90	26.25	833-848	65.00	63.50
353-368	28.75	27.75	849-864	66.00	64.50
369-384	30.25	28.75	865-880	67.50	66.00
385-400	31.50	30.00	881-896	68.00	66.50
401-416	32.75	31.00	897-912	69.50	68.00
417-432	34.00	32.50	913-928	70.00	69.50
433-448	35.00	33.75	929-944	71.50	70.00
449-464	36.00	34.50	945-960	72.50	71.00
465-480	36.50	35.75	961-976	75.50	72.00
481-496	38.75	36.50	977-992	76.50	72.50

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WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 29 November 2012

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT**CITY OF CHARLES STURT**

Ellen Street, West Croydon. p28
Cedar Avenue, West Croydon. p28 and 29
Brown Street, West Croydon. p29
Croydon Avenue, West Croydon. p28
Green Avenue, Seaton. p32

CITY OF MARION

Drysdale Drive, Trott Park. p18
Lander Road, Trott Park. p18
In and across Brooklyn Drive, Hallett Cove. p23
Easement in lot 902 in LTRO DP 88660, Lonsdale Road, Hallett Cove. p23
Erebus Glen, Hallett Cove. p23 and 24
Keats Court, Hallett Cove. p24
Tasman Court, Hallett Cove. p23 and 24
Marion Road, Marion. p25

CITY OF MITCHAM

In and across Belair Road, Torrens Park. p19
Kilbryde Road, Torrens Park. p19

DISTRICT COUNCIL OF MOUNT BARKER

West Terrace, Littlehampton. p8

CITY OF ONKAPARINGA

Across Trinity Road, Morphett Vale. p11
Easements in reserves (allotment piece 4 in LTRO FP 102759, Pimpala Road, and lot 82 in LTRO DP 89519, The Glenn), Morphett Vale. p11
The Glenn, Morphett Vale. p11
Across Booth Avenue, Morphett Vale. p11
Across Richardson Crescent, Morphett Vale. p11

CITY OF PORT ADELAIDE ENFIELD

In and across Colac Street, Greenacres. p17
Swan Street, Greenacres. p17
Princes Road, Greenacres. p20
Bracken Avenue, Gilles Plains. p35
McKinlay Avenue, Gilles Plains. p35
Greenbank Drive, Windsor Gardens. p22
Brookvale Road, Windsor Gardens. p22
Boyd Street, Windsor Gardens. p22
Talinga Avenue, Kilburn. p26
Leader Avenue, Kilburn. p26
In and across Lurline Avenue, Gilles Plains. p27
Harvey Avenue, Gilles Plains. p27
Milbank Avenue, Gilles Plains. p27
Glenroy Avenue, Gilles Plains. p27
Mersey Road, Osborne. p31
Bridges Avenue, Osborne. p31
In and across Muller Road, Greenacres. p33 and 34
Birdwood Road, Greenacres and Hampstead Gardens. p34

BEACHPORT WATER DISTRICT**WATTLE RANGE COUNCIL**

Across Railway Terrace, Beachport. p12
Golf Course Road, Beachport. p12

BEETALOO COUNTRY LANDS WATER DISTRICT**DISTRICT COUNCIL OF THE COPPER COAST**

Davidson Road, Jericho. p6

BURRA WATER DISTRICT**REGIONAL COUNCIL OF GOYDER**

St Just Street, Burra. p30

GOOLWA WATER DISTRICT**ALEXANDRINA COUNCIL**

Across Gow Drive, Hindmarsh Island. p10
Khama Court, Hindmarsh Island. p10
Easement in lot 60 in LTRO DP 88781, Khama Court, Hindmarsh Island. p10

KADINA WATER DISTRICT**DISTRICT COUNCIL OF THE COPPER COAST**

No 2 Lane, Kadina. p7

PORT AUGUSTA WATER DISTRICT**PORT AUGUSTA CITY COUNCIL**

Easement in lot 501 in LTRO DP 64335 (street known as McInerney Close), Port Augusta West. p2
Smoker Street, Stirling North. p3
Across and in Carroona Road, Port Augusta West. p9

STRATHALBYN COUNTRY LANDS WATER DISTRICT**ALEXANDRINA COUNCIL**

Waterworks land (lot 55 in LTRO FP 161213), Koennecke Road, Strathalbyn. p13-16

YORKE PENINSULA COUNTRY LANDS WATER DISTRICT**DISTRICT COUNCIL OF YORKE PENINSULA**

Spencer Highway, Maitland. p5

WATER MAINS ABANDONED

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

ADELAIDE WATER DISTRICT**CITY OF CHARLES STURT**

Ellen Street, West Croydon. p28
Cedar Avenue, West Croydon. p28 and 29
Brown Street, West Croydon. p29
Croydon Avenue, West Croydon. p28
Green Avenue, Seaton. p32

CITY OF MARION

Drysdale Drive, Trott Park. p18
Lander Road, Trott Park. p18
Marion Road, Marion. p25

CITY OF MITCHAM

In and across Belair Road, Torrens Park. p19
Kilbryde Road, torrens Park. p19

CITY OF ONKAPARINGA

Richardson Crescent, Morphett Vale. p11

CITY OF PORT ADELAIDE ENFIELD

In and across Colac Street, Greenacres. p17
 Swan Street, Greenacres. p17
 Princes Road, Greenacres. p20
 Bracken Avenue, Gilles Plains. p35
 McKinlay Avenue, Gilles Plains. p35
 Greenbank Drive, Windsor Gardens. p22
 Brookvale Road, Windsor Gardens. p22
 Boyd Street, Windsor Gardens. p22
 Talinga Avenue, Kilburn. p26
 Leader Avenue, Kilburn. p26
 In and across Lurline Avenue, Gilles Plains. p27
 Harvey Avenue, Gilles Plains. p27
 Milbank Avenue, Gilles Plains. p27
 Glenroy Avenue, Gilles Plains. p27
 Mersey Road, Osborne. p31
 Bridges Avenue, Osborne. p31
 In and across Muller Road, Greenacres. p33 and 34
 Birdwood Road, Greenacres and Hampstead Gardens. p34

PORT AUGUSTA WATER DISTRICT**PORT AUGUSTA CITY COUNCIL**

Easement in lot 501 in LTRO DP 64335 (street known as McInerney Close), Port Augusta West. p2

STRATHALBYN COUNTRY LANDS WATER DISTRICT**ALEXANDRINA COUNCIL**

Waterworks land (lot 55 in LTRO FP 161213), Koennecke Road, Strathalbyn. p13 and 14

YORKE PENINSULA COUNTRY LANDS WATER DISTRICT**DISTRICT COUNCIL OF YORKE PENINSULA**

Spencer Highway, Maitland. p5

SEWERS LAID

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

ADELAIDE DRAINAGE AREA**CITY OF HOLDFAST BAY**

Sewerage land (lot 41 in LTRO FP 8993), Tarlton Street, Somerton Park. FB 1223 p40 and 41
 Across and in Tarlton Street, Somerton Park. FB 1223 p40 and 41
 Across College Road, Somerton Park. FB 1223 p40 and 41
 Easements in lot 2 in LTRO DP 84647, College Road and lot 101 in LTRO DP 649, Eton Road, Somerton Park. FB 1223 p40 and 41
 Across and in Eton Road, Somerton Park. FB 1223 p40-42
 Prior Road, Somerton Park. FB 1223 p40 and 42
 Across and in Repton Road, Somerton Park and North Brighton. FB 1223 p40 and 42
 Easements in lot 12 in LTRO DP 12174, Repton Road, lot 104 in LTRO FP 2997, King George Avenue and lot 11 in LTRO FP 146038, Gladstone Road, North Brighton. FB 1223 p40, 42 and 43
 Across Gladstone Road, North Brighton. FB 1223 p40 and 43
 Easements in lot 14 in LTRO FP 146042, Gladstone Road and lot 38 in LTRO FP 145966, Holder Road, North Brighton. FB 1223 p40 and 43
 Across Holder Road, North Brighton and Hove. FB 1223 p40, 43 and 44
 Cross Street, Hove. FB 1223 p40 and 44
 Across and in Downing Street, Hove. FB 1223 p40 and 44
 Across and in Hulbert Street, Hove. FB 1223 p40 and 44
 Easements in LTRO Strata Plan 3197, Hulbert Street and lot 44 in LTRO FP 145972, Wattle Avenue, Hove. FB 1223 p40 and 44
 Across Wattle Avenue, Hove. FB 1223 p40 and 44
 Waverley Terrace, Hove. FB 1223 p40 and 44
 Easements in lot 64 in LTRO DP 74085, Waverley Terrace, Hove. FB 1223 p40, 44 and 45

Easements in lots 4-6 in LTRO DP 8317, Mawson Close, Brighton. FB 1223 p40 and 45
 Across and in King Street, Brighton. FB 1223 p40 and 45
 Easements in lot 1 in LTRO DP 37427, King Street and lot 3 in LTRO DP 37427, Alfreda Street, Brighton. FB 1223 p40 and 45
 Across Alfreda Street, Brighton. FB 1223 p40 and 45
 Easements in lot 31 in LTRO FP 145859, Athelney Avenue and lot 3 in LTRO FP 137917, Yester Avenue, Brighton. FB 1223 p40 and 45
 Across Yester Avenue, Brighton. FB 1223 p40 and 45

CITY OF MARION

Easements in reserve (lot 111 in LTRO DP 72078) and drainage reserve (lot 524 in LTRO DP 51631), Alia Drive, Sheidow Park. FB 1224 p1-3

CITY OF MITCHAM

Sewerage land (lot 97 in LTRO DP 7842), Coromandel Parade, Coromandel Valley. FB 1224 p4-7
 Easement in lot A in LTRO RP 5475, Coromandel Parade, Coromandel Valley. FB 1224 p4-7
 Across and in Coromandel Parade, Coromandel Valley and Craighburn Farm. FB 1224 p4-7

CITY OF PORT ADELAIDE ENFIELD

Swan Terrace, Semaphore. FB 1223 p46
 Across Semaphore Road, Semaphore. FB 1223 p46

SEWERS ABANDONED

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

ADELAIDE DRAINAGE AREA**CITY OF HOLDFAST BAY**

Sewerage land (lot 41 in LTRO FP 8993), Tarlton Street, Somerton Park. FB 1223 p40 and 41
 Across and in Tarlton Street, Somerton Park. FB 1223 p40 and 41
 Across College Road, Somerton Park. FB 1223 p40 and 41
 Easements in lot 2 in LTRO DP 84647, College Road and lot 101 in LTRO DP 649, Eton Road, Somerton Park. FB 1223 p40 and 41
 Across and in Eton Road, Somerton Park. FB 1223 p40-42
 Prior Road, Somerton Park. FB 1223 p40 and 42
 Across and in Repton Road, Somerton Park and North Brighton. FB 1223 p40 and 42
 Easements in lot 12 in LTRO DP 12174, Repton Road, lot 104 in LTRO FP 2997, King George Avenue and lot 11 in LTRO FP 146038, Gladstone Road, North Brighton. FB 1223 p40, 42 and 43
 Across Gladstone Road, North Brighton. FB 1223 p40 and 43
 Easements in lot 14 in LTRO FP 146042, Gladstone Road and lot 38 in LTRO FP 145966, Holder Road, North Brighton. FB 1223 p40 and 43
 Across Holder Road, North Brighton and Hove. FB 1223 p40, 43 and 44
 Cross Street, Hove. FB 1223 p40 and 44
 Across and in Downing Street, Hove. FB 1223 p40 and 44
 Across and in Hulbert Street, Hove. FB 1223 p40 and 44
 Easements in LTRO Strata Plan 3197, Hulbert Street and lot 44 in LTRO FP 145972, Wattle Avenue, Hove. FB 1223 p40 and 44
 Across Wattle Avenue, Hove. FB 1223 p40 and 44
 Waverley Terrace, Hove. FB 1223 p40 and 44
 Easements in lot 64 in LTRO DP 74085, Waverley Terrace, Hove. FB 1223 p40, 44 and 45
 Easements in lots 4-6 in LTRO DP 8317, Mawson Close, Brighton. FB 1223 p40 and 45
 Across and in King Street, Brighton. FB 1223 p40 and 45
 Easements in lot 1 in LTRO DP 37427, King Street and lot 3 in LTRO DP 37427, Alfreda Street, Brighton. FB 1223 p40 and 45
 Across Alfreda Street, Brighton. FB 1223 p40 and 45
 Easements in lot 31 in LTRO FP 145859, Athelney Avenue and lot 3 in LTRO FP 137917, Yester Avenue, Brighton. FB 1223 p40 and 45
 Across Yester Avenue, Brighton. FB 1223 p40 and 45

CITY OF MARION

Sewerage land (lot 110 in LTRO DP 72078), Alia Drive, Sheidow Park. FB 1224 p1 and 2
 Easements in lot 111 in LTRO DP 72078, Alia Drive, Sheidow Park. FB 1224 p1 and 2
 Sewerage land (lot 110 in LTRO DP 72078), Alia Drive, Sheidow Park—250 mm AC pumping main. FB 1224 p1
 Easements in reserve (lot 111 in LTRO DP 72078) and drainage reserve (lot 524 in LTRO DP 51631), Alia Drive, Sheidow Park—250 mm AC pumping main. FB 1224 p1
 Easement in reserve (lot 150 in LTRO DP 34866), Patpa Drive, Sheidow Park—250 mm AC pumping main. FB 1224 p1
 Across and in Patpa Drive, Sheidow Park—250 mm AC pumping main. FB 1224 p1

