

**SUPPLEMENTARY GAZETTE**



**THE SOUTH AUSTRALIAN  
GOVERNMENT GAZETTE**

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**PUBLISHED BY AUTHORITY**

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**ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such**

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**ADELAIDE, FRIDAY, 3 MARCH 2000**

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**SOUTH AUSTRALIAN CO-OPERATIVE AND COMMUNITY HOUSING ACT 1991:**  
**IMPLEMENTATION OF THE HOUSING REFORMS**

**Approval by the Minister**

*Preamble*

1. Regulation 20 of the South Australian Co-operative and Community Housing (General) Regulations 1992 and Regulation 5A of the South Australian Co-operative and Community Housing (Housing Associations) Regulations 1996 provide respectively for provisions in funding agreements with registered housing co-operatives and registered housing associations, in each case in a form approved by the Minister, on the advice of the South Australian Community Housing Authority (the Authority) after consultation with registered housing co-operatives and registered housing associations respectively.

*Approval*

2. I approve the following form titled "Housing Reforms Schedule" for the provision which, pursuant to both regulations referred to above, must, from 6 March 2000, be contained in every agreement for the provision of funding by the Authority to all registered housing co-operatives and all registered housing associations.

**HOUSING REFORMS SCHEDULE**

**Introduction**

- This Schedule is, subject to any further determination of the Minister, deemed to be contained in all funding agreements between the Authority and registered housing co-operatives and registered housing associations pursuant to the South Australian Co-operative and Community Housing (General) Regulations 1992 and the South Australian Co-operative and Community Housing (Housing Associations) Regulations 1996 respectively and is in a form approved by the Minister.
- In this Schedule:
  - “Community housing” refers to accommodation provided by registered housing co-operatives and registered housing associations that are subject to an agreement for the provision of funding by the Authority;
  - “organisation” refers to any such registered housing co-operative or registered housing association;
  - “principal household” refers to the principal tenant/ tenants and/or anyone dependent on them.
- The provisions of this Schedule are binding on all organisations, which must not grant community housing to applicants who are not eligible under this Schedule and which must implement the waiting list management, periodic reporting and review provisions set out in this Schedule.

- This Schedule fixes eligibility criteria and conditions relating to tenancy by reference to financial circumstances and special needs, set out below as base eligibility criteria, the income test, the assets test and the needs test. It also establishes priorities to apply in waiting list management, by reference to special needs, as well as the organisations' existing eligibility criteria. It also requires periodic reporting by tenants to their organisation as to their financial circumstances and special needs, and provides for the review of tenants' financial circumstances on a periodic basis and the variation of the rent set out in tenants' conditions of tenancy in specified circumstances.

### **Application of Eligibility Criteria and Waiting List Management and Tenancy Review**

- Eligibility Criteria and Waiting List Management
  - Base Eligibility Criteria, Income Test, Assets Test and Needs Test apply to any person who last applied for community housing on or after 9 July 1998 and who is granted community housing on or after 6 March 2000, and waiting list management applies to any person on the waiting list.
- Tenancy Review
  - A requirement for periodic reporting by tenants to their organisation as to their financial circumstances and special needs and the review of tenants' financial circumstances on a periodic basis and variation of their conditions of tenancy in specified circumstances apply to any person who last applied for community housing on or after 9 July 1998 and who was granted such housing on or after 1 September 1999.

### **Explanation of Terms**

- Eligibility Criteria

To be eligible for community housing, the principal household must either:

  - pass the Base Eligibility Criteria and the Income and Assets Test, or
  - pass the Base Eligibility Criteria and the Needs Test
- Base Eligibility Criteria

To pass the Base Eligibility Criteria the principal household must:

  - be a resident of South Australia
  - not be a home owner
  - have an independent income
- Income Test

To pass the Income Test the principal household must prove that his/her/their income does not exceed the percentage of Average Weekly Earnings Male Ordinary Time (AWE) limits applicable both at the date of the application and at the date of the grant of housing to the principal household; as set out in the following table:

TABLE A

<b>Singles</b>	<b>% of AWE</b>	<b>Couples</b>	<b>% of AWE</b>
Single	65%	Couple	85%
Single + 1 child	85%	Couple + 1 child	95%
Single + 2 children	95%	Couple + 2 children	105%
Single + 3 children	110%	Couple + 3 children	120%
Single + 4 or more children	125%	Couple + 4 or more children	135%

- Assets Test

To pass the Assets Test a principal household must prove that his/her/their assessable assets do not exceed the Assets Test limits (based on Centrelink Assets Test for *Single non-home owners* and *couple non-home owners*) specified by the Minister both at the date of the application and at the date of the grant of housing to the principal household.

