



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 12 OCTOBER 2000

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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 Riverside 2000 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: Riv2000@saugov.sa.gov.au. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

LOCAL GOVERNMENT (IMPLEMENTATION) ACT 1999
SECTION 46(b): REPEAL OF CERTAIN PROVISIONS OF
THE LOCAL GOVERNMENT ACT 1934

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 46(b) of the *Local Government (Implementation) Act 1999* and with the advice and consent of the Executive Council, I repeal the following provisions of the *Local Government Act 1934*:

- (a) the whole of Part 26;
- (b) section 883(2);
- (c) section 886ba.

Given under my hand and the Public Seal of South Australia at Adelaide, 12 October 2000.

By command,

MARK BRINDAL, for Premier

MLG 16/2000 CS
OLG 41/00 TC1

LOCAL GOVERNMENT ACT 1999
SECTION 250: REVOCATION OF MODEL BY-LAWS

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 250 of the *Local Government Act 1999* and with the advice and consent of the Executive Council, I revoke all model by-laws in force under that section (including any model by-laws previously in force under the *Local Government Act 1934*¹).

¹ See section 11 of the *Acts Interpretation Act 1915*.

Given under my hand and the Public Seal of South Australia at Adelaide, 12 October 2000.

By command,

MARK BRINDAL, for Premier

MLG 16/2000 CS
OLG 41/00 TC1

Department of the Premier and Cabinet
Adelaide, 12 October 2000

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:

Panel Member: (from 12 October 2000 until 11 October 2003)

Christopher Paul Alderman
Lee-Anne Clark
Leon Douglas Earle
Jan Harry
Karen Ada McAuley
Robert Winston Arbon
Jeanette Nita Curtis
Audrey Edwards
Helene Candace Hyde
Sally Langton
Katrina Sylvia Power
Eileen Cecilia Quinn
Alice Dorothy Rigney
Patricia Sutton

By command,

MARK BRINDAL, for Premier

MH 030/004/008 CS

Department of the Premier and Cabinet
Adelaide, 12 October 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Environment Protection Authority, pursuant to the provisions of the Environment Protection Act 1993:

Member: (from 12 October 2000 until 11 October 2002)
David Cruickshanks-Boyd
John David Phillips

By command,

MARK BRINDAL, for Premier

MEH 0052/00 CS

Department of the Premier and Cabinet
Adelaide, 12 October 2000

HIS Excellency the Governor in Executive Council has revoked the appointment of Steven Millsted, as Crown Counsel, Director of Public Prosecutions Office in the Attorney-General's Department, pursuant to section 36 of the Acts Interpretation Act 1915 and section 68 of the Constitution Act 1934.

By command,

MARK BRINDAL, for Premier

ATTG 66/00 CS

Department of the Premier and Cabinet
Adelaide, 12 October 2000

HIS Excellency the Governor directs it to be notified that he has been pleased to approve retention of the title *Honourable* by George Weatherill following his retirement from the Legislative Council on Friday, 1 September 2000.

Dated 1 October 2000.

By command,

JOHN OLSEN, Premier

DPC 427/75 PTA PT2

ASSOCIATIONS INCORPORATION ACT 1985

Deregistration of Associations

NOTICE is hereby given that the Corporate Affairs Commission approves the applications for deregistration received from the associations named below pursuant to section 43A of the Associations Incorporation Act 1985. Deregistration takes effect on the date of publication of this notice:

International Wagner Symposium Organising Committee Incorporated
Karnavals Club The Jolly Jokers Adelaide Incorporated
Kumarangk Legal Defence Fund Incorporated
Miller School Irish Dancing Association Incorporated
Pulteney Grammar School Staff Association Incorporated
Ransom Christian Centre Incorporated
Returned Services' League (Uraidla Sub Branch) Incorporated
South Australian Amateur Television Group Incorporated
The Passionist Fathers South Australia Incorporated

Dated 9 October 2000.

A. J. GRIFFITHS, a delegate of the Corporate Affairs Commission

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by IAIN EVANS, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Resume the Land defined in The First Schedule.
2. Dedicate the Crown defined in The Second Schedule as a Public Road.
3. Dedicate the Crown Land defined in The Third Schedule as a Recreation Reserve and declare that such land shall be under the care, control and management of The District Council of Ceduna.

The First Schedule

Reserve for Recreation Purposes, section 194, Hundred of Bonython, County of Way, the proclamation of which was published in the *Government Gazette* of 16 October 1969 at page 1268, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5737 Folio 432.

The Second Schedule

Allotment 22 of DP 55491, Hundred of Bonython, County of Way, being within the district of Ceduna.

The Third Schedule

Allotment 21 of DP 55491, Hundred of Bonython, County of Way, exclusive of all necessary roads.

Dated 10 October 2000.

P. M. KENTISH, Surveyor-General

DEHAA 08/0431

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by IAIN EVANS, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as a Public Road.

The Schedule

Allotment 72 of DP 55643, Hundred of Wirreanda, County of Granville, being within the Flinders Ranges district.

Dated 10 October 2000.

P. M. KENTISH, Surveyor-General

DEHAA 13/0648 Pt 1

DEVELOPMENT ACT 1993, SECTION 29 (2) (b): AMENDMENT TO THE WALLAROO (CT) DEVELOPMENT PLAN

Preamble

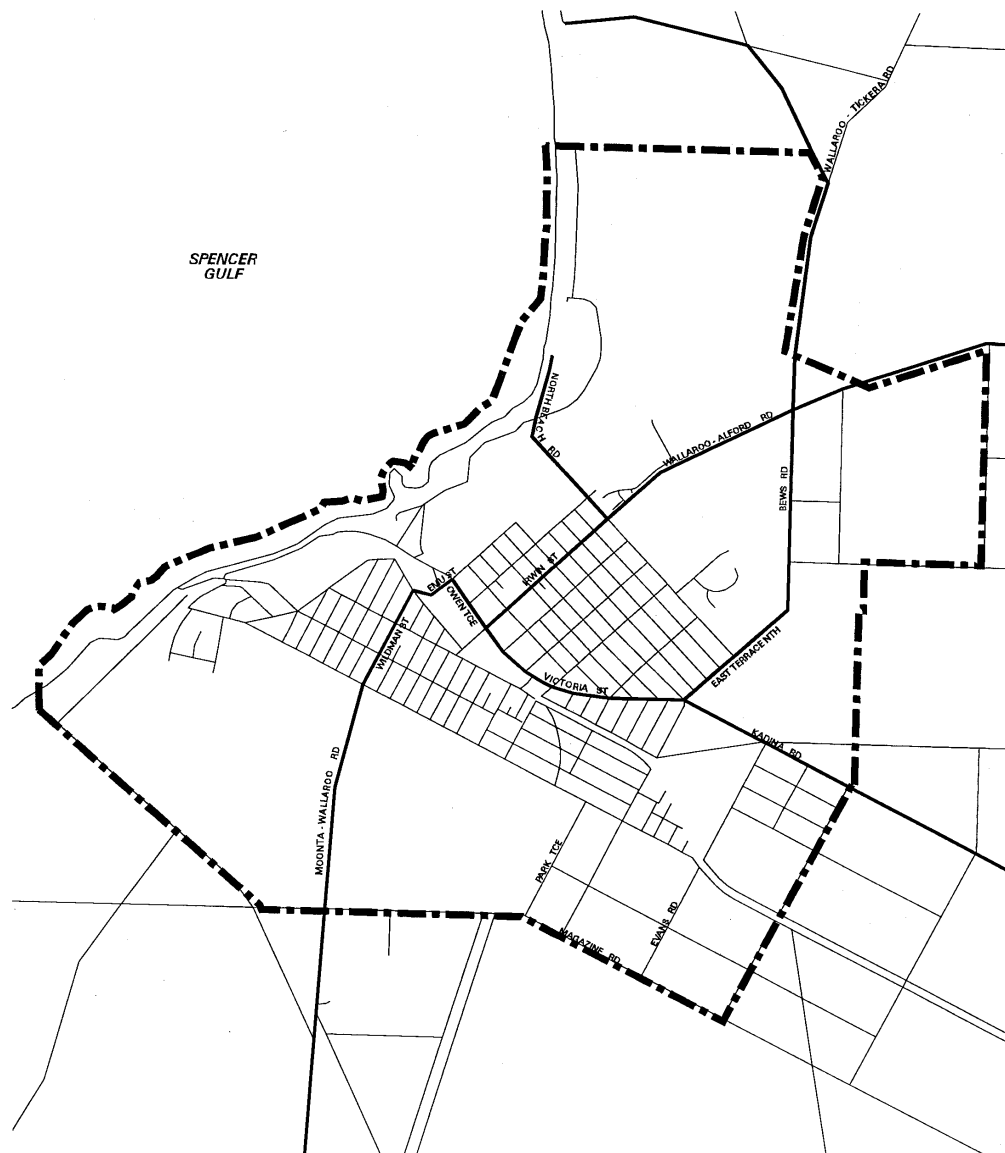
It is necessary to amend the Wallaroo (CT) Development Plan dated 23 March 2000.

NOTICE

PURSUANT to section 29 (2) (b) of the Development Act 1993, I, Diana Laidlaw, being the Minister administering the Act, amend The Wallaroo (CT) Development Plan, dated 23 March 2000 as follows:

1. (a) Delete Maps Wal/1 to Wal/3;
 (b) insert the contents of Attachment A; and
 (c) adjust the mapping references in the Wallaroo (CT) Development Plan text accordingly.
2. (a) Insert the contents of Attachment B in the Council wide section, immediately following the page where the heading 'OBJECTIVES' appears;
 (b) renumber the subsequent pages; and
 (c) adjust the mapping references in the Wallaroo (CT) Development Plan text accordingly.

ATTACHMENT A



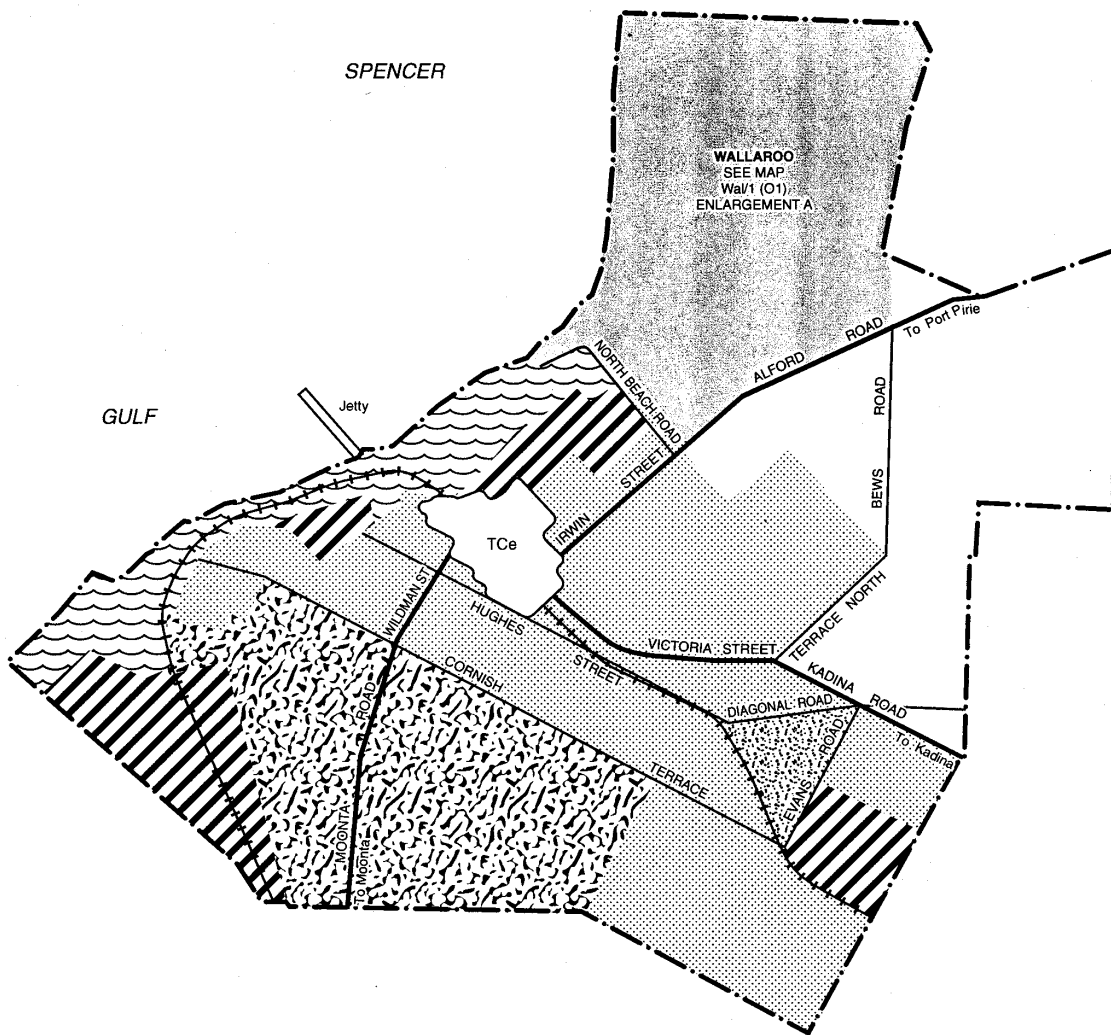
To identify the precise location of the Development Plan boundary refer to Map Wal/2 then select the relevant Zone Map



0 1km

WALLAROO (CT)
MAP Wal/1

—•— Development Plan Boundary

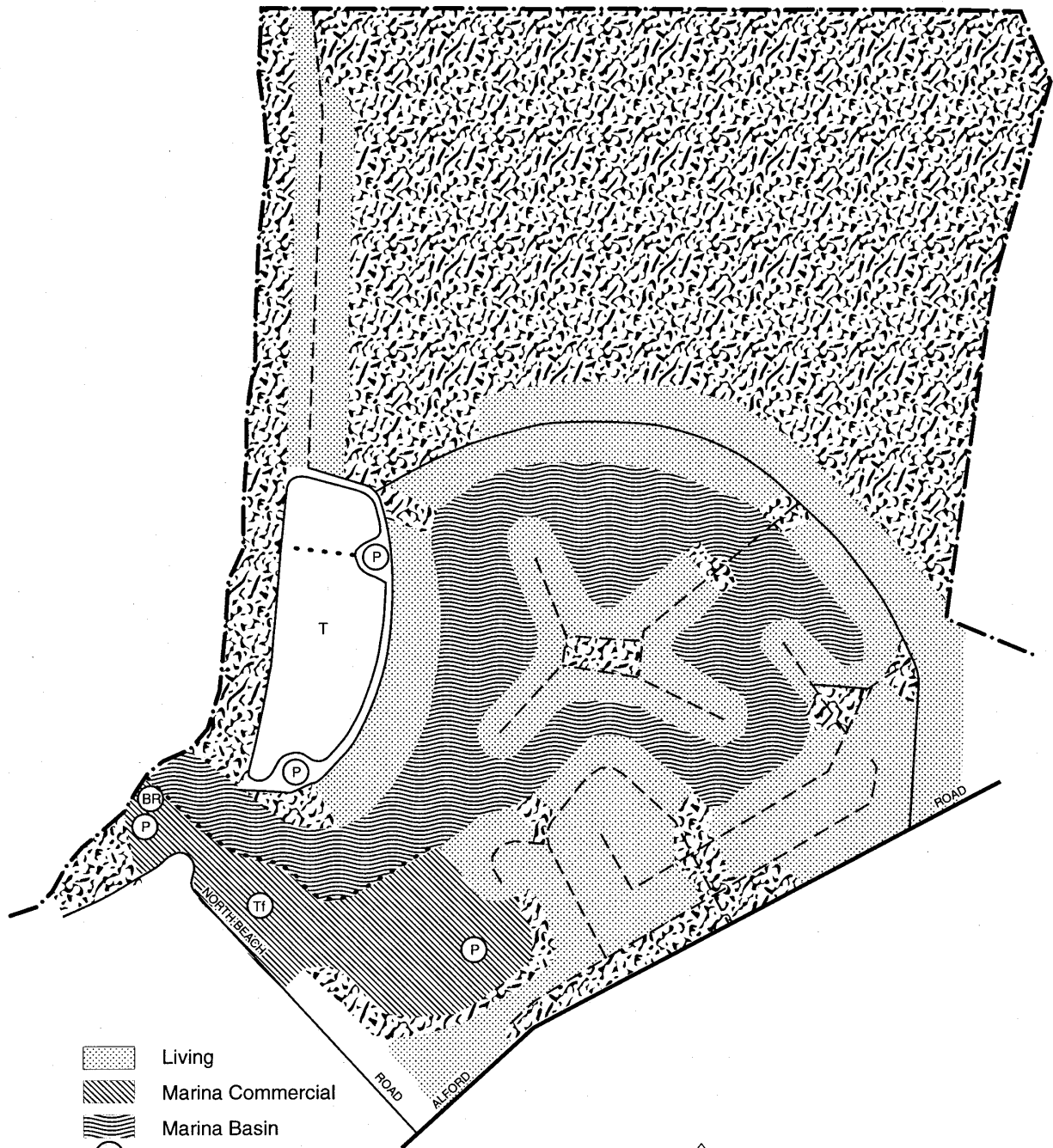


- Living
- Town Centre
- Industrial
- Rural
- Rural Living
- Coastal
- Open Space
- Railway
- Major Collector Road
- Secondary Arterial Road
- Development Plan Boundary



0 metres 500 1000 1500

**WALLAROO (CT)
STRUCTURE PLAN
MAP Wa/1 (Overlay 1)**

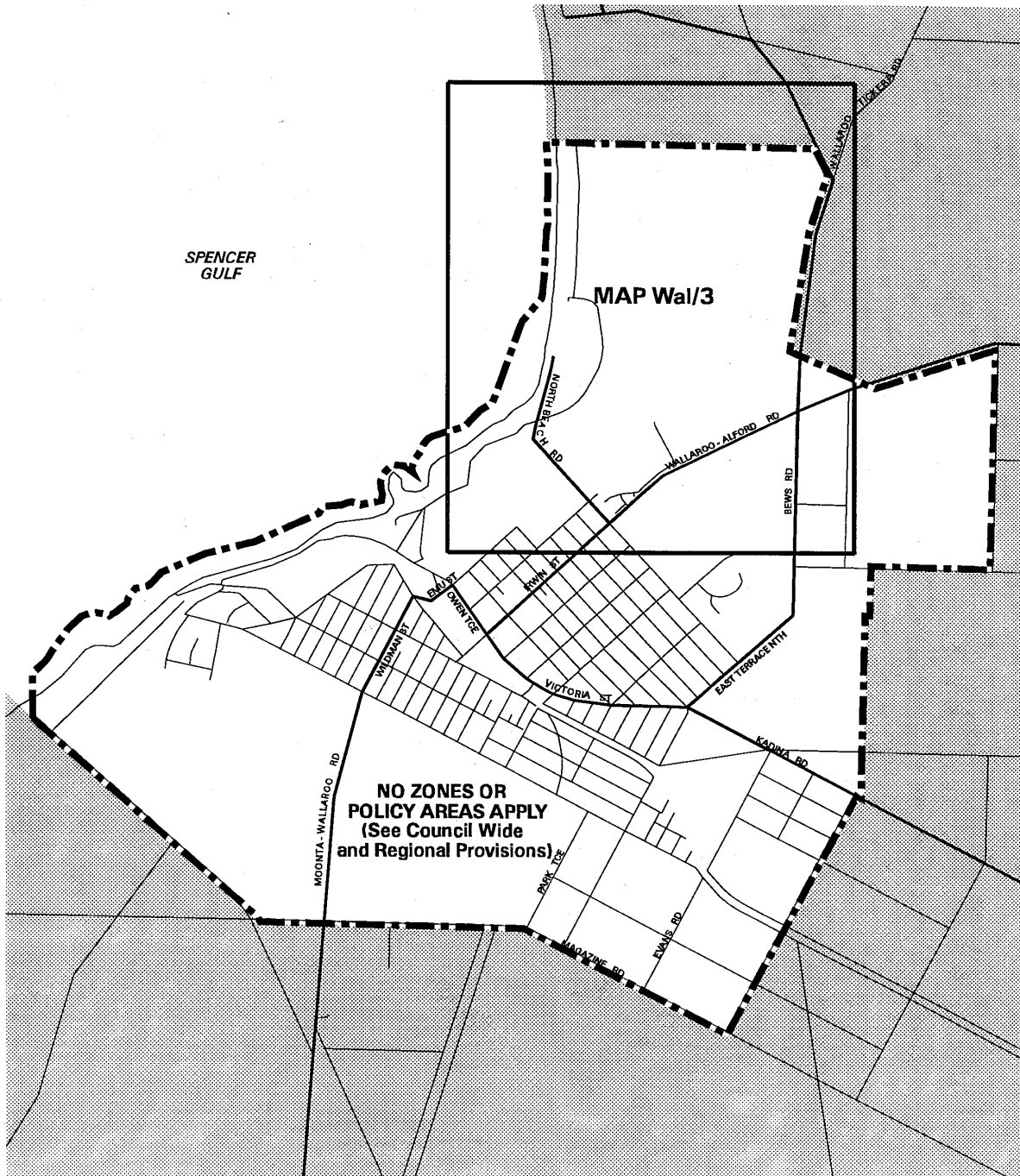


- Living
- Marina Commercial
- Marina Basin
- Tourist Accommodation
- Tourist Facility
- Boat Ramp
- Parking
- Open Space / Landscape Buffer
- Pedestrian Access
- Collector / Local Crossing Road
- Major Collector Road
- Secondary Arterial Road
- Development Plan Boundary



0 metres 100 200 300 400 500

**WALLAROO (CT)
WALLAROO MARINA
AND ENVIRONS
STRUCTURE PLAN
MAP Wa/1 (Overlay 1)
ENLARGEMENT A**



For the purposes of the Development Plan unless otherwise clearly indicated, the zone/policy area boundaries depicted on or intended to be fixed by Maps Wal/2 to Wal/4 inclusive shall be read as conforming in all respects (as the case may require) to the land division boundaries, to the centre line of roads or drain reserves or to the title boundaries, or to imaginary straight lines joining the positions defined by survey or by the measurements shown on the said maps against which the said zone/policy area boundaries are shown or otherwise as indicated.

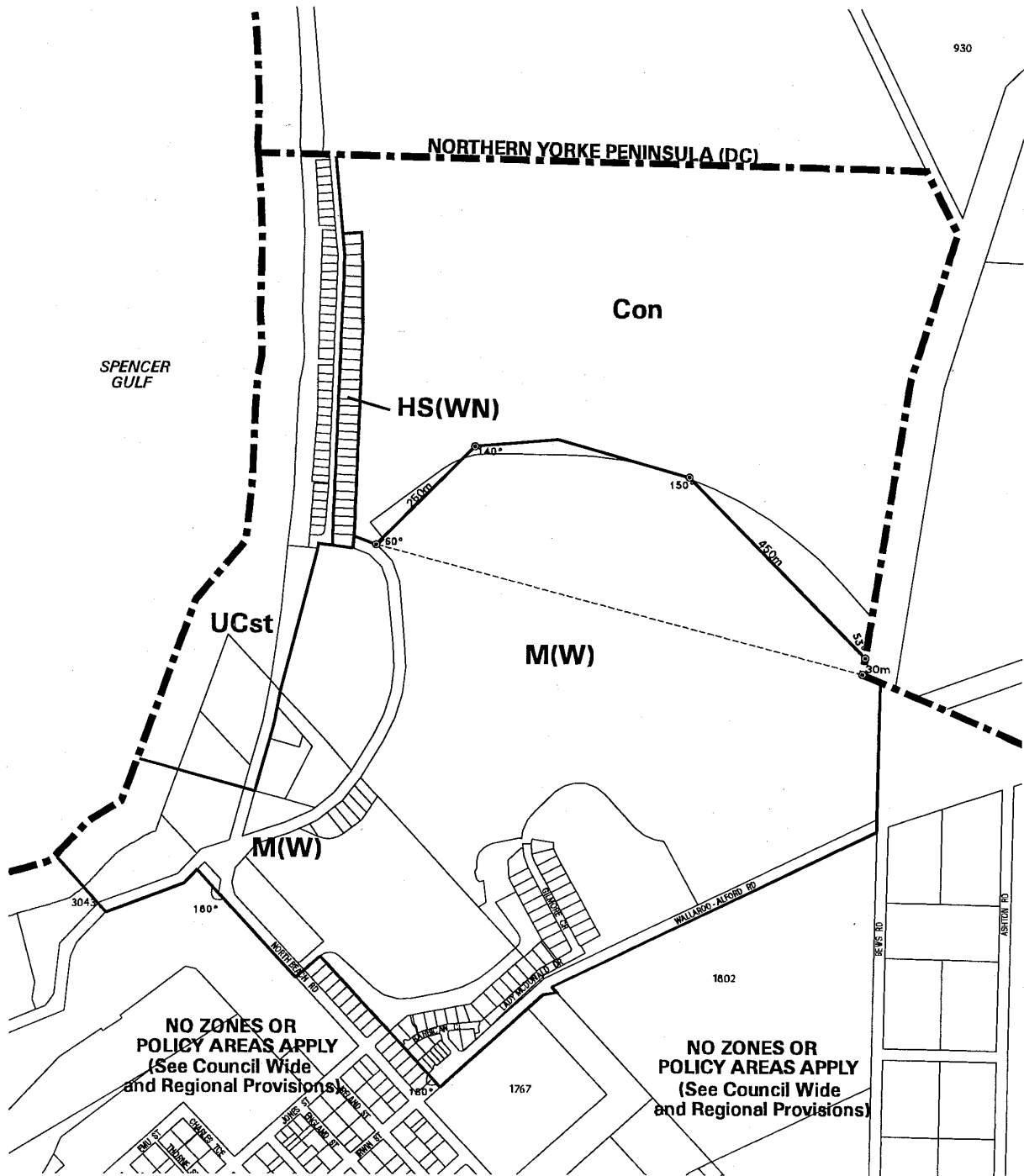


Scale 1:25000



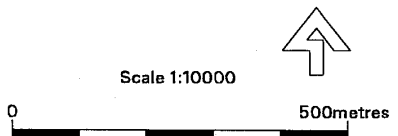
**WALLAROO (CT)
INDEX
MAP Wal/2**

--- Development Plan Boundary





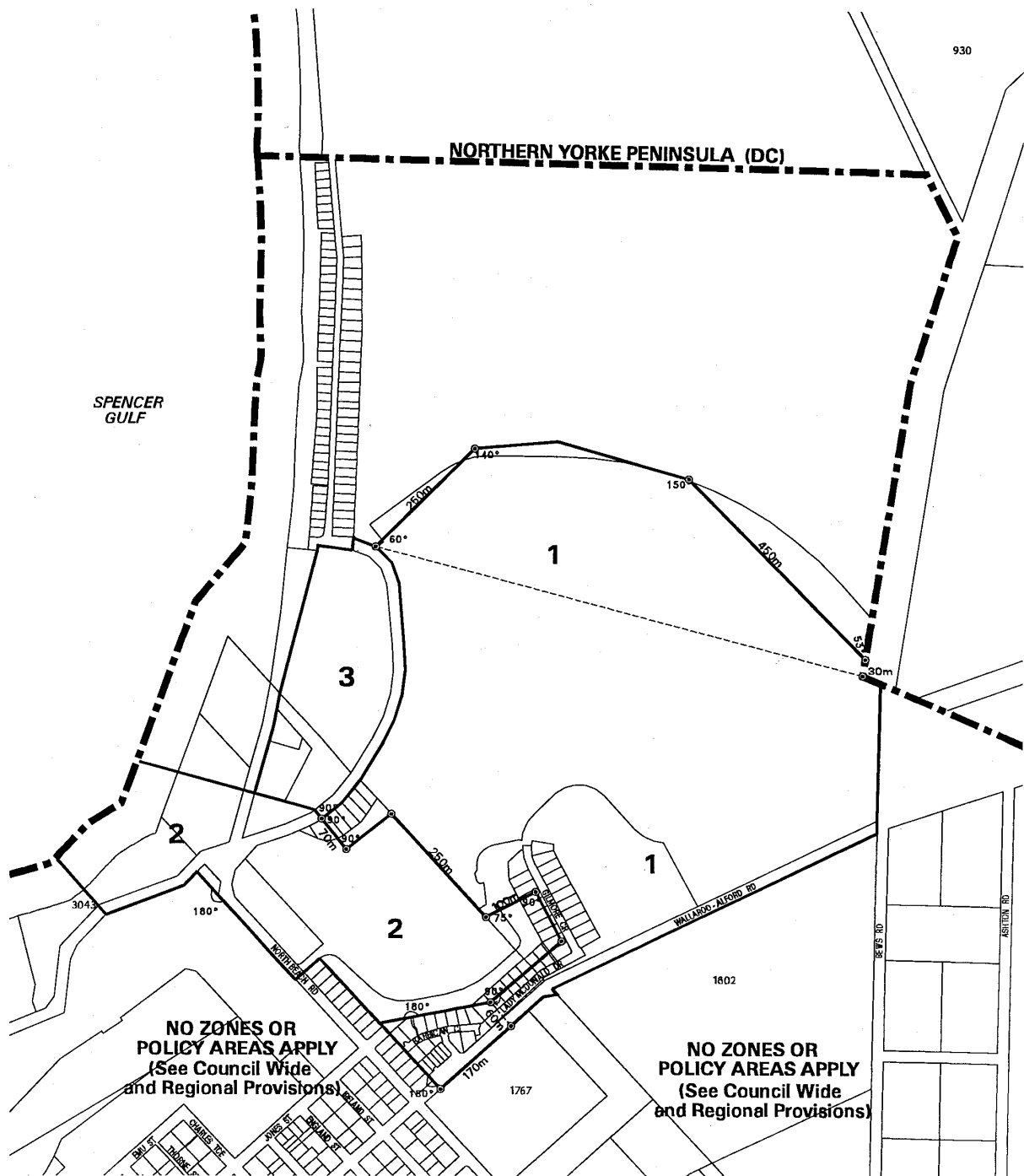
NOTE: For Policy Areas See MAP Wal/4

Con	Conservation
HS(WN)	Holiday Settlement (Wallaroo North)
M(W)	Marina (Wallaroo)
UCst	Urban Coastal



**WALLAROO (CT)
ZONES
MAP Wal/3**

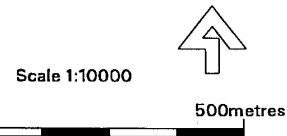
	Zone Boundary
	Development Plan Boundary



**NO ZONES OR
POLICY AREAS APPLY
(See Council Wide
and Regional Provisions)**

**NO ZONES OR
POLICY AREAS APPLY
(See Council Wide
and Regional Provisions)**

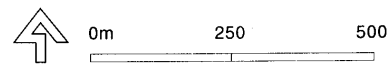
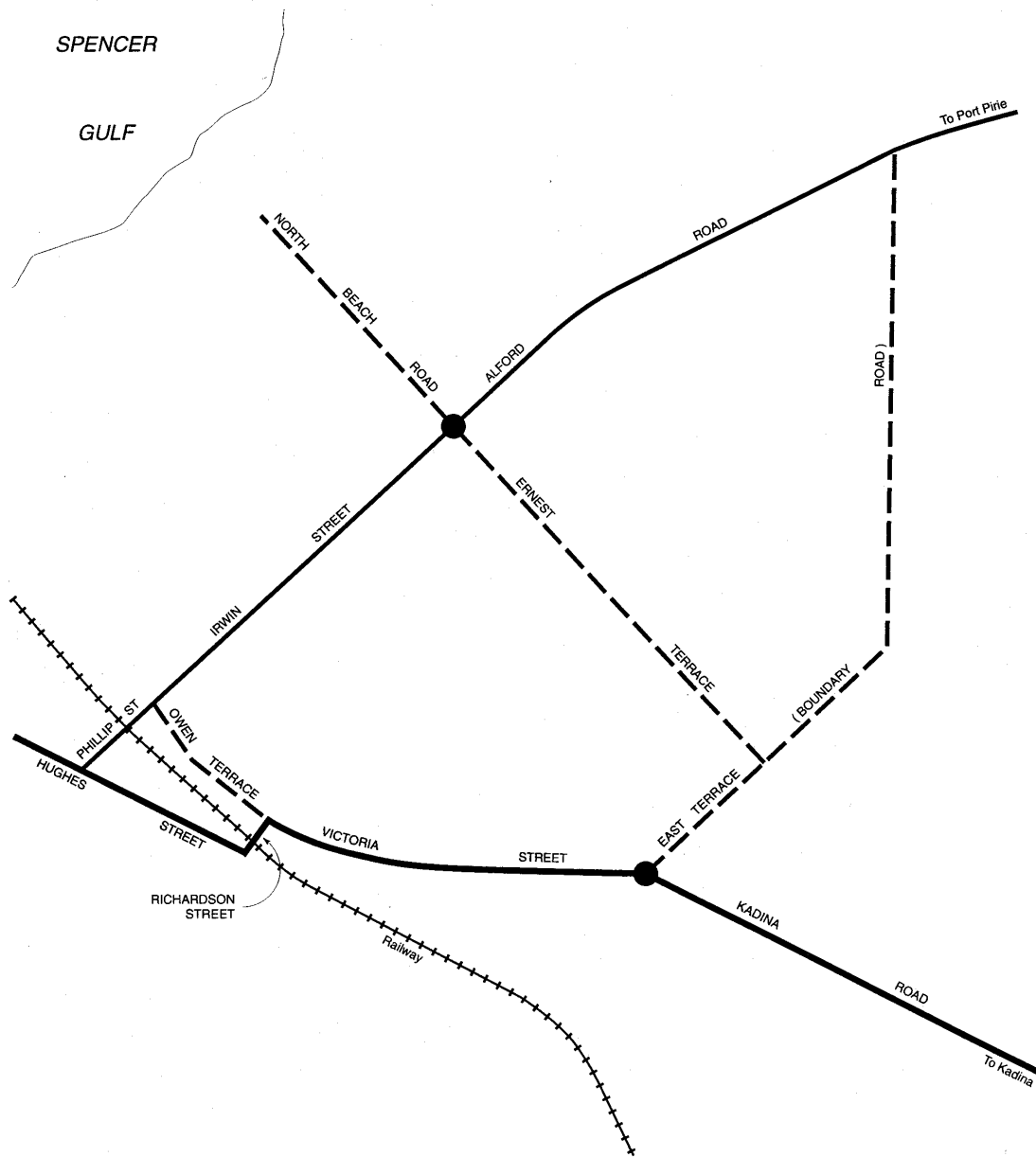
- 1 Residential Waterfront Area
- 2 Marina Commercial Area
- 3 Tourist Accommodation Area



— Policy Area Boundary
- - - Development Plan Boundary

**WALLAROO (CT)
POLICY AREAS
MAP Wal/4**

ATTACHMENT B



- Primary Arterial Road
- Secondary Arterial Road
- - -** Major Collector Road
- Traffic Control

WALLAROO (CT)
WALLAROO TOWN PLAN
MAJOR TRAFFIC ROUTES
Figure Wal/1

Dated 12 October 2000.

DIANA LAIDLAW, Minister for Transport, Urban Planning and the Arts

DEVELOPMENT ACT 1993, SECTION 29 (2) (b): AMENDMENT TO THE NORTHERN AREAS COUNCIL DEVELOPMENT PLAN

Preamble

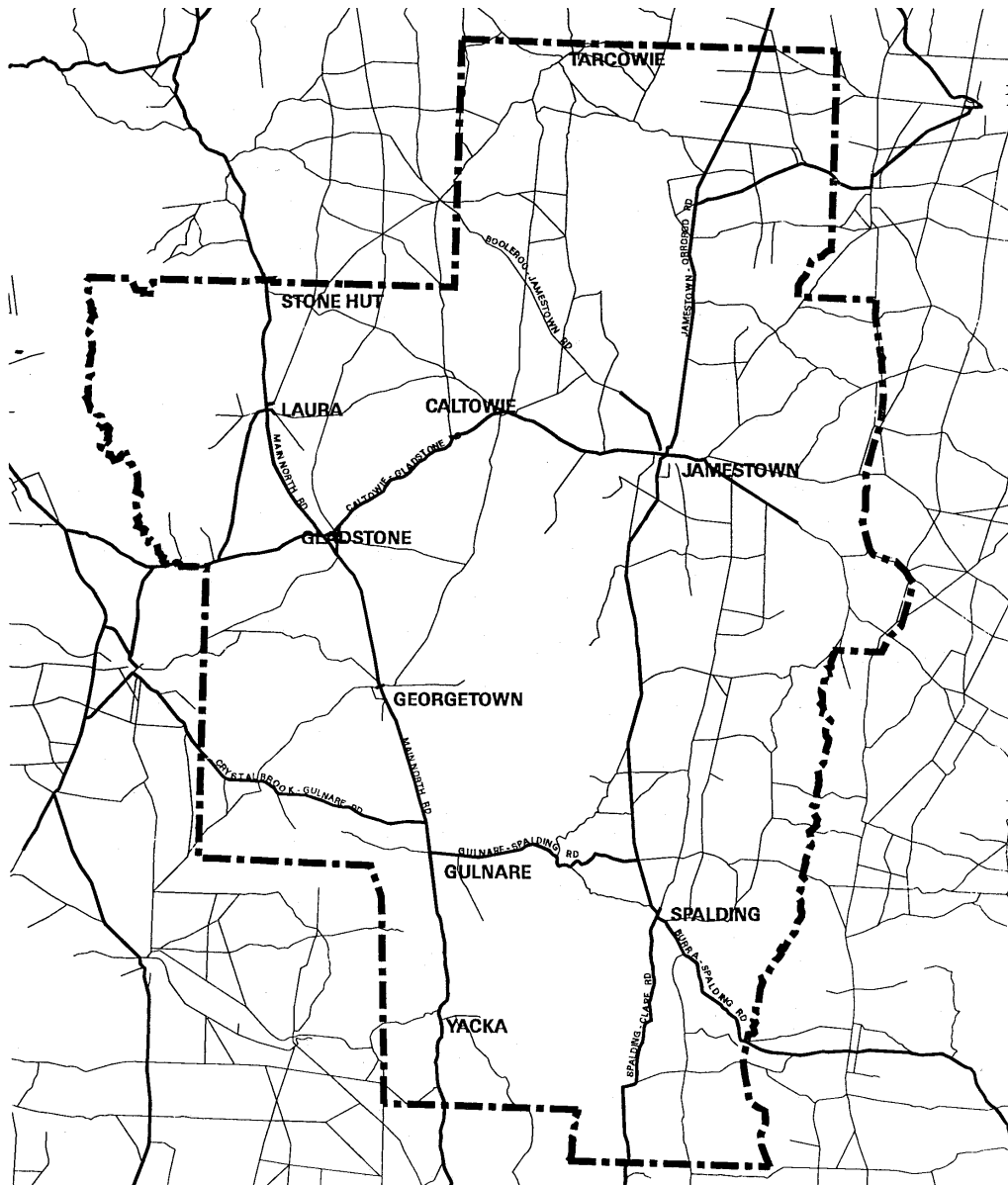
It is necessary to amend the Northern Areas Council Development Plan dated 13 April 2000.

NOTICE

PURSUANT to section 29 (2) (b) of the Development Act 1993, I, Diana Laidlaw, being the Minister administering the Act, amend The Northern Areas Council Development Plan, dated 13 April 2000 as follows:

1. (a) Delete Maps NtA/1 to NtA/18 dated 13 April 2000;
- (b) insert the contents of Attachment A; and
- (c) adjust the mapping references in the Northern Areas Council Development Plan text accordingly.
2. Replace Fig 1A(Ja)/1 within the Residential Zone with the contents of Attachment B.