CITY OF MITCHAM

Sewerage land (lot 152 in LTRO FP 10664), Bens Place, Blackwood—100 mm PVC pumping main. FB 1223 p58-60
 Easements in lot 157 in LTRO DP 14965, Lee Street, Blackwood—100 mm PVC pumping main. FB 1223 p58-60
 Sewerage land (lot 97 in LTRO DP 7842), Coromandel Parade, Coromandel Valley. FB 1224 p4 and 5
 Across and in Coromandel Parade, Coromandel Valley and Craighburn Farm. FB 1224 p4 and 5

CITY OF ONKAPARINGA

Sewerage land (lot 112 in LTRO DP 12039), Glendale Avenue, Flagstaff Hill. FB 1224 p8
 Easement in lot 113 in LTRO DP 12039, Craighburn Drive, Flagstaff Hill. FB 1224 p8

CITY OF PLAYFORD

Across Bellchambers Road, Penfield. FB 1223 p47 and 48
 Across and in Bellchambers Road, Penfield and Edinburgh. FB 1223 p47, 51 and 52

CITY OF PORT ADELAIDE ENFIELD

Swan Terrace, Semaphore. FB 1223 p46
 Across Semaphore Road, Semaphore. FB 1223 p46

CITY OF SALISBURY

Easement in lot 3 in LTRO DP 64487, West Avenue, Edinburgh. FB 1223 p47 and 48
 Easements in reserve (lot 802 in LTRO DP 71564), Edinburgh Road and lot 6 in LTRO DP 68390, Sturton Road, Edinburgh. FB 1223 p47 and 49
 Easements in lots 6 and 7 in LTRO DP 68390 and lot 20 in LTRO DP 81278, Sturton Road, Edinburgh. FB 1223 p47 and 50
 Easement in lot 3 in LTRO DP 64487, West Avenue, Edinburgh. FB 1223 p47 and 51
 Easements in lot 20 in LTRO DP 81278, Sturton Road and lot 3 in LTRO DP 64487, West Avenue, Edinburgh. FB 1223 p53-56
 Easement in reserve (lot 802 in LTRO DP 71564), Edinburgh Road, Edinburgh. FB 1223 p53 and 57

SEWERS LAID

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

ADELAIDE DRAINAGE AREA**CITY OF MARION**

Sewerage land (lot 110 in LTRO DP 72078), Alia Drive, Sheidow Park. FB 1224 p1-3
 Easements in reserve (lot 111 in LTRO DP 72078) and drainage reserve (lot 524 in LTRO DP 51631), Alia Drive, Sheidow Park. FB 1224 p1-3
 Sewerage land (lot 110 in LTRO DP 72078), Alia Drive, Sheidow Park—250 and 200 mm PVC pumping main. FB 1224 p1-3
 Easements in reserve (lot 111 in LTRO DP 72078) and drainage reserve (lot 524 in LTRO DP 51631), Alia Drive, Sheidow Park—250 mm PVC pumping main. FB 1224 p1 and 3
 Easement in reserve (lot 150 in LTRO DP 34866), Patpa Drive, Sheidow Park—250 mm PVC pumping main. FB 1224 p1 and 3
 Across and in Patpa Drive, Sheidow Park—250 mm PVC pumping main. FB 1224 p1 and 3

CITY OF MITCHAM

Sewerage land (lot 152 in LTRO FP 10664), Bens Place, Blackwood. FB 1223 p58-60
 Sewerage land (lot 152 in LTRO FP 10664), Bens Place, Blackwood—100 mm MSCL and PVC pumping main. FB 1223 p58-60
 Easements in lot 157 in LTRO DP 14965, Lee Street, Blackwood—100 mm MSCL and PVC pumping main. FB 1223 p58-60

CITY OF PLAYFORD

Across Bellchambers Road, Penfield. FB 1223 p47 and 48
 Across and in Bellchambers Road, Penfield and Edinburgh. FB 1223 p47, 51 and 52

CITY OF SALISBURY

Easement in lot 3 in LTRO DP 64487, West Avenue, Edinburgh. FB 1223 p47 and 48
 Easements in reserve (lot 802 in LTRO DP 71564), Edinburgh Road and lot 6 in LTRO DP 68390, Sturton Road, Edinburgh. FB 1223 p47 and 49
 Easements in lots 6 and 7 in LTRO DP 68390 and lot 20 in LTRO DP 81278, Sturton Road, Edinburgh. FB 1223 p47 and 50
 Easement in lot 3 in LTRO DP 64487, West Avenue, Edinburgh. FB 1223 p47 and 51
 Easements in lot 20 in LTRO DP 81278, Sturton Road and lot 3 in LTRO DP 64487, West Avenue, Edinburgh. FB 1223 p53-56
 Easement in reserve (lot 802 in LTRO DP 71564), Edinburgh Road, Edinburgh. FB 1223 p53 and 57

A. J. RINGHAM, Chief Executive Officer,
 South Australian Water Corporation

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 | 20. 17 December 2009 |
| 21. 4 February 2010 | 22. 11 February 2010 | 23. 18 February 2010 | 24. 18 March 2010 |
| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | 28. 3 June 2010 |
| 29. 17 June 2010 | 30. 24 June 2010 | 31. 8 July 2010 | 32. 9 September 2010 |
| 33. 23 September 2010 | 34. 4 November 2010 | 35. 25 November 2010 | 36. 16 December 2010 |
| 37. 23 December 2010 | 38. 17 March 2011 | 39. 7 April 2011 | 40. 21 April 2011 |
| 41. 19 May 2011 | 42. 30 June 2011 | 43. 21 July 2011 | 44. 8 September 2011 |
| 45. 10 November 2011 | 46. 24 November 2011 | 47. 1 December 2011 | 48. 8 December 2011 |
| 49. 16 December 2011 | 50. 22 December 2011 | 51. 5 January 2012 | 52. 19 January 2012 |
| 53. 1 March 2012 | 54. 29 March 2012 | 55. 24 May 2012 | 56. 31 May 2012 |
| 57. 7 June 2012 | 58. 14 June 2012 | 59. 21 June 2012 | 60. 28 June 2012 |
| 61. 5 July 2012 | 62. 12 July 2012 | 63. 19 July 2012 | 64. 2 August 2012 |
| 65. 9 August 2012 | 66. 30 August 2012 | 67. 13 September 2012 | 68. 4 October 2012 |
| 69. 18 October 2012 | 70. 25 October 2012 | 71. 8 November 2012 | |

Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the Aeroskills Training Package MEA11

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
# Aircraft Maintenance Worker (Aircraft Structures Non Trade)	MEA20411	Certificate II in Aeroskills	12 months	1 month
# Aircraft Maintenance Worker (Avionics Non Trade)	MEA20411	Certificate II in Aeroskills	12 months	1 month
# Aircraft Maintenance Worker (Mechanical Non Trade)	MEA20411	Certificate II in Aeroskills	12 months	1 month
# Aircraft Line Maintenance Worker	MEA20511	Certificate II in Aircraft Line Maintenance	24 months	2 months
# Aircraft Surface Finishing Worker	MEA20611	Certificate II in Aircraft Surface Finishing	24 months	2 months
# Aircraft Surface Finisher	MEA30111	Certificate III in Aircraft Surface Finishing	48 months	3 months
*Aircraft Maintenance Engineer or Technician (Avionics)	MEA40611	Certificate IV in Aeroskills (Avionics)	48 months	3 months

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
*Aircraft Maintenance Engineer or Technician (Mechanical)	MEA40711	Certificate IV in Aeroskills (Mechanical)	48 months	3 months
# Aircraft Surface Finishing Supervisor	MEA40911	Certificate IV in Aircraft Surface Finishing	48 months	3 months
*Aircraft Maintenance Technician (Aircraft Structures)	MEA41311	Certificate IV in Aeroskills (Structures)	48 months	3 months
*Licensed Aircraft Maintenance Engineer (Avionics)	MEA50111	Diploma of Aeroskills (Avionics)	48 months	3 months
*Licensed Aircraft Maintenance Engineer (Mechanical)	MEA50211	Diploma of Aeroskills (Mechanical)	48 months	3 months
# Avionics Maintenance Manager (Junior)	MEA50311	Diploma of Aviation Maintenance Management (Avionics)	48 months	3 months
# Mechanical Maintenance Manager (Junior)	MEA50411	Diploma of Aviation Maintenance Management (Mechanical)	48 months	3 months
# Aviation Maintenance Manager (Avionics)	MEA60111	Advanced Diploma of Aviation Maintenance Management (Avionics)	48 months	3 months
# Aviation Maintenance Manager (Mechanical)	MEA60211	Advanced Diploma of Aviation Maintenance Management (Mechanical)	48 months	3 months

South Australia

Marine Parks (Authorised Management Plans) Notice 2012

under section 14(8) of the *Marine Parks Act 2007*

Preamble

- 1 Following completion of a process under section 14(4) and (7) of the *Marine Parks Act 2007*, the draft management plans referred to in Schedule 1 have been adopted by the Minister for Sustainability, Environment and Conservation.
 - 2 It is now intended that those draft management plans be declared to be authorised management plans.
-

1—Short title

This notice may be cited as the *Marine Parks (Authorised Management Plans) Notice 2012*.

2—Commencement

This notice will come into operation on 29 November 2012 immediately after the *Marine Parks Variation Proclamation 2012* comes into operation.

3—Authorised management plans

- (1) The draft management plans referred to in Schedule 1 are declared to be authorised management plans.
- (2) The authorised management plans come into operation on 29 November 2012.

Schedule 1—Authorised management plans

Far West Coast Marine Park Management Plan

Nuyts Archipelago Marine Park Management Plan

West Coast Bays Marine Park Management Plan

Investigator Marine Park Management Plan

Thorny Passage Marine Park Management Plan

Sir Joseph Banks Group Marine Park Management Plan

Neptune Islands Group (Ron and Valerie Taylor) Marine Park Management Plan

Gambier Islands Group Marine Park Management Plan

Franklin Harbor Marine Park Management Plan

Upper Spencer Gulf Marine Park Management Plan

Eastern Spencer Gulf Marine Park Management Plan

Southern Spencer Gulf Marine Park Management Plan

Lower Yorke Peninsula Marine Park Management Plan

Upper Gulf St Vincent Marine Park Management Plan

Encounter Marine Park Management Plan

Western Kangaroo Island Marine Park Management Plan

Southern Kangaroo Island Marine Park Management Plan

Upper South East Marine Park Management Plan

Lower South East Marine Park Management Plan

Made by the Governor

with the advice and consent of the Executive Council
on 29 November 2012

12MSECCS067

South Australia

Marine Parks Variation Proclamation 2012

under section 10 of the *Marine Parks Act 2007*

Preamble

- 1 By proclamation made under the *Marine Parks Act 2007* (*Gazette 29.1.2009 p481*), as varied, certain marine parks are established and assigned names.
- 2 It is now intended that by this proclamation—
 - (a) the boundaries of the Lower Yorke Peninsula Marine Park and the Upper Gulf St. Vincent Marine Park be altered by the addition of areas to these parks; and
 - (b) the name of the Neptune Islands Group Marine Park be altered.

Part 1—Preliminary

1—Short title

This proclamation may be cited as the *Marine Parks Variation Proclamation 2012*.

2—Commencement

This proclamation comes into operation on 29 November 2012.

3—Variation provisions

In this proclamation, a provision under a heading referring to the variation of a specified proclamation varies the proclamation so specified.

Part 2—Variation of *Marine Parks Proclamation 2009* (*Gazette 29.1.2009 p481*)

4—Variation of Schedule 1—Marine parks

- (1) Schedule 1, table, item 7—delete item 7 and substitute:

7	Rack Plan No 1932	Neptune Islands Group (Ron and Valerie Taylor) Marine Park
---	-------------------	---

- (2) Schedule 1, table, item 13—delete "Rack Plan No 939" and substitute:

Rack Plan No 1065

- (3) Schedule 1, table, item 14—delete "Rack Plan No 940" and substitute:

Rack Plan No 1066

Made by the Governor

on the recommendation of the Minister for Sustainability, Environment and Conservation and with the advice and consent of the Executive Council
on 29 November 2012

12MSECCS066; 12MSECCS070

South Australia

Tobacco Products Regulation (Exemption—Nosferatu) Proclamation 2012

under section 71 of the *Tobacco Products Regulation Act 1997*

1—Short title

This proclamation may be cited as the *Tobacco Products Regulation (Exemption—Nosferatu) Proclamation 2012*.

2—Commencement

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

3—Interpretation

In this proclamation—

Act means the *Tobacco Products Regulation Act 1997*;

prescribed period means the period commencing on 11 March 2013 and ending on 24 March 2013;

prescribed production means the stage production of *Nosferatu* produced by TR Warszawa.

4—Application of proclamation

This proclamation applies to the following persons:

- (a) a person employed by, or in relation to, the prescribed production;
- (b) an occupier of the Dunstan Playhouse at the Adelaide Festival Centre;
- (c) an employer with responsibility for a workplace consisting of the Dunstan Playhouse in relation to the prescribed production.

5—Exemption from section 46 of the Act

- (1) A person to whom this proclamation applies is exempt from the operation of section 46 of the Act in relation to smoking occurring in the course of a performance or rehearsal of the prescribed production during the prescribed period.
- (2) An exemption under this clause is subject to the following conditions:
 - (a) smoking may only occur on a stage on which the prescribed production is being performed or rehearsed, or in a rehearsal room used in relation to the prescribed production;
 - (b) the area in which smoking may occur under the exemption must be well ventilated;
 - (c) a person may only smoke a tobacco product of a kind contemplated by paragraph (g) of the definition of *tobacco product* in section 4 of the Act.
- (3) If a person contravenes or fails to comply with a condition of an exemption specified in subclause (2), the exemption does not, while the contravention or non-compliance continues, operate in that person's favour.

South Australia

Tobacco Products Regulation (Exemption—One Man, Two Guvnors) Proclamation 2012

under section 71 of the *Tobacco Products Regulation Act 1997*

1—Short title

This proclamation may be cited as the *Tobacco Products Regulation (Exemption—One Man, Two Guvnors) Proclamation 2012*.