- Needs Test

To pass the Needs Test a principal household must comply with needs criteria specified by the Minister at the relevant time.

### Waiting List Management

Subject to compliance with the organisation's existing eligibility criteria for granting community housing, the organisation will grant community housing to applicants according to the following priorities (taking into account that the applicant has the necessary skills to live independently and/or the level of support required for him/her to successfully maintain housing):

<b>Needs Segment</b>	<b>Description</b>
Category 1	Applicants in urgent need of housing, extreme housing crisis for whom the private rental market is unsuitable in the long term
Category 2	Applicants for whom the private market is not suitable/accessible as a long term option and who are not in urgent need of housing
Category 3	Applicants who meet the base eligibility criteria and pass the income and assets test but who do not meet the needs criteria for categories 1 or 2

### Tenancy Review

The organisation will initiate and carry out reviews of the financial circumstances of principal households who are subject to tenancy review annually, the first review not being later than the expiration of one year and one month from the date on which the principal households were granted community housing.

A tenant who applied for community housing on or after 9 July 1998 and was granted housing on or after 1 September 1999 must, in any review initiated by the organisation, produce information relating to the income of all members of the principal household.

If the income of the principal household exceeds the AWE percentage as set out in Table B in each of three consecutive years, the organisation must assess the needs of the household under the Needs Criteria specified by the Minister at the relevant time.

**TABLE B**

<b>Singles</b>	<b>% of AWE</b>	<b>Couples</b>	<b>% of AWE</b>
Single	75%	Couple	95%
Single + 1 child	95%	Couple + 1 child	105%
Single + 2 children	105%	Couple + 2 children	115%
Single + 3 children	120%	Couple + 3 children	130%
Single + 4 or more children	135%	Couple + 4 or more children	145%

- If the principal household passes the Needs Test, no further action is taken.
- If the principal household does not pass the Needs Test, and elects to remain in community housing, the organisation must arrange for the household to pay a rent premium specified by the Minister at the relevant time.
- The organisation must vary the conditions of tenancy applicable to the tenancy, subject to compliance with the Residential Tenancies Act 1995 and other applicable legislation, to ensure payment of the rent premium.

Dated 3 March 2000.

DEAN BROWN, Minister for Human Services

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## FISHERIES ACT 1982: SECTION 43

TAKE note that the notice number V0014/00 made under section 43 of the Fisheries Act 1982, and published in the *South Australian Supplementary Government Gazette*, page 1207, dated 28 February 2000, being the second notice on that page, which refers to the Gulf St Vincent prawn fishery is revoked.

Dated 2 March 2000.

W. ZACHARIN, Principal Fisheries Manager

R0033/00

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, subject to section 59 of the Fisheries Act 1982, those holders of a licence issued pursuant to the Scheme of Management (Rock Lobster Fisheries) Regulations 1991 for the Northern Zone Rock Lobster Fishery (hereinafter referred to as the 'exemption holder'), are exempted from the provisions of regulations 14 (1) (a) (i) of the Scheme of Management (Rock Lobster Fisheries) Regulations 1991, in that the fishers shall not be guilty of an offence when exceeding their rock lobster pot allocation up to a maximum of 100 rock lobster pots when taking giant crabs (*Pseudocarcinus gigas*) (hereinafter referred to as the 'permitted activity'), subject to the conditions specified in Schedule 1 from the date of gazettal of this notice until 30 June 2001.

## SCHEDULE 1

1. No rock lobster may be on board the registered boat prior to or whilst conducting the permitted activity.

2. All species captured other than giant crabs (*Pseudocarcinus gigas*) must be immediately returned to the water.

3. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any other regulations made under that Act except where specifically exempted by this notice.

Dated 2 March 2000.

W. ZACHARIN, Principal Fisheries Manager

## FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise R. A. and M. F. Sullivan, c/o Post Office, Smoky Bay, S.A. 5680 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00173.

## SCHEDULE 1

The importation and release of Pacific Oysters (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
395549E 6416844N	6
395761E 6416828N	
395740E 6416545N	
395529E 6416561N	

## SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a PIRSA Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 28 February 2000.