ATTACHMENT A

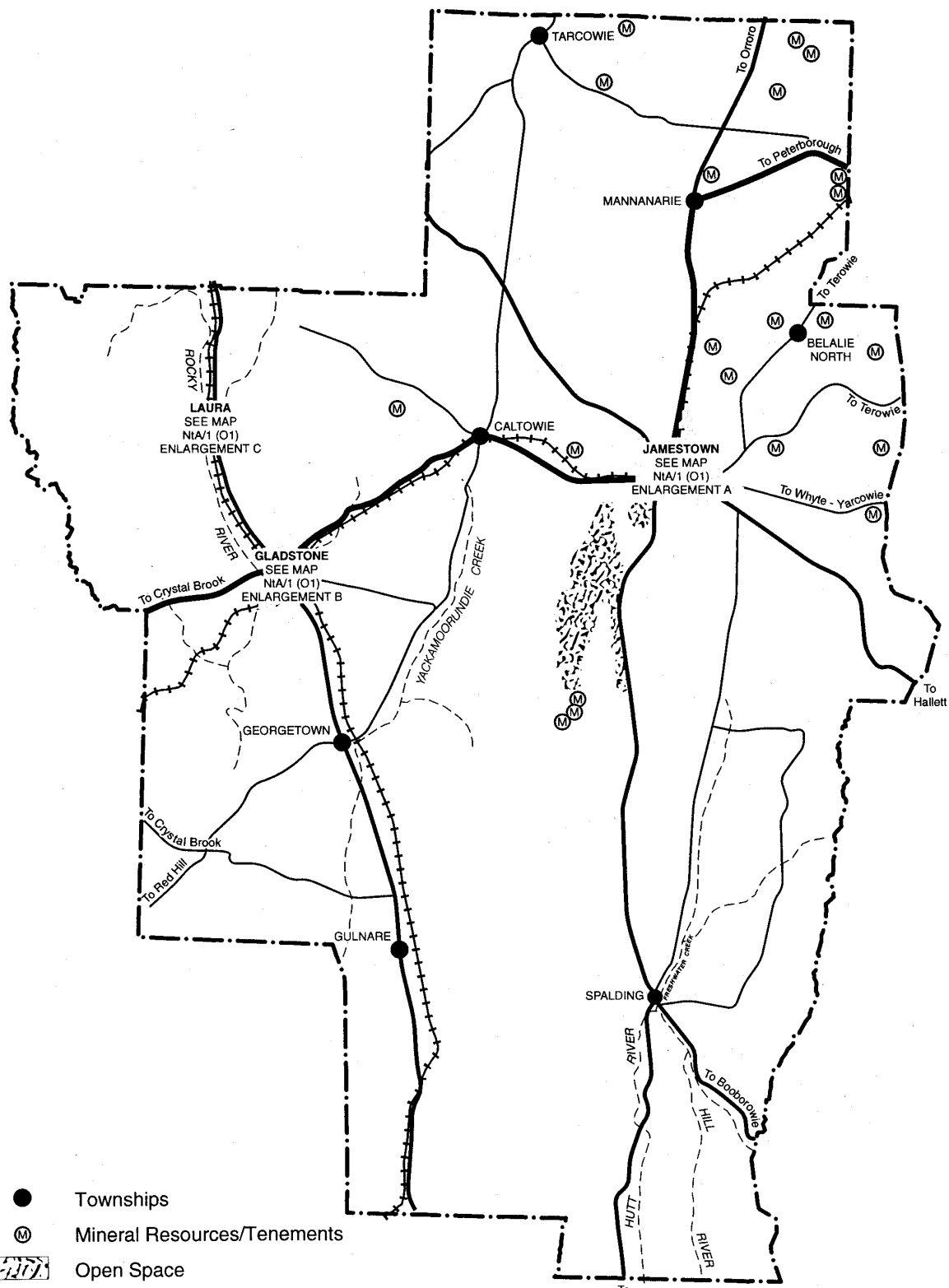


To identify the precise location of the Development Plan boundary refer to Map NtA/2 then select the relevant Zone Map

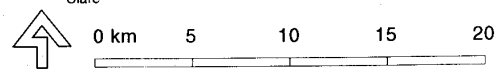


NORTHERN AREAS COUNCIL
MAP NtA/1

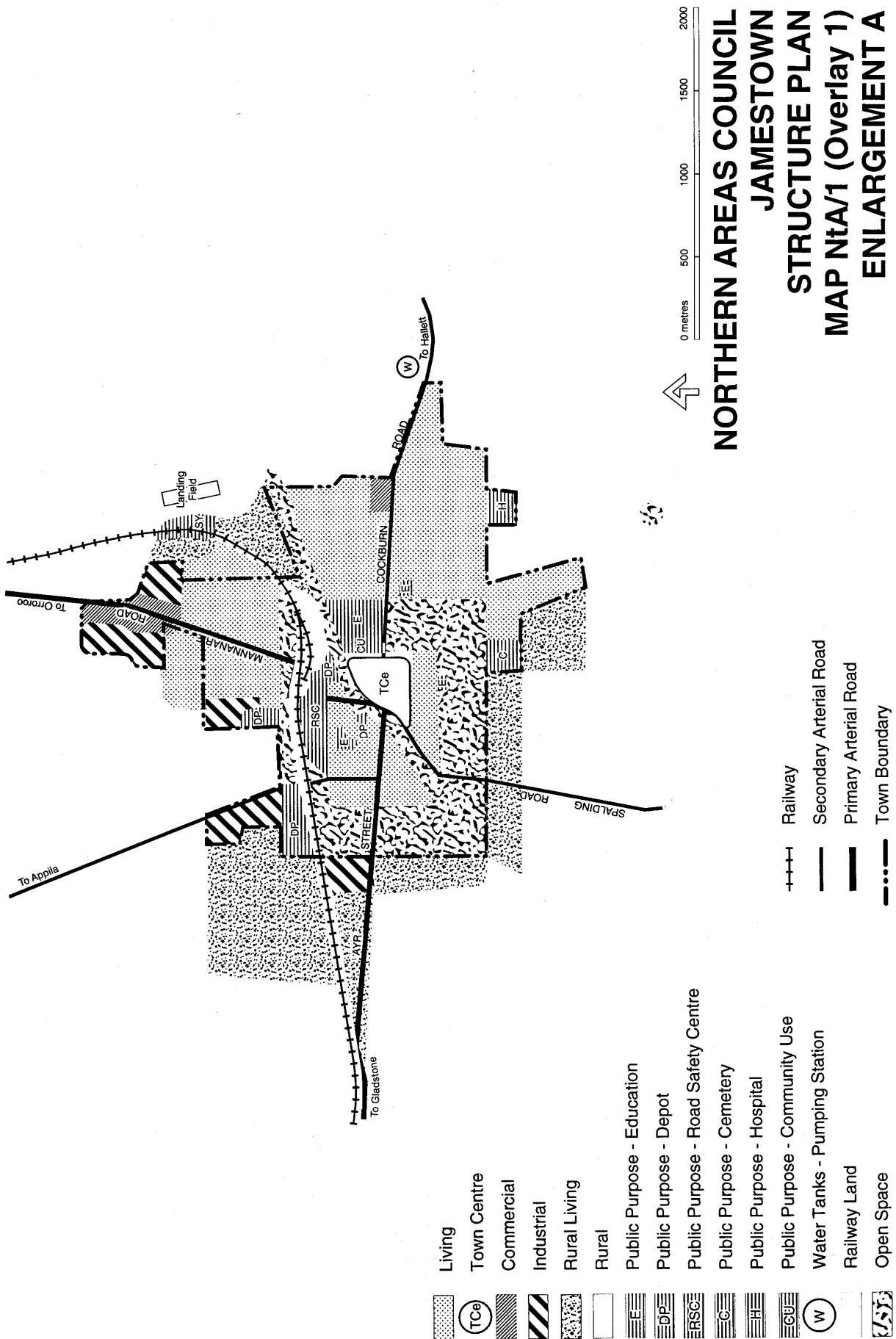
--- Development Plan Boundary

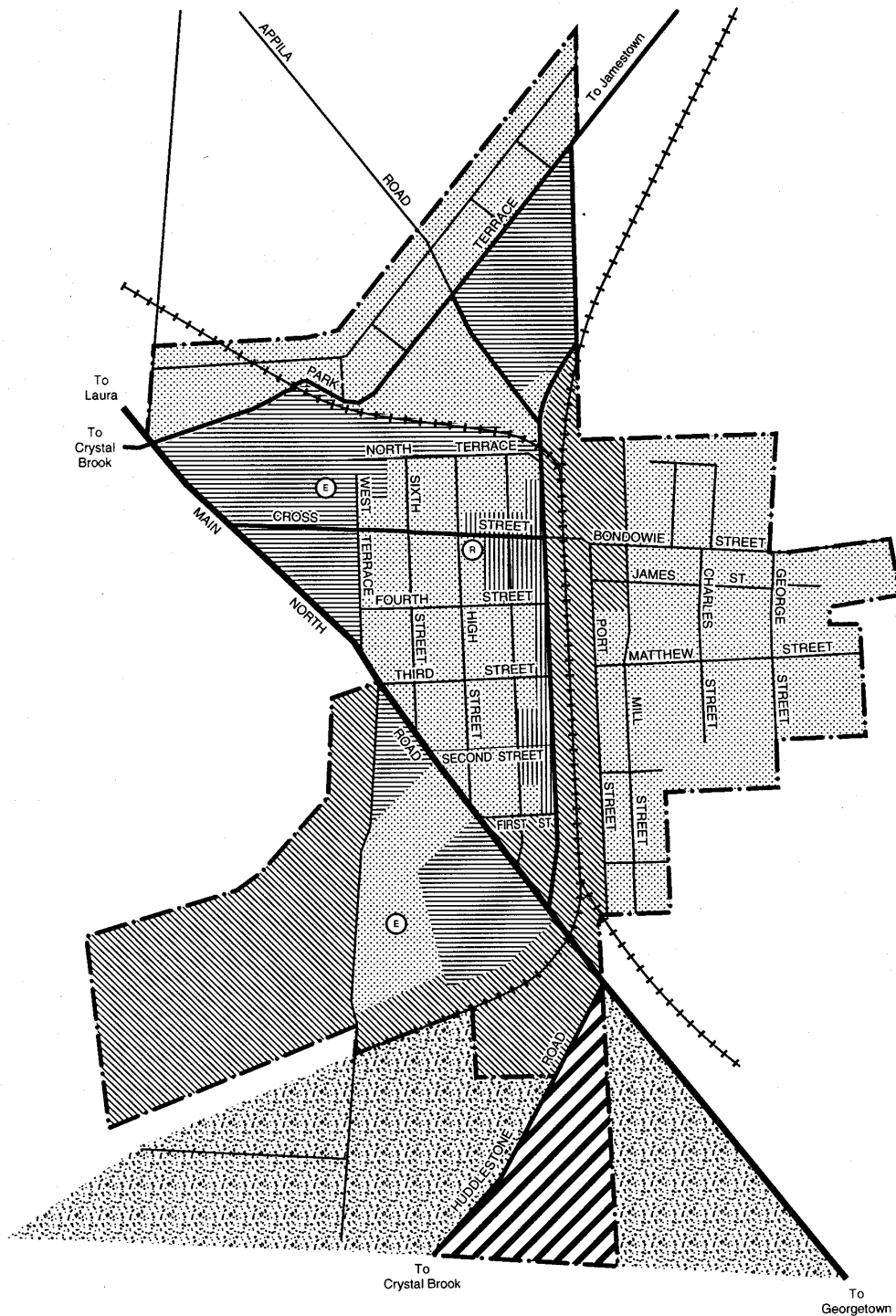















- Townships
- Ⓜ Mineral Resources/Tenements
- Open Space
- Rural
- - - - - Creek Alignment
- + + + + + Railway
- Major Local Road
- Secondary Arterial Road
- Primary Arterial Road
- · - · - · - Development Plan Boundary

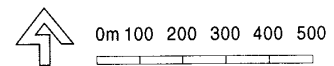


**NORTHERN AREAS COUNCIL
STRUCTURE PLAN
MAP NtA/1 (Overlay 1)**

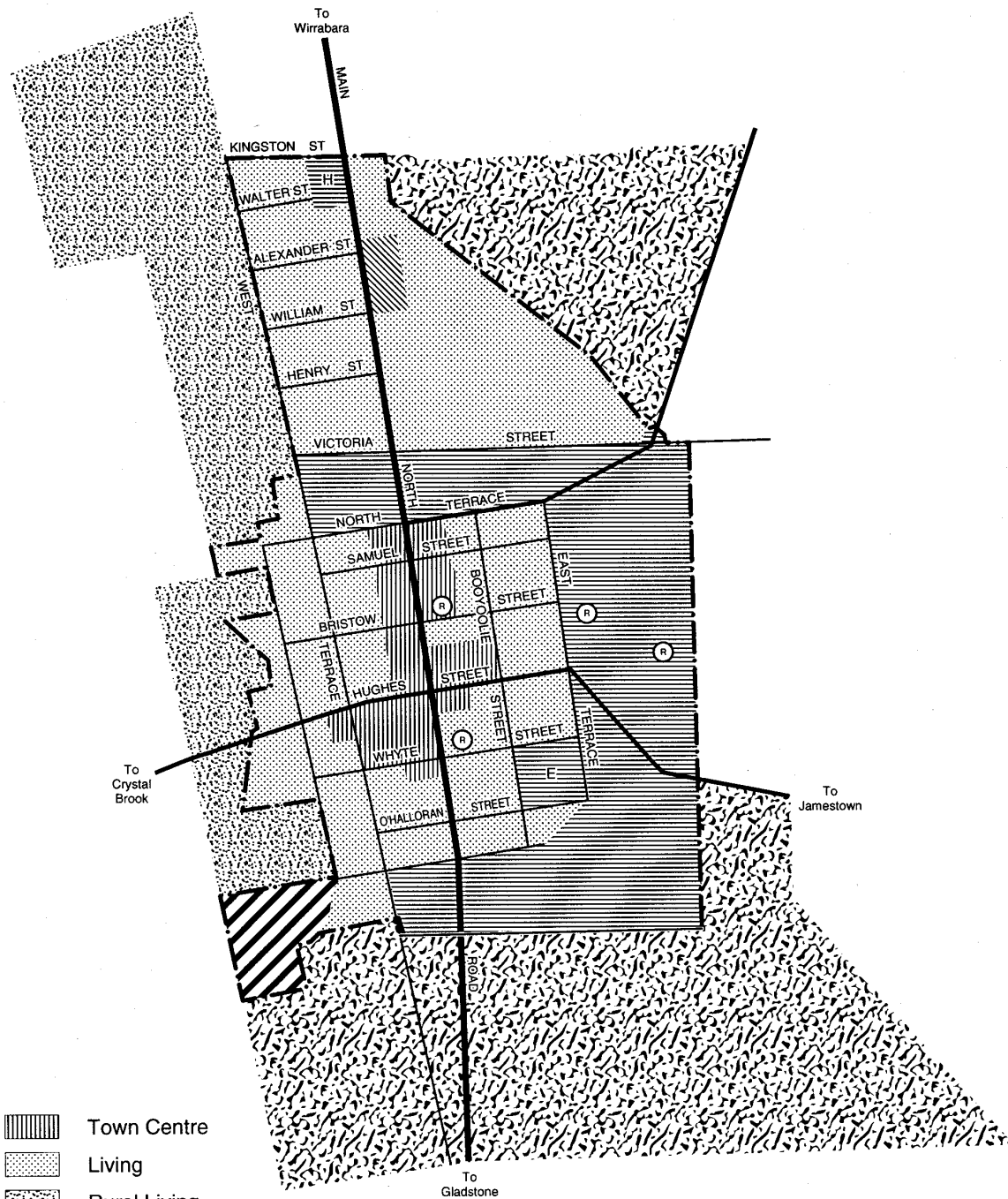


















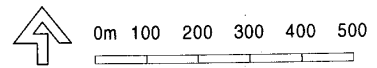
- | | | | |
|---|---------------------------|---|-------------------------|
|  | Town Centre |  | Primary Arterial Road |
|  | Living |  | Secondary Arterial Road |
|  | Rural Fringe |  | Major Local Road |
|  | Commercial | | |
|  | Industrial/Commercial | | |
|  | Public Purpose | | |
|  | Education | | |
|  | Recreation | | |
|  | Railway | | |
|  | Development Plan Boundary | | |



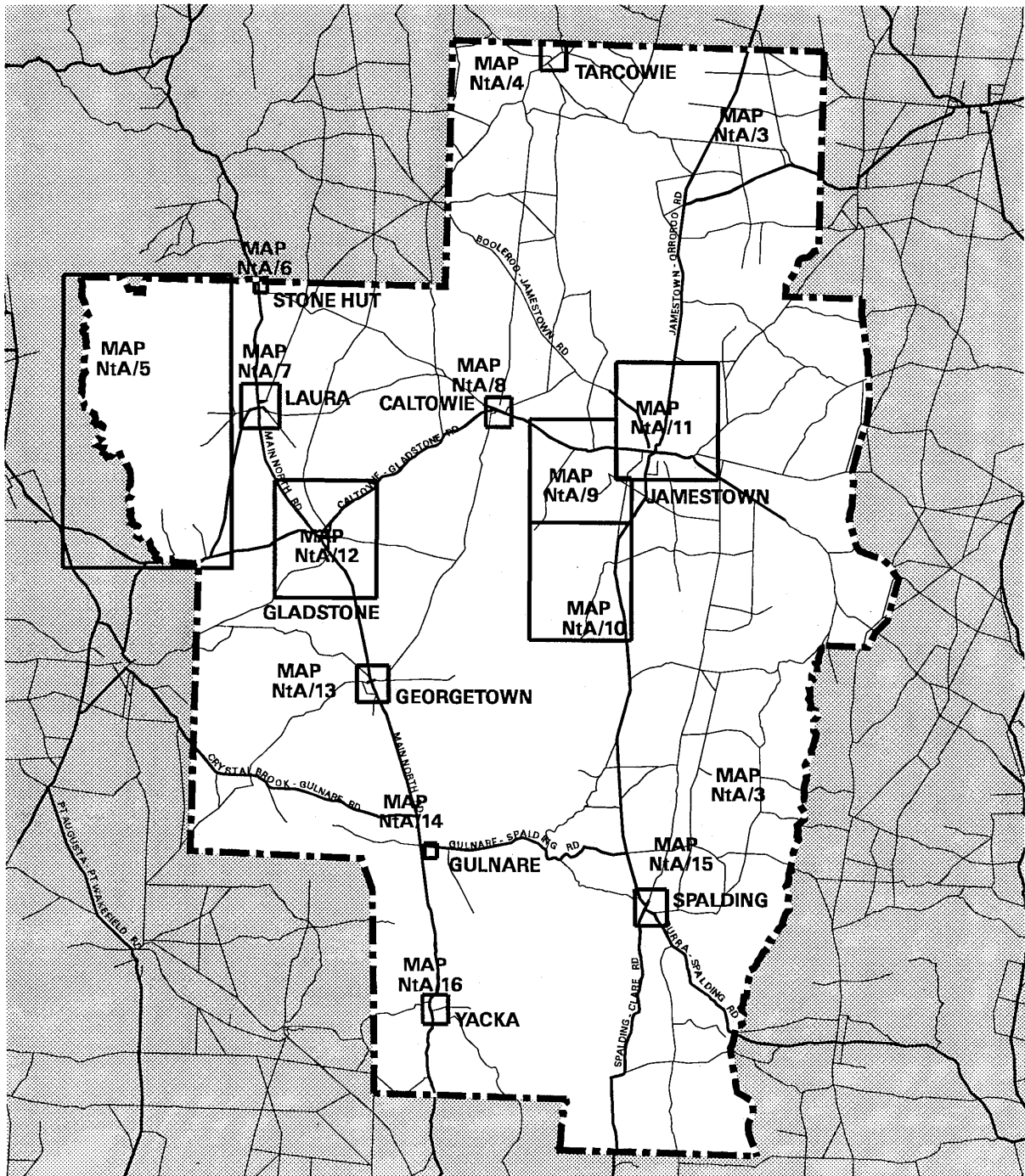
**NORTHERN AREAS COUNCIL
GLADSTONE
SRSTRUCTURE PLAN
MAP NtA/1 (Overlay 1)
ENLARGEMENT B**



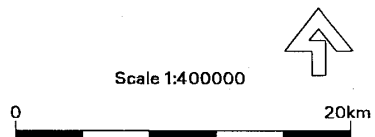
-  Town Centre
-  Living
-  Rural Living
-  Rural Fringe
-  Commercial
-  Industrial/Commercial
-  Public Purpose
-  Hospital
-  Education
-  Recreation
-  Township Boundary
-  Primary Arterial Road
-  Secondary Arterial Road
-  Major Local Road



**NORTHERN AREAS COUNCIL
LAURA
STRUCTURE PLAN
MAP NtA/1 (Overlay 1)
ENLARGEMENT C**



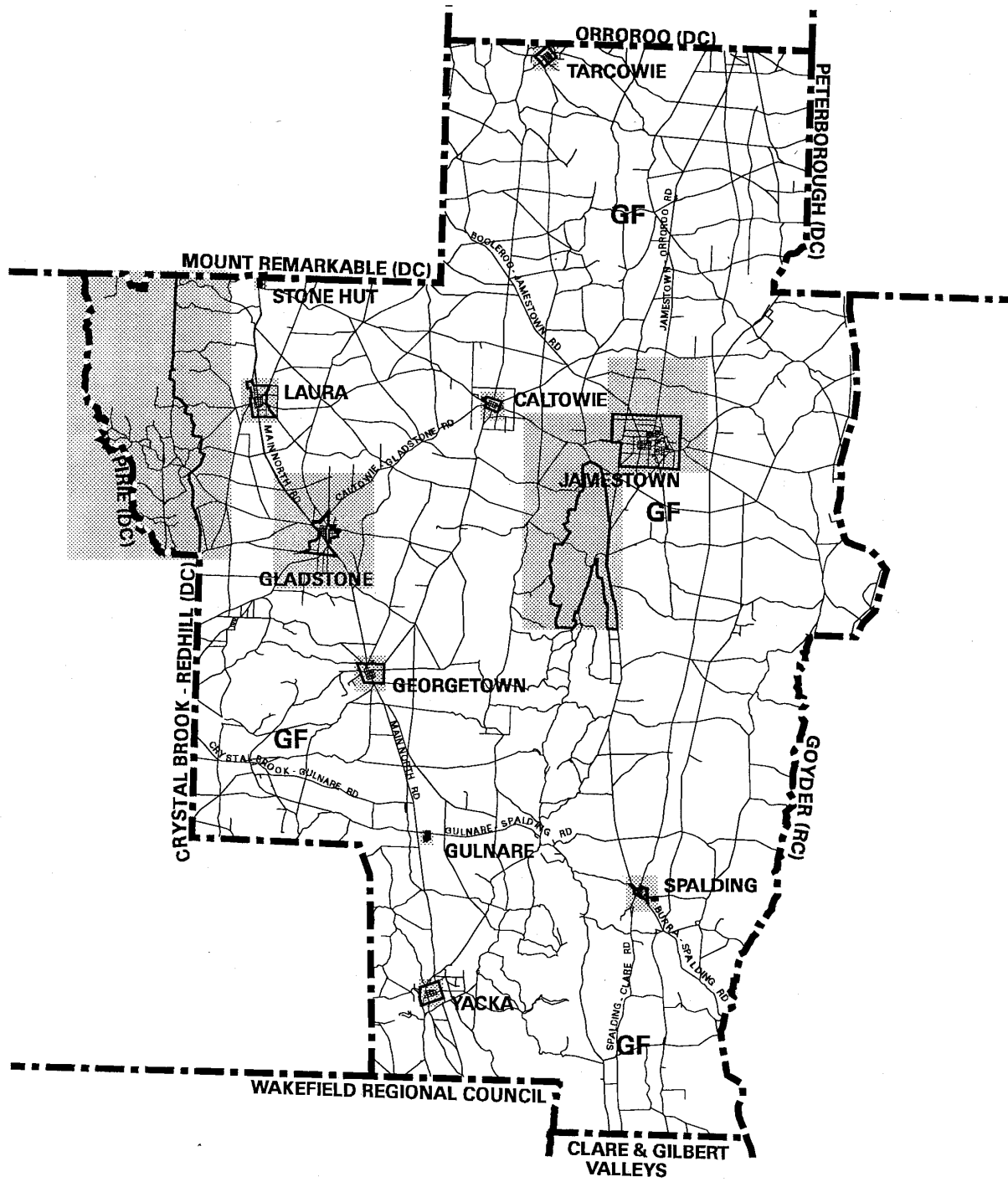
For the purposes of the Development Plan unless otherwise clearly indicated, the zone/policy area boundaries depicted on or intended to be fixed by Maps NtA/3 to NtA/26 inclusive shall be read as conforming in all respects (as the case may require) to the land division boundaries, to the centre line of roads or drain reserves or to the title boundaries, or to imaginary straight lines joining the positions defined by survey or by the measurements shown on the said maps against which the said zone/policy area boundaries are shown or otherwise as indicated.



NORTHERN AREAS COUNCIL

INDEX MAP NtA/2

--- Development Plan Boundary



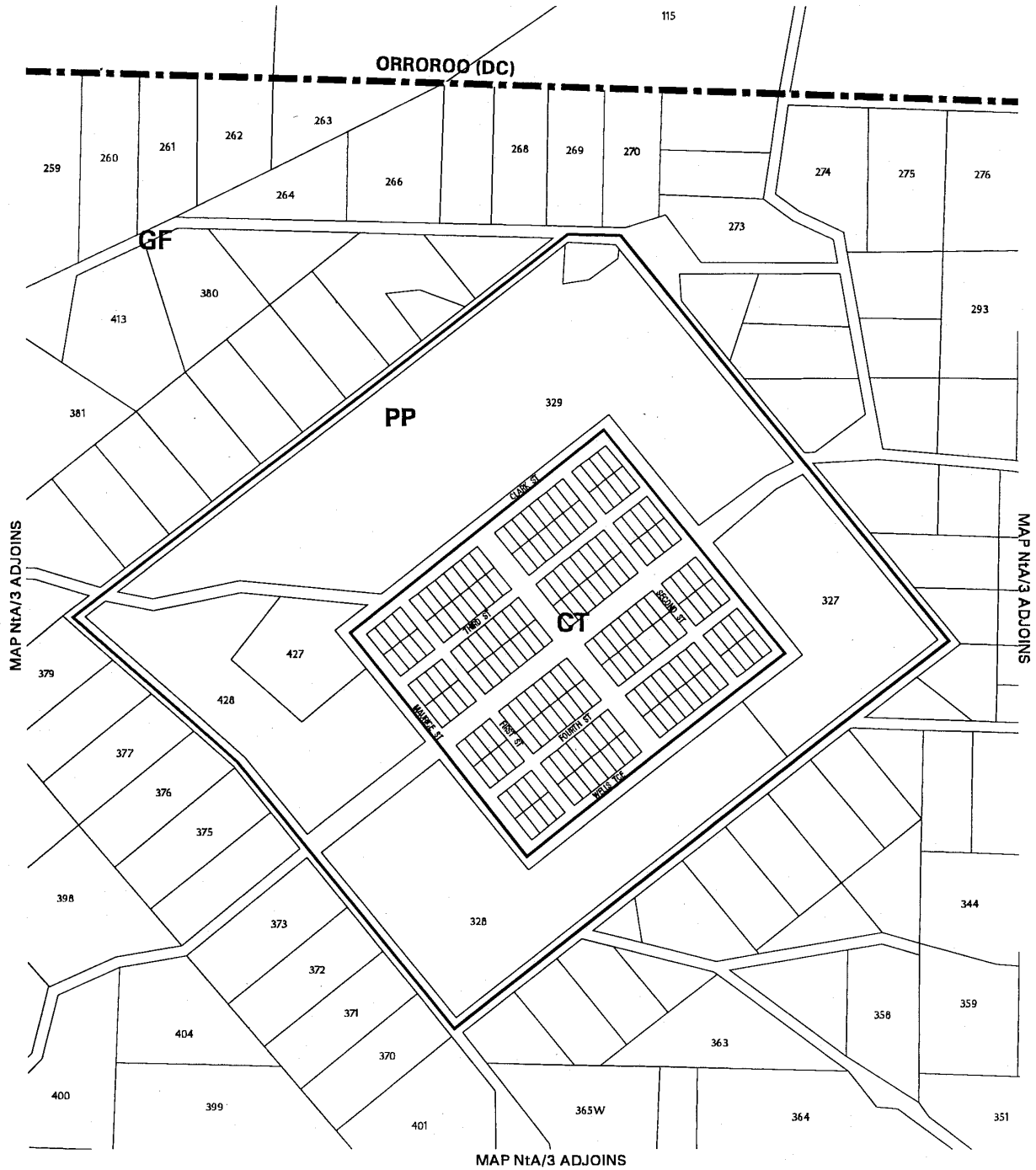
GF General Farming

Scale 1:400000



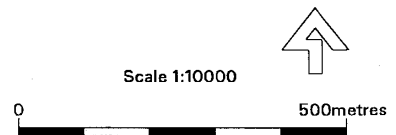
**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/3**

— Zone Boundary
- - - Development Plan Boundary



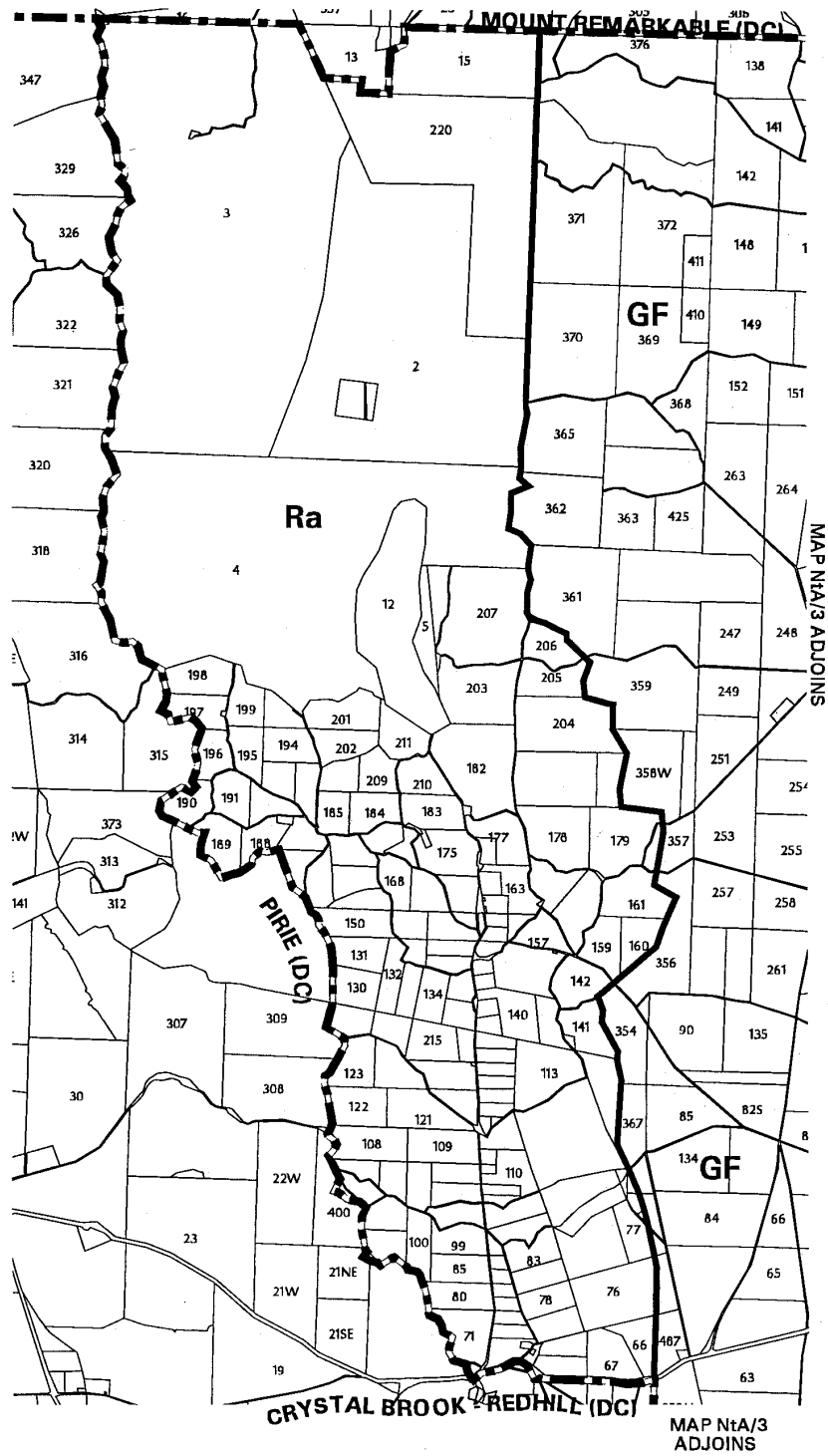
TARROWIE
 CT Country Township
 GF General Farming
 PP Public Purpose

Scale 1:10000



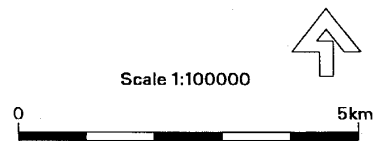
**NORTHERN AREAS COUNCIL
 ZONES
 MAP NtA/4**

— Zone Boundary
 - - - - - Development Plan Boundary

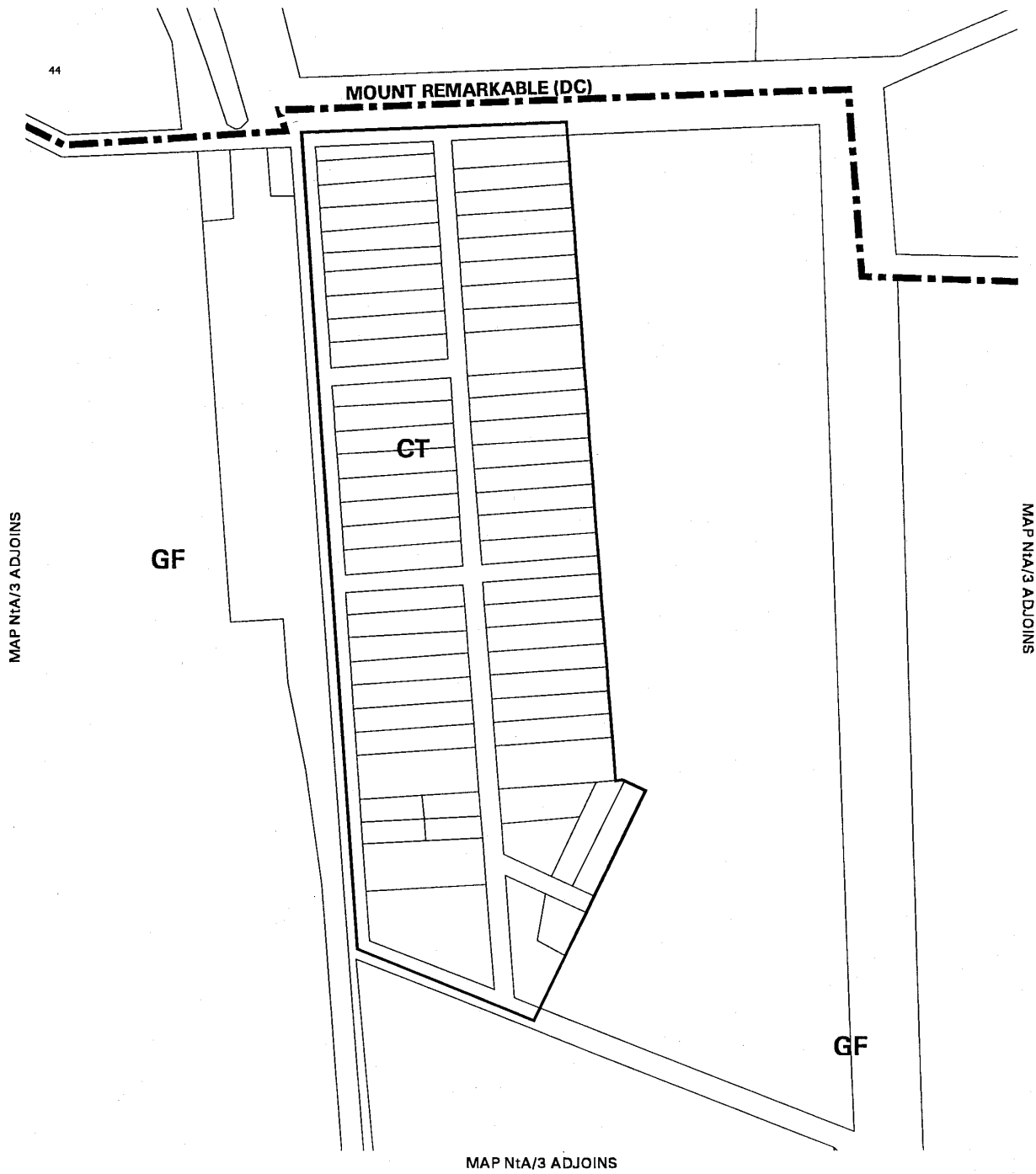


GF
Ra
General Farming
Ranges

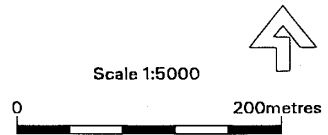
— Zone Boundary
- - - Development Plan Boundary



NORTHERN AREAS COUNCIL ZONES MAP NtA/5



STONE HUT
 CT Country Township
 GF General Farming



— Zone Boundary
 - - - - - Development Plan Boundary

**NORTHERN AREAS COUNCIL
 ZONES
 MAP NtA/6**



LAURA

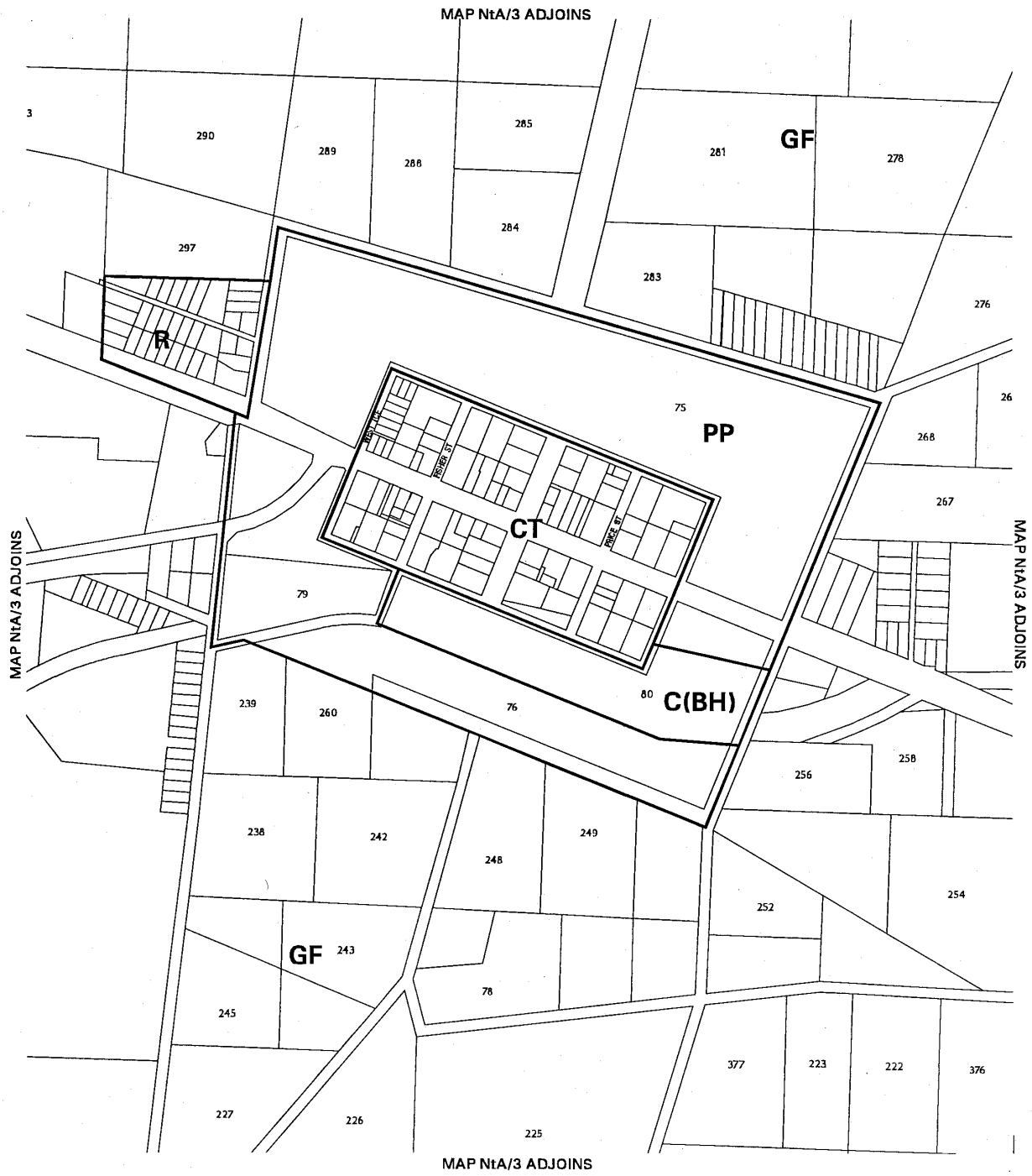
- C Commercial
- GF General Farming
- In/C Industrial/Commercial
- PP Public Purpose
- R Residential
- RuF Rural Fringe
- RuL Rural Living
- TCe Town Centre

- Zone Boundary
- - - - - Development Plan Boundary

Scale 1:15000



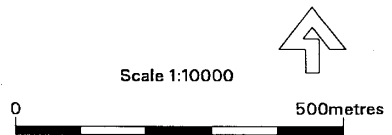
**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/7**



CALTOWIE

- C(BH)** Commercial Bulk Handling
- CT** Country Township
- GF** General Farming
- PP** Public Purpose
- R** Residential

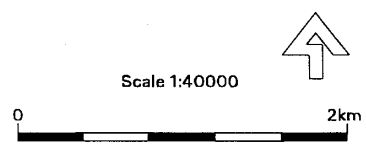
- Zone Boundary
- Development Plan Boundary