2—Commencement

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

3—Interpretation

In this proclamation—

Act means the *Tobacco Products Regulation Act 1997*;

prescribed period means the period commencing on 26 February 2013 and ending on 17 March 2013;

prescribed production means the stage production of *One Man, Two Guvnors* produced by the Royal National Theatre.

4—Application of proclamation

This proclamation applies to the following persons:

- (a) a person employed by, or in relation to, the prescribed production;
- (b) an occupier of Her Majesty's Theatre, 58 Grote Street, Adelaide;
- (c) an employer with responsibility for a workplace consisting of Her Majesty's Theatre in relation to the prescribed production.

5—Exemption from section 46 of the Act

- (1) A person to whom this proclamation applies is exempt from the operation of section 46 of the Act in relation to smoking occurring in the course of a performance or rehearsal of the prescribed production during the prescribed period.
- (2) An exemption under this clause is subject to the following conditions:
 - (a) smoking may only occur on a stage on which the prescribed production is being performed or rehearsed, or in a rehearsal room used in relation to the prescribed production;
 - (b) the area in which smoking may occur under the exemption must be well ventilated;
 - (c) a person may only smoke a tobacco product of a kind contemplated by paragraph (g) of the definition of *tobacco product* in section 4 of the Act.
- (3) If a person contravenes or fails to comply with a condition of an exemption specified in subclause (2), the exemption does not, while the contravention or non-compliance continues, operate in that person's favour.

South Australia

Public Corporations (Southern Select Super Corporation) Regulations 2012

under the *Public Corporations Act 1993*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public Corporations (Southern Select Super Corporation) Regulations 2012*.

2—Commencement

These regulations will come into operation on 1 December 2012.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Public Corporations Act 1993*;

board means the board of directors established as the governing body of the subsidiary under regulation 6;

director means a person appointed or holding office as a member of the board under regulation 7 or 8;

fund means the fund into which amounts received from or on behalf of members of Super SA Select are to be paid as required under regulation 13(e);

Minister means the Minister for Finance;

subsidiary means Southern Select Super Corporation established under regulation 5;

Super SA Select means the superannuation fund of that name established under a trust deed and for which the subsidiary is trustee.

Part 2—Application of Act to Minister

4—Application of Act to Minister

The following provisions of the Act apply to the Minister:

- (a) Part 1 (Preliminary);
- (b) section 24 (Formation of subsidiary by regulation);
- (c) section 25 (Dissolution of subsidiary established by regulation);

- (d) Schedule (Provisions applicable to subsidiaries).

Part 3—Southern Select Super Corporation

Division 1—Southern Select Super Corporation established as subsidiary of Minister

5—Establishment of subsidiary (section 24 of Act)

- (1) Southern Select Super Corporation is established as a subsidiary of the Minister.
- (2) The subsidiary—
 - (a) is a body corporate; and
 - (b) has perpetual succession and a common seal; and
 - (c) is capable of suing and being sued in its corporate name.

6—Establishment of board

- (1) A board of directors is established as the governing body of the subsidiary.
- (2) Anything done by the board in the administration of the subsidiary's affairs is binding on the subsidiary.

7—Constitution of board on establishment

- (1) Until 30 November 2015, the board will consist of 5 members appointed by the Minister, 1 of whom is to be designated in his or her instrument of appointment as presiding member of the board.
- (2) When the office of a member appointed under subregulation (1) becomes vacant, the Minister must appoint a person to fill the vacant office.
- (3) The Minister may appoint a deputy to a member of the board appointed under subregulation (1) and the deputy may, in the absence or during a temporary vacancy in the office of that member, act as a member of the board.
- (4) Subject to subregulation (5), a member of the board appointed under this regulation will be appointed until 30 November 2015.
- (5) A member appointed under this regulation to fill a casual vacancy will be appointed or elected for the balance of the term of his or her predecessor.
- (6) The office of a member of the board appointed under this regulation becomes vacant if the member—
 - (a) dies; or
 - (b) resigns by written notice to the Minister; or
 - (c) is removed from office by the Minister on the ground of—
 - (i) mental or physical incapacity to carry out official duties satisfactorily; or
 - (ii) neglect of duty; or
 - (iii) misconduct.

8—Constitution of board from 1 December 2015

- (1) On and from 1 December 2015, the board will consist of the following members:
 - (a) a presiding member appointed by the Governor;
 - (b) 2 members appointed on election by the members of Super SA Select in accordance with Schedule 1;
 - (c) 2 members appointed by the Governor on the Minister's nomination.
- (2) A person who is employed in duties connected with the *Superannuation Act 1988*, the *Southern State Superannuation Act 2009* or the administration of Super SA Select is not eligible to be elected as a member of the board.
- (3) The Governor may appoint a deputy to a member of the board appointed or elected under subregulation (1) and the deputy may, in the absence or during a temporary vacancy in the office of that member, act as a member of the board.
- (4) Subject to subregulation (5), a member of the board appointed or elected under this regulation will be appointed or elected for a term not exceeding 3 years.
- (5) A member appointed or elected under this regulation to fill a casual vacancy will be appointed or elected for the balance of the term of his or her predecessor.
- (6) The office of a member of the board appointed or elected under this regulation becomes vacant if the member—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed or re-elected; or
 - (c) resigns by written notice to the Minister; or
 - (d) is removed from office by the Governor on the ground of—
 - (i) mental or physical incapacity to carry out official duties satisfactorily; or
 - (ii) neglect of duty; or
 - (iii) misconduct.
- (7) If the office of an elected member becomes vacant and the balance of the term of the office is 12 months or less, the Governor may appoint to the vacant office a person nominated by the Public Service Association of South Australia Incorporated and the Australian Education Union (SA Branch).

9—Procedures at meetings of board

- (1) A meeting of the board will be chaired by the presiding member or, in his or her absence, by a member chosen by those present.
- (2) Subject to subregulation (3), the board may act despite vacancies in its membership.
- (3) Three members constitute a quorum for a meeting of the board.
- (4) A decision in which a majority of the members present at a meeting concur is a decision of the board.

- (5) A conference by telephone or other electronic means between members of the board will, for the purposes of this regulation, be taken to be a meeting of the board at which the participating members are present if—
 - (a) notice of the conference is given to all members in the manner determined by the board for that purpose; and
 - (b) each participating member is capable of communicating with every other participating member during the conference.
- (6) A proposed resolution of the board becomes a valid decision of the board despite the fact that it is not voted on at a meeting of the board if—
 - (a) notice of the proposed resolution is given to all members in accordance with procedures determined by the board; and
 - (b) a majority of the members express concurrence in the proposed resolution by letter, telegram, telex, fax, email or other written communication setting out the terms of the resolution.
- (7) Subject to these regulations, the board may determine its own procedures.
- (8) The board must keep minutes of its proceedings.

10—Staff of subsidiary

- (1) The subsidiary may, with the Minister's approval, appoint staff to assist it in carrying out its responsibilities.
- (2) A person appointed under subregulation (1) is not a Public Service employee.
- (3) The subsidiary may, with the approval of a Minister responsible for a particular administrative unit of the Public Service, make use of the staff or facilities of that administrative unit.

11—Confidentiality

- (1) A member or former member of the board, or a person employed or formerly employed in the administration of Super SA Select, must not divulge information of a personal or private nature, or information as to the entitlements or benefits of a person under Super SA Select except—
 - (a) as required by or under an Act of the State or the Commonwealth; or
 - (b) to, or with the consent of, the person; or
 - (c) to the person's employer; or
 - (d) to any other person for purposes related to the administration of Super SA Select; or
 - (e) as may be required by a court; or
 - (f) if relevant, as may be allowed under the trust deed or rules of Super SA Select.
- (2) A member or former member of the board, or a person employed or formerly employed in the administration of Super SA Select, must not divulge information if to do so is inconsistent with a requirement imposed on the trustee of an eligible superannuation plan under Part VIII B of the *Family Law Act 1975* of the Commonwealth.
- (3) If a member of the board contravenes subregulation (1) or (2), the contravention may be regarded as misconduct for the purposes of regulation 7(6) or 8(6).

- (4) This regulation does not prevent the disclosure of statistical or other information related to a class or classes of persons (rather than to an individual).

12—Disclosure

- (1) If the subsidiary discloses to the Minister or the Treasurer pursuant to the Act or these regulations a matter in respect of which the subsidiary owes a duty of confidence, the subsidiary must give notice in writing of the disclosure to the person to whom the duty is owed.
- (2) A director of the subsidiary does not commit any breach of duty by reporting a matter relating to the affairs of the subsidiary to the Minister or the Treasurer.

Division 2—Functions

13—Functions of subsidiary

The subsidiary's functions are limited to the following:

- (a) to act as the trustee of Super SA Select;
- (b) to administer the trust deed and rules of Super SA Select;
- (c) to receive payments from, or on behalf of, members of Super SA Select;
- (d) to maintain accounts for members of Super SA Select;
- (e) to pay amounts received from or on behalf of members of Super SA Select into a fund to be maintained by the board and to make payments from the fund as required under the trust deed or rules of Super SA Select or under an Act of the State or the Commonwealth (including under Part VIII B of the *Family Law Act 1975* of the Commonwealth);
- (f) to formulate strategies for the investment and management of the fund;
- (g) to ensure that members of Super SA Select receive benefits and other payments to which they are entitled under Super SA Select;
- (h) to carry out other functions conferred on the subsidiary by the Minister;
- (i) to do anything necessary or expedient to be done for the purposes of a function referred to in a preceding paragraph.

14—The fund

- (1) The subsidiary is responsible for the management and investment of the fund.
- (2) The subsidiary must prepare an investment policy statement for the purposes of the fund and must, in connection with the statement, set the risk/return objectives and asset allocation policies to be adopted with respect to the management and investment of the fund.
- (3) In setting the risk/return objectives and asset allocation policies to be adopted with respect to the management and investment of the fund, the subsidiary must consult with the Superannuation Funds Management Corporation of South Australia.
- (4) The Superannuation Funds Management Corporation of South Australia is to implement the subsidiary's investment policy statement and strategies as agent for the subsidiary.

15—Charter

- (1) The Minister and the Treasurer must prepare a charter for the subsidiary after consultation with the subsidiary.

- (2) The charter must address—
 - (a) the nature and scope of the subsidiary's operations; and
 - (b) the subsidiary's obligations to report on its operations; and
 - (c) the form and contents of the subsidiary's accounts and financial statements; and
 - (d) any accounting, internal auditing or financial systems or practices to be established or observed by the subsidiary; and
 - (e) the acquisition or disposal of capital or assets or the borrowing or lending of money.
- (3) The charter may—
 - (a) limit or otherwise regulate the functions or powers of the subsidiary; and
 - (b) deal with any other matter not specifically referred to in subregulation (2).
- (4) The Minister must, after consultation with the subsidiary, review the charter at the end of each financial year.
- (5) The Minister and the Treasurer may, after consultation with the subsidiary, amend the charter at any time.
- (6) The charter, or an amendment to the charter, comes into force and is binding on the subsidiary on a day specified in the charter or amendment (but without affecting any contractual obligations previously incurred by the subsidiary).
- (7) On the charter or an amendment to the charter coming into force, the Minister must, within 12 sitting days, have copies of the charter, or the charter in its amended form, laid before both Houses of Parliament.

16—Other subsidiary companies

- (1) The subsidiary must not, without the approval of the Treasurer—
 - (a) form a subsidiary company; or
 - (b) acquire, or enter into any arrangement under which it will at a future time or would on the happening of some contingency hold, relevant interests in shares in a company such that the company becomes a subsidiary of the subsidiary.
- (2) The Treasurer may, as a condition of approval under this regulation, or by direction, require the subsidiary to take steps to include in a subsidiary company's constitution such provisions as the Treasurer considers appropriate—
 - (a) imposing limitations on the nature or scope of the company's operations; or
 - (b) imposing other controls or practices,consistent with those applicable to the subsidiary.

17—Indirect or joint operations

The subsidiary must not, without the approval of the Treasurer, establish a trust scheme or a partnership or other scheme or arrangement for sharing of profits or joint venture with another person or undertake any operations or transactions pursuant to such a scheme or arrangement.

Division 3—Financial and related matters

18—Internal audit

- (1) The subsidiary must, unless exempted by the Treasurer, maintain effective internal auditing of its operations.
- (2) The subsidiary must, unless exempted by the Treasurer, have an audit committee.
- (3) The audit committee will comprise—
 - (a) a member of the board of the subsidiary, or such members of the board, as the board may from time to time determine; and
 - (b) such other person or persons as the board may from time to time appoint, but may not include the chief executive (if any) of the subsidiary.
- (4) The functions of the audit committee include—
 - (a) reviewing annual financial statements to ensure that they provide a true and fair view of the state of affairs of the subsidiary; and
 - (b) liaising with external auditors; and
 - (c) reviewing the adequacy of the accounting, internal auditing, reporting and other financial management systems and practices of the subsidiary on a regular basis.

19—Loans, borrowings etc require approval

- (1) The subsidiary must not lend or advance to a person any money, securities or property without the approval of the Treasurer.
- (2) The subsidiary must not undertake commercial borrowings without the prior written approval of the Treasurer.

