



# 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, 6 MARCH 2003

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## GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. on the Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: [governmentgazette@saugov.sa.gov.au](mailto:governmentgazette@saugov.sa.gov.au)*. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

Department of the Premier and Cabinet  
Adelaide, 6 March 2003

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Architects Board of South Australia, pursuant to the provisions of the Architects Act 1939:

Member: (from 23 March 2003 until 22 March 2006)  
Lolita Mohyla

By command,

J. W. WEATHERILL, for Premier

MUDP-PL00003/2003CS

Department of the Premier and Cabinet  
Adelaide, 6 March 2003

HER Excellency the Governor in Executive Council has accepted the resignation of His Honour Judge M. A. Noblet from the Office of Judge of the District Court of South Australia and from the Offices of Judge of the Licensing Court and Judge of the Environment, Resources and Development Court, with effect from 22 November 2002.

By command,

J. W. WEATHERILL, for Premier

ATTG 0363/02TC1CS

Department of the Premier and Cabinet  
Adelaide, 6 March 2003

HER Excellency the Governor in Executive Council has removed from office the Justices of the Peace listed, pursuant to section 6 of the Justices of the Peace Act 1991:

Michelle Sheree Aalbersberg  
Jennifer Denise Bailey  
Helen Irene Beringen  
Thomas James Beare  
Barry John Calaby  
Marie Carbone  
Graham Gordon Chant  
Philip Edward Cook  
Paul Damian Flynn  
Colin Stanley Gigney  
Ronald William Glasson  
Robert John Goodwin  
Dean Francis Hancock  
Kristine Louise Harris  
Darryl George Hatchard  
Lawrence Ernest Jeffries  
Raymond Arthur Johns  
Brian John Kinnear  
Delysia Gail McAskill  
Jeffrey Charles McEvoy  
Dale Gerard McRostie  
Ian Carl Maclean  
Leah Kaye Mills  
Bryan David Rees  
Raymond Eric Riddell  
Dennis Ian Roberts  
Matthew Douglas Rowe  
Jonathan Peter Russack  
Robin Hugh Simmons  
Frederick Garnham Skipper  
Fiona Street  
William Wreford Taplin  
Andrew Charles Thamm  
William Ross Trengrove  
Piet Jan Hermanus Van Der Hoeven  
Christopher Arthur Wagner  
Donald John Waters  
Philip James Wigley

By command,

J. W. WEATHERILL, for Premier

ATTG 0046/03CS

#### CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JOHN HILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY vary the notice described in The Schedule by declaring that Conservation Reserve as defined in The Schedule shall cease to be under the care, control and management of Flinders Power Proprietary Limited and by further declaring that the said Conservation Reserve shall be under the care, control and management of NR Generating Holdings (No. 2) GMBH, Flinders Labuan (No. 1) Limited and Flinders Labuan (No. 2) Limited.

#### The Schedule

Conservation Reserve, allotment 9 of DP 55691, Hundred of Davenport, County of Frome, the notice of which was published in the *Government Gazette* of 31 August 2000 at page 946, being the whole of the land contained in Crown Record Volume 5838 Folio 788.

Dated 6 March 2003.

J. HILL, Minister for Environment and Conservation

DEH 13/0815

#### CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JOHN HILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY resume the land defined in The Schedule.

#### The Schedule

School Reserve, allotment 82, Town of Sherlock, Hundred of Sherlock, County of Buccleuch, the notice of which was published in the *Government Gazette* of 17 November 1988 at page 1793, being the whole of the land contained in Crown Record Volume 5758 Folio 122.

Dated 6 March 2003.

J. HILL, Minister for Environment and Conservation

DEHAA 12/0778

#### DEVELOPMENT ACT 1993, SECTION 29 (2) (b): AMENDMENT TO THE PORT LINCOLN (CITY) DEVELOPMENT PLAN

#### Preamble

It is necessary to amend the Port Lincoln (City) Development Plan dated 1 August 2002.

#### NOTICE

PURSUANT to section 29 (2) (b) of the Development Act 1993, I, Jay Weatherill, being the Minister administering the Act, amend The Port Lincoln (City) Development Plan consolidated on 1 August 2002, as follows:

Delete the following of Table PtL/2:

'7 Land Division

The division of land (including for the construction of as road or thoroughfare) where the applicant proposes to use the land for a purpose, which is, in the opinion of the relevant authority, consistent with the objective of the zone under this Development Plan, other than where the division:

- (a) creates more than four allotments; or
- (b) will, in the opinion of the relevant authority, change the nature and function of an existing road.; and

Insert the following in Table PtL/2:

'7 Land Division

- (a) Except where the development is classified as non-complying under the relevant Development Plan, any development which comprises the division of land which creates not more than four additional allotments; or
- (b) The division of land (including for the construction of a road or thoroughfare) where the applicant proposes to use the land for a purpose, which is, in the opinion of the relevant authority, consistent with the objective of the zone under this Development Plan, other than where the division will, in the opinion of the relevant authority, change the nature and function of an existing road.'

Dated 6 March 2003.