**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/8**

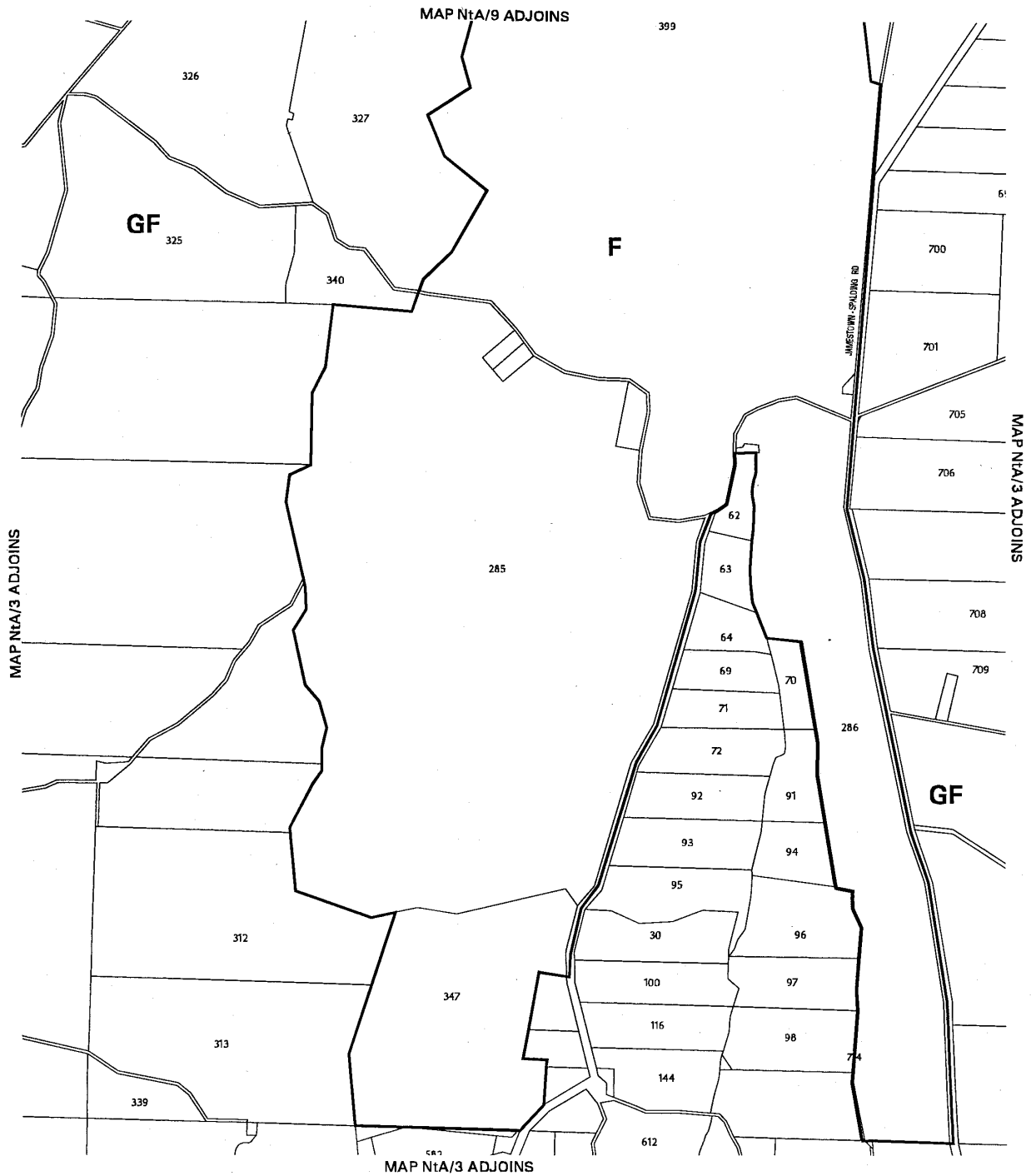


F Forestry
 GF General Farming



— Zone Boundary
 - - - - - Development Plan Boundary

**NORTHERN AREAS COUNCIL
 ZONES
 MAP NtA/9**



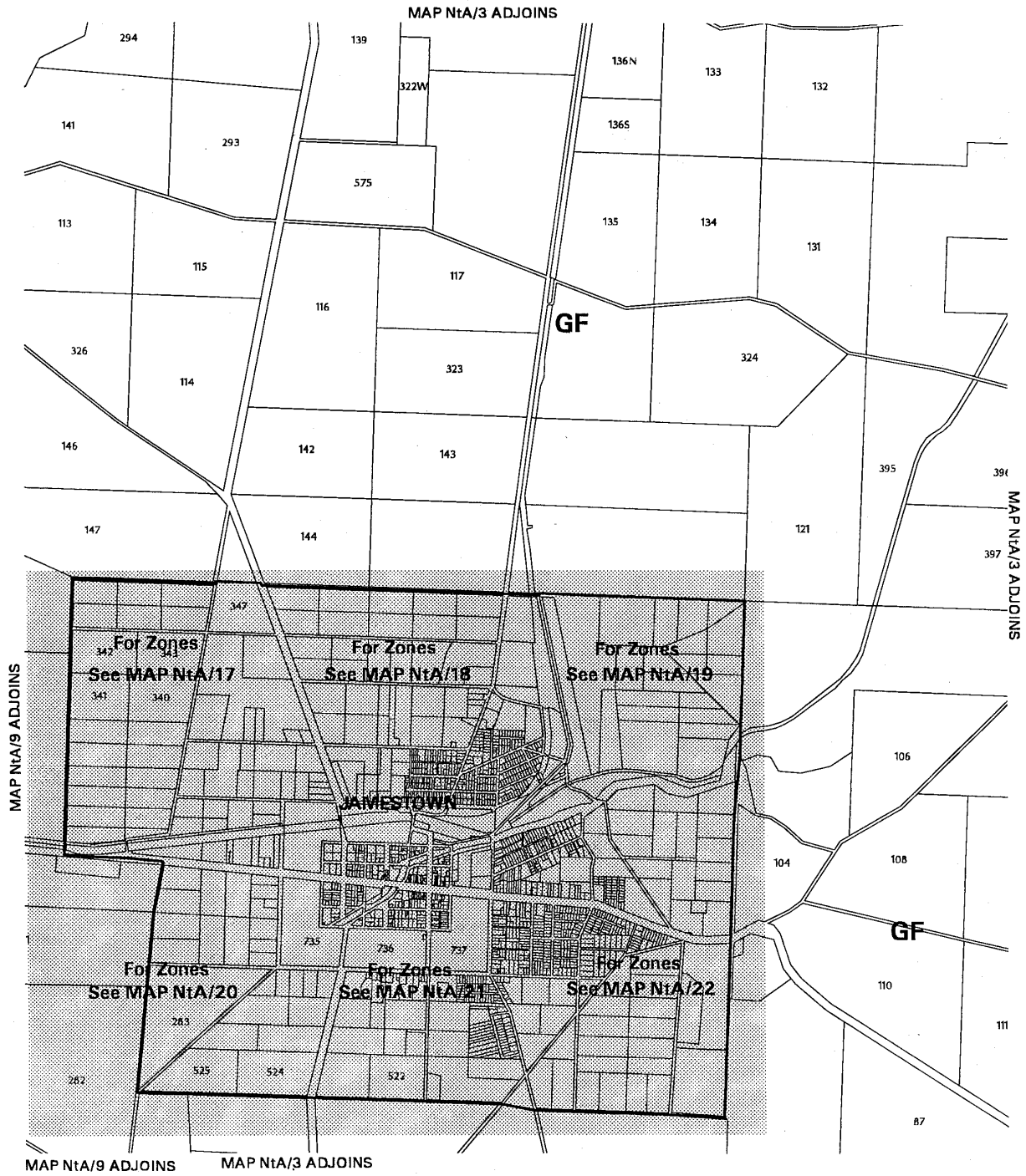
F Forestry
 GF General Farming

Scale 1:40000

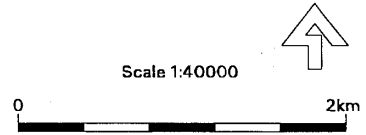


**NORTHERN AREAS COUNCIL
 ZONES
 MAP NtA/10**

— Zone Boundary
 - - - - - Development Plan Boundary

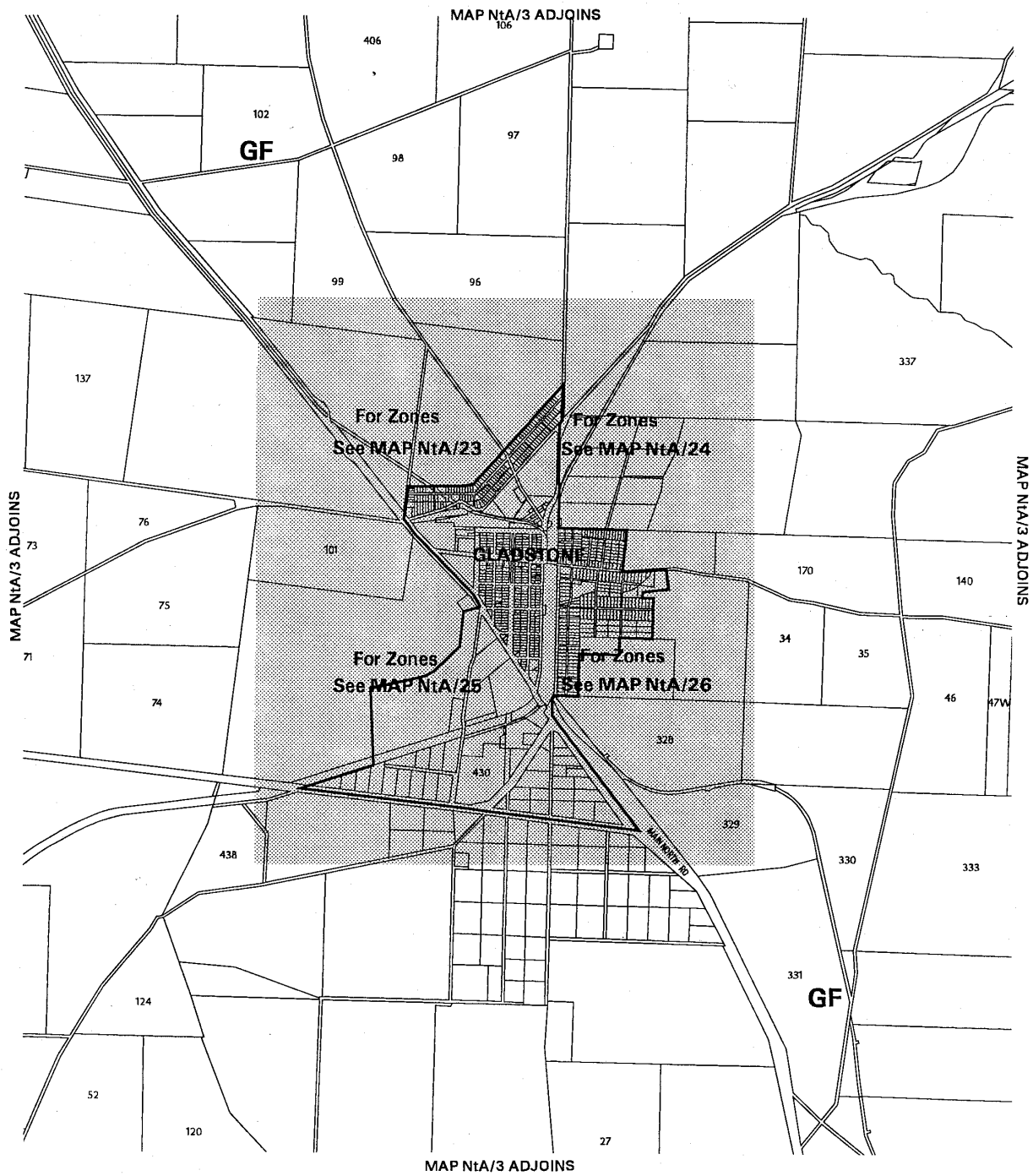


GF General Farming

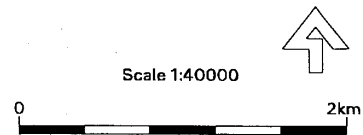


**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/11**

— Zone Boundary
 - - - - - Development Plan Boundary

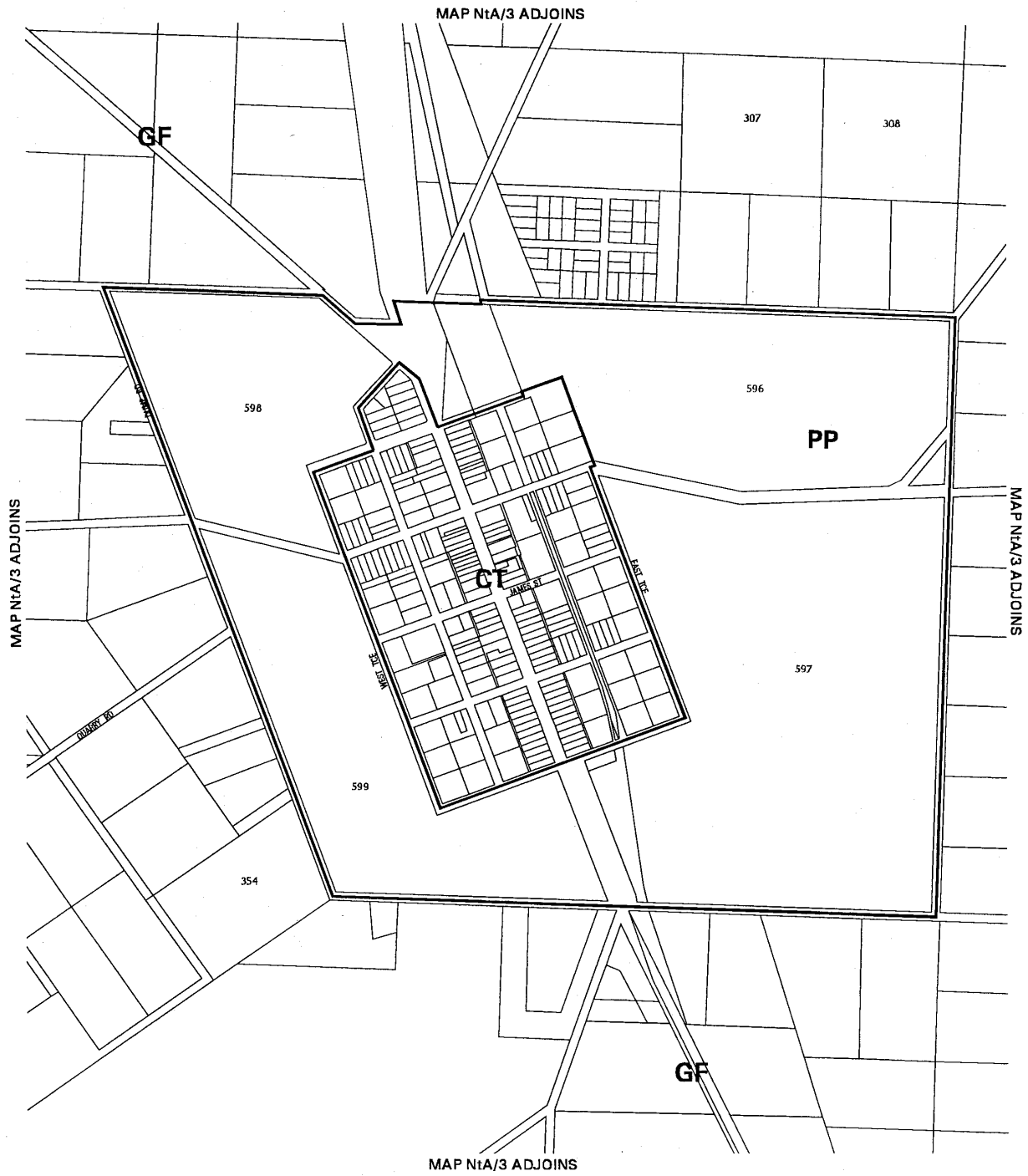


GF General Farming

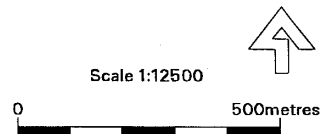


—— Zone Boundary
- - - - Development Plan Boundary

**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/12**

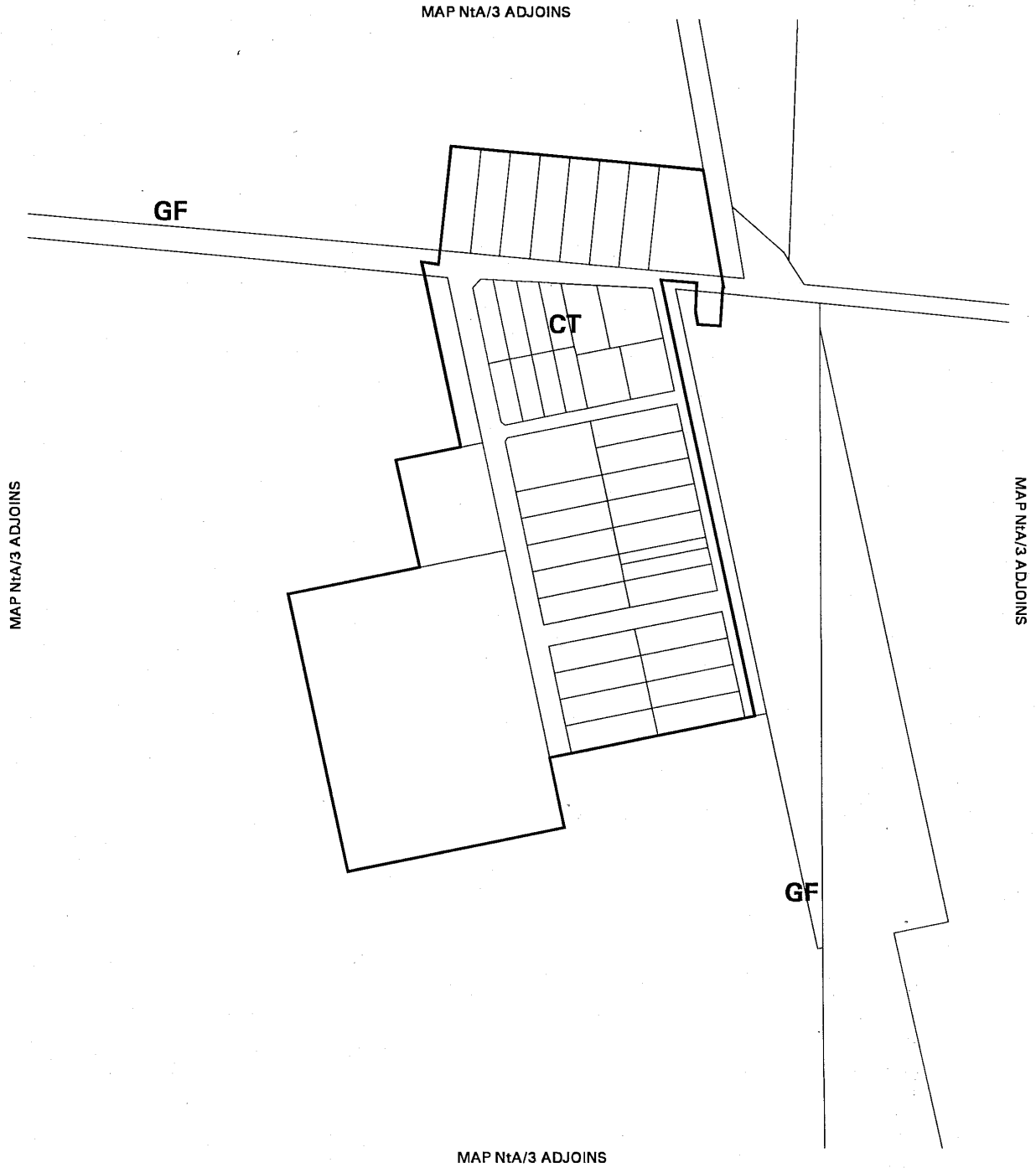


GEORGETOWN
 CT Country Township
 GF General Farming
 PP Public Purpose

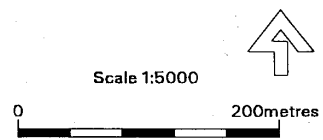


— Zone Boundary
 - - - - - Development Plan Boundary

**NORTHERN AREAS COUNCIL
 ZONES
 MAP NtA/13**

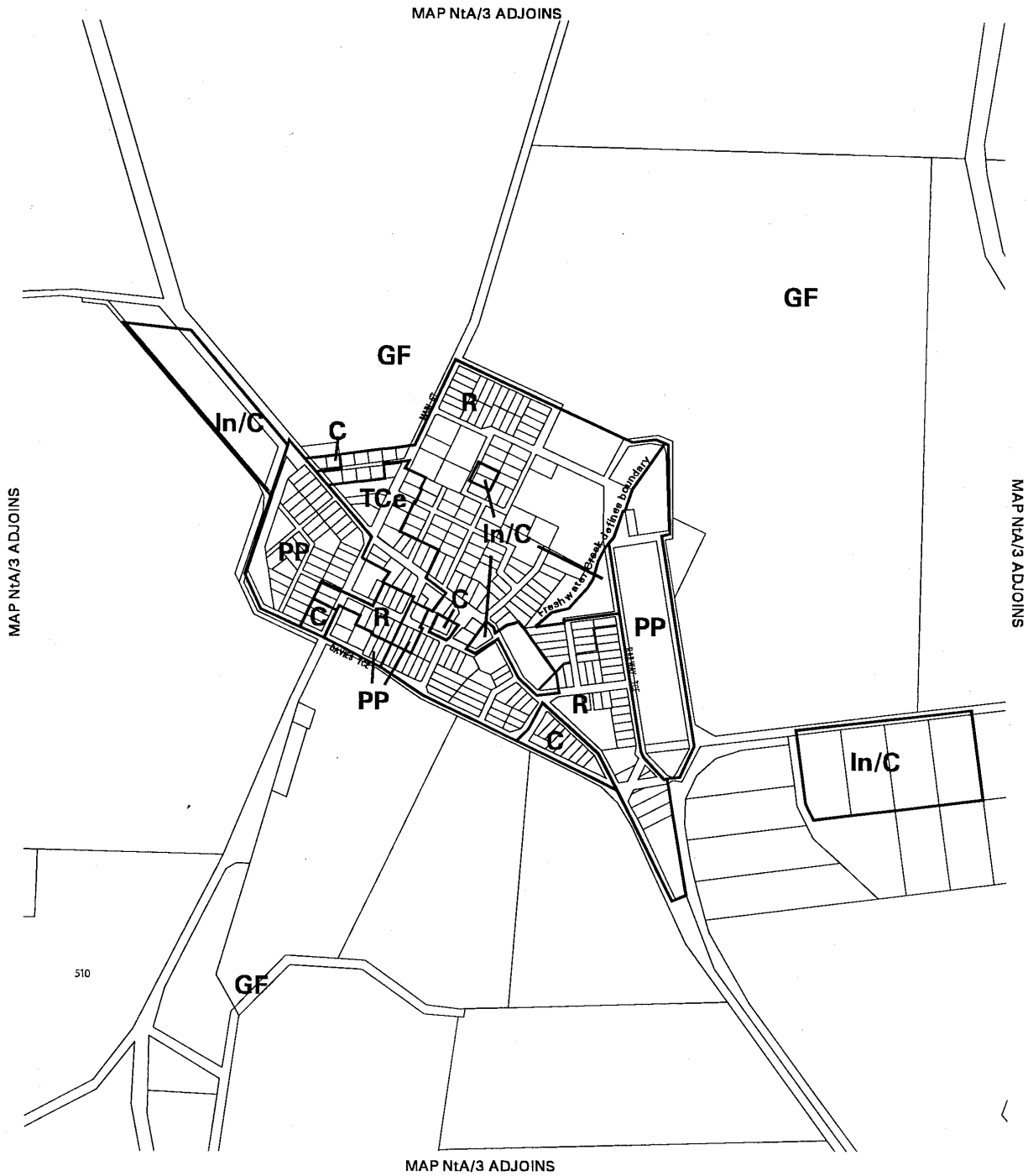


GULNARE
CT Country Township
GF General Farming



— Zone Boundary
- - - - - Development Plan Boundary

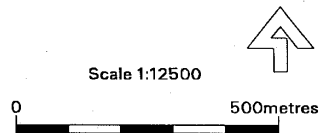
**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/14**



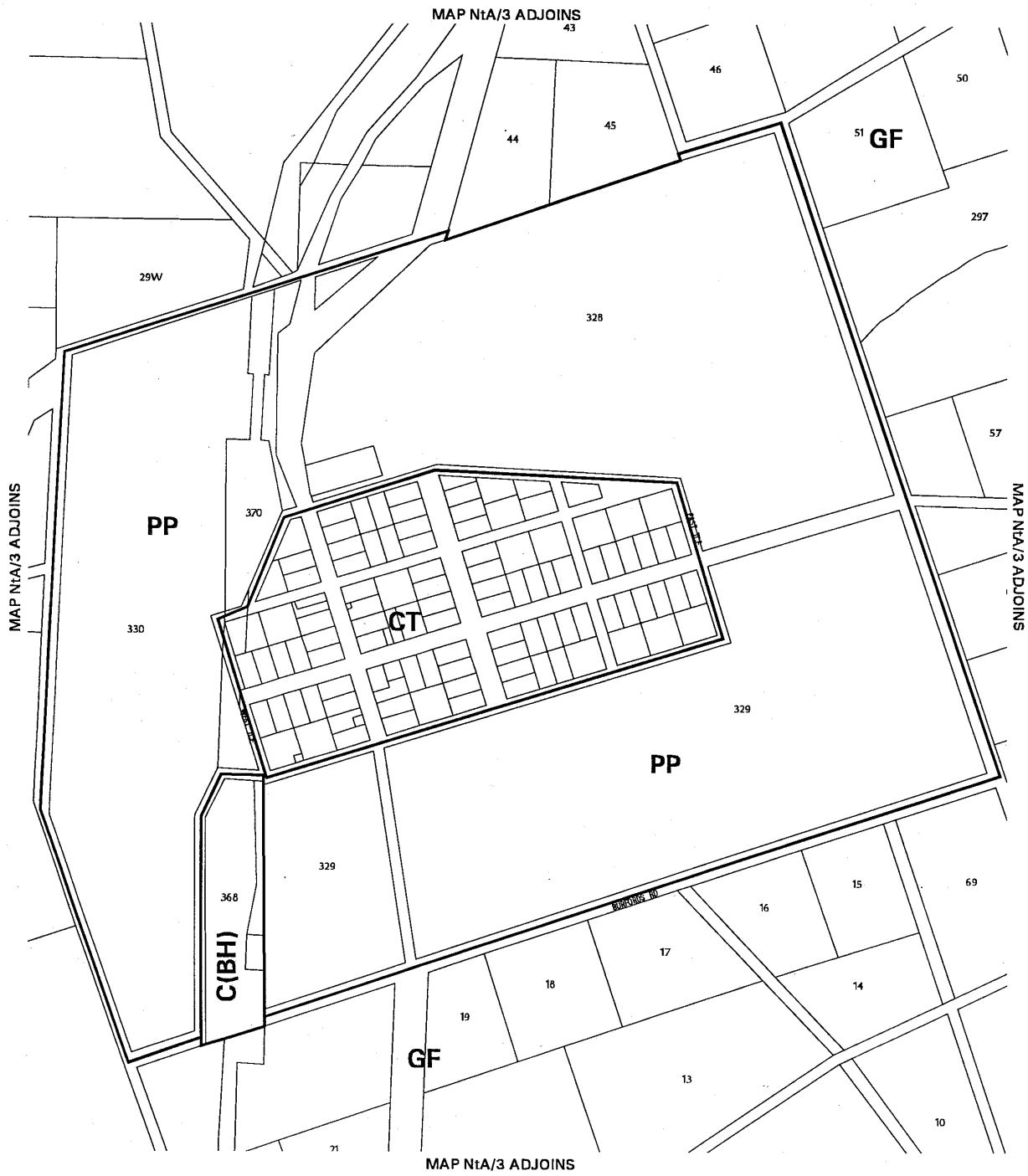
SPALDING

- C Commercial
- GF General Farming
- In/C Industrial/Commercial
- PP Public Purpose
- R Residential
- TCe Town Centre

- Zone Boundary
- - - - - Development Plan Boundary



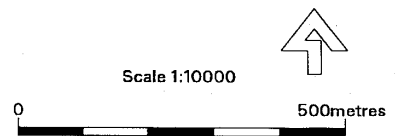
**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/15**



YACKA

- C(BH) Commercial Bulk Handling
- CT Country Township
- GF General Farming
- PP Public Purpose

-  Zone Boundary
-  Development Plan Boundary



**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/16**



JAMESTOWN

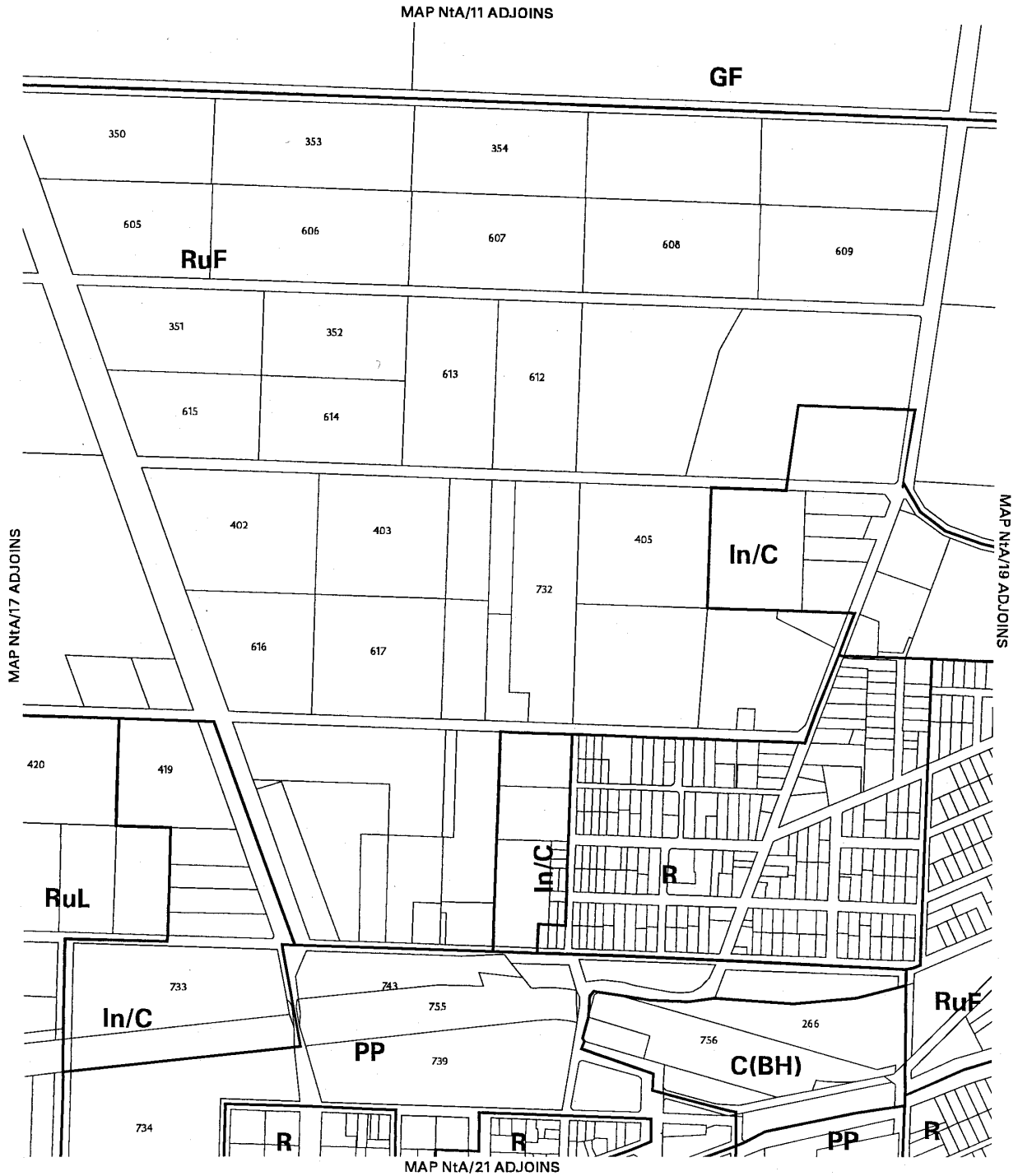
- GF General Farming
- RuF Rural Fringe
- RuL Rural Living

Scale 1:10000



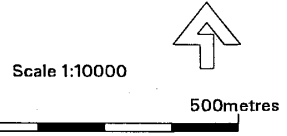
**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/17**

- Zone Boundary
- Development Plan Boundary



JAMESTOWN

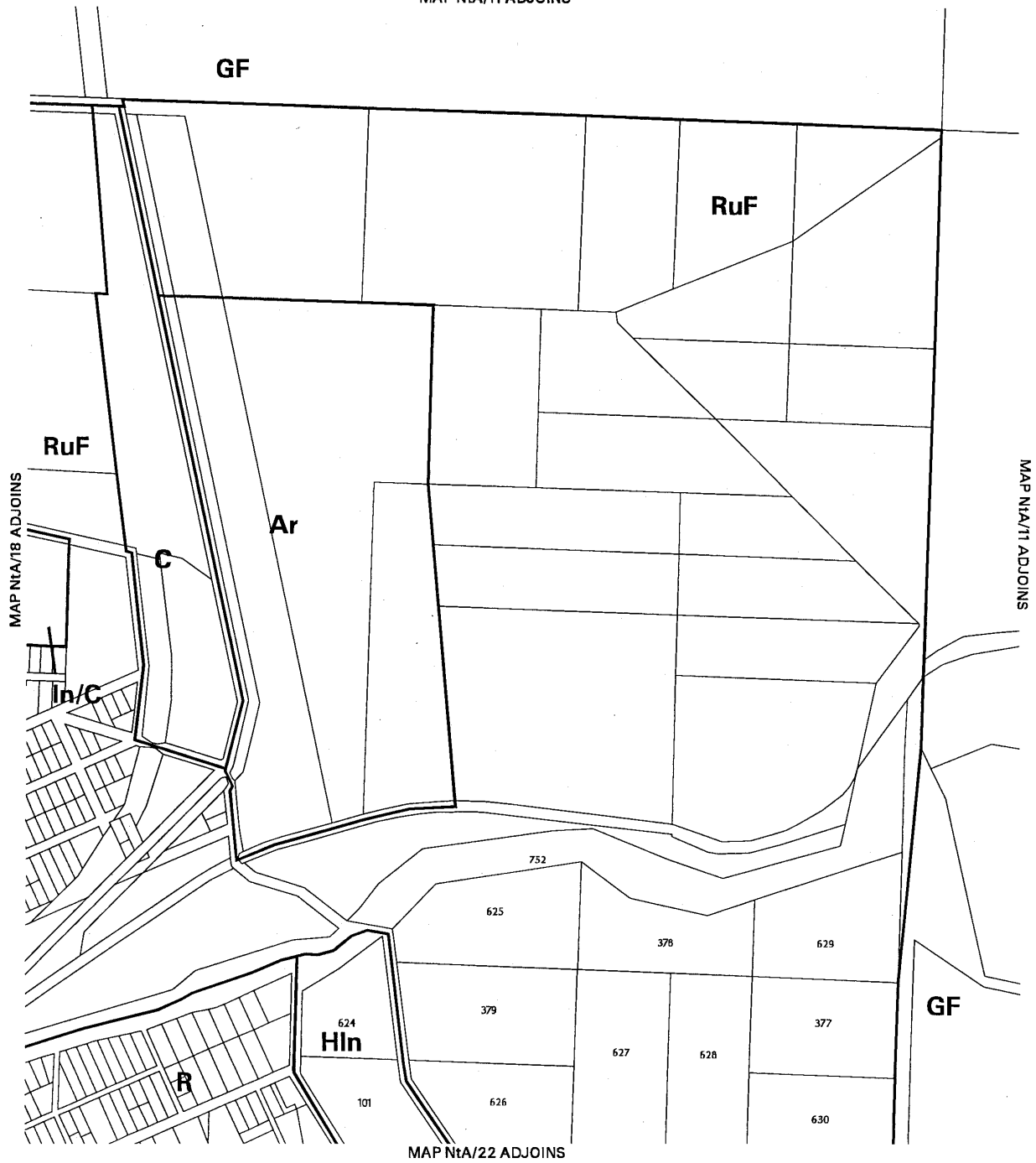
- C(BH)** Commercial Bulk Handling
- GF** General Farming
- In/C** Industrial/Commercial
- PP** Public Purpose
- R** Residential
- RuF** Rural Fringe
- RuL** Rural Living
- TCe** Town Centre



- Zone Boundary
- - - -** Development Plan Boundary

**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/18**

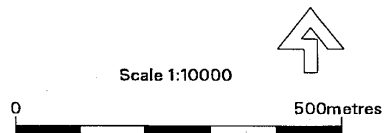
MAP NtA/11 ADJOINS



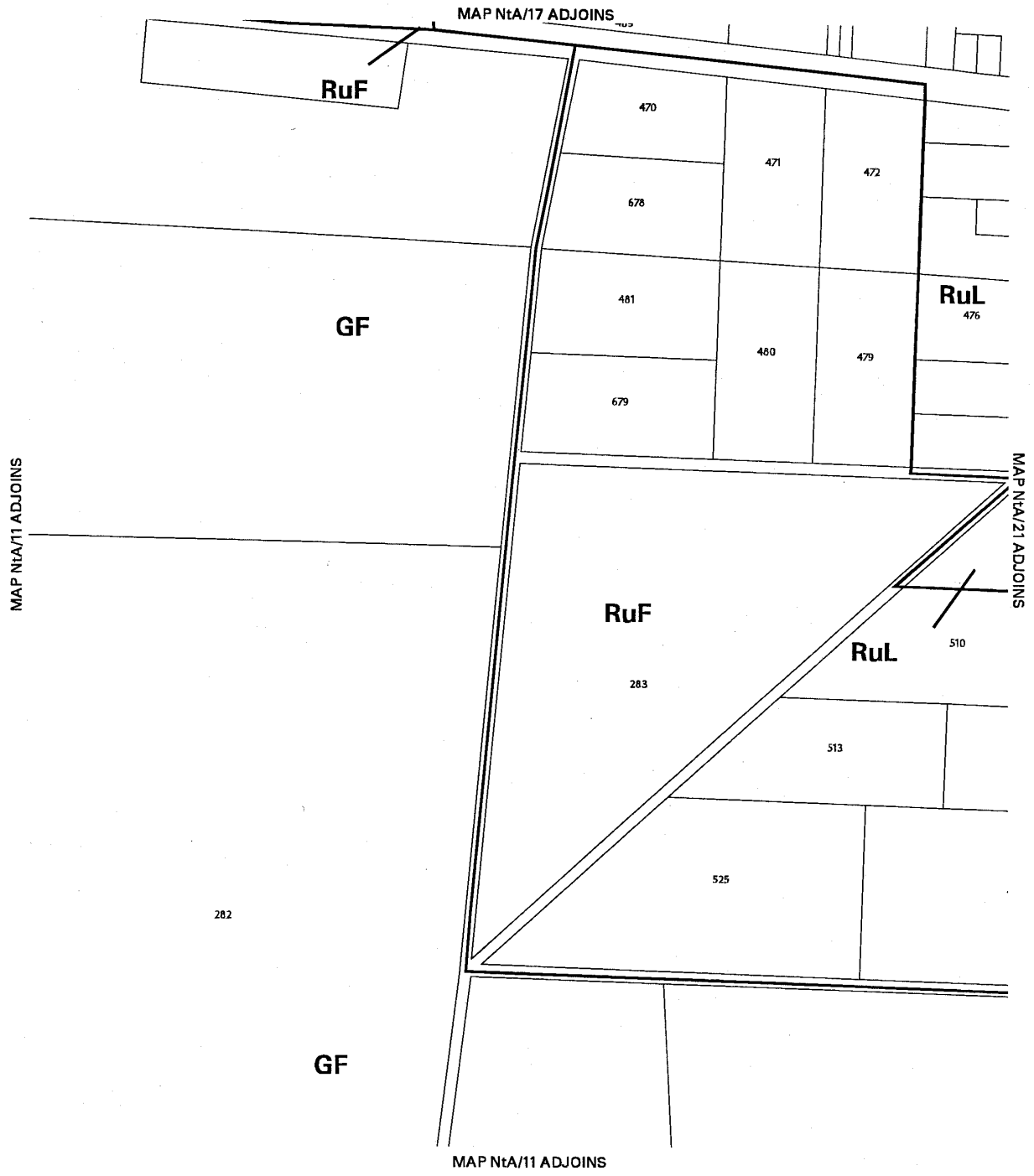
JAMESTOWN

- Ar Aerodrome
- C Commercial
- GF General Farming
- HIn Home Industry
- In/C Industrial/Commercial
- R Residential
- RuF Rural Fringe

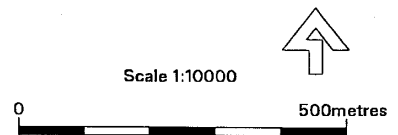
- Zone Boundary
- - - - - Development Plan Boundary



**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/19**

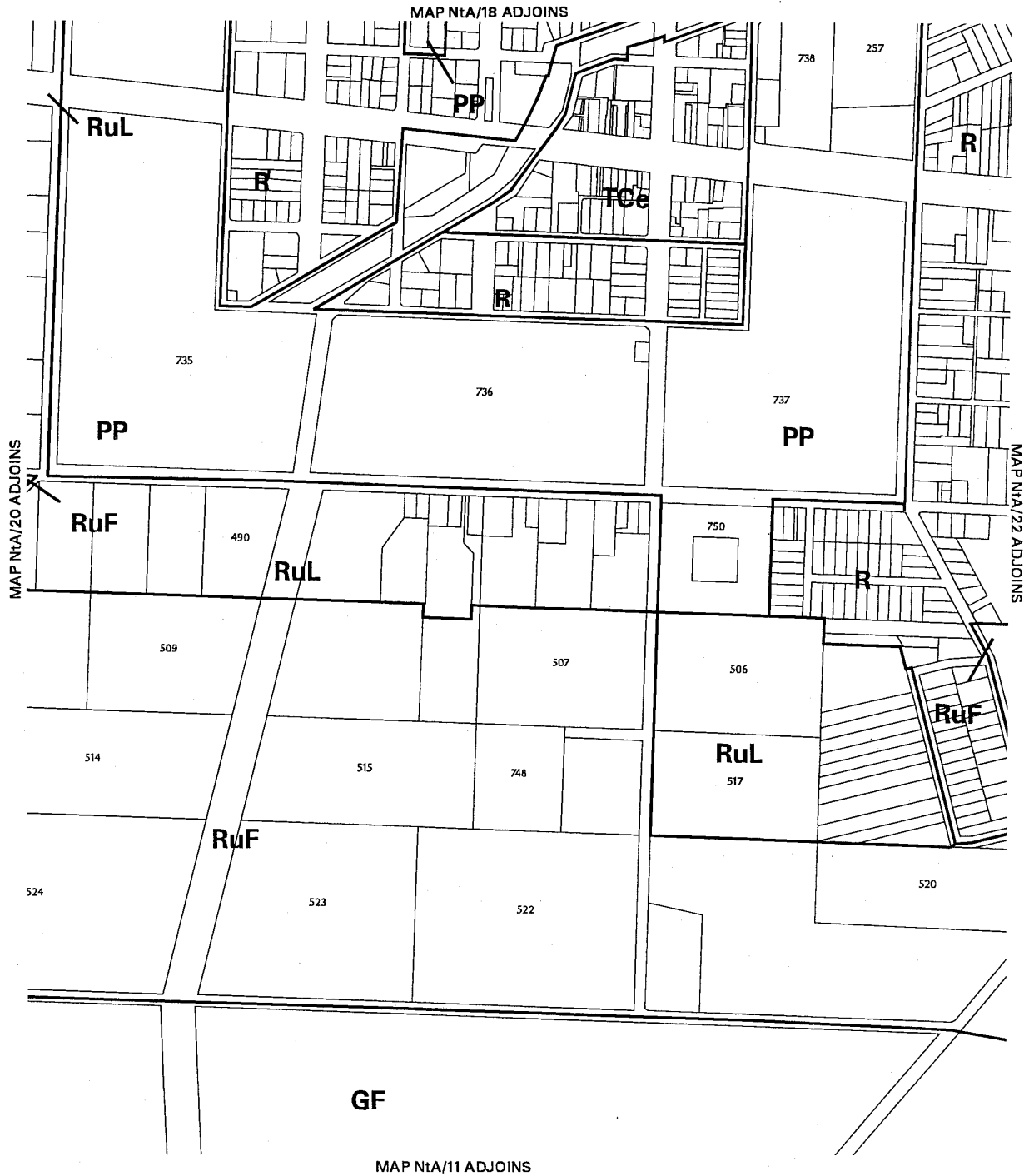


JAMESTOWN
 GF General Farming
 RuF Rural Fringe
 RuL Rural Living



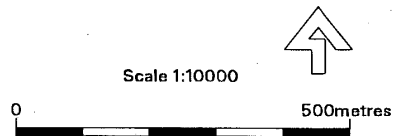
— Zone Boundary
 - - - - - Development Plan Boundary

**NORTHERN AREAS COUNCIL
 ZONES
 MAP NtA/20**



JAMESTOWN

GF	General Farming
PP	Public Purpose
R	Residential
RuF	Rural Fringe
RuL	Rural Living
TCe	Town Centre