20—Provision of information

- (1) The subsidiary must, at the request in writing of the Minister or the Treasurer, furnish such information or records in the possession or control of the subsidiary as the Minister or the Treasurer may require in such manner and form as the Minister or the Treasurer may require.
- (2) If a record in the possession or control of the subsidiary is furnished to the Minister or the Treasurer under this regulation, the person to whom it is furnished may make, retain and deal with copies of the record as he or she thinks fit.
- (3) If the board considers that information or a record furnished under this regulation contains matters that should be treated as confidential, the board may advise the person to whom it is furnished of that opinion giving the reason for the opinion and the Minister or the Treasurer may, subject to subregulation (4), act on that advice as the Minister or the Treasurer thinks fit.
- (4) If the Minister or the Treasurer is satisfied on the basis of the board's advice under subregulation (3) that the subsidiary owes a duty of confidence in respect of a matter, the Minister or the Treasurer must ensure the observance of that duty in respect of the matter, but this subregulation does not prevent a disclosure as required in the proper performance of ministerial functions or duties.
- (5) The subsidiary must—
 - (a) notify the Minister if a request is made by the Treasurer under this regulation; and

- (b) notify the Treasurer if a request is made by the Minister under this regulation.

21—Common seal and execution of documents

- (1) The common seal of the subsidiary must not be affixed to a document except in accordance with a decision of the board, and the affixing of the seal must be attested by the signatures of 2 directors.
- (2) The board may, by instrument under the common seal of the subsidiary, authorise a director, an employee of the subsidiary (whether nominated by name or by office or title) or any other person to execute documents on behalf of the subsidiary subject to limitations (if any) specified in the instrument of authority.
- (3) Without limiting subregulation (2), an authority may be given so as to authorise 2 or more persons to execute documents jointly on behalf of the subsidiary.
- (4) A document is duly executed by the subsidiary if—
 - (a) the common seal of the subsidiary is affixed to the document in accordance with this regulation; or
 - (b) the document is signed on behalf of the subsidiary by a person or persons in accordance with authority conferred under this regulation.

22—Report on operation of Southern Select Super

- (1) The subsidiary must, within 4 months after the end of each financial year, deliver a report to the Minister on the operation of Southern Select Super during that financial year.
- (2) The report must include a copy of any financial statements prepared by the board in relation to receipts of members' contributions and employer contributions, and relating to payments to, on behalf of, or in relation to, members.
- (3) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after receipt of the report.

23—Annual report

- (1) The subsidiary must, within 3 months after the end of each financial year, deliver to the Minister a report on the financial operations of the subsidiary during that financial year.
- (2) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after receipt of the report.

Schedule 1—Election of members of board

1—Interpretation

In this Schedule—

hour of nomination means the hour by which nominations must be received by the Electoral Commissioner;

voter means a person who is, by virtue of clause 4, eligible to vote at an election.

2—Election of members

The election of members of the board must be conducted by the Electoral Commissioner in accordance with this Schedule.

3—Timetable for elections

- (1) The Electoral Commissioner must publish in a daily newspaper circulating throughout the State a notice setting out the timetable for each election held under this Schedule.
- (2) The notice must—
 - (a) fix the date (not being less than 14 days from publication of the notice) and the hour by which nominations must be received by the Electoral Commissioner; and
 - (b) fix the date on or before which the Commissioner will post ballot papers to voters or give ballot papers to employers for distribution to voters; and
 - (c) fix the date (not being less than 21 days nor more than 28 days after the date fixed under paragraph (b)) and the hour by which completed ballot papers must be returned to the Electoral Commissioner.
- (3) The Electoral Commissioner must determine the timetable in consultation with the board.

4—Persons eligible to vote

- (1) A person who was a member of Super SA Select on the last business day before the 7 day period immediately preceding the day on which notice was published under clause 3 is eligible to vote at the election unless his or her whereabouts are unknown to the subsidiary.
- (2) The board must within 7 days after the notice was published give the Electoral Commissioner a list of the voters who are eligible to vote at the election.
- (3) In this clause—

business day means any day other than a Saturday, Sunday or other public holiday.

5—Nominations

A nomination for election must be—

- (a) in a form approved by the Electoral Commissioner; and
- (b) signed by at least 3 voters; and
- (c) received by the Electoral Commissioner at or before the hour of nomination.

6—Election without ballot

- (1) If the number of persons nominated is the same as or less than the number of vacancies to be filled by election, the Electoral Commissioner must, by notice in a daily newspaper circulating throughout the State and in the Gazette—
 - (a) declare that the vacancy or vacancies has or have been filled by the person or persons nominated; and
 - (b) in relation to each elected person—specify the day on which the person's term of office commences and the length of the term for which the person has been elected.
- (2) If the number of persons nominated is greater than the number of vacancies to be filled the following clauses apply.

7—Ballot papers

- (1) The Electoral Commissioner must provide each voter with a ballot paper and an envelope addressed to the Commissioner for the purpose of returning the ballot paper after completion.

- (2) The names of the candidates must appear on the ballot papers in a vertical list in an order determined by the Electoral Commissioner by lot.
- (3) If ballot papers are not printed on watermarked paper they must be initialled by the Electoral Commissioner or by a person authorised for that purpose by the Commissioner.
- (4) The Electoral Commissioner may provide a voter with a ballot paper and envelope—
 - (a) by posting the ballot paper and envelope to the voter at his or her last known address; or
 - (b) by giving the ballot paper and envelope to the voter's employer to give to the voter.

8—Electoral material to be provided with ballot papers

- (1) Subject to this clause, the Electoral Commissioner must, at the request of a candidate, include with ballot papers provided to voters material provided by the candidate promoting the candidate's election.
- (2) Promotional material must be provided to the Commissioner at or before the hour of nomination.
- (3) The material must not include more than 200 words nor more than 1 photograph and may be printed by the Commissioner in such form as he or she thinks fit for the purpose of posting or distributing to voters.

9—Voting

- (1) A voter who wishes to vote must—
 - (a) indicate on the ballot paper the candidate to whom the voter gives his or her first preference and the voter may indicate the order of his or her preference for the other candidates; and
 - (b) place the ballot paper in the envelope provided, seal the envelope and sign it; and
 - (c) return the envelope to the Electoral Commissioner.
- (2) A voter's preference for candidates must be indicated by consecutive numbers (commencing with the number "1") placed in the squares opposite the names of the candidates on the ballot paper.

10—Duplication and late return of ballot papers

- (1) If more than 1 ballot paper is returned under the name of the same voter all, except the first to be returned, will be rejected or, if the Electoral Commissioner does not know which was returned first, all, except the first to be recorded against the name of the voter, will be rejected.
- (2) If more than 1 ballot paper is returned in an envelope none of the ballot papers returned in that envelope will be counted.
- (3) A ballot paper returned to the Electoral Commissioner after the close of the poll will not be counted.

11—Counting of votes

The following provisions apply to the counting of votes:

- (a) after counting first preferences the candidate with the fewest first preferences must be excluded and if more candidates remain than the number of vacancies to be filled each ballot paper counted to the excluded candidate must be counted to the candidate (if any) next in order of the voter's preference;
- (b) this process must be continued until the number of candidates remaining is equal to the number of vacancies to be filled;
- (c) if 2 candidates have an equal number of votes and 1 of them must be excluded the Electoral Commissioner must determine the question by lot.

12—Scrutineers

- (1) Subject to subclause (2), the Electoral Commissioner may permit such scrutineers as he or she thinks fit to be present at the counting of votes.
- (2) A candidate in the election cannot be a scrutineer.

13—Declaration of election

When the number of candidates remaining is equal to the number of vacancies to be filled, the Electoral Commissioner must, by notice in a daily newspaper circulating throughout the State and in the Gazette—

- (a) declare that the candidate or candidates has or have been elected to fill the vacancy or vacancies; and
- (b) in relation to each elected person—specify the day on which the person's term of office commences and the length of the term for which the person has been elected.

Schedule 2—Loan from South Australian Superannuation Board

1—Loan to establish fund

If a loan is or has been made by the South Australian Superannuation Board to the Minister for the purpose of establishing, or assisting in the establishment of, the fund, the subsidiary must ensure compliance with the terms of repayment of the loan as set out in this Schedule.

2—Payment of interest on loan

- (1) Subject to subclause (4), interest is payable on the loan annually at the end of each financial year.
- (2) The interest will be calculated on a quarterly basis by reference to the outstanding balance of the loan at the end of the quarter at a rate equivalent to the average daily deposit rate for that quarter.
- (3) If the fund has a net surplus at the end of a financial year, the interest payable in respect of that year must be paid on or before 31 July of the following financial year.
- (4) If the fund does not have a net surplus at the end of a financial year, the interest payable in respect of that year will be capitalised into the principal amount owing.
- (5) In this clause—

average daily deposit rate means the average daily deposit rate issued by the Treasury on a quarterly basis.

3—Repayment of principal

- (1) For each financial year, an amount of the principal of the loan equal to 20% or more of the net surplus of the fund for that year must be repaid.
- (2) However, if the amount of the fund attributable to member administration fees at the end of the financial year does not exceed the cost of the administration of the fund (other than investment management charges), there is no requirement for a payment to be made in respect of that year.

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 29 November 2012

No 240 of 2012

T&F12/080CS

South Australia

Liquor Licensing (Dry Areas) Variation Regulations 2012

under the *Liquor Licensing Act 1997*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas) Variation Regulations 2012*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas) Regulations 2012*

4—Insertion of Schedule—Arno Bay Area 1

After Schedule—Ardrossan Area 1 insert:

Schedule—Arno Bay Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

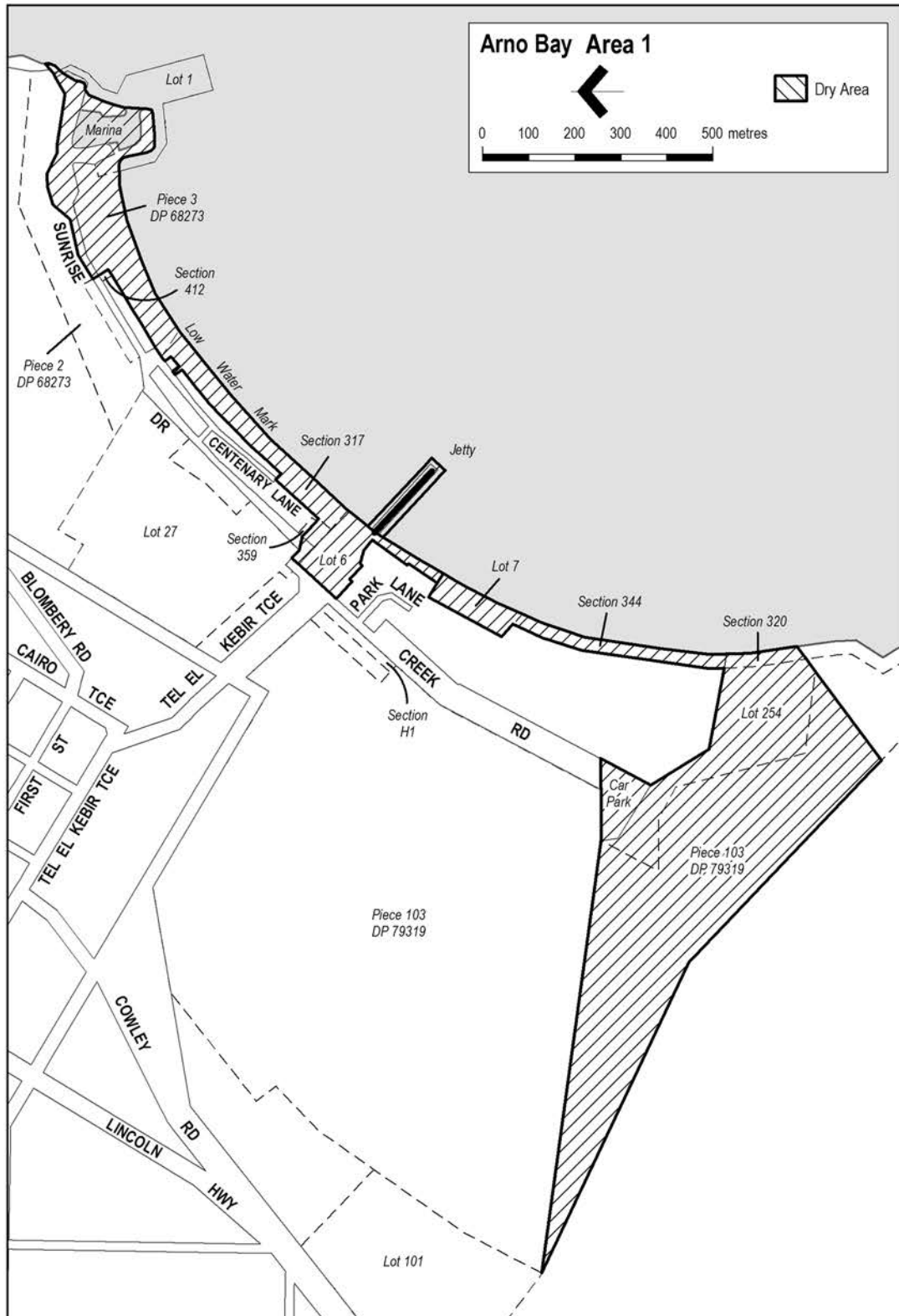
2—Period of prohibition

From 11 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to Arno Bay bounded as follows: commencing at the point at which the low water mark on the western side of Spencer Gulf is intersected by the prolongation in a straight line of the south-eastern boundary of Section 320 Hundred of Boothby, then south-westerly along that prolongation and boundary of Section 320, the south-eastern boundary of Lot 254 of FP 178666 and the prolongation in a straight line of the south-eastern boundary of Lot 254 to the south-western boundary of Piece 103 of DP 79319, then generally north-westerly along that boundary of Piece 103 to the point at which it meets the south-eastern boundary of Lot 101 of DP 79319, then in a straight line by the shortest route to the point at which the northern boundary of Lot 254 of FP 178666 meets the western boundary of the Lot (the northernmost point of Lot 254), then easterly in a straight line along the portion of the boundary of Piece 103 of DP 79319 that extends easterly from that point, and easterly along the prolongation in a straight line of that portion of the boundary, to the eastern boundary of Creek Road, then south-westerly along that boundary of Creek Road to the point at which it meets the northern boundary of Lot 254 of FP 178666, then generally south-easterly and easterly along that boundary of Lot 254 to the point at which the northern boundary of Lot 254 meets the western boundary of