I. NIGHTINGALE, General Manager Aquaculture as the Delegate of the Director of Fisheries

## FISHERIES ACT 1982: SECTION 48G (2)

TAKE note that the notice made under section 48G (2) of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, dated 2 March 2000, on page 1256, being the second notice on that page, which refers to R. A. and M. F. Sullivan, is hereby revoked.

Dated 3 March 2000.

I. NIGHTINGALE, General Manager Aquaculture as the Delegate of the Director of Fisheries

## FISHERIES ACT 1982: SECTION 53

TAKE note that the licence to farm fish made under section 53 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, dated 3 February 2000, on page 704, being the second notice on that page, through to page 707 and referring to I. C. and J. Hart, is hereby revoked.

Dated 3 March 2000.

I. NIGHTINGALE, General Manager Aquaculture as the Delegate of the Director of Fisheries

## FISHERIES ACT 1982: SECTION 48G (2)

TAKE note that the notice made under section 48G (2) of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, dated 3 February 2000, on page 707, being the second notice on that page, which refers to I. C. and J. Hart, is hereby revoked.

Dated 3 March 2000.

I. NIGHTINGALE, General Manager Aquaculture as the Delegate of the Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, G. Hatzipanagiotis, holder of marine scalefish fishery licence M467 (hereinafter referred to as the 'exemption holder'), 6 Bay Street, Port Broughton, S.A. 5522 is exempt from regulation 22 of the Fisheries (General) Regulations 1984, but only insofar as the exemption holder shall not be guilty of an offence when taking snapper (*Pagrus auratus*) below the legal minimum length (hereinafter referred to as the 'permitted activity') subject to the conditions specified in Schedule 1, from the date of gazettal of this notice until 31 December 2002.

## SCHEDULE 1

1. The exemption holder may take up to a maximum of 100 snapper (*Pagrus auratus*) in total pursuant to this exemption. No more than 15 snapper (*Pagrus auratus*) may be taken in any one day.

2. All fish taken pursuant to this exemption are for scientific research and must be delivered into the possession of Matthew Cook of the School of Pharmacy and Medical Sciences, University of South Australia, Frome Road, Adelaide.

3. PIRSA Fisheries and Aquaculture retains the right for a departmental officer to observe the permitted activity at any time.

4. The exemption holder must notify the PIRSA Fisheries and Aquaculture Compliance Unit on 1800 065 522 at least two hours prior to conducting the permitted activity and provide the following information:

- (a) the intended launch and retrieval time and location;
- (b) the intended fishing area; and
- (c) details of the boat to be used.

5. The exemption holder must, within 14 days of collection of fish pursuant to this exemption, provide a written report to PIRSA Fisheries and Aquaculture (PIRSA Fisheries, R. Hill, G.P.O. Box 1625, Adelaide, S.A. 5001) for each day fished with details of the number of fish captured.

6. Whilst engaged in the permitted activity the exemption holder must be in possession of a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries and Aquaculture Compliance Officer.

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

Dated 2 March 2000.

W. ZACHARIN, Principal Fisheries Manager

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#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, David Warland (F1172) (hereinafter referred to as the 'permit holder'), P.O. Box 2236, Port Lincoln, S.A. 5606 is exempt from the Fisheries Act 1982 in that he shall not be guilty of an offence when engaging in the activities specified in Schedule 1 (hereinafter referred to as the 'permitted activity') subject to the conditions specified in Schedule 2 from the waters described in Schedule 3 from the date of gazettal of this notice until 30 November 2000.

#### SCHEDULE 1

The collection of not more than 23 pot bellied seahorses (*Hippocampus abdominalis*).

#### SCHEDULE 2

1. All specimens taken shall be for the establishment of a broodstock culture only and may not be sold.

2. Before collecting any specimens pursuant to this notice, the permit holder must notify PIRSA Fisheries and Aquaculture on (1800 065 522) with details of the proposed location and dates on which collections are to be made.

3. The permit holder shall provide a written report on the number of animals take, specific location and their condition to the Director of Fisheries within seven days of the completion of each collection.

4. The permit holder shall only collect the permitted species from registered fish farms with the approval of the fish farm owner.

5. No more than five of the permitted species shall be collected from any one collection site.

6. Whilst engaged in the permitted activity the permit holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries and Aquaculture Compliance Officer if such an officer requests that it be produced.

7. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically permitted by this notice.

#### SCHEDULE 3

South Australian coastal waters adjacent to Port Lincoln.

Dated 2 March 2000.

W. ZACHARIN, Principal Fisheries Manager

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