— Zone Boundary
 - - - - - Development Plan Boundary

**NORTHERN AREAS COUNCIL
 ZONES
 MAP NtA/21**



JAMESTOWN

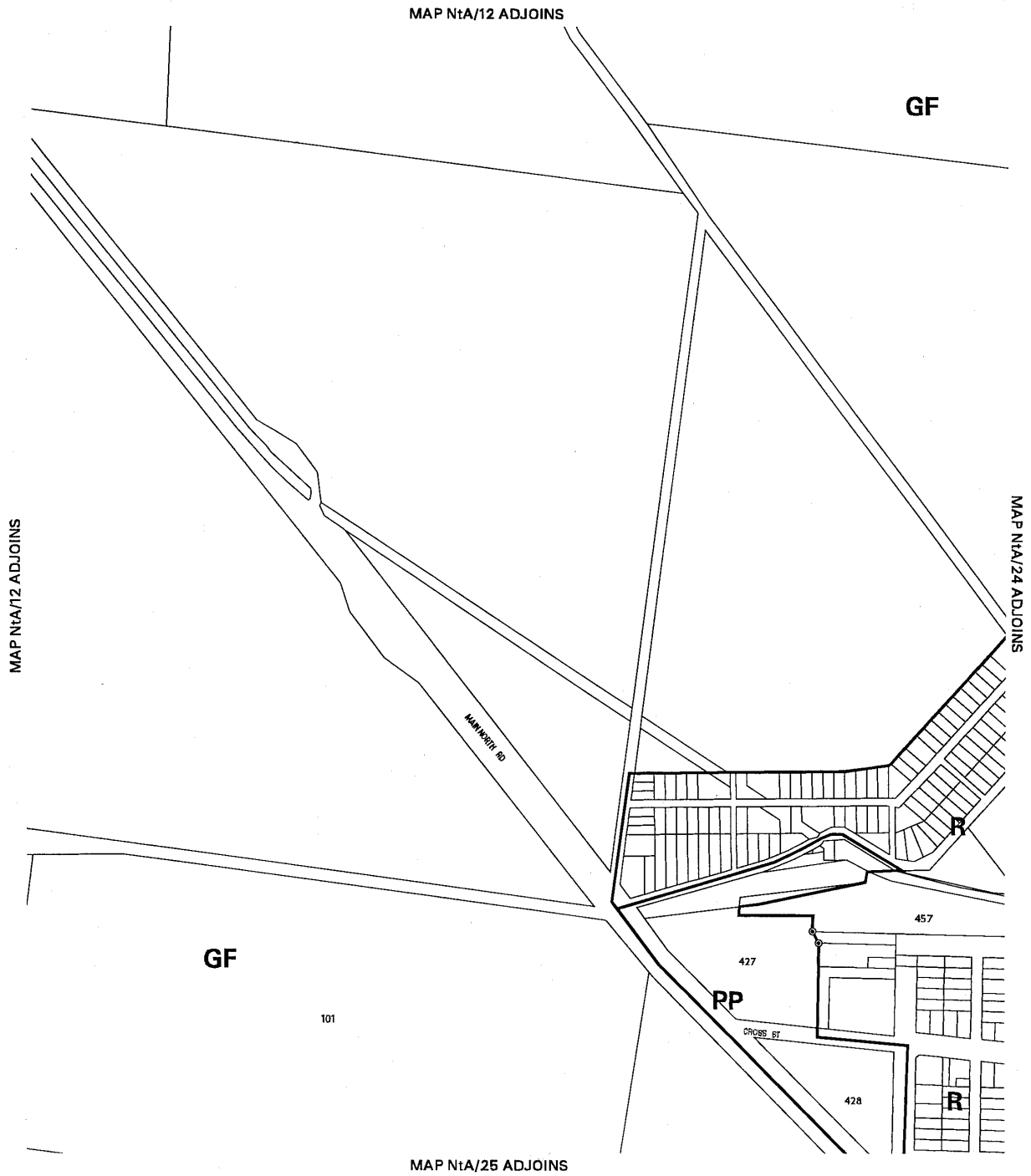
- GF General Farming
- HIn Home Industry
- In/C Industrial/Commercial
- PP Public Purpose
- R Residential
- RuF Rural Fringe

Scale 1:10000



- Zone Boundary
- Development Plan Boundary

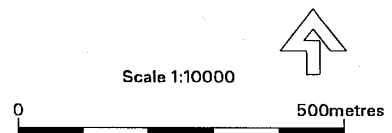
**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/22**



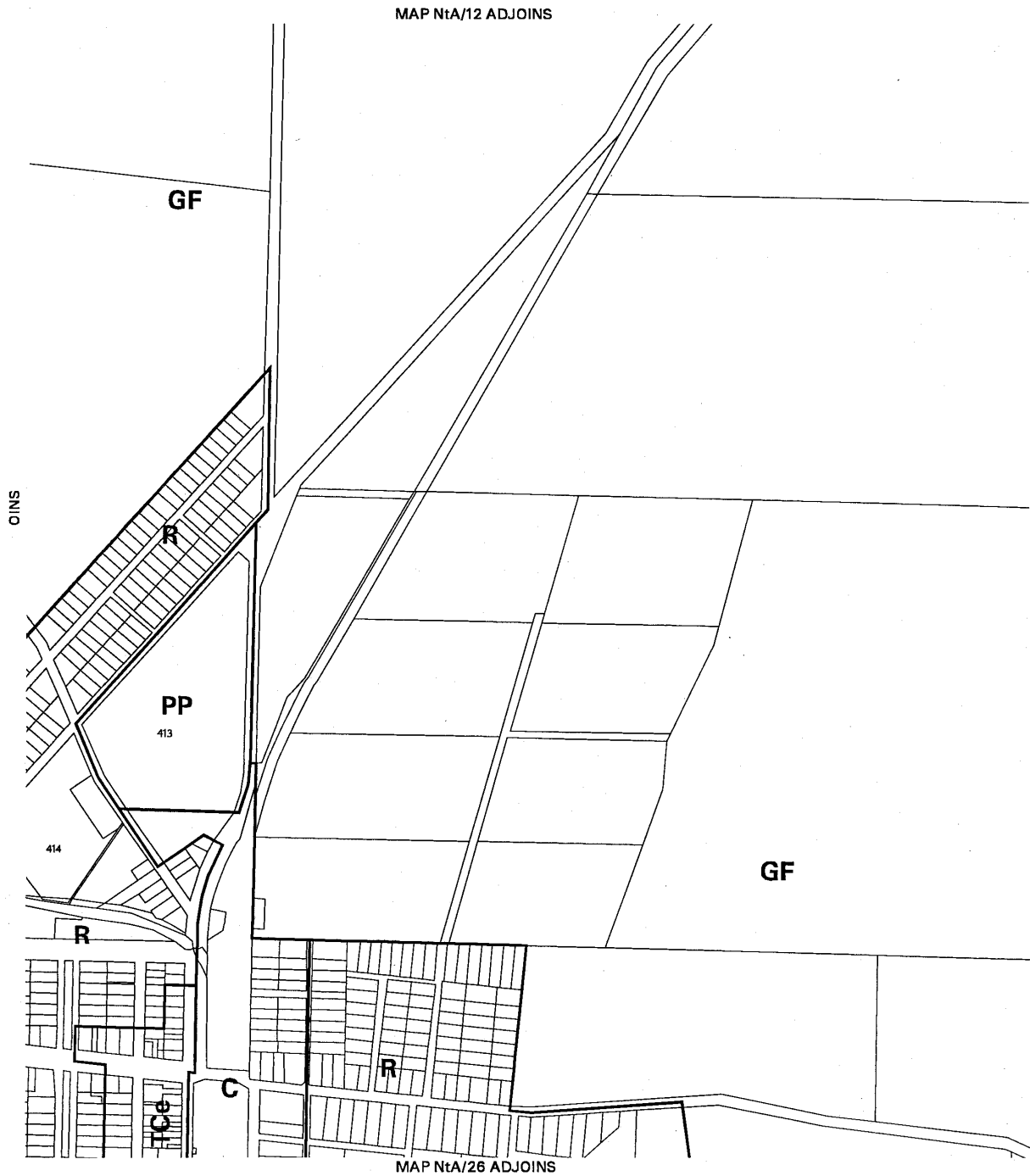
GLADSTONE

- GF General Farming
- PP Public Purpose
- R Residential

-  Zone Boundary
-  Development Plan Boundary



**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/23**



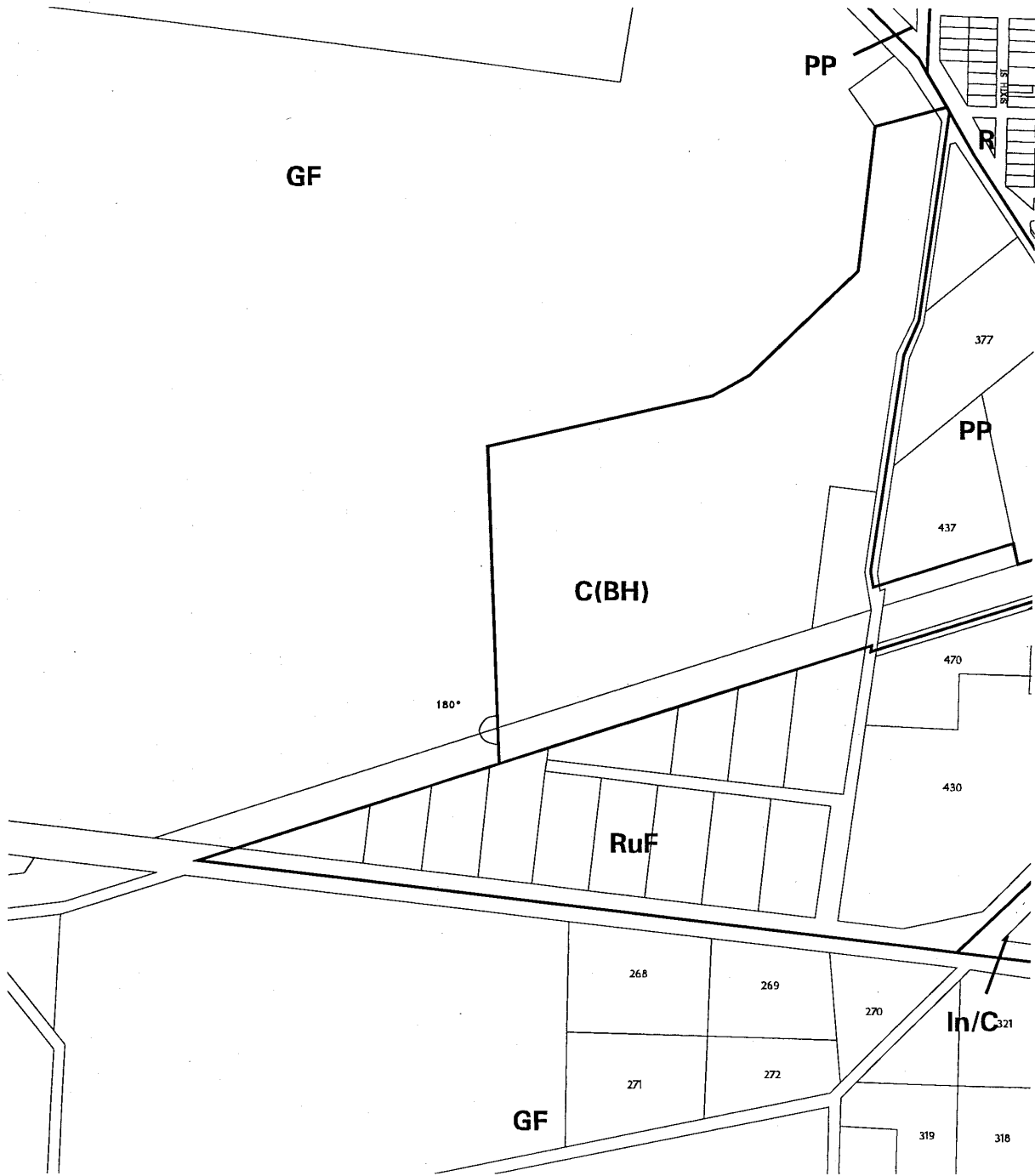
GLADSTONE
 C Commercial
 GF General Farming
 PP Public Purpose
 R Residential
 TCe Town Centre

Scale 1:10000

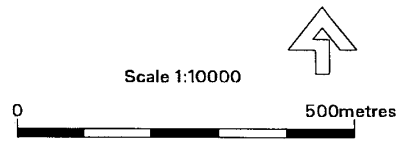


**NORTHERN AREAS COUNCIL
 ZONES
 MAP NtA/24**

— Zone Boundary
 - - - - - Development Plan Boundary

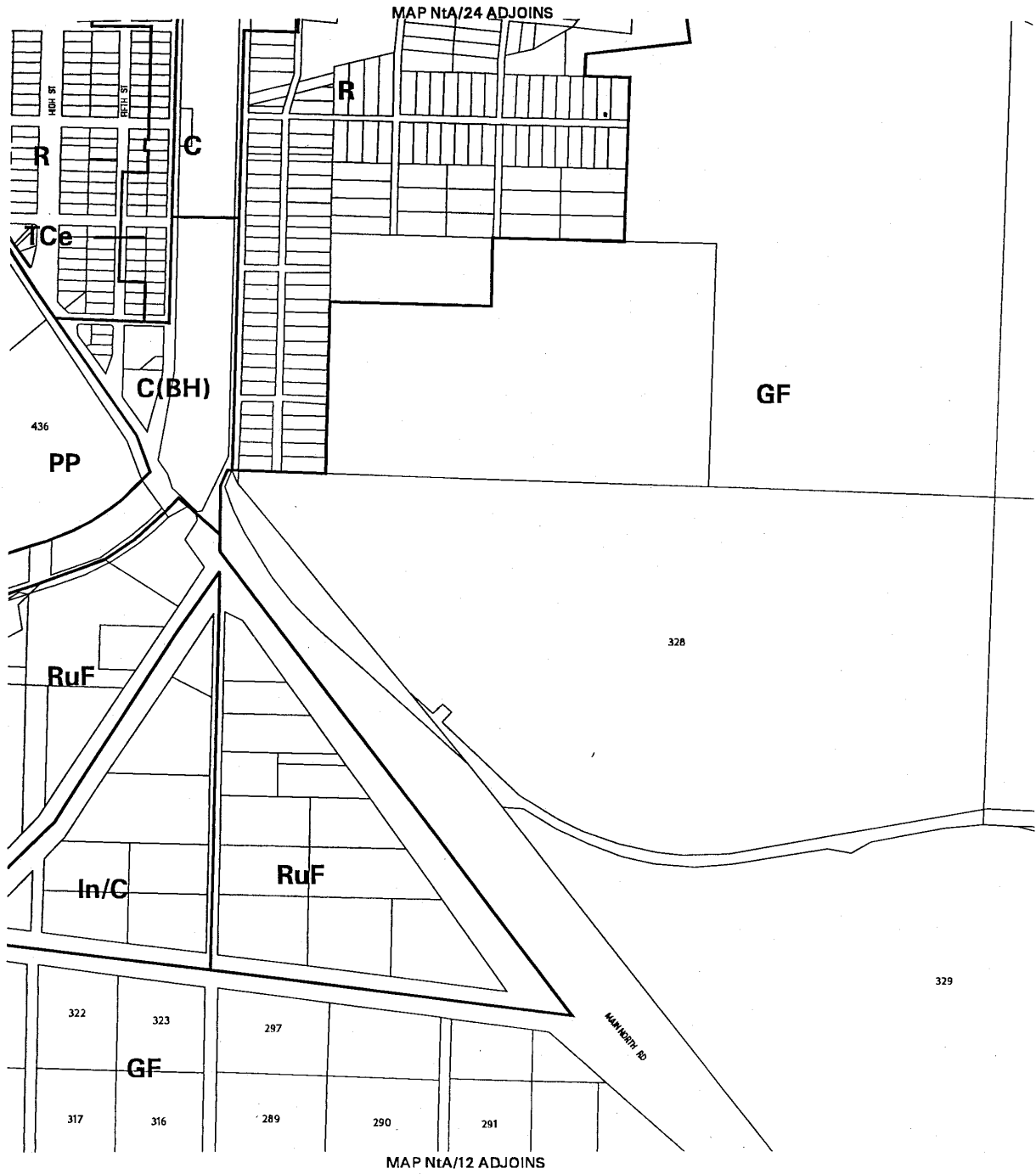


- GLADSTONE**
- C(BH) Commercial Bulk Handling
 - GF General Farming
 - In/C Industrial/Commercial
 - PP Public Purpose
 - R Residential
 - RuF Rural Fringe



**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/25**

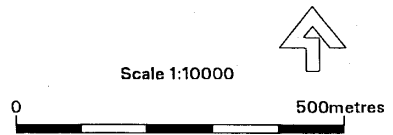
- Zone Boundary
- - - - - Development Plan Boundary



GLADSTONE

- C** Commercial
- C(BH)** Commercial Bulk Handling
- GF** General Farming
- In/C** Industrial/Commercial
- PP** Public Purpose
- R** Residential
- RuF** Rural Fringe
- TCe** Town Centre

-  Zone Boundary
-  Development Plan Boundary



**NORTHERN AREAS COUNCIL
ZONES
MAP NtA/26**

ATTACHMENT B



Indicative 100 year Floodplain

**NORTHERN AREAS COUNCIL
JAMESTOWN
FLOOD AREA
Figure 1A(Ja)/1**

Dated 12 October 2000.

DIANA LAIDLAW, Minister for Transport, Urban Planning and the Arts

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2000

Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	1.80	0.80	497-512	26.25	25.25
17-32	2.55	1.60	513-528	27.00	26.00
33-48	3.25	2.35	529-544	27.75	26.75
49-64	4.15	3.10	545-560	28.50	27.75
65-80	4.90	4.00	561-576	29.25	28.50
81-96	5.60	4.70	577-592	30.25	29.00
97-112	6.45	5.45	593-608	31.00	30.00
113-128	7.20	6.30	609-624	31.75	31.00
129-144	8.10	7.10	625-640	32.50	31.50
145-160	8.90	7.85	641-656	33.25	32.25
161-176	9.70	8.70	657-672	33.75	33.00
177-192	10.40	9.50	673-688	35.00	33.75
193-208	11.20	10.30	689-704	35.75	34.75
209-224	12.00	11.00	705-720	36.25	35.50
225-240	12.70	11.80	721-736	37.50	36.00
241-257	13.60	12.50	737-752	38.00	37.00
258-272	14.40	13.30	753-768	39.00	37.50
273-288	15.20	14.20	769-784	39.50	38.75
289-304	15.90	14.90	785-800	40.25	39.50
305-320	16.70	15.70	801-816	41.00	40.00
321-336	17.50	16.50	817-832	42.00	41.00
337-352	18.30	17.40	833-848	42.75	41.75
353-368	19.10	18.10	849-864	43.50	42.50
369-384	19.90	19.00	865-880	44.25	43.50
385-400	20.60	19.70	881-896	44.75	44.00
401-416	21.40	20.40	897-912	46.00	44.75
417-432	22.30	21.30	913-928	46.50	46.00
433-448	23.00	22.00	929-944	47.50	46.50
449-464	23.90	22.80	945-960	48.50	47.00
465-480	24.50	23.60	961-976	49.00	48.00
481-496	25.25	24.30	977-992	50.00	48.50

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Transfer of Properties.....	40.25	Intention to Sell, Notice of.....	40.25
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Meeting').....		First Name	64.00
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Each Subsequent Name.....	8.20	Noxious Trade.....	23.90
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Last Gazette for 2000 will be Thursday, 21 December 2000

Closing date for notices for publication will be
4 p.m. Tuesday, 19 December 2000

First Gazette for 2001 will be Thursday, 4 January 2001

Closing date for notices for publication will be
4 p.m. Tuesday, 2 January 2001

(There will not be a Gazette in the period between these two dates)

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Riverside Centre
North Terrace, Adelaide 5000

AusDoc subscribers:

Riverside 2000
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Inquiries telephone: 8207 1045

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Adelaide 5000

Phone: 8204 1906

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Riv2000@saugov.sa.gov.au

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



FISHERIES ACT 1982

MARINE TUNA FARMING LICENCE FB00005
(PREVIOUS LICENCE NO. F607)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

Novajo Pty Ltd (13006)
2/11 Flinders Highway
Port Lincoln, S.A. 5606,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. *Permitted Species*

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Schedule 2 of this licence.

6. *Sea Cages*

The licensee:

- 6.1 must ensure that all sea cages on the site have anti-predator protection satisfactory to the Minister at all times during the term; and
- 6.2 must immediately inform an officer of PIRSA (Fisheries) on 1800 065 522 or such other officer as the Minister from time to time notifies to the licensee in writing if any marine animal, other than the permitted species, is caught in any sea cage or other farm structure used by the licensee on the site.

7. *Location of Sea Cages*

The licensee must not erect or use any sea cages in any location on the site where stocked sea cages have been used in the immediately preceding two year period.

8. *Marking and Maintaining the Site*

The licensee:

- 8.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 8.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 8.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 8.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

9. *Site Inspection and Supervision*

The licensee:

- 9.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 9.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

10. *Fees and Returns*

The licensee:

- 10.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 10.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

11. *Compliance With Relevant Laws*

- 11.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 11.2 in particular, without derogating from the general requirement under condition 11 of this licence:
 - 11.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
 - 11.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

12. *Public Risk Indemnity*

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

13. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

14. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

15. Guarantee or Indemnity Scheme

The licensee must either:

- 15.1 provide a guarantee from its bankers; or
- 15.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

16. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

17. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 17.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 17.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 17.1 notwithstanding rectification of the previous breach or default; or
- 17.3 the licence fee referred to in condition 10 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 17.4 if the licensee is a body corporate, any of the following occur:
 - 17.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
 - 17.4.2 an order is made for the winding up or liquidation of the licensee;
 - 17.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

17.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

17.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or

17.5 if the licensee is an individual, the licensee:

17.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or

17.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

18. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 18.1 any word importing the plural includes the singular and *vice versa*;
- 18.2 any wording importing a gender shall include all other genders;
- 18.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 18.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 18.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 18.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 18.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 18.8 time is of the essence in respect of any obligation relating to time in this licence.

19. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

20. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

21. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

22. Waiver

- 22.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.

22.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.

22.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

23. Notices

23.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:

23.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

23.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;

23.1.3 deemed to be duly served or made in the following circumstances:

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

(c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

23.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 29 September 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of Navajo Pty Ltd (ACN 077 840 325) was hereunto affixed in the presence of:

(L.S.) T. BRYANT, Director

L. BRYANT, Secretary

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
587797E 6155738N	20
587445E 6155547N	
587697E 6155116N	
588045E 6155308N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.

(5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.

(6) All buoys, posts, crosses and markers must be maintained in good condition.

or

(b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.

(2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).

(3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and a possible danger to navigation, lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

All sea cages on the site must be marked with a unique sea cage number and the site's unique 'FB number'; that is, the licence number. All St Andrew's crosses must be marked with the site's unique 'FB number'; that is the licence number.

Item 2—Marked-Off Areas

Marked-off areas must be marked with no less than 8 equally spaced white buoys, each of at least 12 inches in diameter, each positioned no more than 70 m from each relevant sea cage situated on the site.

SCHEDULE 2

Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Snapper (*Pagrus auratus*)
Southern Bluefin Tuna (*Thunnus maccoyii*)
Australian Herring (Tommy Ruff) (*Arripis georgianus*)
Yellowtail King Fish (*Seriola lalandi*)
Silver Trevally (*Pseudocaranx dentex*)

Permitted Farming Methods

Sea Cages

Stocking Rates

The maximum standing stock on the site must not exceed 250 tonnes.

12 seacages each with a maximum diameter of 20 m. The maximum stocking density of Southern Bluefin Tuna (*Thunnus maccoyii*) must not exceed 4 kg/m³.

The maximum weight of Southern Bluefin Tuna (*Thunnus maccoyii*) must not exceed 162 tonnes in total during the term of the licence.

The maximum stocking density of fish other than Southern Bluefin Tuna (*Thunnus maccoyii*) on the site must not exceed 10 kg/m³.

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
ESD Study (Seafood Council) per hectare 20 at \$49 each	980.00
TEMP Environmental Monitoring Fee (per hectare) 20 at \$164 each	3 280.00
Base Licence Fee (per hectare) 20 at \$228 each	4 560.00
Fisheries Research and Development Corporation (per hectare) 20 at \$364 each	7 280.00
Total Annual Licence Fee	16 100.00
Quarterly Installments.....	4 025.00

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use

FISHERIES ACT 1982

MARINE TUNA FARMING LICENCE FB00011

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

Ajka Pty Ltd (1673)
Marnikol Fisheries Pty Ltd (13228)
P.O. Box 10
Port Lincoln, S.A. 5606,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. *Permitted Species*

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Schedule 2 of this licence.

6. *Sea Cages*

The licensee:

- 6.1 must ensure that all sea cages on the site have anti-predator protection satisfactory to the Minister at all times during the term; and
- 6.2 must immediately inform an officer of PIRSA (Fisheries) on 1800 065 522 or such other officer as the Minister from time to time notifies to the licensee in writing if any marine animal, other than the permitted species, is caught in any sea cage or other farm structure used by the licensee on the site.

7. *Location of Sea Cages*

The licensee must not erect or use any sea cages in any location on the site where stocked sea cages have been used in the immediately preceding two year period.

8. *Marking and Maintaining the Site*

The licensee:

- 8.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 8.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 8.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 8.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

9. *Site Inspection and Supervision*

The licensee:

- 9.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 9.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

10. Fees and Returns

The licensee:

- 10.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 10.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

11. Compliance With Relevant Laws

- 11.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 11.2 in particular, without derogating from the general requirement under condition 11 of this licence:
 - 11.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
 - 11.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

12. Public Risk Indemnity

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

13. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

14. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

15. Guarantee or Indemnity Scheme

The licensee must either:

- 15.1 provide a guarantee from its bankers; or
- 15.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

16. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

17. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 17.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 17.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 17.1 notwithstanding rectification of the previous breach or default; or
- 17.3 the licence fee referred to in condition 10 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 17.4 if the licensee is a body corporate, any of the following occur:
 - 17.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
 - 17.4.2 an order is made for the winding up or liquidation of the licensee;
 - 17.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
 - 17.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
 - 17.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 17.5 if the licensee is an individual, the licensee:
 - 17.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
 - 17.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

18. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 18.1 any word importing the plural includes the singular and *vice versa*;
- 18.2 any wording importing a gender shall include all other genders;
- 18.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 18.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 18.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 18.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 18.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 18.8 time is of the essence in respect of any obligation relating to time in this licence.

19. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

20. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

21. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

22. Waiver

- 22.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 22.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 22.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

23. Notices

- 23.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 23.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 23.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 23.1.3 deemed to be duly served or made in the following circumstances:
- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile

was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

- 23.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 29 September 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of Marnikol Fisheries Pty Ltd (ACN 050 949 730) was hereunto affixed in the presence of:

(L.S.) M. VALCIC, Director

The Common Seal of Ajka Pty Ltd (ACN 007 912 861) was hereunto affixed in the presence of:

(L.S.) J. GOBIN, Director

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
587548E 6159578N	30
588196E 6159954N	
588397E 6159608N	
587748E 6159232N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and a possible danger to navigation, lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

All sea cages on the site must be marked with a unique sea cage number and the site's unique 'FB number'; that is, the licence number. All St Andrew's crosses must be marked with the site's unique 'FB number'; that is the licence number.

Item 2—Marked-Off Areas

Marked-off areas must be marked with no less than 8 equally spaced white buoys, each of at least 12 inches in diameter, each positioned no more than 70 m from each relevant sea cage situated on the site.

SCHEDULE 2

Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Southern Bluefin Tuna (*Thunnus maccoyii*)

*Permitted Farming Methods**Sea Cages**Stocking Rates*

The maximum weight of fish introduced into the site must not exceed 400 tonnes in total during the term of the licence.

The maximum stocking density of fish introduced into the site must not exceed 4 kg/m³.

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
ESD Study (Seafood Council) per hectare 30 at \$49 each.....	1 470.00
TEMP Environmental Monitoring Fee (per hectare) 30 at \$164 each.....	4 920.00
Base Licence Fee (per hectare) 30 at \$228 each.....	6 840.00
Fisheries Research and Development Corporation (per hectare) 30 at \$364 each.....	10 920.00
Total Annual Licence Fee.....	24 150.00
Quarterly Installments.....	6 037.50

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

- Name of licensee.
- Address of licensee.
- Species of fish farmed and held on the site.
- Location of aquaculture operation.
- Period covered by return.
- Number of life stage of each species of fish held.
- Number, weight and value of each species of fish held.
- Details of any disease detected in any fish kept.
- Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
- If any fish were brought into the state, the number of fish and the life stage of the fish.
- If fish were brought into the state, the purpose for which they were brought in.
- Method of disposal of water and packaging use for transporting the fish.
- If any disease or symptom of disease occurred in the acquired fish.
- Method of disposal of diseased or dead fish and the number disposed of.
- Signature, date and telephone number.
- Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use

(PREVIOUS LICENCE NO. F502)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

R. Brown Enterprises Pty Ltd (12135)
101 Wells Street
Streaky Bay, S.A. 5680

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. *Permitted Species*

The licensee:

- must not farm or introduce any species at the site other than the permitted species; and
- must not take any wild fish from the site except for recreational purposes.

4. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

5. *Permitted Methods*

The licensee:

- must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

- must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and

6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. *Site Inspection and Supervision*

The licensee:

7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and

7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. *Fees and Returns*

The licensee:

8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;

8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. *Compliance With Relevant Laws*

9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;

9.2 in particular, without derogating from the general requirement under condition 9 of this licence:

9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and

9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. *Public Risk Liability*

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. *Release*

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. *Public Risk Insurance*

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. *Guarantee or Indemnity Scheme*

The licensee must either:

13.1 provide a guarantee from its bankers; or

13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. *No Assignment*

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. *Default by Licensee and Termination*

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or

15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or

15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or

15.4 if the licensee is a body corporate, any of the following occur:

15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;

15.4.2 an order is made for the winding up or liquidation of the licensee;

15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or

15.5 if the licensee is an individual, the licensee:

15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or

15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;

21.1.3 deemed to be duly served or made in the following circumstances:

- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 29 September 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of R. Brown Enterprises Pty Ltd (ACN 011 006 518) was hereunto affixed in the presence of:

(L.S.) R. W. BROWN, Director

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
424047E 6374260N	10
424416E 6374240N	
424416E 6374050N	
424179E 6374060N	
424179E 6373894N	
424001E 6373862N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and a possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

*Item 2—Permitted Farming Methods**Longlines*

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

*Item 3—Stocking Rates**Oysters*

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 10 at \$9.50 each.....	95.00
EMP Fee per hectare 10 at \$17.70 each.....	177.00
Base Licence Fee per hectare 10 at \$66 each.....	660.00
SASQAP (Classified Area) per hectare 10 at \$80 each.....	800.00
Total Annual Licence Fee	1 732.00
Quarterly Instalments.....	433.00

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.

12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00178
(PREVIOUS LICENCE NO. F742)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

J. B. & C. J. Holmes Pty Ltd (12976)
25 Denton Street
Smoky Bay, S.A. 5680

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. *Permitted Species*

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;

- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. *Site Inspection and Supervision*

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. *Fees and Returns*

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. *Compliance With Relevant Laws*

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
- 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
- 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. *Public Risk Liability*

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. *Release*

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. *Public Risk Insurance*

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. *Guarantee or Indemnity Scheme*

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. *No Assignment*

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. *Default by Licensee and Termination*

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
- 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;

- 15.4.2 an order is made for the winding up or liquidation of the licensee;
- 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or

15.5 if the licensee is an individual, the licensee:

- 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
- 15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 21.1.3 deemed to be duly served or made in the following circumstances:
- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 29 September 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of J. B. & C. J. Holmes Pty Ltd (ACN 071 077 391) was hereunto affixed in the presence of:

(L.S.) J. B. HOLMES, Director
and C. J. HOLMES, Secretary

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
395530E 6416562N	3
395741E 6416546N	
395731E 6416405N	
395519E 6416420N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.

- (2) Posts to be not less than 125 mm in diameter.
 - (3) Posts and crosses to be painted yellow.
 - (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
 - (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
 - (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
 - (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
 - (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and a possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

Racks

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 3 at \$9.50 each.....	28.50
EMP Fee per hectare 3 at \$17.70 each.....	53.10
Base Licence Fee per hectare 3 at \$66 each.....	198.00
SASQAP (Classified Area) per hectare 3 at \$80 each.	240.00
Total Annual Licence Fee	519.60
Quarterly Instalments.....	129.90

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00212
(PREVIOUS LICENCE NO. F1580A)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

R. Brown Enterprises Pty Ltd
101 Wells Street
Streaky Bay, S.A. 5680

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. Permitted Use

The licensee must not use the site for any purpose other than the permitted use.

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. Site Inspection and Supervision

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. Fees and Returns

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:

9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and

9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default

pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or

- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
- 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 15.4.2 an order is made for the winding up or liquidation of the licensee;
- 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
- 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
- 15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 21.1.3 deemed to be duly served or made in the following circumstances:
- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
- but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.
- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 29 September 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of R. Brown Enterprises Pty Ltd (ACN 011 006 518) was hereunto affixed in the presence of:

(L.S.) R. W. BROWN, Director

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
424800E 6379520N	10
425254E 6379320N	
425254E 6379100N	
424800E 6379300N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and a possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

BST Longlines

Each structure must comply with the construction requirements specified in the Decision Notification Form issued for the site under Regulation 42 of the Development Regulation Act 1993.

Item 3—Stocking Rates

Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 10 at \$9.50 each.....	95.00
EMP Fee per hectare 10 at \$17.70 each.....	177.00
Base Licence Fee per hectare 10 at \$66 each.....	660.00
SASQAP (Classified Area) per hectare 10 at \$80 each.....	800.00
Total Annual Licence Fee.....	1 732.00
Quarterly Instalments.....	433.00

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

- Name of licensee.
- Address of licensee.
- Species of fish farmed and held on the site.
- Location of aquaculture operation.
- Period covered by return.
- Number of life stage of each species of fish held.
- Number, weight and value of each species of fish held.
- Details of any disease detected in any fish kept.
- Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
- If any fish were brought into the state, the number of fish and the life stage of the fish.
- If fish were brought into the state, the purpose for which they were brought in.
- Method of disposal of water and packaging use for transporting the fish.
- If any disease or symptom of disease occurred in the acquired fish.
- Method of disposal of diseased or dead fish and the number disposed of.
- Signature, date and telephone number.
- Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

GROUNDWATER (BORDER AGREEMENT) ACT 1985

Alteration under Subclause 28 (2) of The Border Groundwaters Agreement of Permissible Annual Volumes of Extractions

NOTICE is hereby given, as required by clause 31 of the Border Groundwaters Agreement, that the Border Groundwaters Agreement Review Committee by virtue of its powers under subclause 28 (2) of the Agreement, alters the permissible annual volumes of extraction set out in the Second Schedule to the said Agreement, to the extent set out in the Schedule hereto, with effect from the date of publication of this notice in the *Government Gazette*.

THE SCHEDULE

Zone	Permissible Annual Volume (Megalitres)	
	<i>from</i>	<i>to</i>
1A	71 000	30 900

For and on behalf of the Border Groundwaters Agreement Review Committee.

Dated 1 October 2000.

K. O. COLLETT, President, Border Groundwaters Agreement Review Committee

GAMING MACHINES ACT 1992

Notice of Application for Gaming Machine Licence

NOTICE is hereby given, pursuant to section 29 of the Gaming Machines Act 1992, that J.T.W.U. Pty Ltd (as trustee for the J.T.W. Uther Family Trust), c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000, has applied to the Liquor and Gaming Commissioner for a Gaming Machine Licence in respect of premises situated at 437 Pulteney Street, Adelaide, S.A. 5000 and known as Astor Restaurant and Bar.

The application has been set down for hearing on 10 November 2000.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor Licensing Commissioner, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 28 September 2000.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Vincenzo Vallelonga, Teresa Vallelonga, Ilario Chiera and Ginetta Chiera, c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000, have applied to the Liquor and Gaming Commissioner for a Hotel Licence, Extended Trading Authorisation, Entertainment Consent and a grant of a Gaming Machine Licence in respect of premises situated at 19 Murray Street, Gawler, S.A. 5118 and known as Murrays.

The applications have been set down for hearing on 10 November 2000.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation for the whole of the licensed premises to enable the premises to trade on Friday and Saturday from midnight to 2 a.m. the following day.

Sunday from 8 a.m. to 11 a.m. and 8 p.m. to 2 a.m. the following day.

For consumption off the licensed premises on Sunday between the hours of 8 a.m. to 11 a.m. and 8 p.m. and 9 p.m.

Public Holidays from midnight to 2 a.m. the following day.

Entertainment Consent for the whole of the licensed premises to enable amplified live music to be played in gaming lounge, lounge, cafe, restaurant and reception hall.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor Licensing Commissioner, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 28 September 2000.

Applicants

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Crystalcorp Developments Pty Ltd, c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000, has applied to the Liquor and Gaming Commissioner for a Hotel Licence with Entertainment Consent, and an Extended Trading Authorisation and a Gaming Machine Licence in respect of premises to be situated at Copper Cove Marina, Wallaroo, S.A. 5556 and to be known as Copper Cove Marina Resort.

The applications have been set down for hearing on 10 November 2000.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation to sell liquor for consumption on the licensed premises Friday and Saturday nights from midnight to 2 a.m. the next day and Sunday from 8 a.m. to 11 a.m. and 8 p.m. to midnight.

Extended Trading Authorisation to sell liquor for consumption off the licensed premises on Sunday from 8 p.m. to 9 p.m.

Entertainment Consent to enable amplified live music to be played on the licensed premises during both normal hotel trading hours and during the periods of extended trading.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor Licensing Commissioner, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 28 September 2000.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that A. G. Bennetts Nominees Pty Ltd, c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000, has applied to the Liquor and Gaming Commissioner for a Hotel Licence with Entertainment Consent, and an Extended Trading Authorisation and a Gaming Machine Licence in respect of premises to be situated at Lot 600, Arthur Road, Mount Compass, S.A. 5210 and to be known as Fleurieu Resort Hotel.

The applications have been set down for hearing on 10 November 2000.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation to sell liquor for consumption on the licensed premises Friday and Saturday nights from midnight to 2 a.m. the next day and Sunday from 8 a.m. to 11 a.m. and 8 p.m. to midnight and Sunday before a public holiday midnight to 2 a.m. the next day.

Extended Trading Authorisation to sell liquor for consumption off the licensed premises on Sunday from 8 p.m. to 9 p.m.

Entertainment Consent to enable amplified live music to be played on the licensed premises during both normal hotel trading hours and during the periods of extended trading.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor Licensing Commissioner, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 28 September 2000.

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 Hedley Mervyn Habermann, Denise Ann Habermann and Daniel Paul Habermann, Light Pass Road, Tanunda, S.A. 5352, have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Piece 3 in Deposited Plan No. 44446, Hundred of Moorooroo being all the land comprised in certificate of title register book volume 5335, folio 401, situated at Light Pass Road, Tanunda, S.A. 5352 to be known as Habermanns Hotel.

The application has been set down for hearing on 10 November 2000.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 1 August 2000.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that David Thomas Hockey and Radoslava Kolouchova, 230 Coromandel Parade, Coromandel Valley, S.A. 5051, have applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 230 Coromandel Parade, Coromandel Valley and to be known as Siuya Importers.

The application has been set down for hearing on 10 November 2000.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 27 September 2000.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Silvi Marina Pty Ltd (ACN 007 956 354), has applied to the Licensing Authority for an Extended Trading Authorisation in respect of premises situated at 540 Port Road, Allenby Gardens and known as Marinelli's Tavern

The application has been set down for hearing on Friday, 10 November 2000 at 9 a.m.

Conditions

The following licence conditions are sought:

That the licensee be permitted to sell liquor for consumption on the licensed premises Monday to Saturday inclusive from midnight to 3 a.m. the following morning, Sunday from 9 a.m. to 11 a.m. and 8 p.m. to 3 a.m. the following morning, and on Christmas Day from midnight to 2 a.m.

That the licensee be permitted to sell liquor for consumption off the licensed premises from 9 a.m. to 11 a.m. and from 8 p.m. to 9 p.m. each Sunday.

That the Extended Trading Authorisation shall apply to the whole of the licensed premises.

There will be no live entertainment on the premises.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 4 October 2000.

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 Kopurlo Pty Ltd, c/o David Watts & Associates, Liquor Licensing Consultants, 1 Cator Street, Glenside, S.A. 5065, has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence from premises situated at 18 Dune Court, West Lakes Shore, S.A. 5020 to premises situated at Unit 1, 10 Endeavour Drive, Port Adelaide, S.A. 5015.

The application has been set down for hearing on 10 November 2000.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 4 October 2000.

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 Harvey Holland Cheatle, c/o David Watts & Associates, Liquor Licensing Consultants, 1 Cator Street, Glenside, S.A. 5065, has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 18 Dune Court, West Lakes Shore, S.A. 5020 and to be known as West Lakes Wines and Spirits Wholesalers.

The application has been set down for hearing on 10 November 2000.

Conditions

The following licence conditions is sought:

Exemption from section 42 (2) (b) of the Act.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

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 Blanco Catering Pty Ltd, c/o David Watts & Associates, Liquor Licensing Consultants, 1 Cator Street, Glenside, S.A. 5065, has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 37 Amherst Avenue, Trinity Gardens, S.A. 5068 and to be known as Blanco Catering.

The application has been set down for hearing on 10 November 2000.

Conditions

The following licence conditions are sought:

To sell liquor on the licensed premises for consumption at places other than the licensed premises but only at pre-booked functions and with or ancillary to food provided by the licensee (outside catering).

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 5 October 2000.

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 Ross Matthew Stanley, c/o David Watts & Associates, Liquor Licensing Consultants, 1 Cator Street, Glenside, S.A. 5065, has applied to the Licensing Authority for an Entertainment Venue Licence in respect of premises situated at 142 Hindley Street, Adelaide, S.A. 5000 and to be known as Odyssey.

The application has been set down for hearing on 10 November 2000.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 5 October 2000.

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 MLE Products Pty Ltd, has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 15 Peony Court, Morphett Vale, S.A. 5162 and to be known as Vines Premium Wine Auctioneers.

The application has been set down for hearing on 10 November 2000.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 3 October 2000.

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 Edney Pty Ltd, c/o Kelly & Co., Lawyers, Level 17, 91 King William Street, Adelaide, S.A. 5000, has applied to the Liquor and Gaming Commissioner for the grant of an Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 235 Grenfell Street, Adelaide, S.A. 5000 and known as The East End Exchange Hotel.

The application has been set down for hearing on 10 November 2000.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation for areas 4 and 5 of the licensed premises to enable the premises to trade on each day from midnight to 3 a.m. the following day including Public Holidays.

Entertainment Consent for areas 4 and 5 of the licensed premises to enable amplified live music to be played.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 5 October 2000.

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 Nhat Gieng Long and Simone Michelle Long, 7 St Georges Court, Morphett Vale, S.A. 5162, have applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at Shop 6, McLaren Vale Shopping Centre, Main Road, McLaren Vale, S.A. 5171 and to be known as McLaren Vale Chinese Restaurant.

The application has been set down for hearing on 10 November 2000.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 29 September 2000.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Clark Edward Ingham and Beverley Joy Ingham, Hope Street, Clare, S.A. 5453, have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Section 65, Hundred of Clare being all the land comprised in certificate of title register book volume 5278, folio 72, situated at the corner of Gillentown Road and McCord Land, Sevenhill via Clare, S.A. 5453 and to be known as Inghams Skilly Ridge.