Section 344 Hundred of Boothby, then northerly along that boundary of Section 344 to the southern boundary of Lot 7 of DP 35379, then north-westerly, north-easterly and south-easterly along the southern, western and northern boundaries of Lot 7 to the point at which the northern boundary of Lot 7 meets the western boundary of Lot 6 of DP 35379, then generally north-easterly and north-westerly along that boundary of Lot 6 to the north-western boundary of the Lot, then north-easterly along the north-western boundary of Lot 6, and the prolongation in a straight line of that boundary, to the point at which the prolongation intersects the south-western boundary of Lot 27 of DP 55099, then south-easterly along that boundary of Lot 27 to the south-eastern boundary of the Lot, then in a straight line by the shortest route to the point at which the north-western and south-western boundaries of Section 359 Hundred of Boothby meet, then south-easterly along the south-western boundary of Section 359, and the prolongation in a straight line of that boundary, to the point at which the prolongation intersects the north-western boundary of Section 317 Hundred of Boothby, then generally north-easterly along that boundary of Section 317 and the north-western boundary of Piece 3 of DP 68273 to the point at which the north-western boundary of Piece 3 meets the north-eastern boundary of Section 412 Hundred of Boothby, then north-westerly along that boundary of Section 412 and the prolongation in a straight line of that boundary to the south-eastern boundary of Piece 2 of DP 68273, then generally north-easterly along that boundary of Piece 2 to the point at which it meets the north-western boundary of Lot 1 of DP 68273, then north-easterly along that boundary of Lot 1 and the prolongation in a straight line of that boundary to the low water mark on the western side of Spencer Gulf, then generally southerly along the low water mark to the point at which it meets the commencement of the breakwater that forms the eastern wall of the Arno Bay marina, then southerly along the outer boundary of the breakwater to the end of the breakwater, then in a straight line by the shortest route (across the entrance to the marina) to the outer boundary of the eastern end of the breakwater that forms the southern and western walls of the marina, then generally southerly, westerly and north-westerly along the outer boundary of that breakwater back to the low water mark on the shore on the western side of the marina (so as to include the whole of the marina and each of the breakwaters in the area), then generally south-westerly along the low water mark to the north-eastern side of the Arno Bay jetty, then south-easterly, south-westerly and north-westerly around the outer boundary of the jetty (so as to include the whole of the jetty and any area below the jetty in the area) back to the low water mark on the south-western side of the jetty, then generally south-westerly and southerly along the low water mark to the point of commencement.



5—Insertion of Schedule—Basham Beach Area 1

After Schedule—Barmera Area 5 insert:

Schedule—Basham Beach Area 1

1—Extent of prohibition

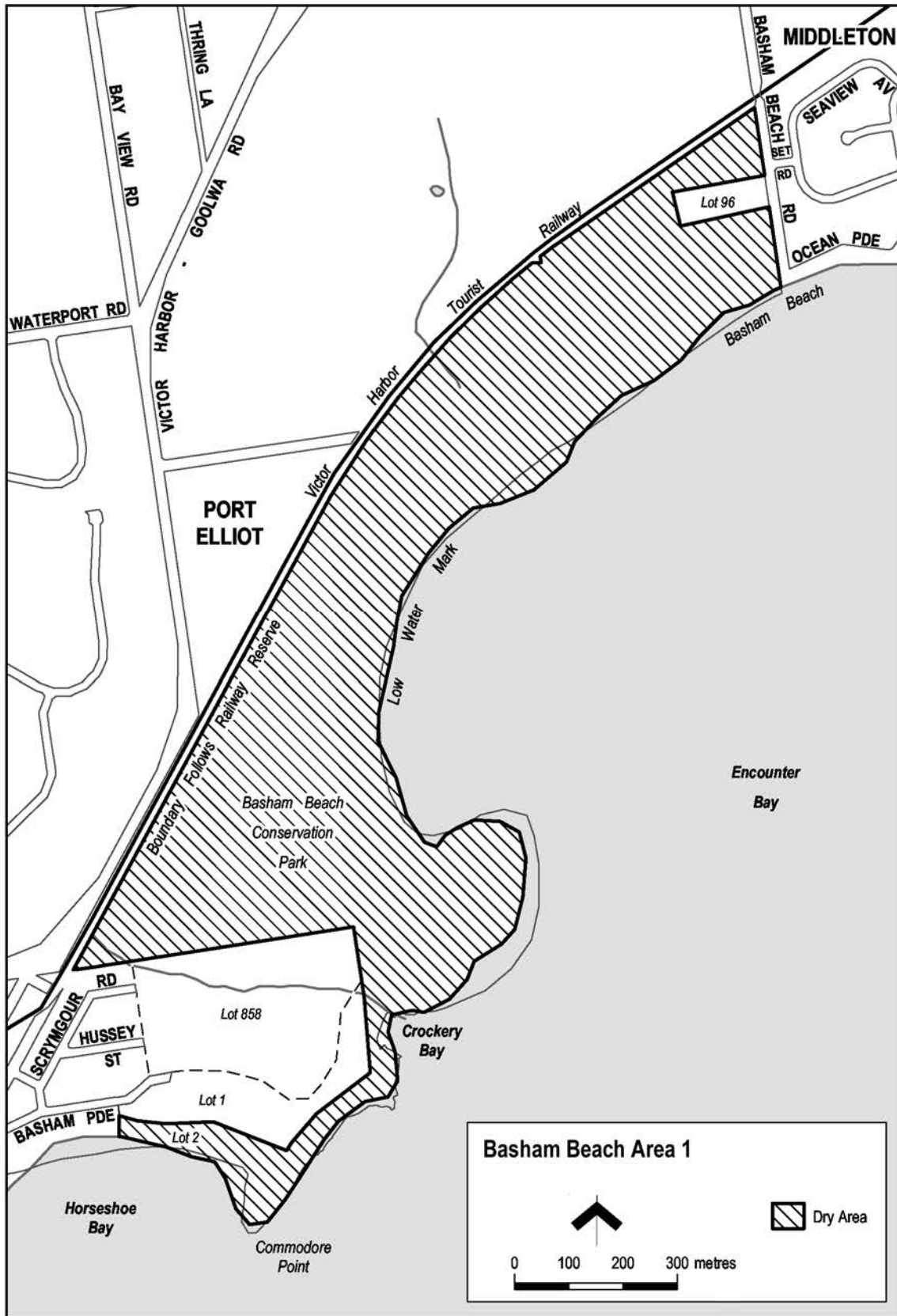
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6 pm on 30 December 2012 to 6 am on 2 January 2013.

3—Description of area

Commencing at the point at which the western boundary of Basham Beach Road, Middleton, intersects the southern boundary of the railway reserve for the Victor Harbor Tourist Railway, then south-easterly along that boundary of Basham Beach Road to the northern boundary of Lot 96 FP 166155, then south-westerly, south-easterly and north-easterly along the northern, western and southern boundaries of Lot 96 to the western boundary of Basham Beach Road, then south-easterly along that boundary of Basham Beach Road and the prolongation in a straight line of that boundary to the low water mark of Encounter Bay, then generally south-westerly, southerly, south-easterly, easterly, southerly, south-westerly and north-westerly along the low water mark to the prolongation in a straight line of the western boundary of Lot 2 DP 52281, then northerly along that prolongation and boundary of Lot 2 to the southern boundary of Lot 1 DP 52281 (the southern boundary of the Port Elliot Caravan Park), then generally easterly, south-easterly, north-easterly and northerly along that boundary of Lot 1 and the eastern boundary of Lot 858 FP 166107 to the northern boundary of Lot 858, then south-westerly along the northern boundary of Lot 858 and the northern boundaries of the adjoining allotments to the eastern boundary of the railway reserve for the Victor Harbor Tourist Railway, then generally north-easterly along that boundary of the railway reserve to the point of commencement.



6—Insertion of Schedule—Cummins Area 1

Before Schedule—Edithburgh Area 1 insert:

Schedule—Cummins Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 9 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to Cummins bounded as follows: commencing at the point at which the eastern boundary of Lot 11 of DP 85166 (the western boundary of Lot 99 of FP 180131) meets the southern boundary of Warrow Road, then in a straight line by the shortest route across Warrow Road to the southern boundary of Lot 550 of DP 66791, then generally easterly and north-easterly along the boundary of Lot 550 to the point at which it meets the north-eastern boundary of Lot 22 of DP 79231, then in a straight line by the shortest route to the south-western boundary of Lot 189 of FP 180221, then south-easterly, easterly and northerly along the boundary of Lot 189 to the point at which the eastern boundary of the Lot is intersected by the prolongation in a straight line of the northern boundary of Section 80 Hundred of Cummins, then easterly along that prolongation and boundary of Section 80 to the eastern boundary of the Section, then southerly along the eastern boundary of Section 80 to the south-eastern corner of the Section, then in a straight line by the shortest route to the southern boundary of Section 68 Hundred of Cummins, then generally easterly along that southern boundary of Section 68 to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Lot 601 of DP 87427 (the south-eastern boundary of Lot 17 of DP 18745), then south-westerly along that prolongation and boundary of Lot 601 to the south-western corner of the Lot, then in a straight line by the shortest route to the northern corner of Lot 1 of DP 85937, then south-westerly along the north-western boundary of Lot 1 to the western corner of the Lot, then in a straight line by the shortest route to the eastern corner of Lot 7 of DP 18745, then south-westerly along the south-eastern boundary of Lot 7 to the westernmost corner of Lot 600 of DP 87427 (the northern corner of Lot 2 of FP 16692), then south-easterly, south-westerly, south-easterly and south-westerly along the south-western boundary of Lot 600 to the southern corner of Lot 24 of DP 50626 (so as to exclude Lot 600 from the area), then in a straight line by the shortest route to the northern boundary of Lot 143 of FP 180175, then generally north-westerly and south-westerly along the boundary of Lot 143 to the point at which it meets the north-western boundary of Lot 52 of DP 53199, then generally south-westerly along the boundary of Lot 52 to the south-eastern corner of Lot 802 of FP 209177, then north-westerly along the south-western boundary of Lot 802 and the

prolongation in a straight line of that boundary to the eastern boundary of Lot 111 of DP 67442, then north-easterly, westerly and northerly along the boundary of Lot 111 to the point at which it meets the eastern boundary of Lot 11 of DP 85166, then generally northerly, westerly and northerly along that boundary of Lot 11 to the point of commencement.

7—Insertion of Schedules

After Schedule—Goolwa Area 1 insert:

Schedule—Goolwa Area 2

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6 pm on 30 December 2012 to 6 am on 2 January 2013.

3—Description of area

The area in Goolwa bounded as follows: commencing at the northern corner of Lot 500 DP 67581, then south-easterly along the north-eastern boundary of Lot 500 and the north-eastern boundaries of the adjoining Lots to the eastern corner of Lot 1 DP 62245, then in a straight line by the shortest route across Hays Street to the north-western boundary of Lot 210 FP 166584, then north-easterly along that boundary of Lot 210 and the north-western boundary of Lot 2 FP 11114 to the north-eastern boundary of the Lot, then in a straight line by the shortest route across Cutting Road to the westernmost corner of Lot 3 FP 11114, then north-easterly along the north-western boundary of Lot 3 to the south-western boundary of Lot 500 DP 66808, then north-westerly along that boundary of Lot 500 and the south-western boundary of Lot 190 TP 150401 to the north-western boundary of Lot 190, then north-easterly along that boundary of Lot 190 and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the centre line of Laurie Lane, then north-westerly along that centre line and the prolongation in a straight line of that centre line to the point at which it intersects the prolongation in a straight line of the south-eastern boundary of Lot 7 DP 46829, then south-westerly along that prolongation and boundary of Lot 7 to the north-eastern boundary of Lot 215 TP 150401, then north-westerly along that boundary of Lot 215 to the westernmost point at which it ceases to have a common boundary with Lot 12 FP 103236, then north-westerly along the south-western boundary of Lot 12 to the westernmost corner of the Lot, then in a straight line by the shortest route across Porter Street to the point at which the north-eastern boundary of Lot 138 TP 150401 changes direction, then south-easterly along the north-eastern boundary of Lot 138 and the north-eastern boundaries of the adjoining Lots to the eastern corner of Lot 155 TP 150401, then in a straight line by the shortest route across Wildman Street to the northern corner of Lot 166 TP 150401, then in a straight line by the shortest route across Porter

Street to the western corner of Lot 500 DP 67581, then north-easterly along the north-western boundary of Lot 500 to the point of commencement.

Schedule—Goolwa Beach Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6 pm on 30 December 2012 to 6 am on 2 January 2013.

3—Description of area

The area in Goolwa Beach and Goolwa South (generally known as the Goolwa Beach car park) bounded as follows: commencing at the north-eastern corner of Section 279, Hundred of Goolwa, then westerly and southerly along the northern and western boundaries of Section 279 to the northern boundary of Section 367, Hundred of Goolwa, then southerly and easterly along the western and southern boundaries of Section 367 to the south-eastern corner of the Section, then in a straight line by the shortest route to the south-western corner of Section 368, Hundred of Goolwa, then easterly and northerly along the southern and eastern boundaries of Section 368 to the southern boundary of Section 278, Hundred of Goolwa, then northerly and westerly along the eastern and northern boundaries of Section 278 to the north-western corner of the Section, then in a straight line by the shortest route across Goolwa Beach Road to the point of commencement.

8—Insertion of Schedule—Hayborough Area 1

After Schedule—Hallett Cove Area 6 insert:

Schedule—Hayborough Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6 pm on 30 December 2012 to 6 am on 2 January 2013.