J. WEATHERILL Minister for Urban  
Development and Planning

PLN 99/0322

DEVELOPMENT ACT 1993, SECTION 29 (2) (b): AMENDMENT TO THE TEA TREE GULLY (CITY) DEVELOPMENT PLAN

*Preamble*

It is necessary to amend the Tea Tree Gully (City) Development Plan dated 23 January 2003.

NOTICE

PURSUANT to section 29 (2) (b) of the Development Act 1993, I, Jay Weatherill, being the Minister administering the Act, amend The Tea Tree Gully (City) Development Plan dated 23 January 2003, as follows:

- (a) In the Residential (Tea Tree Gully) Zone, principle of development control numbered 22:  
Delete the term 'Retaining Wall'; and
- (b) In the Residential (Central) Zone, principle of development control numbered 22:  
Delete the term 'Retaining Wall'

Dated 6 March 2003.

J. WEATHERILL Minister for Urban  
Development and Planning

PLN 99/0345

ENVIRONMENT PROTECTION AUTHORITY

*Exemptions*

THE ENVIRONMENT PROTECTION AUTHORITY has issued to Chickentown Pty Ltd an exemption from the Environment Protection (Industrial Noise) Policy 1994 with respect to a music event held at Wayville Showgrounds, Goodwood Road, Wayville. The exemption applies to the music event held on 31 January 2003 known as 'The Big Day Out'.

The Environment Protection Authority has issued to Adelaide Festival Centre Trust an exemption from the Environment Protection (Industrial Noise) Policy 1994 with respect to a music event held at section 574, (Botanic Park), Hackney Road, Adelaide. The exemption applies to the music event to be held between 5 March 2003 and 10 March 2003 inclusive, known as Womad.

G. SCLARE, Delegate, Environment Protection  
Authority

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of the West Coast north of a line from position latitude

33°11.50'S, longitude 134°19.00'E, then to position latitude 33°20.50'S, longitude 134°35.60'E, then to position latitude 33°22.30'S, longitude 134°43.00'E, then to position latitude 33°30.50'S, longitude 134°46.00'E, then to position latitude 33°36.00'S, longitude 134°46.00'E.

SCHEDULE 2

2000 hours on 1 March 2003 to 0630 hours on 11 March 2003.

Dated 28 February 2003.

J. PRESSER, Principal Fisheries Manager

D005/03

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of the West Coast north of a line from position latitude 32°12.00'S, longitude 133°21.25'E, then to position latitude 32°18.00'S, longitude 133°21.25'E, then to position latitude 32°19.25'S, longitude 133°29.75'E, then to position latitude 32°27.20'S, longitude 133°37.50'E, then to position latitude 32°24.00'S, longitude 133°52.00'E.

SCHEDULE 2

2000 hours on 1 March 2003 to 0630 hours on 11 March 2003.

Dated 28 February 2003.

J. PRESSER, Principal Fisheries Manager

D006/03

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of the West Coast prawn fishery.

SCHEDULE 2

Between 0630 hours and 2000 hours between and including 2 March 2003 to 10 March 2003.

Dated 28 February 2003.

J. PRESSER, Principal Fisheries Manager

D007/03

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of the West Coast prawn fishery.

SCHEDULE 2

From 0630 hours on 11 March 2003 to 31 December 2003.

Dated 28 February 2003.

J. PRESSER, Principal Fisheries Manager

D008/03

## FISHERIES ACT 1982: SECTION 43

TAKE note that the notice number D004/03 made under section 43 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, page 385, dated 30 January 2003 being the seventh notice on page 385, referring to the West Coast prawn fishery, is hereby revoked from 2000 hours on 1 March 2003.

Dated 28 February 2003.

J. PRESSER, Principal Fisheries Manager

R003-03

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, those persons who hold a licence pursuant to the Scheme of Management (River Fishery) Regulations 1991, (hereinafter referred to as the 'fisher') are exempt from section 41 of the Fisheries Act 1982, but only insofar as the fisher may take fish for trade or business using a set net with a mesh size greater than 15 cm (large mesh set net) and may use more than five large mesh set nets at any one time and may leave large mesh set nets in the water for a period comprised of more than four consecutive hours (hereinafter referred to as the 'permitted activity') subject to the conditions outlined in Schedule 1 from the date of gazettal of this notice until 30 June 2003.

## SCHEDULE 1

1. The fisher must use no more than 30 large mesh set nets at any one time.

2. The fisher must not leave large mesh set nets in the water for a period comprised of more than 24 consecutive hours.

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

Dated 27 February 2003.

W. ZACHARIN, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Renee Webster or persons acting as her agents (hereinafter referred to as the 'exemption holder') of Riverland West Local Action Planning Group, 12A Peake Terrace, Waikerie, S.A. 5330, is exempt from the provisions of section 41 of the Fisheries Act 1982 to engage in the collection of fish (hereinafter referred to as the 'exempted activity') from the waters described in Schedule 1, using two fyke nets (minimum mesh of 5 mm, maximum leader of 5 m and maximum opening of 60 cm), subject to the conditions set out in Schedule 3 from the date of gazettal of this notice until 30 June 2003, unless varied or revoked earlier.