The application has been set down for hearing on 10 November 2000.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 September 2000.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Australian Holiday Management Services Pty Ltd (ACN 092 733 723), 17 Hindmarsh Road, Victor Harbor, S.A. 5211, has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at 17 Hindmarsh Road, Victor Harbor, S.A. 5211 and known as Bay View Victor Motel.

The application has been set down for hearing on 13 November 2000.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 21 September 2000.

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 Thomas Haering (as trustee for Petrus Trust), has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 87 Kensington Road, Norwood, S.A. 5067 and known as The Table Restaurant and Function Centre.

The application has been set down for hearing on 13 November 2000.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 3 October 2000.

Applicant

LOCAL GOVERNMENT ACT 1999

Regulations by the Local Government Superannuation Board

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

The Rules constituting the Local Super Scheme are amended as follows:

1. Rule 48 is amended by inserting new paragraphs (d), (e) and (f) immediately after paragraph (c) as follows:

(d) Any contributions (including any interest imposed under Rule 48 (c)) which become due and payable shall be a debt due to the Board and payable to the Board in accordance with Rule 48 (b).

(e) The Board may sue for and recover the debt from a council in any court of competent jurisdiction.

(f) Rules 48 (d) and (e) only apply in respect of contributions which become due and payable after the date on which this rule was first inserted.

Dated 14 August 2000.

B. RYLAND, Executive Officer

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Minerals and Energy proposes to grant an Exploration Licence over the under-mentioned area:

Applicant: Tasman Resources NL

Location: Bopeechee area—Approximately 60 km west of Marree, bounded as follows: Commencing at a point being the intersection of latitude 29°28'S and longitude 137°02'E, thence east to longitude 137°30'E, south to latitude 29°37'S, east to longitude 137°32'E, south to latitude 29°45'S, west to longitude 137°30'E, north to latitude 29°42'S, west to longitude 137°16'E, south to latitude 29°44'S, west to longitude 137°04'E, north to latitude 29°41'S, west to longitude 137°03'E, north to latitude 29°37'S, west to longitude 137°02'E, and north to the point of commencement but excluding Lake Eyre National Park, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 6 months

Area in km²: 1 234

Ref: 058/00

L. JOHNSTON, Mining Registrar Department of Primary Industries and Resources

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Minerals and Energy proposes to grant an Exploration Licence over the under-mentioned area:

Applicant: Olliver Geological Services Pty Ltd

Location: Waltowa area—Approximately 110 km south-east of Adelaide, bounded as follows: Commencing at a point being the intersection of latitude 35°35'S and longitude 139°21'E, thence east to longitude 139°25'E, south to latitude 35°39'S, west to longitude 139°21'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 1 year

Area in km²: 45

Ref: 047/00

L. JOHNSTON, Mining Registrar Department
of Primary Industries and Resources

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Minerals and Energy proposes to grant an Exploration Licence over the under-mentioned area:

Applicant: Western Metals Resources Ltd

Location: Crozier Hill area—Approximately 70 km south of Adelaide, bounded as follows:

Area A: Commencing at a point being the intersection of latitude 35°30'S and longitude 138°34'E, thence east to longitude 138°36'E, south to a line parallel to and 800 m inland from high water mark, Encounter Bay, thence generally south-westerly along the said parallel line to longitude 138°25'E, north to latitude 35°35'S, west to longitude 138°17'E, north to latitude 35°34'S, east to longitude 138°18'E, north to latitude 35°33'S, east to longitude 138°23'E, north to latitude 35°32'S, east to longitude 138°26'E, south to latitude 35°36'S, east to longitude 138°27'E, north to latitude 35°35'S, east to longitude 138°28'E, north to latitude 35°34'S, east to longitude 138°29'E, north to latitude 35°33'S, east to longitude 138°30'E, north to latitude 35°32'S, east to longitude 138°32'E, north to latitude 35°31'S, east to longitude 138°34'E, and north to the point of commencement, but excluding Newland Head Conservation Park.

Area B: Commencing at a point being the intersection of latitude 35°35'S and longitude 138°09'E, thence east to longitude 138°11'E, south to latitude 35°38'S, west to longitude 138°08'E, north to latitude 35°37'S, east to longitude 138°09'E, and north to the point of commencement.

All the within latitudes and longitudes are geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 1 year

Area in km²: 199

Ref: 041/00

L. JOHNSTON, Mining Registrar Department
of Primary Industries and Resources

MOTOR VEHICLES ACT 1959

Accident Towing Roster Scheme

NOTICE is hereby given that I, Diana Vivienne Laidlaw, the responsible Minister of the Crown for the Transport portfolio, do hereby rescind the appointment of Chief Inspector Bronwyn Killmier as a member of the Accident Towing Roster Review Committee.

Pursuant to Regulations 7 (1) (b) and 8 of the Motor Vehicles (Accident Towing Roster Scheme) Regulations 2000, I hereby appoint Sergeant Linda Williams as a member of the Accident Towing Roster Review Committee and confirm the appointment of Senior Sergeant John Murray as a Deputy Member.

Dated at Adelaide, 28 September 2000.

DIANA LAIDLAW, Minister for Transport
and Urban Planning.

MOTOR VEHICLES ACT 1959

Recognised Historic Motor Vehicle Club

NOTICE is hereby given that the undermentioned club is recognised as an historic motor vehicle club in accordance with Schedule 1, Clause 3(3) (a) of the Motor Vehicles Regulations, for the purposes of section 25 of the Motor Vehicles Act 1959:

AMC Rambler Club Incorporated.

Dated 6 October 2000.

R. J. FRISBY, Registrar of Motor Vehicles

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

Notice Under National Electricity Law and National Electricity Code

NOTICE is hereby given pursuant to section 6(2) of the National Electricity Law which forms the Schedule to the National Electricity (South Australia) Act 1996 that clauses 9.16.2 (d) (1) (ii), (d) (1) (iii), (d) (2), (d) (4), (d) (5), (d) (5A) and 9.16.3 (a) (4) (NSW Derogations for interim transmission network service pricing) of the National Electricity Code are amended.

These amendments to the National Electricity Code commence on 13 October 2000.

The amendments referred to above and copies of the ACCC's letter of 6 October 2000, providing interim authorisation for these amendments can be viewed on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') at www.neca.com.au under 'The Code' section of that website.

The National Electricity Code can be viewed on the NECA Internet website at www.neca.com.au and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 12 October 2000.

National Electricity Code Administrator

ACCC Letter of Authorisation

6 October 2000

Stephen Kelly
Managing Director
National Electricity Code Administrator Limited
Level 5, 41 Currie Street
ADELAIDE, S.A. 5000

Dear Stephen

Thank you for your letter of 22 September 2000, regarding the Commission's authorisation of amendments to NSW's derogations to the National Electricity Code.

I advise that, on the basis of the material you have put forward, the Commission is presently of the view that the conditions subject to which it granted authorisation (application numbers A90684, A90685 and A90686) namely:

- C5.1 Clause 9.16.2 (d) (1) (ii) must be amended:
- (a) to require the amount AC to be paid by no later than 1 October in the relevant year; and
 - (b) to insert '1.06225 x' prior to UOA in the definition of AC.
- C5.2 Clause 9.16.2 (d) (4) must be amended to clarify that the pricing arrangements refer to Energy Australia's transmission network and not to all NSW transmission networks that are not operated by TransGrid.
- C5.3 Clause 9.16.2 must be amended to clarify that any revenues collected by TransGrid on behalf of Energy Australia, in accordance with clauses 9.16.2 (d) (1) (iii) and 9.16.2 (d) (4), are in addition to any revenues that TransGrid collects as part of its revenue cap as determined by the Commission.
- C5.4 Clause 9.16.2 (d) (5) must be amended:
- (a) to require the transmission networks to provide the Commission with a written notice of any proposed transition prices, varied in accordance with clause 9.16.2 (d) (5). The notice must include a detailed explanation of the price modelling techniques used, the prices that would have otherwise applied and an explanation for any differences; and
 - (b) to provide the Commission with at least three months to assess the transmission network's proposed transition prices.
- C5.5 Clause 9.16.2 (d) (1) (iii) must be amended by replacing the words 'in accordance with clause 9.16.2 (d) (3)' with the words 'in accordance with clause 9.16.2 (d) (4)'.
- C5.6 Clause 9.16.2 (d) (2) must be amended by replacing the words 'notwithstanding clause 9.15.2 (d) (1)' with the words 'notwithstanding clause 9.16.2 (d) (1)'.
- C5.7 Clause 9.16.2 must be amended to include a definition of the term 'Previous Year'.
- C5.8 Clause 9.16.3 (a) (4) must be amended by replacing the date '22 August 1997' with the date '22 August 1997'.

have been complied with.

However, would you please note that the view expressed above is an informal view in the sense that the Commission's formal functions in relation to compliance with conditions attached to authorisations is provided for in sections 91B and 91C of the Trade Practices Act. As a result, the view expressed above is not expressed as part of any consideration by the Commission of matters required to be considered by those sections.

Accordingly, notwithstanding the view expressed above, it is possible that material may subsequently come to the Commission's attention (perhaps from interested third parties) which requires the Commission to initiate the processes referred to in sections 91B or 91C. In that event, the Commission would be required to form its views on the relevant issues on the basis of the material available and its market enquiries at that time and the Commission may not necessarily reach the same view as that expressed above.

Please do not hesitate to contact me on (02) 6243 1254 if you wish to discuss these matters further.

Yours sincerely,

P. BILYK, Acting General Manager, Regulatory Affairs Division—Electricity.

NATIONAL PARKS AND WILDLIFE ACT 1972

Douglas Point Conservation Park Draft Management Plan

I, IAIN EVANS, Minister for Environment and Heritage, hereby give notice under the provisions of section 38 of the National Parks and Wildlife Act 1972, that a draft management plan has been proposed for Douglas Point Conservation Park.

Copies of the draft plan may be inspected at or obtained at no cost (\$2 postage within South Australia) from The Environment Shop, Ground Floor, Australis Building, 77 Grenfell Street, Adelaide, S.A. 5000 (G.P.O. Box 1047, Adelaide, S.A. 5001) telephone (08) 8204 1910 or, the Department for Environment and Heritage, 11 Helen Street, Mount Gambier, S.A. 5290 (P.O. Box 1046, Mount Gambier, S.A. 5290) telephone (08) 8735 1177.

Any person may make representations in connection with the draft management plan during the period up to and including Friday, 12 January 2001.

Written comments should be forwarded to the Manager, Parks and Wildlife, South East Region, Department for Environment and Heritage, P.O. Box 1046, Mount Gambier, S.A. 5290.

IAIN EVANS, Minister for Environment and Heritage

PASSENGER TRANSPORT ACT 1994

Appointments

PURSUANT to section 57 of the Passenger Transport Act 1994, the following persons have been authorised by the Passenger Transport Board to act as prescribed officers:

Timothy Holtham
Derrek Kay
Jim Mitchell
Shaun Payne
Mario Ranieri
Domenic Troia
Rodney Verrall

H. WEBSTER, Executive Director, Passenger Transport Board

REAL PROPERTY ACT 1886

CORRIGENDUM

Notice of Proposed Extinguishment of Rights of Way

IN notice appearing in *Government Gazette* dated 31 August 2000 on page 958, pursuant to section 90b of the Real Property Act 1886 for the Application 8798219 the second paragraph should read as follows:

'John Baker, or any person claiming through or under his or any other person to be entitled to the benefit of a right of way over the land above described are invited to make representations to me in relation to the proposed extinguishment within 21 days from the date of publication of this notice.'

Dated 12 October 2000.

A. J. SHARMAN, Registrar-General

ROADS (OPENING AND CLOSING) ACT 1991

Beach Road, Goolwa Beach

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the ALEXANDRINA COUNCIL proposes to make a Road Process Order to close and transfer to JOHN GRAHAM DILLON the triangular portion of the public road (Beach Road) adjoining the north-eastern boundary of allotment 131 in Deposited Plan 6114, shown more particularly delineated and lettered 'Z' on the Preliminary Plan No. PP32/00606.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, 16 Dawson Street, Goolwa, S.A. 5214 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 21, Goolwa, S.A. 5214 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 12 October 2000.

P. M. KENTISH, Surveyor-General

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 12 October 2000.

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT

CITY OF ONKAPARINGA
Plains Road, Sellicks Hill. This main is available on application only. p4

OUT OF DISTRICT COUNCILS

Easements in section 463 hundred of Port Adelaide, Garden Island. p24-26

CITY OF PORT ADELAIDE ENFIELD

Montrose Street, Ferryden Park. p29
Strathmore Street, Ferryden Park. p29
Sutherland Road, Ferryden Park. p29
MacKenzie Court, Ferryden Park. p29

CITY OF PROSPECT

Pulsford Road, Prospect. p2
Milner Street, Prospect. p3
Gloucester Street, Prospect. p3
Ballville Street, Prospect. p3

MORGAN-WHYALLA COUNTRY LANDS WATER DISTRICT

DISTRICT OF CLARE AND GILBERT VALLEYS COUNCIL
Easement in lot 3, Farrell Flat Road, hundred of Clare. p30

MOUNT GAMBIER WATER DISTRICT

CITY OF MOUNT GAMBIER
Parkway Avenue, Mount Gambier. p5
Easement in lot 615, Parkway Avenue, Mount Gambier. p5
Savannah Court, Mount Gambier. p5
Holly Place, Mount Gambier. p5
Hulon Place, Mount Gambier. p6
Conroe Drive, Mount Gambier. p7
Honnington Boulevard, Mount Gambier. p7 and 8
Arlington Terrace, Mount Gambier. p7
Braxton Close, Mount Gambier. p7

Navajo Drive, Mount Gambier. p8
Raleigh Terrace, Mount Gambier. p8
Easement in reserve (lot 1004), Raleigh Terrace, Mount Gambier. p8
Wentworth Court, Mount Gambier. p9
Blaxland Court, Mount Gambier. p9
Saint Martins Drive, Mount Gambier. p10
Max Young Drive, Mount Gambier. p10
Warrick Close, Mount Gambier. p10

SMOKY BAY WATER DISTRICT

DISTRICT OF CEDUNA
Lloyd Street, Ceduna. p28
Denton Street, Ceduna. p28
Lovell Street, Ceduna. p28

TOWNSHIP OF AUBURN WATER DISTRICT

DISTRICT OF CLARE AND GILBERT VALLEYS COUNCIL
Kingston Terrace, Auburn. p22

WATER MAINS ABANDONED

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

ADELAIDE WATER DISTRICT

OUT OF DISTRICT COUNCILS

Easements in section 463 hundred of Port Adelaide, Garden Island. p24

CITY OF PORT ADELAIDE ENFIELD

Montrose Street, Ferryden Park. p29
Strathmore Street, Ferryden Park. p29
Sutherland Road (formerly cul-de-sac), Ferryden Park. p29

CITY OF PROSPECT

Pulsford Road, Prospect. p2
Milner Street, Prospect. p3
Gloucester Street, Prospect. p3
Ballville Street, Prospect. p3

MORGAN-WHYALLA COUNTRY LANDS WATER DISTRICT

DISTRICT OF CLARE AND GILBERT VALLEYS COUNCIL
Easement in lot 3, Farrell Flat Road, hundred of Clare. p30

WATER MAINS LAID

Notice is hereby given that the undermentioned water mains have been laid down by the South Australian Water Corporation and are not available for a constant supply of water to adjacent land.

BAROSSA COUNTRY LANDS WATER DISTRICT

REGIONAL COUNCIL OF LIGHT

Waterworks land (lot 3), Roenfeldt Road, Magdalla. p17
Waterworks land (lot 629), Coleman Road, Pinkerton Plains. p23

SEWERS LAID

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

ADELAIDE DRAINAGE AREA**CITY OF ADELAIDE**

Walter Street, North Adelaide. FB 1091 p7

CITY OF ONKAPARINGA

Easements in lots 1-7, Pimpala Road, Woodcroft. FB 1091 p9

CITY OF PORT ADELAIDE ENFIELD

Montrose Street, Ferryden Park. FB 1091 p10 and 11

Strathmore Street, Ferryden Park. FB 1091 p10 and 11

Sutherland Road, Ferryden Park. FB 1091 p10 and 11

MacKenzie Court, Ferryden Park. FB 1091 p10 and 11

CITY OF PROSPECT

Prospect Road, Prospect. FB 1091 p5

Kintore Avenue, Prospect. FB 1091 p5

Labrina Avenue, Prospect. FB 1091 p6

Pulsford Road, Prospect. FB 1091 p6

Milner Street, Prospect. FB 1091 p6

Gloucester Street, Prospect. FB 1091 p6

Ballville Street, Prospect. FB 1091 p6

MOUNT GAMBIER COUNTRY DRAINAGE AREA**CITY OF MOUNT GAMBIER**

Easement in lot 24, Gebhardt Close, Mount Gambier. FB 1090 p1

Easement in lot 1, Downer Street, Mount Gambier. FB 1090 p3

NARACOORTE COUNTRY DRAINAGE AREA**DISTRICT OF NARACOORTE LUCINDALE COUNCIL**

Magarey Crescent, Naracoorte. FB 1090 p2

SEWERS ABANDONED

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

ADELAIDE DRAINAGE AREA**CITY OF CHARLES STURT**

Easement in lot 102 (formerly right-of-way), Winston Crescent, West Beach. FB 1091 p8

CITY OF PORT ADELAIDE ENFIELD

Montrose Street, Ferryden Park. FB 1091 p10

Easements in lot 215, Montrose Street, Ferryden Park. FB 1091 p10

Strathmore Street, Ferryden Park. FB 1091 p10

Sutherland Road (formerly cul-de-sac), Ferryden Park. FB 1091 p10

CITY OF PROSPECT

Prospect Road, Prospect. FB 1091 p5

Kintore Avenue, Prospect. FB 1091 p5

Labrina Avenue, Prospect. FB 1091 p6

Pulsford Road, Prospect. FB 1091 p6

Milner Street, Prospect. FB 1091 p6

Gloucester Street, Prospect. FB 1091 p6

Ballville Street, Prospect. FB 1091 p6

S. SULLIVAN, Chief Executive Officer, South
Australian Water Corporation

ROAD TRAFFIC ACT 1961

*Exemption for a Motor Vehicle with a Gross Vehicle Mass of 4.5 tonnes or less to Tow a Combination Consisting of a "Kar-Kaddy",
Car Towing Trailer and Another Motor Vehicle*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, a motor vehicle with a Gross Vehicle Mass of 4.5 tonnes or less to tow a trailer identified as "Kar Kaddy" upon which may be superimposed another motor vehicle, from Regulation 20A of the Road Traffic (Miscellaneous) Regulations 1999:

Subject to the following conditions:

1. That all towing is performed in accordance with Kar Kaddy operating instructions issued in 1987.
2. That the total mass of the combination of the vehicles being towed does not exceed the lesser of 1.5 times the unladen mass of the towing vehicle or the towing vehicle's towing capacity as specified by the vehicle manufacturer.
3. That while the combination of vehicles is being towed, a speed of 80 km/h shall not be exceeded.
4. That all vehicles being part of the combination are appropriately registered and meet all other requirements of the Road Traffic (Vehicle Standards) Rules 1999.

This exemption expires at midnight on 30 September 2003.

The notice titled 'Notice of Dispensation from Regulation 7.02 – Towing of Vehicles "Kar-Kaddy" Trailer' appearing in the *South Australian Government Gazette*, dated 18 November 1993, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

*Exemption for a Motor Vehicle with a Gross Vehicle Mass of 4.5 tonnes or less to Tow a Combination Consisting of a "Claire's Quick
Tow", Car Towing Trailer and Another Motor Vehicle*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, a motor vehicle with a Gross Vehicle Mass of 4.5 tonnes or less to tow a trailer identified as "Claire's Quick Tow" upon which may be superimposed another motor vehicle, from Regulation 20A of the Road Traffic (Miscellaneous) Regulations 1999:

Subject to the following conditions:

1. That all towing is performed in accordance with Claire's Quick Tow operating instructions issued in February 1996.
2. That the total mass of the combination of the vehicles being towed does not exceed the lesser of 1.5 times the unladen mass of the towing vehicle or the towing vehicle's towing capacity as specified by the vehicle manufacturer.
3. That while the combination of vehicles is being towed, a speed of 80 km/h shall not be exceeded.
4. That all vehicles being part of the combination are appropriately registered and meet all other requirements of the Road Traffic (Vehicle Standards) Rules 1999.

This exemption expires at midnight on 30 September 2003.

The notice titled 'Notice of Dispensation from Regulation 7.02 – Towing of Vehicles – Claires Quick Tow – Car Towing Trailer' appearing in the *South Australian Government Gazette*, dated 7 March 1996, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

*Exemption for a Motor Vehicle with a Gross Vehicle Mass of 4.5 tonnes or less to Tow a Combination Consisting of a "Mobi-Jack",
Car Towing Trailer and Another Motor Vehicle*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, a motor vehicle with a Gross Vehicle Mass of 4.5 tonnes or less to tow a trailer identified as "Mobi-Jack" upon which may be superimposed another motor vehicle, from Regulation 20A of the Road Traffic (Miscellaneous) Regulations 1999:

Subject to the following conditions:

1. That all towing is performed in accordance with Mobi-Jack operating instructions issued in 1987.
2. That the total mass of the combination of the vehicles being towed does not exceed the lesser of 1.5 times the unladen mass of the towing vehicle or the towing vehicle's towing capacity as specified by the vehicle manufacturer.
3. That while the combination of vehicles is being towed, a speed of 80 km/h shall not be exceeded.
4. That all vehicles being part of the combination are appropriately registered and meet all other requirements of the Road Traffic (Vehicle Standards) Rules 1999.

This exemption expires at midnight on 30 September 2003.

The notice titled 'Towing of Vehicles "Mobi-Jack" Trailer' appearing in the *South Australian Government Gazette*, dated 11 June 1987, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for a Motor Vehicle with a Gross Vehicle Mass of 4.5 tonnes or less to Tow a Combination Consisting of a "Eezy Tow", Car Towing Trailer and Another Motor Vehicle

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, a motor vehicle with a Gross Vehicle Mass of 4.5 tonnes or less to tow a trailer identified as "Eezy Tow" upon which may be superimposed another motor vehicle, from Regulation 20A of the Road Traffic (Miscellaneous) Regulations 1999:

Subject to the following conditions:

1. That all towing is performed in accordance with P.M.R. Products operating procedures for the "Eezy Tow" Car Trailer Mk1 Volume 1 issued 1986.
2. That the total mass of the combination of the vehicles being towed does not exceed the lesser of 1.5 times the unladen mass of the towing vehicle or the towing vehicle's towing capacity as specified by the vehicle manufacturer.
3. That while the combination of vehicles is being towed, a speed of 80 km/h shall not be exceeded.
4. That all vehicles being part of the combination are appropriately registered and meet all other requirements of the Road Traffic (Vehicle Standards) Rules 1999.

This exemption expires at midnight on 30 September 2003.

The notice titled 'Towing of Vehicles 'Eezy-Tow' Car Trailer' appearing in the *South Australian Government Gazette*, dated 11 June 1987, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Motor Vehicles Towing Trailers Transporting Citrus Fruit from Towing Two Trailers and the Towing Requirements and the Trailers Used for Transporting the Citrus Fruit from the fitting of Lighting Equipment, Brakes and Mudguards

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt trailers transporting citrus fruit from Rule 33 Mudguards, Part 9 – Braking Systems and Part 8 – Lights and Reflectors of the Road Traffic (Vehicle Standards) Rules 1999 and motor vehicles towing trailers transporting citrus fruit from Regulation 20A of the Road Traffic (Miscellaneous) Regulations 1999 for the towing of two trailers and Schedule 2, Regulation 2 of the Road Traffic (Mass and Loading Requirements) Regulations 1999 for the mass of vehicles towed by a light vehicle:

Subject to the following conditions:

1. The towing vehicle shall have an unladen mass of not less than 1.75 tonnes.
2. The towing vehicle shall have a manufacturer's recommended gross combination mass of not less than 5.0 tonnes.
3. The direction indicator lights and brake lights fitted to the towing vehicle shall be clearly visible to following vehicles at all times when the trailer is being towed.

Note: If the direction indicator lights and brake lights fitted to the towing vehicle are in any way obscured by the trailer(s) or the load being carried on the trailer(s) then direction indicator lights and brake lights complying with the requirements of the Part 8 – Lights and Reflectors of the Road Traffic (Vehicle Standards) Rules 1999 shall be fitted to the trailer(s).

4. The trailer(s) shall be fitted with at least one red reflector at the rear.
5. The laden mass of each trailer shall not exceed 1.9 tonnes.
6. The trailer(s) shall not be towed between the hours of sunset and sunrise or during periods of low visibility:
 - 6.1 For the purposes of this notice 'a period of low visibility' means any time, when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.
7. That the towing vehicle, when towing a trailer or trailers exempted under this notice, shall not travel at a speed greater than 25 km/h.
8. The towing vehicle and trailer shall comply with all other requirements of the Road Traffic Act and Regulations.
9. This notice only applies while the trailer(s) are transporting citrus fruit in a laden condition from a place of production to a place of processing and return in an unladen condition to the place of production via the same route.

The notice titled 'Towing of Two Citrus Trailers' appearing in the *South Australian Government Gazette*, dated 15 June 1989, is hereby revoked.

This exemption expires at midnight on 30 September 2001.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Motor Vehicles Towing Trailers Transporting Citrus Fruit from the Towing Requirements and Trailers Used for Transporting Citrus Fruit from the Fitting of Lighting Equipment, Brakes and Mudguards

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt trailers transporting citrus fruit from Rule 33 Mudguards, Part 9 – Braking Systems and Part 8 – Lights and Reflectors of the Road Traffic (Vehicle Standards) Rules 1999 and motor vehicles towing trailers transporting citrus fruit from Schedule 2, Regulation 2 of the Road Traffic (Mass and Loading Requirements) Regulations 1999 for the mass of vehicles towed by a light vehicle:

Subject to the following conditions:

1. The towing vehicle shall have a manufacturer's recommended towing capacity of not less than 1.2 tonnes.

The direction indicator lights and brake lights fitted to the towing vehicle shall be clearly visible to following vehicles at all times when the trailer is being towed.

Note: If the direction indicator lights and brake lights fitted to the towing vehicle are in any way obscured by the trailer(s) or the load being carried on the trailer(s) then direction indicator lights and brake lights complying with the requirements of Part 8 – Lights and Reflectors of the Road Traffic (Vehicle Standards) Rules 1999 shall be fitted to the trailer(s).

2. The trailer shall be fitted with at least one red reflector at the rear.
3. The laden mass of the trailer shall not exceed 1.9 tonnes.
4. The trailer shall not be towed between the hours of sunset and sunrise or during periods of low visibility:
 - 4.1. For the purposes of this notice 'a period of low visibility' means any time, when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.
5. That the towing vehicle, when towing a trailer exempted under this notice, shall not travel at a speed greater than 25 km/h.
6. The towing vehicle and trailer shall comply with all other requirements of the Road Traffic Act and Regulations.
7. That this notice only applies while the trailer is transporting citrus fruit in a laden condition from a place of production to a place of processing and return in an unladen condition via the same route to the place of production.

The notice titled 'Towing of One Citrus Trailer' appearing in the *South Australian Government Gazette*, dated 8 March 1990, is hereby revoked.

This exemption expires at midnight on 30 September 2001.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Engine Changes to Cars, Car Type Utilities and Car Type Panel Vans

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as authorised delegate of the Minister for Transport and Urban Planning, hereby exempt cars, car type utilities and car type panel vans:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules; and

From the following provisions of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 25 (3) (b) – Modification of motor vehicles:

For:

1. The fitting of a replacement petrol engine to vehicles manufactured to comply with Australian Design Rules 26, 27, 27A, 27B and 27C – Vehicle Emission Control, subject to the following conditions:
 - 1.1. That the engine does not have a greater displacement volume than an engine available as an option for the vehicle and that the braking system is the same as that fitted by the vehicle manufacturer for the engine concerned.
 - 1.2. That the engines fitted to vehicles manufactured on or after 1 January 1972, incorporate a positive crankcase ventilation system.
 - 1.3. That the engine fitted to passenger cars manufactured on or after 1 January 1972, but prior to 1 January 1974, does not have a carbon monoxide exhaust emission output which exceeds 4.5 percent, at the vehicle manufacturer's recommended engine idle speed.
 - 1.4. That the engine fitted to passenger cars manufactured on or after 1 January 1974 but prior to 1 July 1976 does not have a carbon monoxide emission output which exceeds 4.5 percent and a hydrocarbon exhaust emission output which exceeds 250 parts per million at the vehicle manufacturer's recommended engine idle speed.
 - 1.5. That the engine fitted to vehicles manufactured on or after 1 July 1976, incorporates a system which does not permit crankcase gases to escape directly into the atmosphere.
 - 1.6. That the engine fitted to vehicles manufactured on or after 1 July 1976, but prior to 1 January 1986, does not have a carbon monoxide exhaust emission output which exceeds 2.5 percent and a hydrocarbon exhaust emission output which exceeds 250 parts per million, at vehicle manufacturer's recommended engine idle speed.

- 1.7. That the engine fitted to cars manufactured on or after 1 January 1974, car type utilities manufactured on or after 1 July 1976 and car type panel vans manufactured on or after 1 July 1976, the engine camshaft, inlet manifold, air cleaner, air intake system or internal engine components (apart from the normal reconditioning process) are not altered from the original manufacturer's specifications. A carburettor which was not supplied as original equipment by the vehicle manufacturer may be fitted provided that the carburettor is equipped with the same number of venturis, it has an air flow rating that is within 5 percent of the manufacturer's original carburettor specifications and all emission control features fitted to the original carburettor are able to be reconnected and operate effectively.
- 1.8. That all original equipment emission control features applicable to the engine are fitted and operate effectively.
- 1.9. That if the engine has been reconditioned to a later Australian Design Rule specification all emission control features applicable to the later Australian Design Rule engine are fitted and operate effectively.
- 1.10. That vehicles manufactured on or after 1 July 1976 are fitted with an effective evaporative emission control system.
2. Notwithstanding Clause 1, the fitting of a larger capacity engine to vehicles tabled in the Category 1 Approved Engine Change List issued by Transport SA, varied or substituted from time to time is permitted and subject to the following:
 - 2.1. That the engine fitted meets the requirements of Clause 1, Conditions 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8 and 1.9.
 - 2.2. That vehicles manufactured on or after 1 July 1976, are fitted with an effective evaporative emission control system.
 - 2.3. That any requirements or conditions specified in the Category 1 Approved Engine Change List issued by Transport SA, are met.
3. That the vehicle complies with all other requirements of the Road Traffic Act and Regulations and Australian Design Rules as apply to the vehicle.

The notice titled 'Notice of Dispensation from Regulations 7.00A and 7.01 Concerning Engine Changes to Passenger Cars and Passenger Car Derivatives' appearing in the *South Australian Government Gazette*, dated 29 September 1994, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Engine Changes to Vehicles with a Gross Vehicle Mass of 4.5 Tonnes or Less (Excluding Motor Bikes, Cars, Car Type Utilities and Car Type Panel Vans)

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, and Regulation 46 of the Road Traffic (Miscellaneous) Regulations 1999, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor vehicles with a Gross Vehicle Mass of 4.5 tonnes or less excluding motor bikes, cars, car type utilities and car type panel vans:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules; and

From the following provisions of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 25 (4) (a) – Modification of motor vehicles:

For:

1. The fitting of a replacement petrol or diesel engine to vehicles manufactured to comply with the Australian Design Rule 30 – Diesel Engine Exhaust Smoke Emissions and Australian Design Rule 36 – Exhaust Emission for Heavy Duty Vehicles, subject to the following conditions:
 - 1.1. That the engine does not have a greater displacement volume than an engine available as an option for the vehicle and that the braking system is the same as that fitted by the vehicle manufacturer for the engine concerned.
 - 1.2. That petrol engines fitted to vehicles manufactured on or after 1 January 1972 incorporate a positive crankcase ventilation system.
 - 1.3. That for vehicles manufactured on or after 1 July 1978, but prior to 1 July 1988, fitted with a petrol engine, the carbon monoxide exhaust emission output does not exceed 2.5 per cent and the hydrocarbon exhaust emission output does not exceed 250 parts per million at the vehicle manufacturer's recommended engine idle speed.
 - 1.4. That for petrol engines fitted to vehicles manufactured on or after 1 July 1978, the engine camshaft, inlet manifold, air cleaner, air intake system or internal engine components (apart from the normal reconditioning process) are not altered from the original manufacturer's specifications. A carburettor which was not supplied as original equipment by that vehicle manufacturer may be fitted provided that the carburettor is equipped with the same number of venturis, it has an air flow rating which is within 5 percent of the manufacturer's original carburettor specifications and all emission control features fitted to the original carburettor are able to be reconnected and operate effectively.
 - 1.5. That for diesel engines fitted to vehicles manufactured on or after 1 July 1976, the engine camshaft, inlet manifold, fuel pump, fuel injectors, air cleaner, air intake system or internal engine components are not altered (apart from the normal reconditioning process) to increase the engine's power and or torque by more than 5 percent above the vehicle manufacturer's original power and torque specifications.
 - 1.6. That all original equipment emission control features applicable to the engine are fitted and operate effectively.
 - 1.7. That if the engine has been reconditioned to a later Australian Design Rule specification all emission control features applicable to the later Australian Design Rule engine are fitted and operate effectively.
 - 1.8. That vehicles which are fitted with a petrol engine and manufactured on or after 1 July 1978, are fitted with an effective evaporation emission control system.
2. Notwithstanding Clause 1, the fitting of larger capacity engines to vehicles with a Gross Vehicle Mass of 4.5 tonnes or less (other than motor bikes, cars, car type utilities or car type panel vans) as tabled in the Category 1 Approved Engine Change List issued by Transport SA, varied or substituted from time to time, is permitted subject to the following:
 - 2.1. That petrol engines fitted meet the requirements of Clause 1, Conditions 1.2, 1.3, 1.4, 1.6 and 1.7.

- 2.2. That diesel engines fitted meet the requirements of Clause 1, Conditions 1.5, 1.6 and 1.7.
- 2.3. That vehicles fitted with a petrol engine and manufactured on or after 1 July 1978, be fitted with an effective evaporative emission control system.
- 2.4. That any requirements or conditions specified in the Category 1 Approved Engine Change List issued by Transport SA, are met.
3. That the vehicle complies with all other requirements of the Road Traffic Act and Regulations and Australian Design Rules as apply to the vehicle.

The notice titled 'Notice of Dispensation from Regulations 7.00A and 7.01 Concerning Engine Changes to Vehicles with a Gross Vehicle Mass of 4.5 Tonnes or Less (Excluding Motorcycles, Passenger Cars, Passenger Car Derivatives)' appearing in the *South Australian Government Gazette*, dated 29 September 1994, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption to Modify Vehicles in Accordance with Specified Type Approvals

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt vehicles modified in accordance with Type Approvals issued by the Transport Department:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules; and
- Rule 20 – Compliance with third edition Australian Design Rules:

Subject to the following conditions:

1. All components fitted in accordance with a Type Approval shall be retained in the form and position in the vehicle described in the drawings and engineering submissions approved by Transport SA.
2. All modifications for which a Type Approval has been granted, shall be carried out strictly in accordance with the drawings and engineering submissions approved by Transport SA.
3. A 'Type Approval Plate' shall be affixed to the vehicle adjacent to the Australian Design Rule compliance plate or in a position approved by Transport SA.
4. The 'Type Approval Plate' shall not be removed, relocated, modified or defaced in any way unless authorisation to do so has been granted by Transport SA.
5. The 'Type Approval Plate' is only a valid plate if it is in the form prescribed by Transport SA and all information inscribed on the plate is correct.
6. This notice only applies to the alterations undertaken in accordance with the Type Approval issued by Transport SA.
7. The notice titled 'Modified Vehicles Type Approvals' appearing in the *South Australian Government Gazette*, dated 27 November 1986, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Modified Vehicles (not being a bus) Certified as Complying with the National Code of Practice for Heavy Vehicle Modifications and Fitted with a Transport SA Modification Plate by a Recognised Engineering Signatory

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, and Regulation 46 of the Road Traffic (Miscellaneous) Regulations 1999, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor vehicles with a Manufacturer's Gross Vehicle Mass greater than 4.5 tonnes (not being a bus) and trailers with a Manufacturer's Aggregate Trailer Mass greater than 4.5 tonnes:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules; and

From the following provisions of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 25 (5) – Modification of motor vehicles:

Subject to the following conditions:

1. The vehicle and any modifications shall, subject to condition 2, comply with the requirements of the National Code of Practice, Heavy Vehicle Modifications published as Vehicle Standards Bulletin Number 6, issued by the Department of Transport and Communications, Federal Office of Road Safety.
2. In the event that the vehicle does not, in the opinion of Transport SA, comply with the requirements of condition 1, the vehicle must meet standards in accordance with the following:
 - 2.1. A Recognised Engineering Signatory must lodge a submission with Transport SA in a manner and a form acceptable to Transport SA.
 - 2.2. The submission referred to above must demonstrate to the satisfaction of Transport SA that any modifications to the vehicle are equivalent to and meet the intent of Vehicle Standards Bulletin Number 6.
3. Upon acceptance by Transport SA of the submission referred to in condition 2, the vehicle shall be deemed to comply with condition 1.
4. On completion of the modification, a certificate certifying that the modified vehicle complies with all the requirements contained in this notice shall be completed by a Recognised Engineering Signatory.
5. Following certification, as described in condition 4 of this notice, a Transport SA Modification Plate, inscribed with the applicable Modification Codes in accordance with Table 1 of this notice as they relate to the modifications to the vehicle, shall be permanently affixed to the vehicle by or on behalf of a Recognised Engineering Signatory.
6. The Transport SA Modification Plate shall not be removed, relocated, defaced and the information originally inscribed thereon shall not be altered in any way, unless authorisation to do so has been granted by Transport SA.
7. The Transport SA Modification Plate is only a valid plate if it is in the form prescribed by Transport SA and all information inscribed on the plate is legible and correct.
8. Modification Codes that identify vehicle modifications for the purposes of this notice shall be in accordance with the Modification Codes listed in Table 1.

Table 1

A1	Engine Substitution
A2	Air Cleaner Substitution
A3	Turbocharger Installation
A4	Exhaust System Alteration
A5	Road Speed Limiter
B1	Transmission Substitution or Additional Fitting
C1	Tailshaft Alterations
D1	Rear Axle(s) Installation
D2	Differential Substitution
E1	Front Axle(s) Installation
E2	Steering System Alteration
F1	Suspension Substitution
G1	Air Brakes System – Relocation of Air Brake Components
G2	Installation of Trailer Braking Controls – Air Brakes
G3	Trailer Brake System Upgrading
G4	Brake System Certification
G5	Auxiliary Brakes – Engine, Exhaust or Retarder Type
G6	Air Operated Accessories
G7	Brake System Substitution or Wheelbase Extension – Powered Vehicles
H1	Wheelbase Extension Outside the First Manufacturer's Option
H2	Wheelbase Reduction Less Than First Manufacturer's Option
H3	Wheelbase Alteration Within First Manufacturer's Option
H4	Chassis Frame Alteration
J1	Body Mounting

K1	Seating Capacity Alteration and Seat Belt Installation
K2	Seat Belt Anchorage Certification and Seat Belt Anchorage Certification
K3	Cabin Conversion
K5	Wheelchair Occupant Restraint System Installation
M1	Fuel System Alteration
P1	Tow Coupling Installation Vehicles Greater Than 4.5 Tonne GVM
P2	Fifth Wheel and King Pin Installation
Q1	Installation of Truck Mounted Lifting System – Slewing
R1	Goods Loading Devices - Non-Slewing
R2	Wheelchair Loading Devices
S1	Gross Vehicle Mass Rating Within Manufacturer's Specifications
S2	Gross Vehicle Mass Rating for Non-Standard Vehicles
S3	Gross Combination Mass Rating
S7	Trailer Rating
S8	Road Train Prime Mover Rating
S9	B-Double Prime Mover Rating
T1	Construction of Tow Trucks
T2	Design of Tow Trucks
Y1	Non-standard Wheel and Non-standard Wheel Track
Z1	No AMVCB or Motor Vehicles Standards Act Compliance Plate
Z2	No AMVCB or Motor Vehicles Standards Act Compliance Plate Approval

Note: For the purposes of this notice a Recognised Engineering Signatory is a person who has been approved by the Minister to certify vehicle modifications under this notice.

Note: A list of Recognised Engineering Signatories and the fields of work for which they are accredited are contained in the publication identified as Automotive Circular Number 24 – Recognised Engineering Signatories for Heavy Vehicles, as amended from time to time, issued by Transport SA.

This Exemption only applies to vehicles bearing a Transport SA Modification Plate issued on or after 12 October 2000.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Modified Vehicles (not being a bus) Certified and Fitted with a Transport SA Modification Plate by Transport SA

PURSUANT to the provisions of section 163AA under the Road Traffic Act 1961, as amended, and Regulation 46 of the Road Traffic (Miscellaneous) Regulations 1999, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, motor vehicles with a Manufacturer's Gross Vehicle Mass greater than 4.5 tonnes (not being a bus) and trailers with a Manufacturer's Aggregate Trailer Mass greater than 4.5 tonnes:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules; and

From the following provisions of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 25 (5) – Modification of motor vehicles:

Subject to the following conditions:

1. The vehicle and any alterations to the vehicle shall comply with the document titled *Statement of Requirements*, which has been issued by Transport SA in relation to the vehicle and specified vehicle modifications.
2. A Transport SA Modification Plate shall be permanently affixed to the vehicle and inscribed with the applicable Modification Codes in accordance with Table 1 of this notice as they relate to the modifications to the vehicle.
3. The Transport SA Modification Plate shall not be removed, relocated, defaced and the information originally inscribed thereon shall not be altered in any way, unless authorisation to do so has been granted by Transport SA.
4. The Transport SA Modification Plate is only a valid plate if it is in the form prescribed by Transport SA and all information inscribed on the plate is legible and correct.