3—Description of area

The area in and adjacent to Hayborough generally known as the Chiton Rocks Surf Lifesaving Club car park and the adjacent beach, being the area bounded on the north by the northern boundaries of Lot 469 DP 3482 and Lot 440 DP 3207, on the west by the prolongation in a straight line of the western boundary of Lot 433 DP 3207, on the south by the low water mark of Encounter Bay and on the east by the prolongation in a straight line of the western boundary of Lot 463 DP 3482.

9—Insertion of Schedule—Kimba Area 1

After Schedule—Kadina Area 2 insert:

Schedule—Kimba Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 9 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to Kimba bounded as follows: commencing at the point at which the prolongation in a straight line of the eastern boundary of Railway Terrace intersects the northern boundary of Tola Road, then westerly along the northern boundary of Tola Road to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Seal Road, then south-westerly along that prolongation and boundary of Seal Road to the northern boundary of Haskett Road, then westerly and south-westerly along that boundary of Haskett Road, and the prolongation in a straight line of that boundary, to the southern boundary of Buckleboo Road, then south-easterly along that boundary of Buckleboo Road to the north-western boundary of Cant Road, then south-westerly along that boundary of Cant Road to the point at which it is intersected by the prolongation in a straight line of the south-western boundary of Freeth Road, then south-easterly along that prolongation and boundary of Freeth Road, and the prolongation in a straight line of that boundary, to the south-eastern boundary of Eyre Highway, then generally north-easterly along that boundary of Eyre Highway to the southern side of the intersection at which Eyre Highway, South Terrace and Railway Terrace meet, then in a straight line by the shortest route (across the intersection) to the south-western end of the south-eastern boundary of Railway Terrace, then generally north-easterly along the south-eastern boundary of Railway Terrace to the south-western boundary of Kimba Terrace, then south-easterly along that boundary of Kimba Terrace to the north-western boundary of Eyre Highway, then generally north-easterly along that boundary of Eyre Highway to the south-western boundary of Grund Road, then north-westerly along that boundary of Grund Road to the south-eastern boundary of Railway Terrace, then generally north-easterly and northerly along that boundary of Railway Terrace, and the prolongation in a straight line of that boundary, to the point of commencement.

10—Insertion of Schedule—Middleton Area 1

After Schedule—Meningie Area 1 insert:

Schedule—Middleton Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6 pm on 30 December 2012 to 6 am on 2 January 2013.

3—Description of area

The area in and adjacent to Middleton bounded as follows: commencing at the point at which the prolongation in a straight line of the western boundary of Basham Beach Road intersects the high water mark of Encounter Bay, then north-westerly along that prolongation and boundary to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Set Road, then north-easterly along that prolongation and boundary of Set Road to the western boundary of Seaview Avenue, then generally south-easterly and north-easterly along that boundary of Seaview Avenue to the point at which it meets the eastern boundary of Lot 101 DP 10654, then south-easterly along that boundary of Lot 101 to the south-western corner of Lot 19 DP 3145, then generally north-easterly along the south-eastern boundary of Lot 19, the south-eastern boundaries of the adjoining Lots and the northern boundary of Ocean Parade to the south-eastern corner of Lot 133 FP 166507, then generally north-easterly and northerly along the easternmost boundaries of Lot 133 and the adjoining Lots (including the eastern boundary of Dover Road) to the north-eastern corner of Lot 39 DP 3262, then in a straight line by the shortest route to the north-western corner of Lot 160 DP 9417, then easterly along the southern boundary of the Esplanade to the western boundary of Lot 3 DP 13398, then northerly, easterly and southerly along the western, northern and eastern boundaries of that Lot to its south-eastern corner, then along the northern boundary of Section 345, Hundred of Goolwa, (the southern boundary of Surfer's Parade) to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Lot 39 DP 6156, then along that prolongation to the point at which it intersects the high water mark of Encounter Bay, then generally westerly and south-westerly along the high water mark to the point of commencement.

11—Insertion of Schedule—Port Elliot Area 2

After Schedule—Port Elliot Area 1 insert:

Schedule—Port Elliot Area 2

1—Extent of prohibition

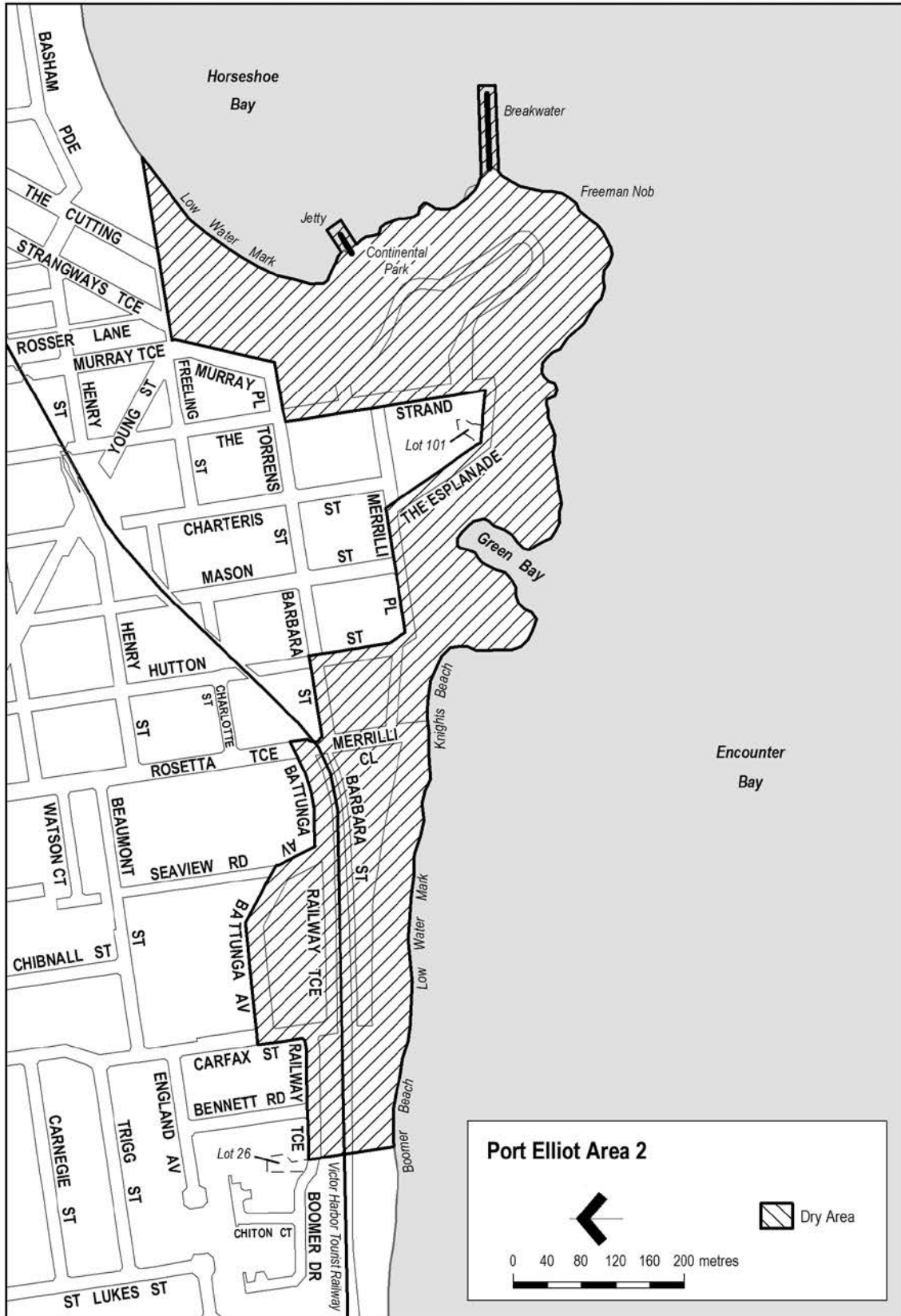
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6 pm on 30 December 2012 to 6 am on 2 January 2013.

3—Description of area

The area in and adjacent to Port Elliot bounded as follows: commencing at the point at which the eastern boundary of Lot 26 of DP 74300 meets the northern boundary of Railway Terrace (approximately 50 metres west of the western boundary of Bennett Road), then easterly along the northern boundary of Railway Terrace to the western boundary of Carfax Street, then northerly along that boundary of Carfax Street to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Battunga Avenue, then generally easterly, south-easterly and easterly along that prolongation and boundary of Battunga Avenue and the prolongation in a straight line of that boundary to the eastern boundary of Rosetta Terrace, then southerly along that boundary of Rosetta Terrace to the northern boundary of Barbara Street, then easterly along that boundary of Barbara Street to the point at which it intersects the eastern boundary of Hutton Street, then southerly along that boundary of Hutton Street to the northern boundary of Merrilli Place, then easterly along that boundary of Merrilli Place to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of The Esplanade, then south-easterly along that prolongation and boundary of The Esplanade to the western boundary of Lot 101 of DP 46201, then south-easterly and easterly along the western and southern boundaries of Lot 101 and the southern boundaries of the adjoining Lots to the western boundary of The Strand, then northerly along that boundary of The Strand to the point at which it intersects the southern boundary of Torrens Street, then in a straight line by the shortest route (across The Strand) to the point at which the southern boundary of Murray Place meets the eastern boundary of The Strand, then easterly and north-easterly along that boundary of Murray Place to the point at which it meets the prolongation in a straight line of the southern boundary of Freeling Street, then north-easterly along that prolongation of the southern boundary of Freeling Street to the point at which it intersects the low water mark of Horseshoe Bay, then generally south-westerly, south-easterly, south-westerly and westerly along the low water mark to the point at which the low water mark is intersected by the prolongation in a straight line of the eastern boundary of Lot 26 of DP 74300, then northerly along that prolongation of the eastern boundary of Lot 26 to the point of commencement. The area includes the whole of any wharf, jetty, boat ramp, breakwater or other structure that projects below the low water mark from within the area described above (as well as any area beneath such a structure).



12—Insertion of Schedules

Before Schedule—Stirling North Area 1 insert:

Schedule—Stansbury Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 10 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in and adjacent to Stansbury bounded as follows:
commencing at the point at which the prolongation in a straight line of the south-eastern boundary of Stormbird Street intersects the low water mark on the western side of Gulf St. Vincent, then south-westerly along that prolongation to the south-western boundary of Anzac Parade, then north-westerly along that boundary of Anzac Parade to the northern boundary of Towler Street, then westerly along that boundary of Towler Street to the western boundary of Weaver Street, then northerly along that boundary of Weaver Street and the prolongation in a straight line of that boundary to the south-western boundary of Anzac Parade, then generally north-westerly and westerly along that boundary of Anzac Parade and the southern boundary of North Terrace to the western boundary of Parrington Street, then along the prolongation in a straight line of the western boundary of Parrington Street to the southern boundary of Dalrymple Terrace, then easterly along that boundary of Dalrymple Terrace to the western boundary of Adelaide Road, then in a straight line by the shortest route to the point at which the southern boundary of Bayview Road meets the eastern boundary of Adelaide Road, then generally easterly and north-easterly along that boundary of Bayview Road to the point at which it meets the southern corner of Lot 17 DP 5864, then north-easterly and northerly along the western boundary of Lot 1 DP 37028 to the northern boundary of the Lot, then easterly along the northern boundary of Lot 1 and the prolongation in a straight line of that boundary to the low water mark on the western side of Gulf St. Vincent, then generally south-easterly along the low water mark to the northern side of the Stansbury Jetty, then north-easterly, south-easterly and south-westerly around the outer boundary of the jetty back to the low water mark on the southern side of the jetty (so as to include in the area the whole of the jetty and any area beneath the jetty), then south-easterly along the low water mark to the northern side of the breakwater that forms the northern wall of the enclosed boat launching facility immediately to the south-east of the jetty, then generally north-easterly, south-easterly and south-westerly around the outer boundary of the boat launching facility back to the low water mark on the shore on the southern side of the facility (so as to include in the area the whole of the facility, including the breakwaters and the area between them), then generally south-westerly

and south-easterly along the low water mark to the point of commencement.

Schedule—Stansbury Area 2

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 10 pm on 31 December 2012 to 8 am on 1 January 2013.

3—Description of area

The area in Stansbury bounded on the north by South Terrace, on the east by Weaver Street, on the south by Park Terrace and on the west by the prolongation in a straight line of the western boundary of Lot 692 FP 196114.

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 29 November 2012

No 241 of 2012

MLI0035/12CS

South Australia

Mining (Fees) Variation Regulations 2012

under the *Mining Act 1971*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Mining Regulations 2011*

- 4 Substitution of Schedules 1 and 2
 - Schedule 1—Fees
 - Schedule 2—Annual rents
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Mining (Fees) Variation Regulations 2012*.

2—Commencement

These regulations will come into operation on 1 December 2012.

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 *Mining Regulations 2011*

4—Substitution of Schedules 1 and 2

Schedules 1 and 2—delete the Schedules and substitute:

Schedule 1—Fees

- | | | |
|---|--|----------|
| 1 | Application for registration of mineral claim | \$405.00 |
| 2 | Exploration licence— | |
| | (a) application fee—the sum of the following components: | |
| | (i) base component | \$675.00 |
| | (ii) advertising component | \$728.00 |

	(b) annual fee—the sum of the following components:	
	(i) administration component	\$135.00
	(ii) regulation component	\$445.00 or
	The fee payable will be calculated according to the nominal area of the licence, and no allowance will be made for land that is not available for exploration.	\$10.30 per km ² or part of a km ² in the area of the licence, whichever is the greater
3	Mining lease or miscellaneous purposes licence—	
	(a) application fee—the sum of the following components:	
	(i) base component	\$1 350.00
	(ii) advertising component	\$728.00
	(iii) assessment component	\$610.00
	(b) annual fee—the sum of the following components:	
	(i) administration component	\$135.00
	(ii) regulation component (other than for an extractive minerals lease)	\$268.00
4	Retention lease—	
	(a) application fee—the sum of the following components:	
	(i) base component	\$675.00
	(ii) advertising component	\$728.00
	(iii) assessment component	\$610.00
	(b) annual fee—the sum of the following components:	
	(i) administration component	\$135.00
	(ii) regulation component	\$268.00
5	Application for registration or renewal of access claim	\$76.00
6	Late lodgment of transfer of mining lease, retention lease, exploration licence or miscellaneous purposes licence	\$135.00
7	Lodgment of an agreement (including an indigenous land use agreement) or determination with the Mining Registrar under Part 9B of Act	\$476.00
8	Lodgment of caveat—per tenement	\$135.00
9	Late lodgment of mining return under section 76 of Act (administration fee)	\$232.00
10	Application for—	
	(a) variation of condition of tenement, working conditions or special approval to undertake particular work program	\$476.00
	(b) Ministerial consent under Act	\$476.00
11	Proposal for a safety net agreement under section 84A of Act	\$91.50
12	Application for issue of duplicate lease or licence	\$114.00
13	Inspection of Mining Register	\$46.25

14	Extract from Mining Register comprising copy of mining tenement	\$11.70
15	Extract from Mining Register comprising results of standard search query	\$45.75 plus \$1.40 per page
16	Extract from Mining Register comprising results of customised search query	\$91.50 plus \$1.40 per page

Schedule 2—Annual rents

1	Mining lease	\$202.00 or \$53.00 for each hectare or part of a hectare in the area of the lease, whichever is the greater
2	Mining lease—Extractives	\$171.00 or \$44.75 for each hectare or part of a hectare in the area of the lease, whichever is the greater
3	Retention lease	\$202.00 or \$26.75 for each hectare or part of a hectare in the area of the lease, whichever is the greater
4	Miscellaneous purposes licence	\$202.00 or \$53.00 for each hectare or part of a hectare in the area of the licence, whichever is the greater

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 29 November 2012

No 242 of 2012

MRD12/011CS

South Australia

Marine Parks (Zoning) Regulations 2012

under the *Marine Parks Act 2007*

Contents

1	Short title
2	Commencement
3	Interpretation
4	Interaction with other Acts (section 6 of Act)
5	Exemption from prohibitions and restrictions
6	General managed use zone
7	Habitat protection zone
8	Sanctuary zone
9	Restricted access zone
10	Manner and form of warnings

1—Short title

These regulations may be cited as the *Marine Parks (Zoning) Regulations 2012*.

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—Interpretation

In these regulations, unless the contrary intention appears—

Aboriginal tradition means traditions, observances, customs or beliefs of the people who inhabited Australia before European colonisation and includes traditions, observances, customs and beliefs that have evolved or developed from that tradition since European colonisation;

Act means the *Marine Parks Act 2007*;

algae means non-vascular aquatic vegetation that can be seen without the aid of a microscope;

aquaculture has the same meaning as in the *Aquaculture Act 2001*;

dredge means remove solid matter from the bed of marine waters or inland waters by means of digging or suction apparatus;

emergency means an event that causes, or threatens to cause—

- (a) the death of, or harm to, a person; or
- (b) the destruction of, or damage to, property; or
- (c) a disruption to essential services or to services usually enjoyed by the community; or
- (d) harm to the environment;

fishery authority means a licence or permit under the *Fisheries Management Act 2007* or a statutory authorisation under the law of the Commonwealth as applied as a law of the State by the *Fisheries Management Act 2007*;

fishing activity has the same meaning as in the *Fisheries Management Act 2007*;

hauling net has the same meaning as in the *Fisheries Management (General) Regulations 2007*;

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

motorised vessel means a vessel that has a motor or engine as its principal source, or 1 of its principal sources, of motive power;

motorised water sport means—

- (a) any activity involving the driving of a motorised vessel other than in a straight line, including—
 - (i) driving in a circular pattern; or
 - (ii) weaving or diverting; or
 - (iii) surfing down, or jumping over or across, a wave, swell or wash, except for any necessary turn or diversion; or
- (b) any activity in which a motorised vessel tows a person on top of the water or in the air, as in waterskiing or parasailing; or
- (c) any activity in which a motorised vessel is operated at a speed greater than 35 knots; or
- (d) any activity in which a personal watercraft is used,

but does not include the use of a motorised vessel for transport by the most direct reasonable route between 2 places involving the driving of the vessel in a straight line;

motor vehicle has the same meaning as in the *Motor Vehicles Act 1959*;

personal watercraft means a jet ski or other motorised vessel designed to be operated by a person standing, sitting astride or kneeling on the vessel but not seated within the vessel;

port operator has the same meaning as in the *Harbors and Navigation Act 1993*;

sessile animal means animals that are fixed in place, and includes corals, bryozoans, hydroids, sponges, anemones, ascidians and sea pens, but does not include razor fish or polychaete worms;

temporary prohibition or restriction means a prohibition or restriction of an activity within a marine park, or a zone or other area of a marine park, imposed under section 18 of the Act;

trawl net has the same meaning as in the *Fisheries Management (General) Regulations 2007*;

wastewater includes—

- (a) human waste either alone or in combination with water; and
- (b) water used in laundry, bathing or kitchen activities; and
- (c) wastewater generated by cleaning a toilet; and
- (d) wash down water; and

- (e) bilge water,
whether treated or untreated.

4—Interaction with other Acts (section 6 of Act)

- (1) Pursuant to section 6(2) of the Act, this regulation sets out the extent to which the prohibitions or restrictions applying within a marine park under the Act have effect despite the provisions of any other Act.
- (2) The rights conferred by a statutory authorisation that is in force when a prohibition or restriction is applied within a marine park under the Act (an *existing authorisation*) are not affected by the prohibition or restriction except as follows:
 - (a) in the case of a prohibition or restriction (other than a temporary prohibition or restriction) applied to a zone of a marine park—
 - (i) the rights conferred by an existing fishery authority are subject to the prohibition or restriction;
 - (ii) if, after the prohibition or restriction is applied, an existing authorisation (other than an authorisation under the *Mining Act 1971* or *Petroleum and Geothermal Energy Act 2000*) is varied or renewed so as to confer further rights, those further rights are subject to the prohibition or restriction;
 - (b) in the case of a temporary prohibition or restriction—the rights conferred by an existing statutory authorisation are subject to the temporary prohibition or restriction unless the notice imposing the temporary prohibition or restriction provides to the contrary.
- (3) The rights conferred by a statutory authorisation, other than a statutory authorisation under the *Mining Act 1971* or *Petroleum and Geothermal Energy Act 2000*, that comes into force after a prohibition or restriction is applied within a marine park under the Act are subject to the prohibition or restriction.
- (4) Nothing in this regulation—
 - (a) prevents the granting of a permit under section 19 of the Act authorising a person to engage in an activity; or
 - (b) prevents a person engaging, in a special purpose area, in an activity permitted in that area,

that would otherwise be prohibited under this regulation.
- (5) A renewal of a statutory authorisation in the same terms does not, of itself, constitute the conferral of further rights.

Note—

In the case of a statutory authorisation under the *Mining Act 1971* or *Petroleum and Geothermal Energy Act 2000*, relevant applications must be referred to the Minister and, in the event of disagreement between the different Ministers as to whether an authorisation should be granted or renewed or the conditions to which an authorisation should be subject, the matter is to be resolved by the Governor.

5—Exemption from prohibitions and restrictions

The prohibitions and restrictions applying within a marine park do not apply to—

- (a) a person acting in the course of an emergency; or
- (b) an Aboriginal person acting in accordance with an ILUA or Aboriginal tradition; or

- (c) a person exercising official powers or functions under an Act (whether of the State or of the Commonwealth).

6—General managed use zone

- (1) A general managed use zone is comprised of the prohibitions and restrictions (the *general managed use rules*) set out in the table in subregulation (3).
- (2) An alleged offence against section 17 of the Act consisting of a contravention of a general managed use rule is an expiable offence if an expiation fee is set out in respect of the rule in the table in subregulation (3) and the expiation fee for such an offence is the amount so set out.
- (3) **Table of general managed use rules and expiation fees**

General managed use rules	Expiation fee
(a) A person must not, in the zone—	\$315
(i) deposit or leave any litter, bottle, broken glass, china, pottery, plastic article, rubbish, refuse or other waste material, except in an area or receptacle provided for that purpose; or	
(ii) wilfully break any article of glass, china, pottery, plastic or other brittle material.	

7—Habitat protection zone

- (1) A habitat protection zone is comprised of the prohibitions and restrictions (the *habitat protection rules*) set out in the table in subregulation (3).
- (2) An alleged offence against section 17 of the Act consisting of a contravention of a habitat protection rule is an expiable offence if an expiation fee is set out in respect of the rule in the table in subregulation (3) and the expiation fee for such an offence is the amount so set out.
- (3) **Table of habitat protection rules and expiation fees**

Habitat protection rules	Expiation fee
(a) A person must not contravene a general managed use rule.	The fee (if any) applicable to the rule under regulation 6.
(b) A person must not anchor a vessel greater than 80 metres in length (determined in accordance with the <i>Harbors and Navigation Act 1993</i>) in the zone except—	
(i) in a harbor or at a transhipment point prescribed under the <i>Harbors and Navigation Regulations 2009</i> ; or	
(ii) at a transhipment or other anchoring point designated as such on a navigational chart produced by or on behalf of the Minister responsible for the administration of the <i>Harbors and Navigation Act 1993</i> ; or	
(iii) at a pilot station used in connection with compulsory pilotage under the <i>Harbors and Navigation Act 1993</i> .	
(c) A person must not dredge in the zone.	\$750
This rule does not apply to a Minister, a port operator or a person acting under the authority of such a person.	

Habitat protection rules	Expiation fee
(d) A person must not deposit in the zone solid matter removed as a consequence of dredging. This rule does not apply to a Minister, a port operator or a person acting under the authority of such a person.	\$750
(e) A person must not use a trawl net on or near the seabed in the zone.	\$750
(f) A person must not—	\$315
(i) remove from the zone—	
(A) the whole, or any part of or reproductive product of, an aquatic plant, algae or sessile animal (whether dead or alive); or	
(B) any soil, rock, mineral or similar material; or	
(C) wood, mulch or other dead vegetation; or	
(D) a fossil or archaeological remains; or	
(ii) harm an aquatic plant, algae or sessile animal in the zone; or	
(iii) intentionally disturb any—	
(A) wood, mulch or other dead vegetation in the zone; or	
(B) fossil or archaeological remains in the zone.	
This rule does not apply in relation to removal, harm or disturbance—	
(a) that arises in, or results from, the ordinary course of—	
(i) aquaculture authorised by, and carried on in accordance with, the <i>Aquaculture Act 2001</i> ; or	
(ii) a lawful fishing activity carried on in accordance with the <i>Fisheries Management Act 2007</i> ; or	
(b) that results from the ordinary performance of the functions of a scientific observer under section 87 of the <i>Fisheries Management Act 2007</i> in the zone and cannot reasonably be avoided; or	
(c) that arises incidentally in the ordinary course of some other lawful activity in the zone and cannot reasonably be avoided.	

8—Sanctuary zone

- (1) A sanctuary zone is comprised of the prohibitions and restrictions (the *sanctuary rules*) set out in the table in subregulation (3).
- (2) An alleged offence against section 17 of the Act consisting of a contravention of a sanctuary rule is an expiable offence if an expiation fee is set out in respect of the rule in the table in subregulation (3) and the expiation fee for such an offence is the amount so set out.

(3) **Table of sanctuary rules and expiation fees**

Sanctuary rules	Expiation fees
(a) A person must not contravene a habitat protection rule.	The fee (if any) applicable to the rule under regulation 7.
(b) A person must not erect in the zone a structure of any kind, including (without limitation) a wharf, dock, jetty or breakwater.	
(c) A person must not engage in aquaculture in the zone.	
(d) A person must not engage in a prescribed activity of environmental significance specified in Schedule 1 clause 3(2) or 8(7) of the <i>Environment Protection Act 1993</i> if the activity involves a discharge into waters in the zone.	
(e) A person must not dredge in the zone.	\$750
(f) A person must not deposit in the zone solid matter removed as a consequence of dredging.	\$750
(g) A person must not establish a mooring in the zone. This rule does not apply to the establishment of a mooring—	\$315
(i) by a port operator; or	
(ii) in accordance with a statutory authorisation under the <i>Harbors and Navigation Act 1993</i> .	
(h) A person must not, for fee or reward, conduct a tour of the zone or otherwise carry on a business comprising tourism in the zone. This rule does not apply in relation to activities authorised by a statutory authorisation under the <i>National Parks and Wildlife Act 1972</i> or <i>Wilderness Protection Act 1992</i> .	\$315
(i) A person must not conduct a fishing, swimming, surfing or boating competition or speed trial or other organised sport in the zone. This rule does not apply in relation to activities authorised by a statutory authorisation under the <i>Harbors and Navigation Act 1993</i> , <i>National Parks and Wildlife Act 1972</i> or <i>Wilderness Protection Act 1992</i> .	\$315
(j) A person must not conduct scientific research for commercial or professional purposes in the zone. This rule does not apply to the conduct of scientific research—	\$315
(i) by a scientific observer authorised to conduct the research under the <i>Fisheries Management Act 2007</i> ; or	
(ii) authorised by a statutory authorisation under the <i>National Parks and Wildlife Act 1972</i> or <i>Wilderness Protection Act 1992</i> .	
(k) A person must not, for a commercial purpose while in the zone, film, photograph, videotape or otherwise record images or sound. This rule does not apply to conduct authorised by a statutory authorisation under the <i>National Parks and Wildlife Act 1972</i> or <i>Wilderness Protection Act 1992</i> .	\$315

Sanctuary rules	Expiation fees
(l) A person must not—	\$315
(i) remove from the zone the whole, or any part of or reproductive product of, a plant or animal (whether dead or alive); or	
(ii) harm a plant or animal in the zone; or	
(iii) feed or interfere with a wild animal in the zone; or	
(iv) use berley in the zone; or	
(v) engage in an act preparatory to, or involved in, an act referred to in a preceding subparagraph.	
Note—Consequently, a person must not engage in a fishing activity in the zone.	
However, this rule does not apply in relation to—	
(a) a lawful fishing activity (including berleying) carried on in the zone before 1 October 2014;	
(b) removal or harm that arises incidentally in the ordinary course of a lawful activity in the zone and cannot reasonably be avoided.	
(m) A person must not remove water from the waters of the zone or extract salt or any other substance from the waters of the zone.	\$315
(n) A person must not discharge wastewater from a vessel into water, or onto land, in the zone.	\$315
(o) A person must not engage in a motorised water sport in the zone.	\$150
Nothing in this rule prohibits or restricts a person traversing a zone in a motorised vessel.	
(p) A person must not bring a domestic animal into the zone or allow a domestic animal to remain in the zone unless, at all times—	\$75
(i) the animal is confined to a motor vehicle, trailer or vessel; or	
(ii) the animal is a dog and the dog is on a lead that is 2 metres or less in length; or	
(iii) the animal is in an area in which, under a council by-law, animals of that kind may be exercised or be present and any requirements of the by-law in relation to the animal are complied with.	