Table 1

A1	Engine Substitution
A2	Air Cleaner Substitution
A3	Turbocharger Installation
A4	Exhaust System Alteration
A5	Road Speed Limiter
B1	Transmission Substitution or Additional Fitting
C1	Tailshaft Alterations
D1	Rear Axle(s) Installation
D2	Differential Substitution
E1	Front Axle(s) Installation
E2	Steering System Alteration
F1	Suspension Substitution
G1	Air Brakes System – Relocation of Air Brake Components
G2	Installation of Trailer Braking Controls – Air Brakes
G3	Trailer Brake System Upgrading
G4	Brake System Certification
G5	Auxiliary Brakes – Engine, Exhaust or Retarder Type
G6	Air Operated Accessories
G7	Brake System Substitution or Wheelbase Extension – Powered Vehicles
H1	Wheelbase Extension Outside the First Manufacturer's Option
H2	Wheelbase Reduction Less Than First Manufacturer's Option
H3	Wheelbase Alteration Within First Manufacturer's Option
H4	Chassis Frame Alteration
J1	Body Mounting
K1	Seating Capacity Alteration and Seat Belt Installation
K2	Seat Belt Anchorage Certification and Seat Belt Anchorage Certification
K3	Cabin Conversion
K5	Wheelchair Occupant Restraint System Installation
M1	Fuel System Alteration
P1	Tow Coupling Installation Vehicles Greater Than 4.5 Tonne GVM
P2	Fifth Wheel and King Pin Installation
Q1	Installation of Truck Mounted Lifting System – Slewing
R1	Goods Loading Devices - Non-Slewing
R2	Wheelchair Loading Devices
S1	Gross Vehicle Mass Rating Within Manufacturer's Specifications
S2	Gross Vehicle Mass Rating for Non-Standard Vehicles
S3	Gross Combination Mass Rating
S7	Trailer Rating
S8	Road Train Prime Mover Rating
S9	B-Double Prime Mover Rating
T1	Construction of Tow Trucks
T2	Design of Tow Trucks
Y1	Non-standard Wheel and Non-standard Wheel Track
Z1	No AMVCB or Motor Vehicles Standards Act Compliance Plate
Z2	No AMVCB or Motor Vehicles Standards Act Compliance Plate Approval

This Exemption only applies to vehicles bearing a Transport SA Modification Plate issued on or after 12 October 2000.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Modified Buses Certified as Complying with the National Code of Practice for Heavy Vehicle Modifications and Fitted with a Transport SA Modification Plate by a Recognised Engineering Signatory

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt buses with a Manufacturer's Gross Vehicle Mass greater than 4.5 tonnes:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules; and

From the following provisions of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 42 (1) as it relates to Clause 4 – Modifications, of the Code of Practice for Buses:

Subject to the following conditions:

1. The vehicle and any modifications shall, subject to condition 2, comply with the requirements of the National Code of Practice, Heavy Vehicle Modifications published as Vehicle Standards Bulletin Number 6, issued by the Department of Transport and Communications, Federal Office of Road Safety.
2. In the event that the vehicle does not, in the opinion of Transport SA, comply with the requirements of condition 1, the vehicle must meet standards in accordance with the following:
 - 2.1. A Recognised Engineering Signatory must lodge a submission with Transport SA in a manner and a form acceptable to Transport SA.
 - 2.2. The submission referred to above must demonstrate to the satisfaction of Transport SA that any modifications to the vehicle are equivalent to and meet the intent of Vehicle Standards Bulletin Number 6.
3. Upon acceptance by Transport SA of the submission referred to in condition 2, the vehicle shall be deemed to comply with condition 1.
4. On completion of the modification, a certificate certifying that the modified vehicle complies with all the requirements contained in this notice shall be completed by a Recognised Engineering Signatory.
5. Following certification, as described in condition 4 of this notice, a Transport SA Modification Plate, inscribed with the applicable Modification Codes in accordance with Table 1 of this notice as they relate to the modifications to the vehicle, shall be permanently affixed to the vehicle by or on behalf of a Recognised Engineering Signatory.
6. The Transport SA Modification Plate shall not be removed, relocated, defaced and the information originally inscribed thereon shall not be altered in any way, unless authorisation to do so has been granted by Transport SA.
7. The Transport SA Modification Plate is only a valid plate if it is in the form prescribed by Transport SA and all information inscribed on the plate is legible and correct.
8. Modification Codes that identify vehicle modifications for the purposes of this notice shall be in accordance with the Modification Codes listed in Table 1.

Table 1

A1	Engine Substitution
A2	Air Cleaner Substitution
A3	Turbocharger Installation
A4	Exhaust System Alteration
A5	Road Speed Limiter
B1	Transmission Substitution or Additional Fitting
C1	Tailshaft Alterations
D1	Rear Axle(s) Installation
D2	Differential Substitution
E1	Front Axle(s) Installation
E2	Steering System Alteration
F1	Suspension Substitution
G1	Air Brakes System – Relocation of Air Brake Components
G2	Installation of Trailer Braking Controls – Air Brakes
G3	Trailer Brake System Upgrading
G4	Brake System Certification
G5	Auxiliary Brakes – Engine, Exhaust or Retarder Type
G6	Air Operated Accessories
G7	Brake System Substitution or Wheelbase Extension – Powered Vehicles
H1	Wheelbase Extension Outside the First Manufacturer's Option
H2	Wheelbase Reduction Less Than First Manufacturer's Option
H3	Wheelbase Alteration Within First Manufacturer's Option
H4	Chassis Frame Alteration
J1	Body Mounting

K1	Seating Capacity Alteration and Seat Belt Installation
K2	Seat Belt Anchorage Certification and Seat Belt Anchorage Certification
K3	Cabin Conversion
K5	Wheelchair Occupant Restraint System Installation
M1	Fuel System Alteration
P1	Tow Coupling Installation Vehicles Greater Than 4.5 Tonne GVM
P2	Fifth Wheel and King Pin Installation
Q1	Installation of Truck Mounted Lifting System – Slewing
R1	Goods Loading Devices - Non-Slewing
R2	Wheelchair Loading Devices
S1	Gross Vehicle Mass Rating Within Manufacturer's Specifications
S2	Gross Vehicle Mass Rating for Non-Standard Vehicles
S3	Gross Combination Mass Rating
S7	Trailer Rating
S8	Road Train Prime Mover Rating
S9	B-Double Prime Mover Rating
T1	Construction of Tow Trucks
T2	Design of Tow Trucks
Y1	Non-standard Wheel and Non-standard Wheel Track
Z1	No AMVCB or Motor Vehicles Standards Act Compliance Plate
Z2	No AMVCB or Motor Vehicles Standards Act Compliance Plate Approval

Note: For the purposes of this notice a Recognised Engineering Signatory is a person who has been approved by the Minister to certify vehicle modifications under this notice.

Note: A list of Recognised Engineering Signatories and the fields of work for which they are accredited are contained in the publication identified as Automotive Circular Number 24 – Recognised Engineering Signatories for Heavy Vehicles, as amended from time to time, issued by Transport SA.

This Exemption only applies to vehicles bearing a Transport SA Modification Plate issued on or after 12 October 2000.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Modified Buses Certified and Fitted with a Transport SA Modification Plate by Transport SA

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt buses with a Manufacturer's Gross Vehicle Mass greater than 4.5 tonnes:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules; and

From the following provisions of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 42 (1) as it relates to Clause 4 – Modifications, of the Code of Practice for Buses:

Subject to the following conditions:

1. The vehicle and any alterations to the vehicle shall comply with the document titled Statement of Requirements, which has been issued by Transport SA in relation to the vehicle and specified vehicle modifications.
2. A Transport SA Modification Plate shall be permanently affixed to the vehicle and inscribed with the applicable Modification Codes in accordance with Table 1 of this notice as they relate to the modifications to the vehicle.
3. The Transport SA Modification Plate shall not be removed, relocated, defaced and the information originally inscribed thereon shall not be altered in any way, unless authorisation to do so has been granted by Transport SA.
4. The Transport SA Modification Plate is only a valid plate if it is in the form prescribed by Transport SA and all information inscribed on the plate is legible and correct.

Table 1

A1	Engine Substitution
A2	Air Cleaner Substitution
A3	Turbocharger Installation
A4	Exhaust System Alteration
A5	Road Speed Limiter
B1	Transmission Substitution or Additional Fitting
C1	Tailshaft Alterations
D1	Rear Axle(s) Installation
D2	Differential Substitution
E1	Front Axle(s) Installation
E2	Steering System Alteration
F1	Suspension Substitution
G1	Air Brakes System – Relocation of Air Brake Components
G2	Installation of Trailer Braking Controls – Air Brakes
G3	Trailer Brake System Upgrading
G4	Brake System Certification
G5	Auxiliary Brakes – Engine, Exhaust or Retarder Type
G6	Air Operated Accessories
G7	Brake System Substitution or Wheelbase Extension – Powered Vehicles
H1	Wheelbase Extension Outside the First Manufacturer's Option
H2	Wheelbase Reduction Less Than First Manufacturer's Option
H3	Wheelbase Alteration Within First Manufacturer's Option
H4	Chassis Frame Alteration
J1	Body Mounting
K1	Seating Capacity Alteration and Seat Belt Installation
K2	Seat Belt Anchorage Certification and Seat Belt Anchorage Certification
K3	Cabin Conversion
K5	Wheelchair Occupant Restraint System Installation
M1	Fuel System Alteration
P1	Tow Coupling Installation Vehicles Greater Than 4.5 Tonne GVM
P2	Fifth Wheel and King Pin Installation
Q1	Installation of Truck Mounted Lifting System – Slewing
R1	Goods Loading Devices - Non-Slewing
R2	Wheelchair Loading Devices
S1	Gross Vehicle Mass Rating Within Manufacturer's Specifications
S2	Gross Vehicle Mass Rating for Non-Standard Vehicles
S3	Gross Combination Mass Rating
S7	Trailer Rating
S8	Road Train Prime Mover Rating
S9	B-Double Prime Mover Rating
T1	Construction of Tow Trucks
T2	Design of Tow Trucks
Y1	Non-standard Wheel and Non-standard Wheel Track
Z1	No AMVCB or Motor Vehicles Standards Act Compliance Plate
Z2	No AMVCB or Motor Vehicles Standards Act Compliance Plate Approval

This Exemption only applies to vehicles bearing a Transport SA Modification Plate issued on or after 12 October 2000.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Motor Bikes manufactured prior to 1950 from the Fitting of Brake Lights

Pursuant to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor bikes manufactured prior to 1950:

From the following provision of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 98 – Fitting brake lights:

Subject to the following condition:

1. That the vehicle complies with all other requirements of the Road Traffic Act and Regulations 1961.

The notice titled 'Road Traffic Act 1961, Dispensation From Brake Lamp Requirements' appearing in the *South Australian Government Gazette*, dated 13 June 1985, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for the fitting of Additional Direction Indicator Lights

Pursuant to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor vehicles fitted with additional pairs of direction indicator lights:

From the following provision of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 101 – Direction indicator lights on motor vehicles:

Subject to the following condition:

1. That the lights meet all other requirements of Division 11 – Direction Indicator Lights of the Road Traffic (Vehicle Standards) Rules 1999.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for the Fitting of Magenta Flashing Lights to Vehicles Used by Inspectors Appointed Under the Dangerous Substances Act

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as authorised delegate of the Minister for Transport and Urban Planning, hereby exempt vehicles used by inspectors appointed under the Dangerous Substances Act 1979, fitted with magenta flashing lights:

From the following provision of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 118 (1) – Other lights and reflectors:

Subject to the following condition:

1. That the light or lights are only operated by an inspector, in the exercise or performance of the powers, functions or duties of an inspector appointed under the Dangerous Substances Act 1979.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for the Fitting of Lighting Equipment, Rear Vision Mirrors, Horn and Other Equipment to Agricultural Vehicles which are Not More than 3 m in Width

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt:

Tractors used for agricultural purposes, self propelled agricultural machines and agricultural implements with an overall width of not more than 3 m:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Part 8, Division 2 – Headlamps;
- Part 8, Division 3 – Parking Lights;
- Part 8, Division 5 – Tail Lights;
- Part 8, Division 6 – Number Plate Lights;
- Part 8, Division 7 – Clearance Lights;
- Part 8, Division 8 – Side Marker Lights;
- Part 8, Division 14 – Reflectors Generally;
- Part 8, Division 15 – Rear Reflectors;
- Part 8, Division 17 – Front Reflectors;
- Part 8, Division 19 – Other Lights, Reflectors, Rear Marking Plates or Signals;
- Rule 34 – Horns, alarms etc;
- Rule 35 – Rear vision mirrors;

- Rule 129 – Motor vehicle braking system requirements;
- Rule 146 – Crank case gases;
- Rule 148 – Exhaust systems; and

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. The vehicle is only permitted to travel on a road or road related area for the purpose of:
 - 1.1. undertaking activities involved directly with primary production; or
 - 1.2. transport to or from a farm machinery dealership to place of agricultural operation, display or repair and return; or
 - 1.3. transport to or from a place of an agricultural operation to another place of agricultural operation.
2. The vehicle is not operated at a speed exceeding 40 km/h.
3. The vehicle shall not be driven or used on a road or road related area between sunset and sunrise or during periods of low visibility unless all lighting equipment in accordance with Part 8 – Lights and Reflectors of the Road Traffic (Vehicle Standards) Rules 1999, are fitted:
 - 3.1. For the purpose of this notice ‘a period of low visibility’ means any time when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.
4. If the vehicle is a tractor or machine which has its own motive power, it shall be fitted with:
 - 4.1. A horn complying with Rule 34 of the Road Traffic (Vehicle Standards) Rules 1999, if the vehicle was manufactured on or after 1 July 1996.
 - 4.2. A rear vision mirror or mirrors complying with the requirements of Rule 35 and 36 of the Road Traffic (Vehicle Standards) Rules 1999, if the vehicle was manufactured on or after 1 July 1996, unless the primary use of the tractor or machine is under or in or about trees or vines, or any other place which is too low, or too narrow, for a tractor to work when the vehicle is fitted with mirrors.
 - 4.3. Parking lights, complying with Part 8 Division 3 of the Road Traffic (Vehicle Standards) Rules 1999, if the vehicle is left standing on a road or road related area between sunset and sunrise or during periods of low visibility.
 - 4.4. Brakes to two or more wheels complying with the requirements of Rule 128 of the Road Traffic (Vehicles Standards) Rules 1999.
 - 4.5. A parking brake that operates on at least two wheels and that is capable of holding the vehicle stationary on a 12 percent gradient.
 - 4.6. An actuating mechanism for the parking brake that incorporates a device that prevents accidental release of that mechanism and holds the brake in the applied position unless intentionally released by the driver.
5. If the vehicle is an agricultural implement it shall be fitted with parking lights if the vehicle is left standing on a road or road related area between sunset and sunrise or during periods of low visibility.
6. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.

The notice titled ‘Exemption from the fitting of lights, mudguards, rear vision mirrors and a warning device to agricultural vehicles’ appearing in the *South Australian Government Gazette*, dated 9 September 1999, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for the Fitting of Lighting Equipment, Rear Vision Mirrors, Horn and Other Equipment to Agricultural Vehicles which are More than 3 m in Width

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt:

Tractors used for agricultural purposes, self propelled agricultural machines and agricultural implements with an overall width of more than 3 m:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Part 8, Division 2 – Headlamps;
- Part 8, Division 3 – Parking Lights;
- Part 8, Division 5 – Tail Lights;
- Part 8, Division 6 – Number Plate Lights;
- Part 8, Division 7 – Clearance Lights;
- Part 8, Division 8 – Side Marker Lights;
- Part 8, Division 9 – Brake Lights;
- Part 8, Division 14 – Reflectors Generally;
- Part 8, Division 15 – Rear Reflectors;
- Part 8, Division 17 – Front Reflectors;
- Part 8, Division 19 – Other Lights, Reflectors, Rear Marking Plates or Signals;
- Rule 34 – Horns, alarms etc;
- Rule 35 – Rear vision mirrors;
- Rule 129 – Motor vehicle braking system requirements;
- Rule 146 – Crank case gases;
- Rule 148 – Exhaust systems; and

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

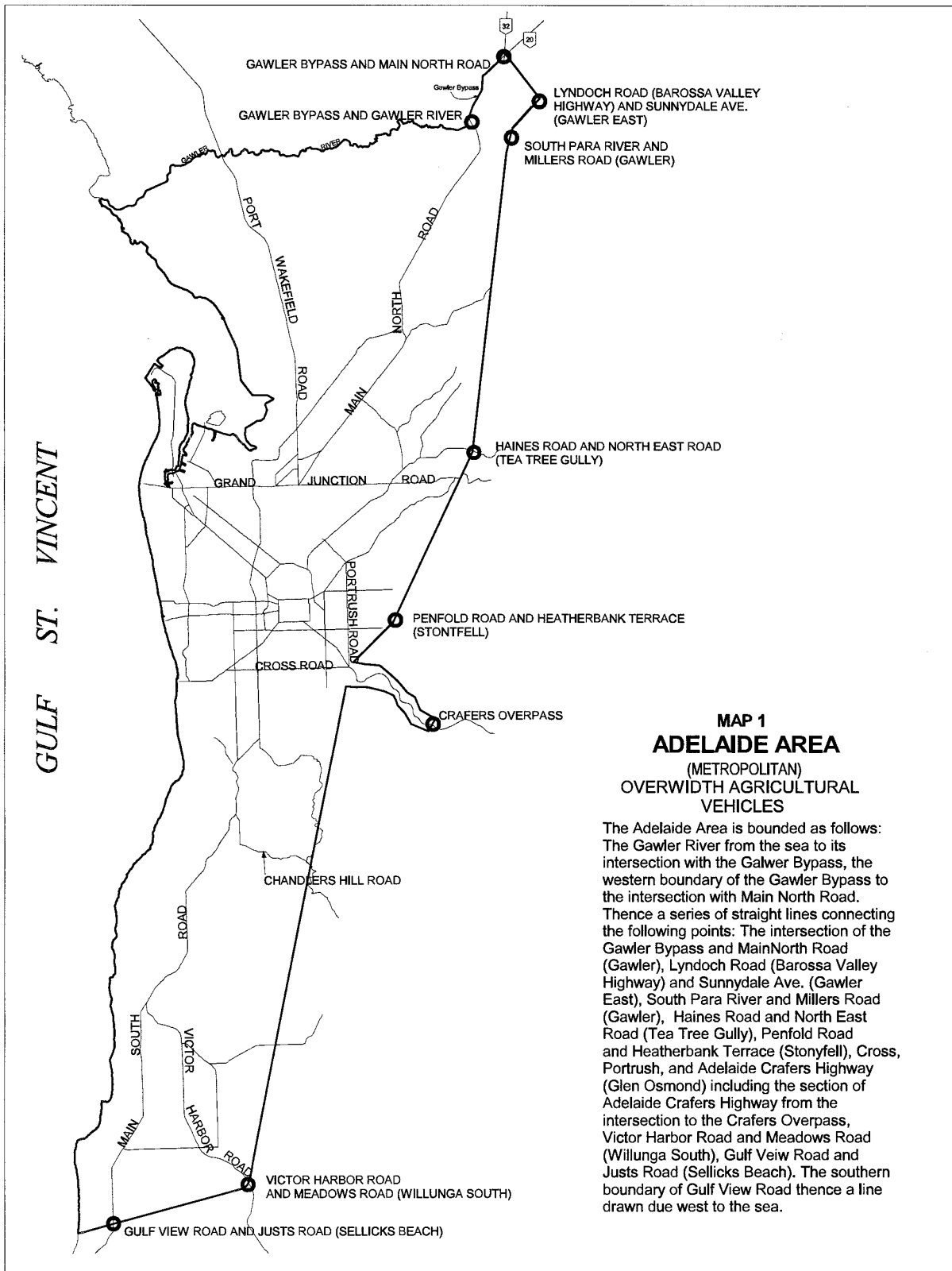
1. The vehicle is only permitted to travel on a road or road related area for the purpose of:
 - 1.1. undertaking activities involved directly with primary production; or
 - 1.2. transport to or from a farm machinery dealership to place of agricultural operation, display or repair and return; or
 - 1.3. transport to or from a place of an agricultural operation to another place of agricultural operation.
2. The vehicle is not operated at a speed exceeding 40 km/h.
3. The vehicle shall not be driven or used on a road or road related area between sunset and sunrise or during periods of low visibility:
 - 3.1. For the purpose of this notice 'a period of low visibility' means any time when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.
4. Agricultural vehicles built prior to 1 July 2001 which are more than 3 m in width are exempt from the fitting of brake lights. If brake lights are not fitted to an agricultural vehicle it is subject to the additional conditions contained in Clause 5 of this notice.
5. Agricultural vehicles not fitted with brake lights shall comply with the following additional conditions:
 - 5.1. The agricultural vehicle shall not travel within the Adelaide Area (Metropolitan) and the Adelaide Hills Area.
 - 5.2. For the purposes of this notice, the 'Adelaide Area (Metropolitan)' is defined as the area described in Map 1 'Adelaide Area (Metropolitan) – Overwidth Agricultural Vehicles' of this notice.
 - 5.3. For the purposes of this notice the 'Adelaide Hills Area' is defined as the shaded areas shown in 'Map 2, Adelaide Hills Area – Overwidth Agricultural Vehicles' of this notice.
 - 5.4. The agricultural vehicle shall not be operated at a speed exceeding 25 km/h within townships.
 - 5.5. The agricultural vehicle shall display a warning light(s) (revolving yellow flashing light) that are visible from all sides, fixed to the highest practicable point on the vehicle and which meet the following specifications:
 - 5.5.1. emit a rotating, flashing, yellow coloured light; and
 - 5.5.2. flash at a rate between 120 and 200 times per minute; and
 - 5.5.3. have a power of at least 55 watts; and
 - 5.5.4. be clearly visible to other road users at a distance of 500 m; and
 - 5.5.5. not be a strobe light.
 - 5.6. Warning light(s) shall be either permanently connected into the electrical system of the vehicle or use standard automotive connectors to allow easy electrical disconnection and removal of the light(s) when not required.
 - 5.7. Warning light(s) shall have incorporated into their electrical system an on/off switch control which is located within easy reach of the driver.

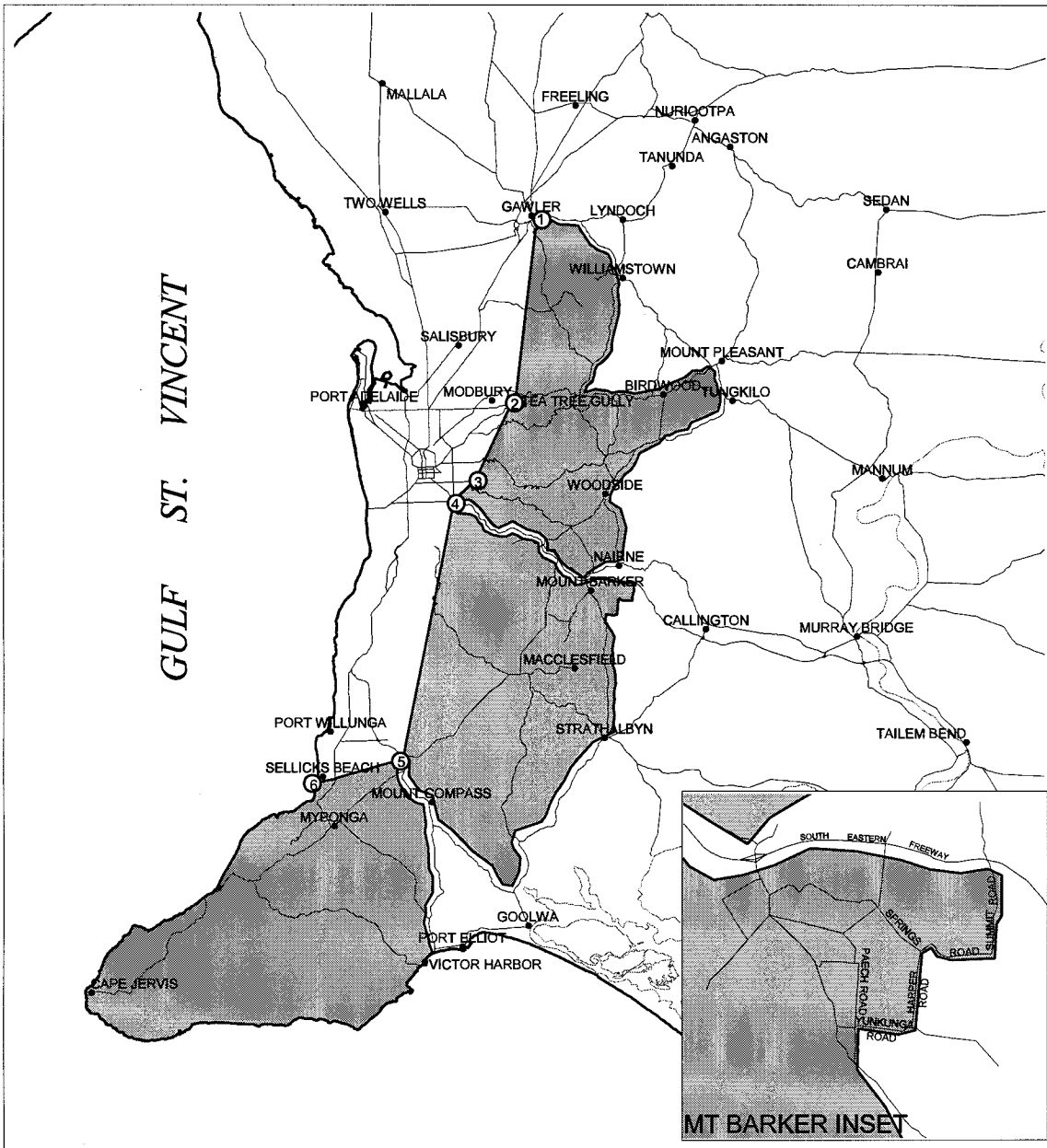
Note: The warning light may be fitted to a mast of sufficient height to meet the requirements of the conditions contained in Clause 5.5.4. of this notice.

6. If the vehicle is a tractor or machine which has its own motive power it shall be fitted with:
 - 6.1. A horn complying with Rule 34 of the Road Traffic (Vehicle Standards) Rules 1999, if the vehicle was manufactured on or after 1 July 1996.
 - 6.2. A rear vision mirror or mirrors complying with the requirements of Rule 35 and 36 of the Road Traffic (Vehicle Standards) Rules 1999, if the vehicle was manufactured on or after 1 July 1996, unless the primary use of the tractor or machine is under or in or about trees or vines, or any other place which is too low, or too narrow, for a tractor to work when the vehicle is fitted with mirrors.
 - 6.3. Parking lights, if the vehicle is left standing on a road or road related area between sunset and sunrise or during periods of low visibility.
 - 6.4. Brakes to two or more wheels complying with the requirements of Rule 128 of the Road Traffic (Vehicles Standards) Rules 1999.
 - 6.5. A parking brake that operates on at least two wheels and that is capable of holding the vehicle stationary on a 12 percent gradient.
 - 6.6. An actuating mechanism for the parking brake that incorporates a device that prevents accidental release of that mechanism and holds the brake in the applied position unless intentionally released by the driver.
7. If the vehicle is an agricultural implement it shall be fitted with parking lights if the vehicle is left standing on a road or road related area between sunset and sunrise or during periods of low visibility.
8. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.

This notice will expire at midnight on 30 June 2001.

The notice titled 'Exemption from the fitting of lights, mudguards, rear vision mirrors and a warning device to agricultural vehicles' appearing in the *South Australian Government Gazette*, dated 9 September 1999, is hereby revoked.





THE SHADED SECTION CONNECTED BY NUMBERED CIRCLES COINCIDES WITH THE BOUNDARY OF THE METROPOLITAN AREA

- ① Lyndoch Road (Barossa Valley Highway) and Sunnydale Road (Gawler East)
- ② Haines Road and North Easy Road (Tea Tree Gully)
- ③ Penfold Road and Heather bank Terrace (Stonyfell)
- ④ Cross, Portrush, and Adelaide Crafers Highway (Glen Osmond)
- ⑤ Victor Harbor Road and Meadow Road (Willunga South)
- ⑥ Gulf View Road and Justs Road (Sellicks Beach)

**MAP 2
ADELAIDE HILLS AREA
OVERWIDTH AGRICULTURAL
VEHICLES**

The Adelaide Hills Area is defined as the shaded areas

ROAD TRAFFIC ACT 1961

Exemption for the Fitting of Lighting Equipment, Rear Vision Mirrors, Horn and Other Equipment to Tractors, Road Construction Equipment and Forklifts Operating within a Designated Worksite

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt tractors, road construction equipment, and forklifts:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Part 8, Division 2 – Headlamps;
- Part 8, Division 3 – Parking Lights;
- Part 8, Division 5 – Tail Lights;
- Part 8, Division 6 – Number Plate Lights;
- Part 8, Division 7 – Clearance Lights;
- Part 8, Division 8 – Side Marker Lights;
- Part 8, Division 9 – Brake Lights;
- Part 8, Division 11 – Direction Indicator Lights;
- Part 8, Division 14 – Reflectors Generally;
- Part 8, Division 15 – Rear Reflectors;
- Part 8, Division 17 – Front Reflectors;
- Part 8, Division 19 – Other Lights, Reflectors, Rear Marking Plates or Signals;
- Rule 28 – Turning ability;
- Rule 30 – Protrusions;
- Rule 34 – Horns, alarms etc;
- Rule 35 – Rear vision mirrors;
- Rule 129 – Motor vehicle braking system requirements;
- Rule 146 – Crank case gases;
- Rule 147 – Visible emissions;
- Rule 148 – Exhaust systems; and

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. The vehicle is only permitted to be operated on a road or road related area for the purpose of undertaking activities involved directly with road construction and/or maintenance.
2. The vehicle is only permitted to be operated or to be left standing on a road or road related area within a designated worksite.
3. The worksite is signed in accordance with Australian Standard 1742.3-1996, Part 3 'Traffic Control Devices for Works on Roads'.
4. The vehicle is transported by float (not driven) to and/or between worksites.
5. The vehicle is only used for the maintenance and/or construction of roads, road related areas, bridges or culverts.
6. Travel is not permitted on a road or road related area within the designated worksite between sunset and sunrise or during periods of low visibility unless the designated worksite is floodlit or the vehicle is fitted with all lighting equipment in accordance with Part 8 – Lights and Reflectors of the Road Traffic (Vehicle Standards) Rules 1999:
 - 6.1. For the purpose of this notice 'a period of low visibility' means any time when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.
7. The vehicle is not operated at a speed exceeding 40 km/h.
8. If the vehicle is a tractor or machine which has its own motive power, it shall be fitted with:
 - 8.1. Brakes to two or more wheels complying with the requirements of Rule 128 of the Road Traffic (Vehicles Standards) Rules 1999.
 - 8.2. A parking brake that operates on at least two wheels and that is capable of holding the vehicle stationary on a 12 percent gradient.
 - 8.3. An actuating mechanism for the parking brake that incorporates a device that prevents accidental release of that mechanism and holds the brake in the applied position unless intentionally released by the driver.
9. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.

The notice titled 'Notice of Dispensation from the Regulations under the Road Traffic Act for the Fitting of Lighting Equipment to Tractors, Road Construction Equipment, Earth Moving Equipment and Forklift Trucks' appearing in the *South Australian Government Gazette*, dated 22 October 1996, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for the Fitting of Lighting and Other Equipment to Tractors, Graders, Road Rollers and Other Machines used for Road Construction and/or Maintenance Operating on Roads and Road Related Areas

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt tractors, graders, road rollers and other machines used for road construction and/or maintenance:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Part 8, Division 2 – Headlamps;
- Part 8, Division 3 – Parking Lights;
- Part 8, Division 5 – Tail Lights;
- Part 8, Division 6 – Number Plate Lights;
- Part 8, Division 7 – Clearance Lights;
- Part 8, Division 8 – Side Marker Lights;
- Part 8, Division 14 – Reflectors Generally;
- Part 8, Division 17 – Front Reflectors;
- Part 8, Division 19 – Other Lights, Reflectors, Rear Marking Plates or Signals;
- Rule 28 – Turning ability;
- Rule 30 – Protrusions;
- Rule 129 – Motor vehicle braking system requirements;
- Rule 146 – Crank case gases;
- Rule 147 – Visible emissions;
- Rule 148 – Exhaust systems; and

From:

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. The vehicle is only permitted to be operated on a road or road related area for the purpose of undertaking activities involved directly with road construction and/or maintenance.
 2. The vehicle is not designed primarily for road use and is not constructed on a conventional truck chassis.
 3. The vehicle is only used for the maintenance and/or construction of roads, road related areas, bridges or culverts.
 4. Travel is not permitted on a road or road related area between sunset and sunrise or during periods of low visibility unless the vehicle is fitted with all lighting equipment in accordance with Part 8 – Lights and Reflectors of the Road Traffic (Vehicle Standards) Rules 1999:
 - 4.1. For the purpose of this notice ‘a period of low visibility’ means any time when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.
 5. The vehicle is not operated at a speed exceeding 40 km/h.
 6. If the vehicle is a tractor, grader or machine which has its own motive power, it shall be fitted with:
 - 6.1. Brakes to two or more wheels complying with the requirements of Rule 128 of the Road Traffic (Vehicles Standards) Rules 1999.
 - 6.2. A parking brake that operates on at least two wheels and that is capable of holding the vehicle stationary on a 12 per cent gradient.
 - 6.3. An actuating mechanism for the parking brake that incorporates a device that prevents accidental release of that mechanism and holds the brake in the applied position unless intentionally released by the driver.
 7. If the vehicle is a construction road roller which does not have its own motive power and it has a laden mass not exceeding 12 tonnes it is exempt from the fitting of brakes while being drawn behind another vehicle at a speed not exceeding 10 km/h and the towing vehicle is fitted with brakes.
 8. If the vehicle is a machine which does not have its own motive power and it has a laden mass not exceeding 6 tonnes it is exempt from the fitting of brakes while being drawn behind another vehicle at a speed not exceeding 25 km/h and the towing vehicle is fitted with brakes.
 9. All vehicles operating under this notice, except for construction road rollers which do not have their own motive power, shall be fitted with:
 - 9.1. Direction indicator lights complying with Part 8, Division 11 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 9.2. Brake lights complying with Part 8, Division 9 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 9.3. Rear reflectors complying with Part 8, Division 15 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 9.4. Parking lights, if the vehicle is left standing on a road or road related area between sunset and sunrise or during periods of low visibility.
 10. All construction road rollers which do not have their own motive power and which are operating under this notice, shall be fitted with rear reflectors complying with Part 8, Division 15 of the Road Traffic (Vehicle Standards) Rules 1999.
- Note: For the purposes of this notice construction road rollers are steel smooth drum rollers, steel grid rollers, steel sheeps-foot rollers and combination steel smooth drum/pneumatic tyred multi wheel rollers which do not have their own motive power and which are designed and constructed to only be drawn by a towing vehicle.

11. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.

The notice titled ‘Dispensation from Lighting Requirements’ appearing in the *South Australian Government Gazette*, dated 17 September 1992, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

Exemption from the Road Traffic (Vehicle Standards) Rules 1999, for Three and Four Wheel Motor Bikes which are being used for Work Related Activities by Primary Producers and Nominated Government Departments and Authorities

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt vehicles of a specified class which can be identified as follows:

1. A vehicle which has 4 wheels or a vehicle which has 3 wheels where one wheel is at the front and two wheels are at the rear and the wheels are symmetrically placed about the longitudinal axis of the vehicle;
2. A vehicle designed and constructed for the driver to sit astride; and
3. A vehicle for which the design of the engine, transmission and steering is common with those components used in the manufacture of motor bikes; and
4. A vehicle which is manufactured by a company who manufactures motor bikes approved by the Administrator, Vehicle Safety Standards Safety Branch, for compliance with Australian Design Rules and road use in Australia.

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Part 8 – Lights and reflectors;
- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules;
- Rule 34 – Horns, alarms etc;
- Rule 35 – Rear vision mirrors;
- Rule 129 – Motor vehicle braking system requirements; and

From the following provision of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 36 – Seat belts and seat belt anchorages; and

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. The vehicle is either:
 - 1.1. owned by a person who qualifies as a primary producer for the purposes of the Motor Vehicles Act 1959, and the motor bike is only used in connection with the working of one or more separate parcels of land that are worked in conjunction with each other; or
 - 1.2. owned by Department for Environment and Heritage, Primary Industries and Resources SA, Utilities Management Pty Ltd, or Local Government Authorities and the motor bike is only used on a road or road related area for the purposes of undertaking duties directly associated with the functions of that Government Department or authority.
2. The vehicle complies with all other requirements of the Road Traffic (Vehicle Standards) Rules 1999, applicable to motor bikes.
3. The vehicle does not tow a trailer that has a laden mass which exceeds the unladen mass of the towing vehicle.
4. The vehicle is only permitted to be operated on a road or road related area for the purpose of undertaking activities involved directly with primary production or for the purpose of undertaking duties directly involved with those Government Departments or authorities identified in Clause 1.2.
5. The vehicle is not operated at a speed exceeding 40 km/h.
6. The vehicle is fitted with:
 - 6.1. Headlight(s), tail light, brake light and rear reflector(s).
 - 6.2. Parking lights, if the vehicle is left standing on a road or road related area between sunset and sunrise or during periods of low visibility.
 - 6.3. For the purpose of this notice ‘a period of low visibility’ means any time when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.
 - 6.4. Brakes to two or more wheels complying with the requirements of Rule 128 of the Road Traffic (Vehicles Standards) Rules 1999.
 - 6.5. A parking brake that operates on at least two wheels and that is capable of holding the vehicle stationary on a 12 per cent gradient.
 - 6.6. An actuating mechanism for the parking brake that incorporates a device that prevents accidental release of that mechanism and holds the brake in the applied position unless intentionally released by the driver.
 - 6.7. A rear vision mirror or mirrors complying with the requirements of Rule 35 and 36 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 6.8. Footrests for the driver and if a seating position for a passenger is provided, footrests for the passenger, complying with the requirements of Rule 56 of the Road Traffic (Vehicle Standards) Rules 1999.

7. That if the vehicle was manufactured on or after 1 July 1996 it is fitted with:
 - 7.1. Two rear vision mirrors, complying with the requirements of Rule 35 and 36 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 7.2. A horn complying with the requirements of Rule 34 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 7.3. A headlight which remains illuminated while the vehicle is being operated on roads and road related areas.
8. All lights and reflectors required by this notice shall meet the location and performance requirements of Part 8 – Lights and Reflectors, of the Road Traffic (Vehicle Standards) Rules 1999.
9. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.

The notice titled 'Notice of Exemption from the Regulations under the Road Traffic Act for Three and Four Wheel Motor Bikes used for Agricultural Purposes' appearing in the *South Australian Government Gazette*, dated 23 March 2000, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption to operate Special Purpose "Jinker Type" vehicles, within the Adelaide Produce Market

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt vehicles of a specified class which can be identified as follows:

1. A vehicle which has 4 wheels or a vehicle which has three wheels where one wheel is at the front and two wheels are at the rear and the wheels are symmetrically placed about the longitudinal axis of the vehicle; and
2. A vehicle which is fitted with a motor which provides motive power for the vehicle; and
3. A vehicle which is designed solely for the carriage of primary produce:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Part 8 – Lights and Reflectors;
- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules;
- Rule 33 – Mudguards and spray suppression;
- Rule 129 – Motor vehicle braking system requirements; and

From the following provision of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 36 – Seat belts and seat belt anchorages; and

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. The vehicle is:
 - 1.1. Only used in conjunction with the transport of produce within the boundaries of the Adelaide Produce Market. The Adelaide Produce Market is defined as Lot 23, Section 97 of DP 27232, Volume 5237, Folio 317, bordering Diagonal Road and Burma road, Pooraka, within the City of Salisbury.
 - 1.2. Only operated between the hours of midnight and 10 a.m., Monday to Friday.
 - 1.3. Travel is not permitted outside the Adelaide Produce Market as described in 1 (a) (i) of this notice.
2. The vehicle does not tow a trailer that has a laden mass which exceeds the unladen mass of the towing vehicle.
3. The vehicle is fitted with headlight(s) and tail lights.
4. The vehicle is fitted with brakes to at least one wheel, on three-wheeled vehicles, and to at least two or more wheels on four-wheeled vehicles.
5. The vehicle is not operated at a speed exceeding 40 km/h.
6. The vehicle is fitted with a horn.
7. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.

The notice titled 'Notice of Dispensation from the Regulations under the Road Traffic Act to operate Special Purpose "Jinker Type" vehicles, within the Adelaide Produce Market' appearing in the *South Australian Government Gazette*, dated 5 July 1996, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Land Yachts

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as authorised delegate of the Minister for Transport and Urban Planning, hereby exempt vehicles known as Land Yachts which can be identified as follows:

1. A vehicle which has 3 wheels.
2. A vehicle designed and constructed to be propelled by wind only:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Part 8 – Lights and reflectors;
- Part 9 – Braking systems;
- Rule – Mudguards and spray suppression;
- Rule 34 – Horns, alarms etc;
- Rules 35 – Rear vision mirrors;
- Rule 46 – Wheels and tyres; and

From the following provisions of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 36 – Seat belts and seat belt anchorages;
- Regulation 37 – Child restraints:

Subject to the following conditions:

1. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.
2. This exemption, if required, is produced to the appropriate authority on request.
3. The person operating the land yacht is a financial member of Adelaide Land Yacht Club.
4. The vehicle is only operated:
 - 4.1. Within the area defined as the Port Gawler Foreshore which abuts Sections 708 and 709, Hundred of Port Gawler and is limited to the frontage of the above sections which is abutting the Off-Road Vehicle Park.
 - 4.2. Between the hours of sunrise and sunset.
 - 4.3. In accordance with the conditions and/or by-laws imposed by the District Council of Mallala.
 - 4.4. In a manner which will not endanger the safety of any other person or in a manner which may cause damage to property.

The notice titled 'Notice of Dispensation from the Regulations under the Road Traffic Act for "Land Yachts"' appearing in the *South Australian Government Gazette*, dated 5 July 1996, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT

Exemption for Golf Cars Operating on Golf Courses

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, and Regulation 46 of the Road Traffic (Miscellaneous) Regulations 1999, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt vehicles known as Golf Cars, which can be identified as follows:

1. A vehicle which has 3 or 4 wheels; and
2. A vehicle designed and constructed or specially adapted to be used for transport of persons participating in the game of golf on golf courses:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Part 8 – Lighting equipment;
- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules;
- Rule 27 (2) – Steering;
- Rule 28 – Turning ability;
- Rule 33 – Mudguards;
- Rule 35 – Rear Vision Mirrors;
- Rule 40 (2) – Bonnet securing devices;
- Rule 45 – Windscreen wipers and washers;
- Rules 128 – Performance of braking systems;
- Rule 129 – Motor vehicle braking system requirements;
- Rule 146 – Crank case gases;
- Rule 147 – Visible emissions;
- Rule 148 – Exhaust systems; and

From the following provisions of the Road Traffic (Miscellaneous) Regulations 1999:

- Regulation 36 – Seat belt and seat belt anchorages;
- Regulation 37 – Child restraints; and

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. The vehicle is only driven within golf course car parks or golf course boundaries; or directly across a road between sections of the same golf course when safe to do so.
2. The vehicle may only be driven between the hours of sunset and sunrise or during periods of low visibility, if it is fitted with headlights, tail lights, brake lights and rear reflectors in accordance with the Road Traffic (Vehicle Standards) Rules 1999:
 - 2.1. For the purposes of this notice 'a period of low visibility' means any time, when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.
3. The vehicle may not tow a trailer that has a laden mass that exceeds the unladen mass of the towing vehicle.
4. In the case of a four wheeled vehicle that brakes are fitted to at least two road wheels.
5. In the case of a three wheeled vehicle that brakes are fitted to either the front wheel, the two rear wheels or all wheels.
6. The vehicle shall be fitted with a parking brake that operates on at least two wheels and that is capable of holding the vehicle stationary on a 12 percent gradient.
7. The actuating mechanism for the parking brake shall have a device that prevents accidental release of that mechanism and holds the brake in the applied position unless intentionally released by the driver.
8. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.