9—Restricted access zone

- (1) A restricted access zone is comprised of the prohibitions and restrictions (the *restricted access rules*) set out in the table in subregulation (3).
- (2) The expiation fee for an alleged offence against section 17 of the Act consisting of a contravention of a restricted access rule is the amount set out in respect of the rule in the table in subregulation (3).

(3) Table of restricted access rules and expiation fees

	Restricted access rules	Expiation fees
(a)	A person must not fly a helicopter at an altitude of less than 500 metres above ground or sea level of a restricted access zone.	\$750
(b)	A person must not fly an aircraft (other than a helicopter) at an altitude of less than 300 metres above ground or sea level of a restricted access zone.	\$750
(c)	A person must not otherwise enter or remain in or engage in any activity in a restricted access zone.	\$750

10—Manner and form of warnings

For the purposes of section 17(2) of the Act, a warning must—

- (a) be given in a manner and form approved by the Minister; and
- (b) set out the following information:
 - (i) the full name, residential address and contact details of the alleged offender;
 - (ii) particulars of the alleged offence, including—
 - (A) the date on which it was committed; and
 - (B) the time at which it was committed; and
 - (C) a description of the location at which it was committed; and
 - (D) the nature of the alleged offence;
 - (iii) the full name of the authorised officer giving the warning.

Made by the Governor

with the advice and consent of the Executive Council
on 29 November 2012

No 243 of 2012

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CAMPBELLTOWN CITY COUNCIL

By-law Resolution

NOTICE is hereby given that Council rescinds resolutions 11.5 of 1 May 2012 and resolves that:

1. In accordance with the Council's By-law No. 1—Permits and Penalties made by the Council on 7 April 2009, where the Council's permission is required under any of the by-laws made by the Council on that date, the Council authorises the following officers of the Council for such term as they remain officers of the Council or such earlier term as the Council may determine:

- Chief Executive Officer, Paul Di Iulio;
- General Manager Urban Planning and Leisure Services, Kevin Lowe;
- General Manager Infrastructure Services, Andrian Wiguna;
- Manager Planning, Regulation and Environmental Services, Nigel Litchfield;
- Manager Urban Trees, Henry Haavisto;
- Compliance Officer, Karen Cook;
- General Inspector, Remo Paolini;
- General Inspector/Cemetery Curator, Brian Baines;
- Volunteer and Projects Co-ordinator, Susan Kunhegyesy;
- Customer Service Officer, Carol Stefanicki;
- Customer Service/Community Bus Co-ordinator, Rachel Green; and
- Property Officer, Mario Scalzi,

to grant such permission on behalf of the Council, to attach such conditions to a grant of permission as the officer thinks fit, to vary or revoke such conditions or impose new conditions and to suspend or revoke such grant of permission at any time by notice in writing to the person granted permission.

2. Each of the officers named in paragraph 1 of this resolution may grant permission, attach conditions to a grant of permission, vary, revoke or impose new conditions or suspend or revoke a grant of permission individually in respect of any matter where the officer is proposing in the course of their duties to exercise the authorisation hereby granted by the Council.

3. In accordance with Section 246(3)(e) of the Local Government Act 1999, Council declares that:

- Paragraph 2.3.1 of the Council's By-law No. 3—Roads shall apply to all roads within the Council's area;
- Paragraph 2.4.2. of the Council's By-law No. 4—Local Government Land shall apply to all waters located on Local Government Land within the Council's area; and
- Paragraph 3.7 of the Council's By-law No. 4—Local Government Land shall apply:
 - within five metres of any point of a fixed barbecue located on Local Government Land within the Council's area; and
 - to the confined areas within Thorndon Park known as Pungangga Pavillion, the Heritage Museum and the Rotunda.
- Paragraphs 2 and 3 of the Council's By-law No. 5—Dogs shall apply to such portions of Local Government Land within the Council's area as are specified in the Council's Animal Management Plan 2011–2016, as may be amended from time to time and that the Council authorises Staff to erect the necessary signage setting out the effect of the Council's By-law No. 4—Local Government Land, By-law No. 5—Dogs and this resolution and cause it to be erected in a prominent position on, or in the immediate vicinity of, the Local Government Land that is affected in accordance with Section 238(3) of the Local Government Act 1999.

P. DI IULIO, Chief Executive Officer

CITY OF CHARLES STURT

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Coglin Street, Brompton

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the City of Charles Sturt proposes to make a Road Process Order to close portion of Coglin Street (public road) situate north-east of Second Street and merge with the adjoining Allotments 10 and 11 in Filed Plan 8849, more particularly delineated and lettered 'A' and 'B' on Preliminary Plan No. 12/0045.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council, 72 Woodville Road, Woodville and the Adelaide Office of the Surveyor-General during normal office hours.

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

The application for easement or objection must be made in writing to the Council, P.O. Box 1, Woodville, S.A. 5011 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 29 November 2012.

M. WITHERS, 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 20 November 2012, issued a resolution, pursuant to Section 219(1) of the Local Government Act 1999, to allocate the following:

- St Joseph's Place—the private road on Allotment CP within Community Plan C22152 in the area named Cowandilla, Hundred of Adelaide, Certificate of Title Volume 5913, Folio 605.

T. BUSS, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

Change of Meeting Date

NOTICE is hereby given that the normal January Council Meeting will now be held on Wednesday, 16 January 2013, commencing at 9.30 a.m. in the Council Chambers, Main Street, Cleve, in lieu of Wednesday, 9 January 2013.

P. J. ARNOLD, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

Assignment of Road Names

NOTICE is hereby given that pursuant to the provisions of Section 219 of the Local Government Act 1999, the District Council of Grant, resolved at its meeting dated 19 November 2012, to adopt the rural road names and extents of the rural roads within the District Council of Grant as shown on Rack Plan 970.

The Rack Plan can be viewed at:

- the Office of the Surveyor-General, 101 Grenfell Street, Adelaide;
- the office of the District Council of Grant;
- the District Council of Grant website:
<http://www.dccgrant.sa.gov.au>; or
- the Land Services website at:
<http://www.landservices.sa.gov.au/3Government/Local/RuralRoadMaps.asp>

T. SMART, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Temporary Road Closure

NOTICE is hereby given that at a Council meeting held on 14 November 2012, Council resolved the following:

That:

- (1) The District Council of Kimba exercise the power subject to Section 33 of the Road Traffic Act 1961 and Clause F of the instrument of general approval of the Minister dated 27 April 2010, to make an order that High Street from Martin Terrace to the southern side of North Terrace be closed between 5.30 p.m. and 8.30 p.m. and that High Street between Cross Street and the southern side of North Terrace remain closed between 8.30 p.m. and 10.30 p.m. on Saturday, 22 December 2012, for the purpose of holding Kimba's Christmas Pageant and Festivities.
- (2) 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

Rule 298—Driving with a person in a trailer provided the speed of the vehicle does not exceed 25 km/h.

D. A. CEARNS, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT BARKER

Results of Supplementary Election for Councillor in Central Ward, Conducted on Monday, 12 November 2012

Formal Ballot Papers: 1 844
Informal Ballot Papers: 10

Quota: 923

Candidates	First Preference Votes	Result after Distribution of Preferences
Heath, Robert.....	636	Elected
Rogers, Nathan.....	357	
Samardzic, Darren.....	356	
Smith, Vivienne.....	495	

K. MOUSLEY, Returning Officer

DISTRICT COUNCIL OF ROBE

Temporary Road Closure

NOTICE is hereby given of the following road closure on Saturday, 15 December 2012, between 4.30 p.m. and 8.30 p.m. for the purpose of the Robe Mayoral Christmas Parade:

- Mundy Terrace from the intersection of Morphett Street to the intersection of Davenport Street, and
- Bagot Street from the intersection of Smillie Street to the intersection of Mundy Terrace.

Should you require further clarification on this matter, please contact the council office on 8768 2003.

R. SWEETMAN, Chief Executive

TATIARA DISTRICT COUNCIL

Review of Elector Representation

NOTICE is hereby given that the Tatiara District Council is undertaking a review to determine whether a change of arrangements in respect to elector representation will result in the electors of the area being more adequately and fairly represented.

Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, notice is hereby given that Council has prepared a representation options paper that examines the advantages and disadvantages of the various options available in regards to the composition and structure of Council, and the division of the Council area into wards.

Copies of the representation options paper are available for inspection and/or purchase at the following locations:

- Council's web site: www.tatiara.sa.gov.au.
- Bordertown Council Office and Bordertown Public Library.
- Keith Council office and Keith School Community Library.
- Paththaway General Store.

Interested persons are invited to make a written submission to the Chief Executive Officer, P.O. Box 346, Bordertown, S.A. 5268 by close of business on 25 January 2013.

Information regarding the representation review can be obtained by contacting Robert Harkness, CEO, on telephone (08) 8752 1044 or email office@tatiara.sa.gov.au.

R. HARKNESS, Chief Executive Officer

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

Alexiou, Alexander George, late of 9 Luhrs Road, Payneham South, retired public building worker, who died on 17 July 2012.

Crabb, Muriel Joyce, late of 95-97 Awoonga Road, Hope Valley, of no occupation, who died on 15 August 2012.

Demytko, Victor, late of 33 Opal Road, Morphett Vale, retired labourer, who died on 31 May 2012.

Forrester, Alan James, late of 12 Nottingham Crescent, Glandore, of no occupation, who died on 6 September 2012.

George, David Ronald, late of 27 Captain Robertson Avenue, Golden Grove, of no occupation, who died on 6 September 2012.

Haines, Phyllis Pearl, late of 34 Norman Terrace, Everard Park, of no occupation, who died on 13 October 2012.

Heimhalt, Lorraine Elizabeth Joan, late of 333 Marion Road, North Plympton, of no occupation, who died on 4 September 2011.

Howson, Pamela Kaye, late of 6B Spenfeld Court, Valley View, home duties, who died on 7 October 2012.

Kilsby, Shirley Patricia, late of 52 Riverview Drive, Port Noarlunga, home duties, who died on 11 August 2012.

Liddicut, Grace Mavis, late of 14 Frew Street, Fullarton, retired executive house-keeper, who died on 21 September 2012.

Lind, Alice Doreen, late of 10 Fordingbridge Road, Davoren Park, home duties, who died on 18 September 2012.

Massey, Clariss Mary, late of 15 Bath Street, Glenelg South, widow, who died on 20 August 2012.

McEwen, Maurice Michael, late of 34 Jervois Street, Glenelg North, of no occupation, who died on 3 July 2012.

Melnik, Irene, late of 1 Warooka Drive, Smithfield, of no occupation, who died on 20 September 2012.

Morris, Ronald, late of 477-479 Military Road, Largs Bay, retired instrument tester, who died on 2 October 2012.

Munday, Leslie, late of 9 Brigalow Avenue, Blackwood, retired driver, who died on 28 September 2012.

Santoso, Karenina Maria, late of 28 Lord Howe Avenue, Oakden, retired public servant, who died on 4 September 2012.

Thomas, Sidney Riddell, late of 14-22 King William Road, Wayville, retired ship and engineer surveyor, who died on 25 June 2012.

Villiers, Kathleen Edith, late of 1 Wilton Street, Davoren Park, of no occupation, who died on 29 July 2012.

Waters, Audrey Merle, late of 110 Strathfield Terrace, Largs North, widow, who died on 22 August 2012.

Woods, Melva Elizabeth, late of 4 Howell Park, Waikerie, home duties, who died on 4 August 2012.

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 Office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 4 January 2013, otherwise they will be excluded from the distribution of the said estates; and notice is also hereby given that all persons 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 same to the Public Trustee.

Dated 29 November 2012.

D. A. CONTALA, Public Trustee

PARTNERSHIP ACT 1891

Dissolution of Partnership

NOTICE is hereby given that the partnership previously subsisting between Stevark Pty Ltd as trustee of the Dixon Family Trust and Stevark Pty Ltd as trustee of the Edwards Family Trust trading as Atyre Supply has been dissolved as from 17 September 2012.

The trustees of the Dixon Family Trust accept no liability for any debts incurred in the name of Atyre Supply after 17 September 2012.

ADELTA LEGAL SOLICITORS, for Dixon
Family Trust

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