The notice titled 'Notice of dispensation from the Regulations under the Road Traffic Act for Golf Cars' appearing in the *South Australian Government Gazette*, dated 10 July 1996, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Golfers from the Wearing of a Safety Helmet when Riding a Motor Bike on a Golf Course

PURSUANT to the provisions of Regulation 7 of the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999, of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning hereby exempt a person playing golf from wearing a safety helmet while riding a motor bike on a golf course:

From the following provision of the Australian Road Rules:

- Rule 270:

Subject to the following conditions:

1. That the motor bike has an engine capacity not exceeding 50 cubic centimetres; and
2. That the motor bike is not ridden at a speed exceeding 10 km/h.

The notice titled 'Exemption – Golfers on Golf Courses' appearing in the *South Australian Government Gazette*, dated 9 January 1992, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption from Australian Design Rule Requirements for Motor Bikes and Motor Bikes fitted with a Side Car which are being used for Work Related Activities by Primary Producers and Nominated Government Departments and Authorities

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor bikes and motor bikes fitted with a side car:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules; and

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. The motor bike is either:
 - 1.1. Owned by a person who qualifies as a primary producer for the purposes of the Motor Vehicles Act 1959, and the motor bike is only used in connection with the working of one or more separate parcels of land that are worked in conjunction with each other; or
 - 1.2. Owned by Department for Environment and Heritage, Primary Industries and Resources SA, Utilities Management Pty Ltd, or Local Government Authorities and the motor bike is only used on a road or road related area for the purposes of undertaking duties directly associated with the functions of that Government Department or authority.
2. While operating the motor bike on a road or road related area, the rider of the motor bike and any passenger shall wear an 'approved motor bike helmet' as approved for motor bike riders under the Road Traffic (Miscellaneous) Regulations 1999.

3. The motor bike shall not tow a trailer which has a laden mass that exceeds the unladen mass of the motor bike.
4. The motor bike is only permitted to be operated on a road or road related area for the purpose of undertaking activities involved directly with primary production or for the purpose of undertaking duties directly involved with those Government Departments or authorities identified in Clause 1.2.
5. The motor bike shall be fitted with:
 - 5.1. A headlight, tail light, brake light and rear reflector.
 - 5.2. Direction indicator lights, if the motor bike was manufactured on or after 1 October 1991.
 - 5.3. Brakes complying with the requirements of Part 9 – Braking Systems of the Road Traffic (Vehicle Standards) Rules 1999.
 - 5.4. Mudguards complying with the requirements of Rule 33 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 5.5. One or two rear vision mirrors if manufactured prior to July 1975 and two rear vision mirrors if manufactured on or after 1 July 1975, complying with the requirements of Rule 35 and 36 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 5.6. A horn complying with the requirements of Rule 34 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 5.7. The motor bike shall be fitted with, footrests for the rider and if a seating position for a pillion passenger to be seated behind the rider is provided, footrests for the pillion passenger, complying with the requirements of Rule 56 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 5.8. A chain guard, complying with the requirements of Rule 57 of the Road Traffic (Vehicle Standards) Rules 1999, where a chain is fitted to transmit engine power to the rear wheel.
6. All lights required by this notice shall be fitted in accordance with the location and performance requirements of Part 8 – Lights and Reflectors, of the Road Traffic (Vehicle Standards) Rules 1999.
7. Motor bikes manufactured on or after 1 July 1988 which are not supported by the wheel of a side car shall be fitted with a side stand which will comply with the following:
 - 7.1. Automatically fold back into the closed or riding position, when the vehicle is returned to the normal vertical position for riding, or as a result of the vehicle being moved forward by a deliberate action of the rider, or without disturbing the equilibrium of the vehicle, if the side stand comes into contact with the road while the vehicle is moving; or
 - 7.2. Be connected to the ignition system in such a manner that the ignition system can only be activated when the side stand is in the closed or riding position; or
 - 7.3. Be connected to an audible signal and warning lamp, visible to the rider in the normal riding position which are activated if the ignition is switched on and the side stand is not in the closed or riding position; or
 - 7.4. Be connected in such a manner so that the vehicle cannot be operated under its own power unless it is retracted.
8. That the vehicle complies with all other requirements of the Road traffic Act and Regulations.
9. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicles Act 1959.

The notice titled 'Notice of Dispensation from the Regulations under the Road Traffic Act for Two Wheel Motorcycles used for Agricultural Purposes' appearing in the *South Australian Government Gazette*, dated 24 October 1996, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption from Compliance with Australian Design Rules and Right Hand Drive Configuration for Vehicles Owned and Operated in South Australia by United States of America Forces Personnel

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as authorised delegate of the Minister for Transport and Urban Planning, hereby exempt left hand drive motor vehicles owned and operated by United States of America Forces Personnel, where such vehicles have been imported into Australia under the Status of Forces Agreement:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 19 – Compliance with second edition Australian Design Rules;
- Rule 20 – Compliance with third edition Australian Design Rules;
- Rule 27 (1) – Steering; and

From the following provision of the Road Traffic Act 1961:

- Section 110B – Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. The vehicle remains the property of personnel currently serving with the United States of America Forces in Australia.
2. The vehicle has been granted a Vehicle Import Approval issued by the Commonwealth Department of Transport and Regional Services, pursuant to the Motor Vehicle Standards Act 1989.
3. The vehicle shall be re-exported out of Australia by the date of expiration of the Vehicle Import Approval.
4. A copy of this notice and a copy of the Vehicle Import Approval shall be carried with the vehicle at all times and be presented on request, to a member of the South Australian Police Department or an Inspector appointed or holding office as an Inspector under the Road Traffic Act 1961.

5. The vehicle is fitted with:
 - 5.1. Headlights that dip downwards or downwards and to the left and which are adjusted to provide the necessary amount of light, without dazzling the driver of another vehicle.
 - 5.2. Tail lights, and brake lights which when illuminated display a red light.
 - 5.3. Front and rear parking lights which when illuminated display red light to the rear and white or amber light to the front.
 - 5.4. Rear reflectors.
 - 5.5. Front and rear direction indicator lights which when illuminated display amber light.
 - 5.6. A horn complying with Rule 34 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 5.7. Seatbelts to all seating positions complying with the intent of Australian Design Rules (ADRs) applicable to seat belts and seat belt anchorages and which are equivalent in specification for the type and year of vehicle that would be required for ADR compliance.
 - 5.8. External rear vision mirrors to both the left and right hand sides of the vehicle complying with Rule 35 and 36 of the Road Traffic (Vehicle Standards) Rules 1999.
6. All lights and reflectors required by this notice shall meet the location and performance requirements of Part 8 – Lights and Reflectors, of the Road Traffic (Vehicle Standards) Rules 1999.

The notice titled 'Notice Concerning Dispensation from Regulation 7.00A and Prohibition of Left Hand Drive Vehicles Owned and Operated in South Australia by United States of America Forces Personnel' appearing in the *South Australian Government Gazette*, dated 7 January 1997, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption from the 'Code of Practice for Buses' for three children to occupy a double seat 860 mm or more in width

PURSUANT to the provisions of section 163C (1a) of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt any vehicle within the prescribed class for the purposes of Part 4A of the Act from sections 163D and 163F of the Act as they relate to the provisions of the Road Traffic (Miscellaneous) Regulations 1999, Regulation 42(1) with respect to Clause 7.2 (3) (a) of the Code of Practice for Buses, for a seating position intended for a use by a child to be less than 300 mm in width:

Subject to the following conditions:

1. That no more than three children occupy the seat.
2. That the seat is a double seat designed for use by two adult passengers, that has a width of not less than 860 mm when measured along the front of the seat cushion.
3. That the gap between the seat backs is no greater than 100 mm.
4. That the gap between the seat cushions is no greater than 50 mm.
5. That the seat backs remain in the upright position when three children occupy the seat.

Note: For the purposes of this notice a 'child' means a person up to and including the age of fourteen.

The notice titled 'Notice of Dispensation from Regulation 8.03 Code of Practice for Buses' appearing in the *South Australian Government Gazette*, dated 25 November 1993, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Multi-Tyred Road Rollers to be Fitted with Tyres which do not have a Tread Pattern

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt vehicles known as multi-tyred road rollers:

From the following provision of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 54 (2) – Tyre tread:

Subject to the following condition:

1. That the vehicle is fitted with pneumatic tyres.

The notice titled 'Tread Pattern on Tyres' appearing in the *South Australian Government Gazette*, dated 11 November 1986, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

VOCATIONAL EDUCATION, EMPLOYMENT AND TRAINING ACT 1994

PART 4 - CONTRACTS OF TRAINING

Pursuant to the provisions of the Vocational Education, Employment and Training Act (VEET Act) the Accreditation and Registration Council (ARC) gives notice that it has determined the following:

Occupations that Constitute Trades and Other Declared Vocations

The following schedule is additional to:

1. the gazettal of 24 April 1996 (page 2045)
2. the gazettal of 31 October 1996 (page 1544)
3. the gazettal of 5 December 1996 (page 1818)
4. the gazettal of 6 February 1997 (page 830)
5. the gazettal of 17 April 1997 (page 1571)
6. the gazettal of 29 May 1997 (page 2758)
7. the gazettal of 12 June 1997 (page 2984)
8. the gazettal of 3 July 1997 (page 33)
9. the gazettal of 7 August 1997 (page 311)
10. the gazettal of 18 December 1997 (page 1677)
11. the gazettal of 22 December 1997 (page 1776)
12. the gazettal of 23 April 1998 (page 1959)
13. the gazettal of 18 June 1998 (page 2594)
14. the gazettal of 6 August 1998 (page 339)
15. the gazettal of 24 September (page 990)
16. the gazettal of 1 October 1998 (page 1038)
17. the gazettal of 15 October 1998 (page 1150)
18. the gazettal of 12 November 1998 (page 1389)
19. the gazettal of 19 November 1998 (page 1583)
20. the gazettal of 3 December 1998 (page 1742)
21. the gazettal of 10 December 1998 (page 1870)
22. the gazettal of 17 December 1998 (page 1954)
23. the gazettal of 23 December 1998 (page 2039)
24. the gazette of 11 March 1999 (page 1359)
25. the gazette of 25 March 1999 (page 1480)
26. the gazette of 1 April 1999 (page 1605) (Errata)
27. the gazette of 22 April 1999 (page 2219)
28. the gazettal of 29 April 1999 (page 2381) (Errata)
29. the gazettal of 6 May 1999 (page 2482)
30. the gazettal of 13 May 1999 (page 2595)
31. the gazettal of 27 May 1999 (Errata) (page 2723)
32. the gazettal of 17 June 1999 (page 3123)
33. the gazettal of 24 June 1999 (page 3261)
34. the gazettal of 1 July 1999 (page 22)
35. the gazettal of 29 July 1999 (page 602)
36. the gazettal of 30 September 1999 (page 1364)
37. the gazettal of 14 October 1999 (page 1973)
38. the gazettal of 11 November 1999 (page 2327)
39. the gazettal of 6 January 2000 (page 1169)
40. the gazettal of 30 March 2000 (page 1921)
- the gazettal of 6 April 2000 (page 2047)
- the gazettal of 13 April 2000 (Errata) (page 2167)
- the gazettal of 4 May 2000 (page 2416)
- the gazettal of 18 May 2000 (page 2606) Errata (page 2609)
- the gazettal of 15 June 2000 (page 3282) Errata (page 3285)
- the gazettal of 29 June 2000 (page 3490)
- the gazettal of 6 July 2000 (page 22) Errata (page 24)
- the gazettal of 20 July 2000 (page 267)
- the gazettal of 10 August 2000 (page 467)
- the gazettal of 24 August 2000 (page 643)
- the gazettal of 14 September 2000 (page 2002)

which set out the occupations that constitute trades and other declared vocations and the terms and conditions applicable to such declared vocations.

SCHEDULE - DECLARED VOCATIONS, REQUIRED COURSES OF INSTRUCTION AND ASSOCIATED CONDITIONS

Changes to courses and conditions determined by ARC for existing Declared Vocations appear in **Bold**.

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationar y Period
# Clerical Processing (Office Administration) ARC September 2000 ARC September 2000 ARC September 2000 ARC September 2000	Endorsed to 31/01/01 BSA10197 BSA20197 BSA30197 BSA40197	Administration Training Package Certificate I in Business (Office Administration) Certificate II in Business (Office Administration) Certificate III in Business (Office Administration) Certificate IV in Business (Administration) <u>Note:</u> People entering at Level 3 may be required to undertake some training in order to gain Level 2 competencies where skill gaps are identified *Up to 140 hours of pre requisite competencies may be added, if required, to the nominal hours for each qualification level	Exit point 12 months 12 months 12 months	*390 hours *265-345 hours *345-360 hours	1 month 1 month 1 month
ARC October 2000 ARC October 2000	BSA30200 BSA40200	Certificate III in Business (Legal Administration) Certificate IV in Business (Legal Services)	12 months 24 months	300-385 hours 590-740 hours*	1 month 2 months
ARC June 1997 ARC June 1998	3947 NS95/525LFX November 2000 12319SA CFF December 2001 Endorsed to 9/4/01 CSC30398	Alternate courses of instruction: Certificate II in Arts Administration (Level 2) Certificate III in Business (Real Estate Corporate Support) (Level 3) Correctional Services Training Package Qualification Certificate III in Correctional Practice (Administration/Ancillary)	12 months 12 month 12 or 24 months	328 hours 580 hours 385 hours	1 month 1 month 1 or 2 months

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period	
ARC June 2000 ARC December 1999	Endorsed to 30/8/02	Automotive Industry Retail Service and Repair Training Package				
	AUR10199	Alternative Courses of Instruction: Certificate II in Automotive	Exit Point			
	AUR20199	Certificate II in Automotive (Administration – Clerical)	18 months	501 hours	6 weeks	
	AUR20299	Certificate II in Automotive (Administration – Service Reception)	18 months	551 hours	6 weeks	
	AUR20399	Certificate II in Automotive (Administration – Vehicle Financing and Insuring)	12 months	351 hours	1 month	
	AUR 20499	Certificate II in Automotive (Administration – Vehicle Financing and Insuring – Loss Assessing)	12 months	286 hours	1 month	
	AUR 20599	Certificate II in Automotive (Administration – Vehicle Valuating/Purchasing)	12 months	291 hours	1 month	
	ARC September 2000	Endorsed to 30/11/02	Public Services Training Package			
	ARC September 2000	PSP20199	*Certificate II in Government	12 months	160-200 hours	1 month
	ARC September 2000	PSP30199	*Certificate III in Government	12 months	255-350 hours	1 month
ARC September 2000	PSP40199	Certificate IV in Government	24 months	300-650 hours	2 months	
ARC September 2000	PSP50199	Diploma of Government	36 months	385-705 hours	3 months	
ARC September 2000	PSP60199	Advanced Diploma of Government	48 months	590-1030 hours	3 months	
ARC September 2000	PSP50299	Diploma of Government (Policy Development)	36 months	365-505 hours	3 months	
ARC September 2000	PSP40399	Certificate IV in Government (Procurement and Contracting)	24 months	445-565 hours	2 months	
		*An industrial agreement for a training wage has been negotiated for Certificates II and III only.				
# Management	Endorsed to 30/11/2002	Woolworths Supermarket Enterprise Training Package				
ARC December 1999	ZWA40199	Certificate IV in Woolworths Management	36 months (72 months part time)	349 hours	3 months	

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
	ZWA50199	Diploma of Woolworths Management	48 months (72 months part time)	366 hours	3 months
Declared (ARC) August 1998	5437 VI2311AEB Dec 2000	Certificate III in Small Business Franchising (Bakers Delight)	12 months	550 hours	1 month
ARC June 1999	1968 BFX 31 Dec 2002	Alternate course of instruction: Certificate IV in First Line Management	24 months	260 hours	2 months
ARC December 1999	AUR40199 30 Aug 02	Certificate IV in Automotive (Business Management Stream)	48 months	1320 hours	3 months
ARC June 2000	7040 QLFM1003 15/07/01	Certificate III in Frontline Management	12 months	240 hours	1 month
ARC June 2000	7041 QLFM1004 15/07/01	Certificate IV in Frontline Management	24 months	400 hours	2 months
ARC September 2000	Endorsed to 30/11/02	Public Services Training Package			
ARC September 2000	PSP60299	Advanced Diploma of Government (Compliance Management)	48 months	605-1010 hours	3 months
ARC September 2000	PSP60399	Advanced Diploma of Government (Contract Management)	48 months	630-970 hours	3 months
ARC September 2000	PSP60499	Advanced Diploma of Government (Human Resources)	48 months	535-700 hours	3 months
ARC September 2000	PSP50399	Diploma of Government (Management)	36 months	495 hours	3 months
ARC September 2000	PSP60599	Advanced Diploma of Government (Management)	48 months	630-690 hours	3 months
ARC September 2000	PSP60699	Certificate IV in Government (Project Management)	24 months	480-640 hours	2 months
ARC September 2000	PSP50699	Diploma of Government (Project Management)	36 months	505-646 hours	3 months

Vocational Education, Employment and Training Act 1994

Errata

In the *Government Gazette* of 10 August 2000, the notices appearing on page 469 related to the Declared Vocation of Recreation Industry Worker showed incorrect course code as follows:

- Certificate II Sport (Officiating) – SRS20300

In the *Government Gazette* of July 1986, the notices relating to the Declared Vocation of Sprinkler Fitting showed as follows:

- Sprinkler Fitting – Course conducted at the Royal Melbourne Institute of Technology, 960 nominal hours of attendance at approved course, 1 month probationary period

Corrections and additional information should now appear as:

- Certificate II Sport (Officiating) – **SRS20399**
- Sprinkler Fitting – **Course Code 13190VIC, Certificate III in Sprinkler Fitting, 1040 nominal hours of attendance at approved course, 3 months probationary period**

Occupational/Occupation Levels Declared Vocation • Trade # Other than trade	Course code National/ State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
# Recreation Industry Worker ARC July 1998	12280ACT AC97/2360 January 2003	Certificate II in Sport and Recreation Traineeship (Fitness Instruction stream)	12 months	390 hours	1 month
ARC March 1999	14962ACT 31 Jan 04	Certificate III in Sport and Recreation Traineeship (Fitness Trainer stream) Full time employment Part time employment	12 months 24 months	390 hours 390 hours	1 month 2 months
<u>Note:</u> Successful completion of Certificate II in Sport and Recreation (Traineeship) is a prerequisite for entry into Certificate III					

Occupational/Occupation Levels Declared Vocation • Trade # Other than trade	Course code National/ State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
ARC December 1998	12280ACT	Certificate II in Sport and Recreation Traineeship (Community Recreation) Full time employment Part time employment	12 months	390 hours	1 month
	AC97/2360 January 2003		24 months	390 hours	2 months
ARC March 1999	14962ACT	Certificate III in Sport and Recreation Traineeship (Community Recreation) Full time employment Part time employment	12 months	390 hours	1 month
	31 Jan 04		24 months	390 hours	2 months
ARC March 1999	12280ACT	Certificate II in Sport and Recreation Traineeship (Aquatics stream) Full time employment Part time employment	12 months	390 hours	1 month
	AC97/2360 January 2003		24 months	390 hours	2 months
ARC March 1999	14962ACT	Certificate III in Sport and Recreation Traineeship (Aquatics stream) Full time employment Part time employment	12 months	390 hours	1 month
	31 Jan 04		24 months	390 hours	2 months
<u>Note:</u> Successful completion of Certificate II in Sport and Recreation (Traineeship) is a prerequisite for entry into Certificate III					
ARC March 1999	Endorsed to 30/4/02	National Outdoor Recreation Industry Training Package			
ARC December 1999	SRO20299	Certificate II in Outdoor Recreation	12 months	480 hours	2 months
	SRO30299	Certificate III in Outdoor Recreation	24 months	730 hours	2 months
	SRO40299	Certificate IV in Outdoor Recreation	24 months	1150 hours	2 months
	SRO50299	Diploma of Outdoor Recreation	36 months	1100 hours	3 months
ARC December 1999	SRO10199	Certificate I in Sport and Recreation	--	170 hours	--
	SRO20199	Certificate II in Sport and Recreation	12 months	380 hours	1 month
	SRO30199	Certificate III in Sport and Recreation	12 months	460 hours	1 month
	SRO40199	Certificate IV in Sport and Recreation	24 months	690 hours	2 months
	SRO50199	Diploma of Sport and Recreation	36 months	890 hours	3 months
	SRO60199	Advanced Diploma of Sport and Recreation	48 months	1340 hours	3 months
ARC July 2000	SRO20199	Certificate II in Sport and Recreation	12 months	380 hours	4 weeks
ARC July 2000	SRS20299	Certificate II in Sport (Career Oriented Participation)	12 months	455 hours	4 weeks
ARC July 2000	SRS20399	Certificate II in Sport (Officiating)	12 months	312 hours	4 weeks
ARC July 2000	SRO30199	Certificate III in Sport and Recreation	12 months	460 hours	4 weeks
ARC July 2000	SRS30299	Certificate III in Sport (Career Oriented Participation)	12 months	359 hours	4 weeks

Occupational/Occupation Levels Declared Vocation • Trade # Other than trade	Course code National/ State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
ARC July 2000	SRS30399	Certificate III in Sport (Coaching)	24 months	795 hours	8 weeks
ARC July 2000	SRS30499	Certificate III in Sport (Officiating)	12 months	453 hours	4 weeks
ARC July 2000	SRS30599	Certificate III in Sport (Trainer)	12 months	450 hours	4 weeks
ARC July 2000	SRO40199	Certificate IV in Sport and Recreation	24 months	690 hours	8 weeks
ARC July 2000	SRS40299	Certificate IV in Sport (Coaching)	24 months	746 hours	8 weeks
ARC July 2000	SRS40399	Certificate IV in Sport (Development)	24 months	958 hours	8 weeks
ARC July 2000	SRS40499	Certificate IV in Sport (Officiating)	12 months	396 hours	4 weeks
ARC July 2000	SRS40599	Certificate IV in Sport (Trainer)	24 months	552 hours	8 weeks
ARC July 2000	SRO50199	Diploma of Sport and Recreation	36 months	890 hours	12 weeks
ARC July 2000	SRS50299	Diploma of Sport (Coaching)	36 months	1327 hours	12 weeks
ARC July 2000	SRS50399	Diploma of Sport (Development)	36 months	1207 hours	12 weeks
ARC July 2000	SRO60199	Advanced Diploma of Sport and Recreation	48 months	1340 hours	16 weeks
Sprinkler Fitting ARC October 2000	13190VIC	Certificate III in Sprinkler Fitting	48 months	1040 hours	3 months

REGULATIONS UNDER THE FEES REGULATION ACT 1927

No. 241 of 2000

At the Executive Council Office at Adelaide 12 October 2000

PURSUANT to the *Fees Regulation Act 1927* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

JOHN OLSEN Premier

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Substitution of Sched.

SCHEDULE*Fees***Citation**

1. The *Fees Regulation (Assessment of Requirements—Water and Sewerage) Regulations 1997* (see *Gazette* 13 May 1997 p. 1820), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation in accordance with section 5 of the *Fees Regulation Act 1927*.

Substitution of Sched.

3. The Schedule of the principal regulations is revoked and the following Schedule is substituted:

SCHEDULE*Fees*

On the original assessment of the requirements of South Australian Water Corporation where the requirements relate only to the provision of water supply or sewerage services	\$219.00
On the original assessment of the requirements of South Australian Water Corporation where the requirements relate to the provision of both water supply and sewerage services	\$438.00
On updating the original or a subsequent assessment where the requirements relate only to the provision of water supply or sewerage services	\$64.50

On updating the original or a subsequent assessment
where the requirements relate to the provision of both
water supply and sewerage services \$129.00

MGE00/064/CS

SUZANNE M. CARMAN Clerk of the Council

REGULATIONS UNDER THE WATERWORKS ACT 1932

No. 242 of 2000

At the Executive Council Office at Adelaide 12 October 2000

PURSUANT to the *Waterworks Act 1932* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

MICHAEL ARMITAGE Minister for Government Enterprises

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 29—Other charges

Citation

1. The *Waterworks Regulations 1996* (see *Gazette* 22 August 1996 p. 702), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of reg. 29—Other charges

3. Regulation 29 of the principal regulations is varied—

(a) by striking out from subregulation (1) the following entries:

Charge to provide certificate of rates or charges unpaid for the purposes of settlement of land transactions	\$7.70
Charge for statement of existence or non-existence of encumbrances in favour of the Corporation or back flow prevention devices.....	\$6.05

and substituting the following entries:

Charge to provide certificate of rates or charges unpaid for the purposes of settlement of land transactions	\$7.00
Charge for statement of existence or non-existence of encumbrances in favour of the Corporation or back flow prevention devices.....	\$5.50;

(b) by striking out from subregulation (1) the following entries:

Charge for additional administrative cost in relation to a dishonoured cheque used to pay a charge or other amount under these regulations	\$11.00
Charge for additional administrative cost in relation to a charge or other amount due under these regulations but not paid by the date for payment in the notice served on the person liable	\$5.50
Charge for visit in relation to the non-payment of a charge or other amount to the land in relation to which the charge or amount is payable	\$22.00

and substituting the following entries:

Charge for additional administrative cost in relation to a dishonoured cheque used to pay a charge or other amount under these regulations	\$10.00
Charge for additional administrative cost in relation to a charge or other amount due under these regulations but not paid by the date for payment in the notice served on the person liable	\$5.00
Charge for visit in relation to the non-payment of a charge or other amount to the land in relation to which the charge or amount is payable	\$20.00.

REGULATIONS UNDER THE SEWERAGE ACT 1929

No. 243 of 2000

At the Executive Council Office at Adelaide 12 October 2000

PURSUANT to the *Sewerage Act 1929* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

MICHAEL ARMITAGE Minister for Government Enterprises

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 36—Other charges

Citation

1. The *Sewerage Regulations 1996* (see *Gazette* 22 August 1996 p. 733), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of reg. 36—Other charges

3. Regulation 36 of the principal regulations is varied—

(a) by striking out from subregulation (1) the following entry:

Disconnection charge:

Nominal diameter	\$
150 mm or less	271.70
greater than 150 mmestimated cost quoted by Corporation

and substituting the following entry:

Disconnection charge:

Nominal diameter	\$
150 mm or less	247.00
greater than 150mmestimated cost quoted by Corporation;

(b) by striking out from subregulation (1) the following entries:

Charge to provide certificate of rates or charges unpaid for the purposes of settlement of land transactions	\$7.70
---	---------------

Charge for statement of existence or non-existence of easements or other encumbrances in favour of the Corporation	\$6.05
---	---------------

and substituting the following entries:

Charge to provide certificate of rates or charges unpaid for the purposes of settlement of land transactions	\$7.00
Charge for statement of existence or non-existence of easements or other encumbrances in favour of the Corporation	\$5.50;

(c) by striking out from subregulation (1) the following entries:

Charge for additional administrative cost in relation to a dishonoured cheque used to pay a charge or other amount under these regulations	\$11.00
Charge for additional administrative cost in relation to a charge or other amount due under these regulations but not paid by the date for payment in the notice served on the person liable	\$5.50
Charge for visit in relation to the non-payment of a charge or other amount to the land in relation to which the charge or amount is payable	\$22.00

and substituting the following entries:

Charge for additional administrative cost in relation to a dishonoured cheque used to pay a charge or other amount under these regulations	\$10.00
Charge for additional administrative cost in relation to a charge or other amount due under these regulations but not paid by the date for payment in the notice served on the person liable	\$5.00
Charge for visit in relation to the non-payment of a charge or other amount to	

**the land in relation to which the charge or
amount is payable** \$20.00.

MGE00/064/CS

SUZANNE M. CARMAN Clerk of the Council

REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 244 of 2000

At the Executive Council Office at Adelaide 12 October 2000

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

K. T. GRIFFIN Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Short Term Dry Areas

Citation

1. The *Liquor Licensing (Dry Areas—Short Term) Regulations 1997* (see *Gazette* 2 October 1997 p. 965), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 12 October 2000.

Variation of Sched. 1—Short Term Dry Areas

3. Schedule 1 of the principal regulations is varied by inserting after the item headed '**Robe—Area 3**' the following item:

Roxby Downs—Area 1

(there is no plan for this area)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Richardson Place between Arcoona Street and Burgoyne Street.	6.00 p.m. on 14 October 2000 to 2.00 a.m. on 15 October 2000.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

REGULATIONS UNDER THE ELECTRICITY ACT 1996

No. 245 of 2000

At the Executive Council Office at Adelaide 12 October 2000

PURSUANT to the *Electricity Act 1996* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROB LUCAS Treasurer

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 5—Interpretation—definition of retailing
4. Substitution of reg. 6
 6. Exemptions from requirement to be licensed

Citation

1. The *Electricity (General) Regulations 1997* (see *Gazette* 26 June 1997 p. 3144), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of reg. 5—Interpretation—definition of retailing

3. Regulation 5 of the principal regulations is varied by striking out paragraph (a).

Substitution of reg. 6

4. Regulation 6 of the principal regulations is revoked and the following regulation is substituted:

Exemptions from requirement to be licensed

6. (1) A person who carries on operations in the electricity supply industry (the **operator**) is exempt from the requirement to hold a licence under the Act authorising the operations if the electricity in relation to which the operations are carried on is only for the consumption of one or more of the following:

- (a) the operator;
- (b) a designated body;
- (c) a person at premises occupied or used by the person as a tenant or licensee (whether directly or indirectly) of the operator or a designated body where that person is not charged for the supply of electricity except by an electricity entity or as an unspecified part of rent or charges for the occupation or use of the premises.

(2) A person who carries on the generation of electricity is exempt from the requirement to hold a licence under the Act authorising the operations if—

- (a) the generating plant has a rated nameplate output of 100 kVA or less; or
- (b) the person does not supply electricity for reward to or by means of a transmission or distribution network.

(3) A person who carries on operations as an inset network operator or inset network retailer is exempt from the requirement to hold a licence under the Act authorising the operations subject to the following conditions:

- (a) a transitional inset customer who is a non-contestable customer may only be charged for—

- (i) electricity supplied through the inset network before 1 January 2003; or
- (ii) services or things provided before that date in connection with that supply of electricity,

an amount not exceeding an amount that would be chargeable in accordance with the franchise terms and conditions if the electricity were supplied, or the services or things provided, by the franchise retailer to a non-contestable customer;

- (b) a transitional inset customer who is a contestable customer may only be charged for—

- (i) electricity supplied through the inset network before 1 July 2001; or
- (ii) services or things provided before that date in connection with that supply of electricity,

an amount not exceeding an amount that would be chargeable in accordance with the franchise terms and conditions if the electricity were supplied, or the services or things provided, by the franchise retailer to a contestable customer during the customer's contestability transition period;

- (c) a transitional inset customer who is a contestable customer may only be charged for—

- (i) electricity supplied through the inset network on or after 1 July 2001 and before 1 July 2002; or
- (ii) services or things provided during that period in connection with that supply of electricity,

an amount not exceeding an amount that would have been chargeable under paragraph (b) if the electricity had been supplied, or the services or things provided, before 1 July 2001, adjusted for changes in the Consumer Price Index as follows:

$$A_1 = B \times \left(\frac{CPI_k}{CPI_b} - 0.03 \right)$$

where—

A_1 is the amount chargeable for electricity supplied, or services or things provided, on or after 1 July 2001 and before 1 July 2002;

B is the amount that would have been chargeable under paragraph (b) if the electricity had been supplied, or the services or things provided, before 1 July 2001;

CPI_x is the Consumer Price Index, All Groups Index Number (All Cities) published by the Australian Bureau of Statistics, for the quarter ending 31 March 2001;

CPI_b is the Consumer Price Index, All Groups Index Number (All Cities) published by the Australian Bureau of Statistics, for the quarter ending 31 March 2000;

(d) a transitional inset customer who is a contestable customer may only be charged for—

(i) electricity supplied through the inset network on or after 1 July 2002 and before 1 January 2003; or

(ii) services or things provided during that period in connection with that supply of electricity,

an amount not exceeding an amount that would have been chargeable under paragraph (b) if the electricity had been supplied, or the services or things provided, before 1 July 2001, adjusted for changes in the Consumer Price Index as follows:

$$A_2 = B \times \left(\frac{CPI_y}{CPI_b} - 0.03 \right)$$

where—

A_2 is the amount chargeable for electricity supplied, or services or things provided, on or after 1 July 2002 and before 1 January 2003;

B is the amount that would have been chargeable under paragraph (b) if the electricity had been supplied, or the services or things provided, before 1 July 2001;

CPI_y is the Consumer Price Index, All Groups Index Number (All Cities) published by the Australian Bureau of Statistics, for the quarter ending 31 March 2002;

CPI_b is the Consumer Price Index, All Groups Index Number (All Cities) published by the Australian Bureau of Statistics, for the quarter ending 31 March 2000;

(e) a transitional inset customer may only be charged for—

- (i) electricity supplied through the inset network on or after 1 January 2003;
or
 - (ii) services or things provided on or after that date in connection with that supply of electricity,
- an amount not exceeding the applicable amount (if any) according to the scale of charges fixed by the Industry Regulator under subregulation (4);
- (f) an inset customer must be kept informed of—
 - (i) the nature of any arrangements for the purchase of electricity for the inset network made between the inset network operator or retailer and a licensed retailer for any period for which the customer purchases electricity from the inset network retailer; and
 - (ii) if the customer is to make a payment for or contribution towards the cost of electricity consumed in common areas, or for shared facilities, at the premises served by the inset network—
 - (A) the total amount of electricity so consumed; and
 - (B) the amount paid by the inset network operator or retailer for that electricity;
 - (g) an inset customer (other than a transitional inset customer) must have an effective right of access to a licensed retailer of the customer's choice;
 - (h) the inset network operator or retailer must follow processes of a kind approved by the Industry Regulator to resolve disputes with inset customers about the sale or supply of electricity.

(4) The Industry Regulator must fix a scale of charges for classes of inset customers for the purposes of subregulation (3)(e) that the Regulator considers fair and reasonable having regard to the prices that such classes of customers could obtain from licensed retailers.

(5) An exemption under this regulation is (in addition to any other condition to which it is expressed to be subject under this regulation) subject to the condition that the person comply with any requirement imposed by or under the Act, these regulations, the National Electricity Code or a code made by the Industry Regulator under the *Independent Industry Regulator Act 1999* as if the person were an electricity entity authorised by a licence to carry on the operations to which the exemption relates.

(6) The Technical Regulator may grant an exemption from subregulation (5), or from specified requirements referred to in that subregulation, on terms and conditions the Technical Regulator considers appropriate.

(7) For the purposes of determining whether an inset customer is a **contestable customer** or **non-contestable customer**, the customer's actual or estimated electricity consumption level is to be determined by reference to the customer's metered connection points to the inset network.

(8) For the purposes of this regulation, an inset customer has **an effective right of access to a licensed retailer of the customer's choice** only if the customer may—

- (a) have access to and use the inset network for the purpose of consuming electricity purchased by the customer from a licensed retailer of the customer's choice; and
- (b) install, maintain and use meters and other equipment necessary for that purpose,

without any charge being payable by the customer (other than to the licensed retailer) or by the licensed retailer.

(9) In this regulation—

"community or strata title premises" means premises the subject of the same community plan under the *Community Titles Act 1996* or the same strata plan under the *Strata Titles Act 1988*;

"contestability transition period", in relation to a customer of a franchise retailer, means the period specified in the franchise terms and conditions as the period for which at least the same level of tariffs and charges applicable to customers as non-contestable customers apply to the customer after the customer becomes a contestable customer;

"designated body" means a body or group of persons designated by the Minister by notice in the *Gazette*;

"franchise retailer", in relation to premises, means the electricity entity that has an exclusive right under its licence to sell electricity to non-contestable customers in an area in which the premises are situated;

"franchise terms and conditions", in relation to a franchise retailer, means the standard terms and conditions for the time being fixed by the franchise retailer under section 36 of the Act;

"inset customer", in relation to an inset network, means a person (other than the inset network operator or the inset network retailer) who has or seeks a supply of electricity from the inset network;

"inset network" means a transmission or distribution network that serves only a group of premises in the same ownership or community or strata title premises;

"inset network operator" means a person who operates an inset network;

"inset network retailer" means a person (other than an electricity entity) who retails electricity supplied through an inset network;

"licensed retailer" means an electricity entity licensed to retail electricity;

"premises" includes part of premises;

"**transitional inset customer**" means—

- (a) an inset customer who occupies or uses part of a group of premises in the same ownership under a lease or licence granted before 1 January 2003;
- (b) until 31 December 2002—an inset customer who owns, occupies or uses part of community or strata title premises,

but does not include an inset customer if—

- (c) the premises served by the inset network resulted from or were affected by building work commenced on or after the commencement of this regulation; and
- (d) there were no inset customers residing or carrying on business at the premises served by the network during all or part of the period over which the building work was carried out.

(10) The Minister may—

- (a) by notice in the *Gazette*, designate a body or group of persons for the purposes of the definition of "**designated body**"; and
- (b) by subsequent notice in the *Gazette*, vary or revoke a notice under this subregulation.

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CITY OF ADELAIDE

Declaration of Public Road

NOTICE is hereby given that pursuant to section 210 (2) (b) of the Local Government Act 1999, council at its meeting held on 18 September 2000, declared that part of Corryton Street contained within town acres 577 and 590 and named Corryton Street on Lands Title Plan C-2359, to be a public road.

J. HARRY, Acting Chief Executive Officer

CITY OF ADELAIDE

Declaration of Public Road

NOTICE is hereby given pursuant to section 210 (2) (b) of the Local Government Act 1999, that at its meeting held on 18 September 2000, council declared that part of John Street contained within Town Acres 484 and 529 and named John Street on Lands Title Plan C-220 and the land marked B and K on the aforementioned plan and contained in certificate of title volume 3680, folio 137 and volume 3485, folio 118, to be a public road.

J. HARRY, Acting Chief Executive Officer

CITY OF CHARLES STURT

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

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

A. All previous by-laws made or adopted by the council, prior to the date this by-law is made, are hereby repealed.

Permits

1. (1) In any by-law of the council unless the contrary intention is clearly indicated the word 'Permission' means the permission of the council given in writing.

(2) The council may attach such conditions to a grant of permission as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.

(3) Any permit holder shall comply with every such condition.

(4) The council may revoke such grant of permission at any time by notice in writing to the permit holder.

Penalties

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

Construction

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

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Charles Sturt held on 4 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

S. LAW, Chief Executive Officer

CITY OF CHARLES STURT

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO set standards for moveable signs on streets and roads and to provide conditions for and the placement of such signs.

Definitions

1. In this by-law:

(1) 'footpath' means:

(a) a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;

(b) that part of a street or road between the edge of the carriageway and the boundary between the street or road and the adjoining land on the same side of the carriageway as that edge;

(2) 'approved construction' means a moveable sign which:

(a) is not more than 1 m high, 600 mm in length and 600 mm in width; and

(b) when placed on a footpath in a display position is not more than 600 mm in length; and

(c) is constructed so as not to be (or be likely to be) a hazard to a member of the public using the footpath upon which the moveable sign has been placed; and

(d) is constructed so as to be (and to be likely to be) stable when displayed upon a footpath including being stable during adverse weather conditions; and

(e) does not rotate, contain flashing lights or is illuminated internally or externally; and

(f) does not have balloons, flags, streamers or other things attached to it;

(3) 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;

(4) 'business premises' means the premises from which a business, trade or calling is conducted;

(5) 'moveable sign' has the same meaning as in the Local Government Act 1999;

(6) 'the Council' means the City of Charles Sturt.

Placement

2. A moveable sign displayed on a public street or road:

(1) must not be placed anywhere except on the footpath; and

(2) must not be placed on a footpath that is less than 2.5 m wide; and

(3) must not be placed on the sealed part of a footpath unless the sealed part is wide enough to contain the moveable sign and still leave a clear thoroughfare of at least 1.2 m wide; and

(4) must not be placed on a landscaped area (other than when landscaping comprises only lawn); and

(5) must not be placed on a designated parking area or within 1 m of an entrance to or exit from premises; and

(6) must not, without the council's permission, be fixed, tied or chained to, or leaned against any bus shelter; and

(7) must not be placed within 6 m of an intersection; and

(8) must not, without the council's permission, be fixed, tied or chained to, leaned against or placed closer than 2 m to any other structure, object or plant (including another moveable sign); and

(9) must not unreasonably restrict the use of the footpath or road or endanger the safety of members of the public.

Restrictions

3. A moveable sign displayed on a public street or road is subject to the following restrictions:

(1) the moveable sign must only contain material which advertises a business being conducted on premises adjacent to the sign;

(2) only one moveable sign is to be displayed in relation to a business premises;

(3) the moveable sign must not be displayed unless the business to which it relates is open to the public;

(4) the moveable sign must be clearly visible during the hours of darkness;

(5) the moveable sign must be of an approved construction.

Exemptions

4. This by-law does not apply to a moveable sign which:

- (1) directs people to premises that are open for inspection, for sale or lease;
- (2) directs people to a charitable function;
- (3) advertises a garage sale taking place from residential premises;
- (4) is a flat sign containing only the banner or headlines of a newspaper or magazine;
- (5) is a movable sign in a location for which the written permission of the council has first been obtained.

Removal of unauthorised moveable signs

5. (1) If a moveable sign has been placed on any public street, road or footpath in contravention of this by-law or of section 226 of the Local Government Act 1999, an authorised person may order the owner of the sign to remove the moveable sign from the street, road or footpath.

(2) If the authorised person can not find the owner, or the owner fails to comply immediately with the order, the authorised person may remove the sign.

(3) If a moveable sign is removed under subparagraph (2) of this by-law and is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of the moveable sign as the authorised person thinks fit.

(4) Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed under subparagraph (2) of this by-law must pay the council any reasonable costs incurred in removing, storing or attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

Removal of authorised moveable sign

6. (1) A moveable sign must be removed or relocated by the person who placed the moveable sign on a street, road or footpath or the owner of the moveable sign, at the request of an authorised officer if, in the opinion of the authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign.

(2) A moveable sign must be removed or relocated by the person who placed the movable sign on a street, road or public place or the owner of the sign, at the request of an authorised person if so required by the authorised person for the purpose of special events, parades, road or footpath works or any other circumstances which, in the opinion of the authorised person, requires relocation or removal of the moveable sign.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Charles Sturt held on 4 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

S. LAW, Chief Executive Officer

CITY OF CHARLES STURT

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Local Government Land

FOR the management and regulation of the use of and access to local government land (other than streets and roads) vested in or under the control of the council, including the prohibition and regulation of particular activities on local government land.

Definitions

1. In this by-law:

- (1) 'local government land' means land owned by the council or under the council's care, control and management (except streets and roads);
- (2) 'liquor' has the same meaning as defined in the Liquor Licensing Act 1997;
- (3) 'open container' means a container which:
 - (a) after the contents thereof have been sealed at the time of manufacture and:
 - (i) being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);

- (ii) being a can, it has been opened or punctured;
- (iii) being a cask, has had its tap placed in a position to allow it to be used;

- (iv) being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or

- (b) is a flask, glass or mug or other container used for drinking purposes;

- (4) 'the Council' means the City of Charles Sturt;

- (5) 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;

- (6) 'public place' means a place (including a place on private land) to which the public has access (except a street or road) but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996.

Activities requiring permission

2. No person shall without permission on any local government land:

Vehicles Generally

- (1) (a) being the driver of a vehicle, fail to obey the indications given by any traffic control device (as defined in the Road Traffic Act 1961) or any sign erected by or with the authority of the council, for regulating traffic or indicating the direction or route to be followed by traffic on that land;
- (b) drive or propel a vehicle where the council has excluded vehicles generally or of that class, pursuant to section 32 and/or section 33 of the Road Traffic Act 1961;

Vehicles on Parklands, etc.

- (2) comprising parklands or reserves or the foreshore:
 - (a) drive, park or propel a motor vehicle unless on an area or road constructed or set aside by the council for the parking or travelling of motor vehicles;
 - (b) except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part;

Vehicles on Foreshore

- (3) comprising the foreshore:
 - (a) drive, park or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or provided by the council for that purpose;
 - (b) launch or retrieve a boat other than from a boat ramp constructed for that purpose;
 - (c) allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
 - (d) drive or propel any vehicle on such a ramp or thoroughfare or elsewhere on the foreshore at a speed greater than 25 km/h;

Working on Vehicles

- (4) perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown;

Busking

- (5) sing, busk or play a musical instrument for the purpose of, or so as to appear to be for the purpose of entertaining others or receiving money;

Preaching

- (6) preach or harangue;

Horses, Cattle, etc.

- (7) ride, lead or drive any horse, cattle or sheep, except on any street, road or car park or where the council has set aside a track or other area for use by or in connection with the animal of that kind;

Donations

- (8) ask for or receive or indicate that he or she desires a donation of money or any other thing;

Amplification

- (9) use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;

Distribution

- (10) distribute anything to any bystander, passer by or other person;

Canvassing

- (11) convey any advertising, religious or other message to any bystander, passer by or other person;

Advertising

- (12) display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public street or road in accordance with the council's moveable signs by-law;

Oil Fires

- (13) light any fire except:
- (a) in a place provided by the council for that purpose; or
 - (b) in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material;

Animals in Ponds

- (14) comprising a pond or lake, to which this subparagraph applies, allow or suffer any animal to enter or remain therein;

Animals on Foreshore

- (15) (a) allow or suffer any animal under his or her control to swim or bathe in the sea or any other open public water to the inconvenience, annoyance, or danger of any other person bathing or swimming;
- (b) comprising the foreshore, drive, lead or ride any horse;
- (c) comprising the foreshore, and where permission has been given by the council pursuant to paragraph 15 (b) ride, drive or exercise any horse in such manner as to endanger the safety of any other person;

Attachments to Trees

- (16) attach, hang or fix any rug, blanket, sheet, rope or other material to any tree, shrub, plant, tree guard, tree stake, notice board, seat, fence, post or other item or structure which is the property of the council;

Removing Soil etc.

- (17) carry away or remove any soil, sand, seaweed, timber, stones, pebbles, other organic or inorganic materials or any part of the land;

Picking Fruit, etc.

- (18) pick fruit, nuts or berries from any trees or bushes;

Digging Soil, etc.

- (19) to which this subparagraph applies, dig the soil for or collect worms, shellfish, grubs or insects;

Flora and Fauna

- (20) subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:

- (a) damage, pick, or interfere with any plant or flower thereon; or
- (b) tease, or cause harm to any animal, bird or marine creature;

Athletic and Ball Sports

- (21) (a) promote, organise or take part in any organised athletic sport;

- (b) to which this subparagraph applies, play or practice the game of golf;

Swimming

- (22) swim or bathe in any pond or lake to which this subparagraph applies;

Bridge Jumping

- (23) jump or dive from any bridge;

Boat Ramps

- (24) launch or retrieve a boat to or from any pond or lake to which this subparagraph applies;

Use of Boats

- (25) use a boat in any pond or lake to which this subparagraph applies;

Hiring Boats

- (26) (a) hire out a boat or otherwise use it for commercial purposes in any pond or lake; or

- (b) hire out a boat on or from any part of the foreshore;

Buoys, etc.

- (27) place a buoy, cable, chain, hawser, rope or net in, on or across any pond or lake;

Pontoons

- (28) install or maintain a pontoon, fixed floating jetty, or other jetty on any pond or lake;

Fishing

- (29) (a) fish in any pond or lake to which this subparagraph applies;

- (b) fish from any bridge or structure;

No Liquor

- (30) (a) consume, carry or be in possession or charge of any liquor on any local government land to which this subparagraph applies (provided the land constitutes parklands or reserves);

- (b) excepting sealed containers, consume, carry, be in possession or charge of any liquor in an open container on any local government land to which this subparagraph applies (provided the land constitutes parklands or reserves);

Weddings

- (31) conduct or participate in a marriage ceremony on any parkland or reserve;

Closed Lands

- (32) enter or remain on any part of local government land:

- (a) at any time during which the council has declared that it shall be closed to the public and which is indicated by a sign to that effect;

- (b) where the land is enclosed with fences and/or walls, and gates, at any time when the gates have been closed and locked; or

- (c) where admission charges are payable, to enter without paying those charges;

Cemeteries

- (33) comprising a cemetery:

- (a) bury or inter any human or animal remains;

- (b) erect any memorial;

- (c) drive or propel any vehicle except on paths or roads constructed and set aside for that purpose and in compliance with any signs that have been erected;

Camping

- (34) camp or stay overnight;

Toilets

- (35) in any public convenience on local government land:
- (1) urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
 - (2) smoke tobacco or any other substance;
 - (3) deposit anything in a pan, urinal or drain which is likely to cause a blockage;
 - (4) use it for a purpose for which it was not designed or constructed;
 - (5) enter any toilet that is set aside for use of the opposite sex except where:
 - (a) a child under the age of five years accompanied by an adult person of that other sex; and/or
 - (b) to provide assistance to a disabled person.

Posting of Bills etc.

3. No person shall without the council's permission post any bills, advertisements or other papers or items on a building, or structure on local government land or other public place.

Prohibited Activities

4. No person shall on local government land:

Smoking

- (1) smoke tobacco or any other substance in any building or part of any building to which this subparagraph applies;

Use of Equipment

- (2) use any item of equipment and/or facilities or other council property other than in the manner and for the purpose for which it was designed or set aside;

Annoyances

- (3) annoy or unreasonably interfere with any other person's use of the land by making a noise or by creating a disturbance that has not been authorised by the council;

Interference with Permitted Use

- (4) interrupt or disrupt or interfere with any person's use of parklands, reserves or the foreshore for which permission has been granted;

Encroachment

- (5) erect or place any fencing, posts or other structures or any other items or substances such as to encroach onto the land;

Interference with Land

- (6) interfere with the land such as levelling or flattening sand hills, planting grass, lawn or other vegetation, paving the land, or otherwise use the land in a manner contrary to the purpose for which the land was designed to be used;

Removal of Encroachment or Interference

- (7) any person who encroaches onto or interferes with local government land contrary to this by-law must at the request in writing of an authorised person, cease the encroachment or interference and remove the source of the encroachment or interference, and reinstate the land to the same standard as the state of the land prior to the encroachment of interference;

Council may do work

- (8) if a person fails to remove an encroachment or interference on local government land in accordance with a request of an authorised officer pursuant to subparagraph 4 (7) of this by-law, then the council may:
- (a) undertake the work itself; and
 - (b) recover the cost of doing so from that person.

Directions

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

- (a) that person's use of the land;
- (b) that person's conduct and behaviour on the land;
- (c) that person's safety on the land;
- (d) the safety and enjoyment of the land by other persons.

Removal of Animals and Persons

6. (1) If any animal is found on local government land in breach of a by-law:

- (a) any person in charge of the animal shall remove it on the request of an authorised person; and
- (b) an authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.

(2) Any authorised person may remove any person from local government land who is found committing a breach of a by-law.

Application

7. The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the council and while acting under the supervision of a Council Officer, or to the driver of an exempt vehicle (within the meaning of section 40 of the Road Traffic Act 1961) while driving that vehicle in relation to an emergency.

Application of Paragraphs

8. Any of paragraphs 2 (14), 2 (21) (b), 2 (22), 2 (24), 2 (25), 2 (29), 2 (30) and 4 (1) of this by-law shall apply only in such portion or portions of the area as the council may by resolution direct (in accordance with section 246 (3) (e) of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Charles Sturt held on the 4 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

S. LAW, Chief Executive Officer

CITY OF CHARLES STURT

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Streets and Roads

FOR the management, control and regulation of activities on streets and roads.

Definitions

1. In this by-law:

- (1) 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999.

Activities requiring permission

2. No person shall without permission on any street or road:

Vehicles generally

- (1) (a) being the driver of a vehicle, fail to obey the indications given by any traffic control device (as defined in the Road Traffic Act 1961) or any sign erected by or with the authority of the council, for regulating traffic or indicating the direction or route to be followed by traffic on that land;
- (b) drive or propel a vehicle where the council has excluded vehicles generally or of that class, pursuant to section 32 or section 33 of the Road Traffic Act 1961 or section 359 of the Local Government Act 1934;

Working on vehicles

- (3) perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown;

Preaching

- (3) preach or harangue;

Horses, cattle, etc.

- (4) ride, lead or drive any horse, cattle or sheep, except on any street, road or carpark or where the council has set aside a track or other area for use by or in connection with the animal of that kind;

Donations

- (5) ask for or receive or indicate that he or she desires a donation of money or any other thing;

Amplification

- (6) use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

Canvassing

- (7) convey any advertising, religious or other message to any bystander, passer by or other person;

Advertising

- (8) display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public street or road in accordance with the council's moveable signs by-law.

Posting of bills etc.

3. No person shall, without the council's permission, post any, bills, advertisements or other papers or items on a building or structure on a street or road.

Removal of animals and persons

4. (1) If any animal is found on a street or road in breach of a by-law:

- (a) any person in charge of the animal shall remove it on the request of an authorised person; and
(b) an authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.

(2) Any authorised person may remove any person from street or road land who is found committing a breach of a by-law.

Application

- (3) The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the council and while acting under the supervision of a Council Officer, or to the driver of an exempt vehicle (within the meaning of section 40 of the Road Traffic Act 1961) while driving that vehicle in relation to an emergency.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Charles Sturt held on 4 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

S. LAW Chief Executive

CITY OF CHARLES STURT

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 5—Lodging Houses

FOR controlling, licensing, inspecting, and regulating lodging houses.

Definitions

1. In this by-law:

'lodging house' means any building or part of any building where three persons or more not being members of the occupier's family are allowed to stay overnight for reward, the building not being self contained flats, a motel, school, maternity, home, hospital or a building either licensed under the Liquor Licensing Act 1997, or which is a supported residential facility within the meaning of the Supported Residential Facilities Act 1992.

Permits for lodging houses

2. No person shall without permission:

- (1) use or let any building or part thereof as a lodging house; or
(2) add to or alter any lodging house or use any compartment therein for other than the purpose which has been specified by the council.

Offences

3. No person in a lodging house shall:

- (1) fix or change any lock or fastener to the door of any room without the approval of the proprietor or the person in charge of the lodging house;
(2) place or keep therein any luggage, clothing, bedding, furniture or other thing if any such article is harbouring vermin;
(3) place or keep therein any goods or material which are flammable, obnoxious or offensive;
(4) foul or commit any nuisance in any bath, hand basin or laundry trough;
(5) use any bath or hand basin for other than ablutionary purposes;
(6) use any bathroom for laundry purposes;
(7) use any laundry trough for other than the washing of clothes or ablutionary purposes;
(8) use any sink installed in any kitchen for other than the purpose of the washing and cleansing of food utensils or vessels or kitchenware or for culinary purposes; or
(9) deposit any rubbish or waste food other than into receptacles provided for that purpose.

Inspections

4. (1) No person shall hinder or obstruct any officer of the council in the inspection of or enforcement of the law relating to a lodging house, whether by refusing to allow inspection of a room or by failing to be truthful about matters relating to the lodging house or otherwise.

(2) The proprietor or the person in charge of every lodging house shall retain a duplicate key to the door of every room for the purposes of inspection.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Charles Sturt held on 4 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

S. LAW, Chief Executive Officer

CITY OF CHARLES STURT

BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT 1995 AND THE LOCAL GOVERNMENT ACT 1999

By-law No. 6—Dogs

FOR the control of dogs within the area, to limit the number of dogs kept in premises and to require dogs to be effectively secured.

Definitions

1. In this by-law:

- (1) 'dog' means a dog of the age of three months or older;
(2) 'small dwelling' means a flat, a service flat, home unit, or a suite of rooms which is wholly occupied, or designed or intended or adapted to be occupied, as a separate dwelling, but does not include a detached, semi-detached or row dwelling house;
(3) 'approved kennel establishment' means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis;

(4) 'public place' means all streets, roads, parklands, reserves, open space and all other land in the ownership of the council or under the care, control and management of the council;

(5) 'the council' means the City of Charles Sturt.

Limit on dog numbers

2. (1) The limit on the number of dogs kept shall be:

(a) in a small dwelling, one dog; and

(b) in premises other than a small dwelling, two dogs.

(2) No person shall, without obtaining the written permission of the council, keep any dog on any premises where the number of dogs on those premises exceeds the limit unless the premises are an approved kennel establishment.

Dog free areas

3. No person shall in a public place to which this paragraph applies cause, suffer or permit any dog under that person's control, charge or authority to be in, or remain in that place.

Dogs on leash areas

4. No person shall in a public place to which this paragraph applies, cause, suffer or permit any dog under that person's control, charge or authority to be or remain in that public place unless such dog is secured by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

Dog exercise areas

5. (1) Any person may enter upon any public place to which this paragraph applies for the purpose of exercising a dog under his or her control.

(2) Where a person enters upon such public place for that purpose, he or she shall ensure that the dog or dogs under his or her control remain under effective control (within the meaning of the Dog and Cat Management Act 1995) while on the land.

(3) Signs shall be erected to denote the public places to which this paragraph applies, and information shall be provided in a manner determined by the Chief Executive Officer of the council to inform the public about such public places.

Dog faeces

6. No person shall cause, suffer or permit a dog under that person's control, charge or authority to be on or to remain in a public place unless that person has in their possession a bag or other suitable container on their person for the collection of any faeces from that dog for the purpose of complying with the obligation in Offence No. 12 of section 43 of the Dog and Cat Management Act 1995.

Application of paragraphs

7. Any of paragraphs 3, 4, and 5 (1) of this by-law shall apply only in such portion or portions of a public place as the council may by resolution direct (in accordance with section 246 (3) (e) of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Charles Sturt held on 4 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

S. LAW, Chief Executive Officer

CITY OF WEST TORRENS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

TO provide for a permit system and penalties in council by-laws, to clarify the construction of such by-laws, and to repeal by-laws.

A. All previous by-laws made or adopted by the council, prior to the date this by-law is made, are hereby repealed.

Permits

1. (1) In any by-law of the council unless the contrary intention is clearly indicated the word 'Permission' means the permission of the council given in writing.

(2) The council may attach such conditions to a grant of permission as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.

(3) Any permit holder shall comply with every such condition.

(4) The council may revoke such grant of permission at any time by notice in writing to the permit holder.

Penalties

2. Any person who commits a breach of any by-law of the council shall be guilty of an offence and liable to a penalty being the maximum amount referred to in the Local Government Act 1999, and in addition shall be liable to a further penalty for each day that the offence continues being the maximum amount referred to in the Local Government Act 1934.

Construction

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

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on 3 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

T. STARR, City Manager

CITY OF WEST TORRENS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO set standards for moveable signs on streets and roads and to provide conditions for the placement of such signs.

Definitions

1. In this by-law:

(1) 'footpath area' means that part of a street or road between the boundary of the street or road and the edge of the carriageway on the same side as that boundary; and

(2) 'moveable signs' has the same meaning as in the Local Government Act 1999;

(3) 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999.

Construction

2. A moveable sign displayed on a road:

(1) shall be a kind known as an 'A' Frame or Sandwich Board sign, an 'inverted "T"' sign, or a flat sign;

(2) (a) shall be constructed and maintained in good quality and condition;

(b) shall be of strong construction with no sharp or jagged edges or corners;

(c) shall not be unsightly or offensive in appearance;

(3) shall:

(a) be constructed of timber, metal or plastic coated cardboard, or a mixture of such materials;

(b) not exceed 1 000 mm in height, 600 mm in width or 600 mm in depth;

(4) shall not be likely to fall over or collapse;

(5) in the case of an 'A' Frame or Sandwich Board sign:

(a) shall be hinged or joined at the top;

(b) shall be of such construction that its sides shall be securely fixed or locked in position when erected;

(6) in the case of an 'inverted "T"' sign, shall contain no struts or members that run between the display area and the base of the sign; and

(7) shall not rotate, contain flashing lights or be illuminated internally.

Position

3. A moveable sign shall not be positioned on a public street or road:

- (1) unless it rests on the surface of the footpath area but no closer to the carriageway than 400 mm;
- (2) on a footpath area that is of less width than 2.5 m;
- (3) on a footpath area attached to or within 2 m of any other structure, fixed object, tree, bush or plant (excepting a building adjacent to the footpath area); or
- (4) within 1 m of an entrance to premises adjacent thereto;
- (5) on the sealed part of any footpath area, if there is any unsealed part of that area on which the sign can be placed in accordance with this by-law;
- (6) within 1 m of a building line or fence line adjacent thereto; or
- (7) on a median strip, traffic island or carriageway.

Restrictions

4. A moveable sign shall not be placed on a public street or road:

- (1) (a) unless it only displays material which advertises a business being conducted on premises which are not used in whole for residential or primary production purposes and which are adjacent to the sign, or the products available from that business;
- (b) if another moveable sign which relates to the same business is already displayed on the street or road;
- (c) unless the business to which it relates is open;
- (2) in a wind if it is likely to be blown over or swept away;
- (3) in such a position or in such circumstances that the safety of any user of the street or road is at risk;
- (4) during the hours of darkness unless it is clearly visible.

Appearance

5. A moveable sign displayed on a public street or road shall:

- (1) be painted or otherwise detailed in a competent and professional manner;
- (2) be attractive, legible and simply worded to convey a precise message;
- (3) be of such design and contain such colours which are compatible with the architectural design of the premises adjacent to the sign, and which relate well to the townscape and overall amenity of the locality in which it is situated;
- (4) contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated;
- (5) not have balloons, flags, streamers or other things attached to it.

Banners

6. No person shall without permission place, erect or display a banner on any council property.

Signs on vehicles

7. No person shall without permission on any local government land display a sign on a parked vehicle:

- (1) indicating that the vehicle is for sale; or
- (2) which rests on or which is attached to the vehicle and which advertises a product or business excepting:
 - (a) a licensed taxi, a vehicle belonging to any council or controlling authority, a bus greater than 6 m in length, and a vehicle which only has a sign or signs painted on or glued to it for the main purpose of which is to identify it as belonging to a business; and

- (b) a sign comprising a sunscreen on a vehicle, where any message or trades name or mark on the sunscreen does not advertise a business being carried on in the vicinity of the place the vehicle is parked, or the products available from that business.

Removal of signs

8. Where an authorised person has removed a sign placed on a public street, road or local government land in contravention of this by-law or a provision of the Local Government Act 1999, the owner of the sign shall not be entitled to reclaim the sign until they have paid council the reasonable costs of removal and storage of the sign.

Exemptions

9. (1) Subparagraphs 3 (1), (2), (4), (5), (7) and 4 (1) and paragraph 5 do not apply to a moveable sign which is used:

- (a) by a Land Agent to indicate only that a residential premises is open for inspection for sale;
- (b) to advertise a garage sale taking place from residential premises; or
- (c) as a directional sign to an event run by a charitable body,

and which is not placed on the carriageway of a street or road.

(2) Subparagraph 4 (1) does not apply to a flat sign the message of which only contains newspaper headlines and the name of a newspaper.

(3) Paragraphs 2 (3), 3, 4 (1) and 4 (4) do not apply to a banner.

(4) A requirement of this by-law will not apply where permission has been granted for the sign to be displayed contrary to that requirement.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on 3 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

T. STARR, City Manager

CITY OF WEST TORRENS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Local Government Land

FOR the management of parklands, reserves, public places, the foreshore, and other land vested in or under the control of the council.

1. In this by-law:

- (1) 'Local Government land' means all parklands, reserves, ornamental grounds, jetties, bridges, public places, and other land, vested in or under the control of the council (except street and roads);
- (2) 'Disability' means a disability as defined in the Disability Discrimination Act 1992, with the exception of a disability that previously existed but no longer exists, may exist in the future or is imputed to a person;
- (3) 'Guide Dog' means a guide dog as defined in the Dog and Cat Management Act 1995;
- (4) 'liquor' has the same meaning as defined in the Liquor Licensing Act 1995;
- (5) 'open container' means a container which:
 - (a) after the contents thereof have been sealed at the time of manufacture and:
 - (i) being a bottle it has had its cap or cork or top removed (whether it has since been replaced or not);
 - (ii) being a can it has been opened or punctured;

- (iii) being a cask it has had its tap placed in a position to allow it to be used;
- (iv) being any form or container it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
- (b) is a flask, glass or mug or other container used for drinking purposes;
- (c) 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999.

Activities requiring permission

2. No person shall without permission on any local government land:

Vehicles generally

- (1) (a) being the driver of a vehicle, fail to obey the indications given by any traffic control device (within the meaning of the Road Traffic Act 1961), or any sign erected by or with the authority to the council, for regulating traffic or indicating the direction of route to be followed by traffic on that land;
- (b) drive or propel a vehicle on any part thereof where the council has excluded vehicles generally pursuant to section 32 of the Road Traffic Act 1961;
- (c) drive or propel a vehicle of a class on any part thereof where the council has excluded vehicles of that class pursuant to section 32 of the Road Traffic Act 1961;

Vehicles on parklands etc.

- (2) comprising parklands or reserves:
 - (a) drive or propel a motor vehicle thereon, unless on an area or road constructed or set aside by the council for the parking or travelling of motor vehicles;
 - (b) except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part;

Vehicles on foreshore

- (3) (a) drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or provided by the council for that purpose;
- (b) launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- (c) allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
- (d) drive or propel any vehicle on such a ramp or thoroughfare or elsewhere on the foreshore at a speed greater than 25 km/h;

Repairs to vehicles

- (4) perform the work of repairing, washing, painting, panel-beating or other work of any nature on or to any vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;

Busking

- (5) sing, busk or play any recording or upon any musical instrument so as to appear to be for the purpose of entertaining other persons or receiving money;

Amplification

- (6) use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements;

Donations

- (7) ask for or receive or indicate that he or she desires a donation of money or any other thing;

Preaching

- (8) preach or harangue;

Distribution of printed material

- (9) place on any vehicle (without the owner's consent) or give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter, provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with the authority of a candidate during the course of a Federal, State or Local Government Election or to a handbill or leaflet given out or distributed during the course and for the purposes of a Referendum;

Removing soil etc.

- (10) carry away or remove any soil, sand, timber, stones, pebbles or any part of the land;

Picking fruit etc.

- (11) pick fruit, nuts or berries from any trees or bushes thereon;

Digging soil

- (12) to which this subparagraph applies, dig the soil for or to collect worms, grubs or insects;

Games

- (13) (a) to which this subparagraph applies, participate in any game recreation or amusement which involves the use of a ball missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land; or
- (b) play any organised competition sport;

No liquor

- (14) to which this subparagraph applies (except local government land which is not part of parklands or reserves) consume carry or be in possession or charge of any liquor;

No liquor except sealed containers

- (15) to which this subparagraph applies (except local government land which is not part of parklands or reserves):
 - (a) consume any liquor; or
 - (b) carry or be in possession or charge of any liquor in an open container;

Smoking

- (16) smoke tobacco or any other substance in any building or part thereof to which this paragraph applies;

Animals on foreshore

- (17) (a) allow or suffer any animal under his or her control to swim or bathe in the sea or any other open public water to the inconvenience, annoyance or danger of any other person bathing or swimming;
- (b) comprising the foreshore, drive, lead or ride any horse thereon from midnight to 5 a.m. and 8 a.m. to midnight;
- (c) comprising the foreshore, ride, drive or exercise any horse in such a manner as to endanger the safety of any person thereon;

Closed lands

- (18) enter or remain on any part of local government land:
 - (a) at any time during which the council has declared that the part shall be closed to the public, and which is indicated by a sign adjacent to the entrance to that part;
 - (b) where the land is enclosed with fences and/or walls, and gates have been closed and locked; or
 - (c) where admission charges are payable for that person to enter that part, without paying those charges;

Tents

- (19) (except the council or other Government authority) erect any tent or other structure of calico, canvass, plastic or similar material as a place of habitation;

Camping

- (20) camp or remain overnight on any parklands, reserves or other local government land;

Suspending articles

- (21) hang or suspend any article or thing from any building, verandah, pergola or other structure under the control of the council;

Use of toilets

- (22) enter any toilet that is set aside for use of the opposite sex; provided however that:
- (a) a child under the age of five years may enter a public convenience set apart for the use of the other sex if the child is accompanied by an adult person of that other sex; and
- (b) a person, using discretion, may enter a public convenience for the purpose of providing assistance to a person with a disability;

Fauna

- (23) (a) take, interfere with or disturb any animal or bird or the eggs or young of any animal or bird;
- (b) disturb, interfere with or damage any burrow, nest or habitat of any animal or bird; or
- (c) use, possess or have control of any device for the purpose of killing or capturing any animal or bird;

Flora

- (24) (a) take, uproot or damage any plant;
- (b) remove, take or disturb any soil, stone, wood, tender or bark;
- (c) collect or take any dead wood or timber for the purpose of using the same to make or maintain a fire; or
- (d) ride or drive any vehicle or animal or run, stand or walk on any flower bed or garden plot;

Horses, cattle etc.

- (25) ride, lead or drive any horse, cattle or sheep, except on any street, road or car park or where the council has set aside a track or other area for use by or in connection with the animal of that kind;

Animals

- (26) (a) allow any stock to stray into or depasture therein;
- (b) allow any animal to damage any flower bed, garden plot, tree, lawn or other item or place;
- (c) take any animal into any area to which this subparagraph applies;

Boats

- (27) propel or float any boat, raft, pontoon or water craft on any pond or lake or reservoir or part thereof to which this subparagraph applies;

Fireworks

- (28) use, discharge or explode any fireworks;

Footway

- (29) comprising parklands or reserve, obstruct any footway road or path.

Prohibited activities

3. No person shall on any local government land;

Use of equipment

- (1) use any form of equipment or property belonging to the council other than in the manner and for the purpose for which it was designed or set aside;

Annoyances

- (2) annoy or unreasonably interfere with any other person's use of the land by making a noise or creating a disturbance that has not been authorised by the council;

Directions

- (3) fail to comply with any reasonable direction or request from an authorised person of the council relating to:
- (a) that person's use of the land;
- (b) that person's conduct and behaviour on the land;
- (c) that person's safety on the land; or
- (d) the safety and enjoyment of the land by other persons;

Missiles

- (4) throw, roll or discharge any stone, substance or missile to the danger of any person or animal therein;

Glass

- (5) wilfully break any glass, china or other brittle material;

Defacing property

- (6) deface, paint, write, cut names or make marks on or fix bills or advertisements to any tree, rock, gate, fence, building, sign or other property of the council therein.

Removal of animals and persons

5. (1) If any animal is found on any part of local government land in breach of a by-law:

- (a) any person in charge of the animal shall forthwith remove it from that part on the request of an authorised person; and
- (b) any authorised person may remove it therefrom if the person fails to comply with the request, or if no person is in charge of the animal.

- (2) Any authorised person may remove any person from a part of local government land who is found committing a breach of a by-law in that part.

Exemptions

6. The restrictions in this by-law do not apply to any council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the council and while acting under the supervision of a council officer, or to the driver of an exempt vehicle (within the meaning of section 40 of the Road Traffic Act 1961) while driving that vehicle in relation to an emergency.

Application of paragraphs

7. Any subparagraphs of 2 (12), 2 (13) (a), 2 (14), 2 (15), 2 (16), or 2(26) (c) of this by-law shall apply only in such portion or portions of the area as the council may by resolution direct (in accordance with section 246 of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on 3 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

T. STARR, City Manager

CITY OF WEST TORRENS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Roads

FOR the management of streets, roads and public places vested in or under the control of the council.

1. In this by-law:

- (1) 'road' has the same meaning as in the Local Government Act 1999;
- (2) 'Disability' means a disability as defined in the Disability Discrimination Act 1992, with the exception of a disability that previously existed but no longer exists, may exist in the future or is imputed to a person;
- (3) 'Guide Dog' means a guide dog as defined in the Dog and Cat Management Act 1995;

- (4) 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999.

Activities requiring permission

2. No person shall without permission on any street or road:

Repairs to vehicles

- (4) perform the work of repairing, washing, painting, panel-beating or other work of any nature on or to any vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;

Amplification

- (5) use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

Donations

- (6) ask for or receive or indicate that he or she desires a donation of money or any other thing;

Preaching

- (7) preach or harangue;

Suspending articles

- (8) hang or suspend any article or thing from any building, verandah, pergola or other structure on a road or other public place;

Defacing property

- (9) fix bills, advertisements or papers, deface, paint, write, cut names or make marks on or to any tree, rock, gate, fence, building, sign or structure on a road or other public place;

Horses, cattle etc.

- (10) ride, lead or drive any horse, cattle or sheep, except on any street, road or carpark where the council has set aside a track or other area for use by or in connection with the animal of that kind;

Animals

- (11) (a) allow any stock to stray into or depasture therein;
(b) allow any animal to damage any flower bed, garden plot, tree, lawn or other item or place;
(c) take any animal into any area to which this paragraph applies.

Prohibited activities

3. No person shall on any street or road:

Directions

- (1) fail to comply with any reasonable direction or request from an authorised person of the council relating to:
(a) that person's use of the land;
(b) that person's conduct and behaviour on the land;
(c) that person's safety on the land; or
(d) the safety and enjoyment of the land by other persons.

Exemptions

4. The restrictions in this by-law do not apply to any council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the council and while acting under the supervision of a council officer, or to the driver of an exempt vehicle (within the meaning of section 40 of the Road Traffic Act 1961) while driving that vehicle in relation to an emergency.

Application of paragraphs

5. Subparagraph 2 (9) (c) of this by-law shall apply only in such portion or portions of the area as the council may by resolution direct (in accordance with section 246 of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on 3 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

T. STARR, City Manager

CITY OF WEST TORRENS

BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT 1995

By-Law No. 5—Dogs

TO limit the number of dogs kept in premises, to set specifications for kennel establishments and to provide for control of dogs on local government land.

Definitions

1. In this by-law:

- (1) 'small dwelling' means the premises of a self contained dwelling either:
(a) commonly known as a flat, serviced flat, home unit or the like; or
(b) which is contained in a separate strata title or community title;
- (2) 'kennel establishment' means a building, structure, premises or area approved by the relevant authority pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis.

Limit on dog numbers

2. The limit on the number of dogs kept shall be:

- (1) in a small dwelling, one dog; and
(2) on premises other than a small dwelling shall be two dogs.

Kennel establishments

3. (1) No person shall, without the council's written permission, keep any dog on any premises where the number of dogs on those premises exceeds the limit specified in paragraph 2 of this by-law unless:

- (a) the council is satisfied that approval under the Development Act 1993 is not required; or
(b) a kennel establishment is able to operate lawfully under the Development Act 1993; and
(c) the kennel complies with any specifications set by the council for kennel establishments in the area generally.

Dog free areas

4. No person shall, in a place to which this paragraph applies cause, suffer or permit any dog (except guide dogs guiding a person who is wholly or partially blind; or wholly or partially deaf), under that persons control or authority to be or remain in that place.

Dogs on leashes

5. No person shall, in a place to which this paragraph applies, cause, suffer or permit any dog (except guide dogs guiding a person who is wholly or partially blind; or wholly or partially deaf), under that person's control charge or authority to be or remain in that place unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or danger to other persons.

Dog exercise areas

6. (1) Any person may enter upon any part of local government land to which this paragraph applies for the purpose of exercising a dog under his or her control.

(2) Where a person enters upon such part of local government land for that purpose, he or she shall ensure that the dog or dogs under his or her control remain under effective control (within the meaning of the Dog and Cat Management Act 1995) while on that land.

(3) Signs shall be erected to denote land to which this paragraph applies, and information shall be provided to the public in a manner determined by the Council's City Manager to inform the public about such land.

Application of paragraphs

7. Paragraphs 4, 5 and 6 of this by-law shall apply only in such portion or portions of the area as the council may by resolution direct (in accordance with section 246 of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on 3 October 2000 by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

T. STARR, City Manager

ADELAIDE HILLS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Gum Tree Glade, Norton Summit

NOTICE is hereby given that pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the Adelaide Hills Council hereby gives notice of its intent to implement a Road Process to close and sell to Juliana Niemeier and Rory Dene Williams (Certificate of Title Volume 5402, Folio 637) the portions marked 'A' and 'B', on Preliminary Plan No. PP32/0607 in the Hundred of Adelaide being portion of public road, Gum Tree Glade, generally situated at Norton Summit.

The closed road is to be exchanged for portion of allotment piece 92 in Filed Plan 171080 marked '1' and portion of allotment piece 94 in Filed Plan 171080 marked '2' as shown on Preliminary Plan No. PP32/0607.

A statement of persons affected by the road process together with a copy of the Preliminary Plan are available for public inspection at the Council Offices, Mount Barker Road, Stirling, between the hours of 9 a.m. and 5 p.m. week days only. Copies may also be inspected at the Adelaide Office of the Surveyor-General during normal office hours.

Any person who may wish to object to the proposed road process must lodge with the said council a Notice of Objection within 28 days of the date of this notice.

All objections shall be in writing giving the objector's full name and address, reasons for the objection and whether the objector wishes to appear in person or be represented at the subsequent meeting when the objection will be determined by council.

An application for an easement shall be in writing giving the full name and address of the person applying for the grant, full details of the nature and location of the requested easement, whether it will be in favour of the owner of adjoining or nearby land and if so specify the land to which the easement will be annexed and reasons for the grant of easement.

A copy of any submission must be forwarded to the Surveyor-General in Adelaide.

Dated 25 September 2000.

R. D. BLIGHT, Chief Executive Officer

ALEXANDRINA COUNCIL

Change of Council Meeting Dates

NOTICE is hereby given that council at its meeting held on Tuesday, 3 October 2000, resolved to change the council meeting dates to the first and third Tuesdays of every month with the Environmental Services and Corporate Services and council meetings being held on the first Tuesday of the month commencing at 9.30 a.m. and the Technical Services, Finance and Information Technology and council meeting being held on the third Tuesday of the month commencing at 4.30 p.m. This is in lieu of the council meetings being held on the first and third Mondays of every month.

The above changes will apply as from January 2001.

J. L. COOMBE, Chief Executive Officer

DISTRICT COUNCIL OF THE COPPER COAST

Temporary Road Closure

NOTICE is hereby given that the council, pursuant to section 359 of the Local Government Act 1934, as amended, resolved to exclude vehicles generally, except council vehicles from that portion of Hallett Street, Kadina, between Lindsay Street and Christie Street, from 10 a.m. to 4 p.m. on Sunday, 29 October 2000, for the purpose of the Kadina Kindy Carnival.

J. W. SHANE, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

Appointment

NOTICE is hereby given that pursuant to section 102 of the Local Government Act 1999, Peter W. Wegener has been appointed Acting Chief Executive Officer for the period Monday, 27 November 2000 to Friday, 22 December 2000, being a four week period, *vide* Chief Executive Officer on annual leave.

S. J. RUFUS, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

Appointment

NOTICE is hereby given that pursuant to section 38 of the Country Fires Act 1989, the Kingston District Council appointed Stuart James Levick of the Marcollat CFS Brigade as an authorised officer for the issuing of fire permits. The appointment of Bruce Gardner as an authorised officer, for the issuing of fire permits has been revoked.

S. J. RUFUS, Chief Executive Officer

NARACOORTE LUCINDALE COUNCIL

Temporary Road Closure

NOTICE is hereby given that pursuant to section 33 of the Road Traffic Act 1961, council under its delegated authority, declares the temporary road closure on 3 November 2000, of Jones Street between Ormerod Street and Smith Street from 2.30 p.m. until 4.30 p.m., and Jones Street between Robertson Street and Smith Street from 3.30 p.m. until 4.30 p.m. for special activities.

That bollards be placed along the full length of the Macintosh Square side of Jones Street between Smith Street and Ormerod Street, to restrict parking from 8.30 a.m. until 4.30 p.m.

That bollards be placed to restrict parking for three car spaces on the western side of Jones Street between Robertson Street and Smith Street, from 8.30 a.m. until 4.30 p.m.

D. L. BEATON, Chief Executive Officer

NARACOORTE LUCINDALE COUNCIL

Temporary Road Closure

NOTICE is hereby given that pursuant to section 33 of the Road Traffic Act 1961, council under its delegated authority, declares the temporary road closure on 10 November 2000, of Jones Street from Smith Street to Ormerod Street, from noon until 5.30 p.m., for special activities.

D. L. BEATON, Chief Executive Officer

DISTRICT COUNCIL OF RENMARK PARINGA

Amendment—Renaming of Road

NOTICE is hereby given that the advertisement shown in the edition of the *Government Gazette* of Thursday, 28 September 2000, *should* read The Matulick Riverfront Walk, *not* The Matulick Riverfront Walkway.

DR. A. KHAN, Chief Executive Officer

DISTRICT COUNCIL OF YORKE PENINSULA

Periodical Review

NOTICE is hereby given that pursuant to the provisions of section 12 of the Local Government Act 1999, the District Council of Yorke Peninsula is to carry out a review to determine

whether a change of arrangements in respect to elector representation, including ward boundaries and the composition of council, will result in the electors of the area being more adequately and fairly represented.

Information pertaining to the periodical review can be obtained from the council offices at:

- 8 Elizabeth Street, Maitland;
- 18 Main Street, Minlaton;
- 15 Edithburgh Road, Yorketown; and
- Player Street, Warooka

or by contacting Peter Ackland on telephone 8853 2102.

Interested persons are invited to make a written submission to the Chief Executive Officer, 8 Elizabeth Street, Maitland, S.A. 5573 by the close of business on 24 November 2000.

Any person who makes a written submission will be afforded an opportunity to appear before council, or a committee thereof, to be heard in respect to their submission.

S. P. GRIFFITHS, Chief Executive Officer

DISTRICT COUNCIL OF YORKE PENINSULA

Appointment

NOTICE is hereby given that at the meeting held on 3 October 2000, council resolved to appoint David Anthony Cowell as its Environmental Health Officer until revoked:

- (1) Authorised to carry out the powers and functions of Division II of Part III of the Public and Environmental Health Act 1987.
- (2) Authorised to carry out the powers contained in section 9 of the Supported Residential Facilities Act 1992.

S. GRIFFITHS, Chief Executive Officer

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

- Blackman, Edward Albert*, late of 158 Diagonal Road, Warradale, retired accountant, who died on 12 August 2000.
- Callahan, Alma Joan*, late of 77 Seaview Road, Port Augusta, of no occupation, who died on 22 July 2000.
- Coxell, Phyllis Ruth*, late of 157 Beulah Road, Norwood, widow, who died on 3 August 2000.
- Fry, Robert Grist*, late of 29 Austral Terrace, Morphettville, retired labourer, who died on 17 August 2000.
- Herbert, Ethel Irene*, late of 1 Myzantha Street, Lockleys, of no occupation, who died on 2 July 2000.
- Jozus, Janis*, late of 22 Second Avenue, Seaton, retired security guard, who died on 18 August 2000.
- Lean, Maude Alexandra Ethel*, late of 342 Marion Road, North Plympton, of no occupation, who died on 15 August 2000.
- Peek, Valentine Edward*, late of 99 Tapleys Hill Road, Hendon, retired toolmaker, who died on 7 April 2000.
- Taylor, Leonard John*, late of 19 Jenkins Street, Risdon Park, Port Pirie, retired trades assistant, who died on 30 June 2000.
- Walsh, Gladys Jean*, late of 88-94 Robert Street, West Croydon, widow, who died on 2 August 2000.
- Woolman, Muriel Joyce*, late of 50 Cheltenham Street, Highgate, retired jury assistant, who died on 26 August 2000.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 10 November 2000, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 12 October 2000.

J. H. WORRALL, Public Trustee

SOUTH AUSTRALIA—In the Supreme Court. No. 770 of 1999. In the matter of B. & S. Painters Pty Limited (ACN 070 792 906) and in the matter of the Corporations Law.

Notice of Release of Liquidator

Take notice that by an order of the Supreme Court of South Australia dated 14 September 2000, I, Mark Christopher Hall, 10th Floor, 26 Flinders Street, Adelaide, S.A. 5000, the liquidator of the abovenamed company was granted my release as liquidator.

Dated 3 October 2000.

M. C. HALL, Liquidator

SOUTH AUSTRALIA—In the Supreme Court. No. 707 of 1997. In the matter of Oscom International Pty Limited (ACN 052 168 564) and in the matter of the Corporations Law.

Notice of Release of Liquidator

Take notice that by order of the Supreme Court of South Australia, dated 14 September 2000, I, Peter Ivan Macks, 10th Floor, 26 Flinders Street, Adelaide, S.A. 5000, the liquidator of the abovenamed company, was granted my release as liquidator.

Dated 9 October 2000.

P. I. MACKS, Liquidator

SOUTH AUSTRALIA—In the Supreme Court. No. 2537 of 1992. In the matter of Williams Brothers (Concrete) Pty Ltd (ACN 007 690 888) and in the matter of the Corporations Law.

Notice by a Liquidator of His Intention to Seek His Release

Take notice that I, Austin Robert Meerten Taylor of Horwath Adelaide Partnership, 99 Frome Street, Adelaide, S.A. 5000, the liquidator of the abovenamed company, intend to make application to the Supreme Court of South Australia for my release as the liquidator of the abovenamed company and for the company to be dissolved.

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

Dated 2 October 2000.

A. R. M. TAYLOR, Liquidator

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

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform Riverside 2000 of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

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

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

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

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