## SCHEDULE 1

- Nigra Creek and Schillers Lagoon
- Hart Lagoon
- Cadell Wetlands
- Paisley Creek
- Brenda Park Scotts Creek
- Boggy Flat

## SCHEDULE 3

1. The specimens collected by the exemption holder are for educational purposes only and may not be sold.

2. All native fish taken pursuant to the exempted activity must be immediately returned to the water unless retained for the purpose of species identification.

3. A maximum of two fish of any species per location may be taken for the purpose of species identification.

4. Before conducting the exempted activity, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with the name of the person or person who will be conducting the exempted activity, details of the proposed locations and the dates on which the collections are to be made.

5. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

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

Dated 18 February 2003.

W. ZACHARIN, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, David A. Grocke, holder of Marine Scalefish Fishery Licence No. M095, 36 Montgomerie Terrace, Streaky Bay, S.A. 5680 (the 'exemption holder') is exempt from the provisions of Clause 61 of Schedule 1 of the Fisheries (General) Regulations 2000, subject to the conditions specified in Schedule 1, but only insofar as the exemption holder shall not be guilty of an offence when taking up to 150 razor fish (*Pinna bicolor*) in any one day from South Australian coastal marine waters (the 'exempted activity') from the date of gazettal of this notice until 30 June 2003, unless varied or revoked earlier.

## SCHEDULE 1

1. All razor fish taken pursuant to this notice shall be used for bait only.

2. The total number of razor fish taken in any one day, shall be no greater than one hundred and fifty.

3. The exemption holder must include all razor fish taken under this permit on the monthly catch and effort summary provided to the South Australian Research and Development Institute (SARDI).

4. Whilst engaged in the exempted activity the exemption holder must have in his possession a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries Compliance Officer forthwith, if and when an officer requests the exemption holder to produce it.

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

Dated 3 March 2003.

W. ZACHARIN, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Tracy Warland (hereinafter referred to as the 'exemption holder'), P.O. Box 2236, Port Lincoln, S.A. 5606, is exempt from section 48G of the Fisheries Act 1982, but only insofar as the exemption holder shall not be guilty of an offence when engaging in the collection of aquatic and benthic flora and fauna from marine coastal waters (hereinafter referred to as the 'exempted activity'), subject to the conditions specified in Schedule 1, from the date of gazettal of this notice until 31 December 2003, unless varied or revoked earlier.

## SCHEDULE 1

1. The specimens possessed pursuant to the exempted activity are for display purposes only at South Australian Seahorse Marine Services, 5 Mallee Crescent, Port Lincoln, S.A. 5606 and may not be sold, released or removed from the site without the written permission of the Director of Fisheries.

2. The exemption holder may not take more than 10 of any species pursuant to this notice, except those species that have a bag limit. Any species that has a bag limit is limited to the personal bag limit or 10 fish, whichever is the lesser.

3. The exemption holder must not take any species protected pursuant to section 42 of the Fisheries Act 1982 or of the family Syngnathidae.

4. The exemption holder must not collect any marine organisms from within an aquatic reserve, rock lobster sanctuary or the Whyalla cuttlefish closure.

5. At least 24 hours prior to engaging in the exempted activity, the exemption holder must contact PIRSA Fisheries Compliance on 1800 065 522 with the following information:

- the intended location for conducting the exempted activity;
- the method of conducting the exempted activity; and
- if using a boat to conduct the exempted activity, the description of the boat and the intended area of launching and retrieval.

6. The exemption holder shall provide a written report on the number of animals taken, specific location and their condition to the Director of Fisheries (Attention: Roger Hill, P.O. Box 282, Port Adelaide, S.A. 5015) within 7 days of the completion of each collection.

7. Whilst engaged in the exempted activity the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

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

Dated 2 February 2003.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

##### SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf north of the line commencing at position latitude 34°07.00'S, longitude 137°35.00'E, then to position latitude 34°07.00'S, longitude 136°55.00'E, then to position latitude 34°13.00'S, longitude 136°49.00'E, then to position latitude 34°13.00'S, longitude 136°17.00'E.

##### SCHEDULE 2

2030 hours on 4 March 2003 to 0700 hours on 8 March 2003.

Dated 4 March 2003.

J. PRESSER, Principal Fisheries Manager

P001/03

#### FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

##### SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of Spencer Gulf.

##### SCHEDULE 2

From 0700 hours to 2030 hours from 5 March 2003 to 7 March 2003.

Dated 4 March 2003.

J. PRESSER, Principal Fisheries Manager

P002/03

#### FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

##### SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of Spencer Gulf.

#### SCHEDULE 2

From 0700 hours on 8 March 2003 to 2359 hours on 31 December 2003.

Dated 4 March 2003.

J. PRESSER, Principal Fisheries Manager

P003/03

#### FISHERIES ACT 1982: SECTION 43

TAKE note that the notice number P074/02 made under section 43 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, page 4569, dated 12 December 2002 being the seventh notice on that page, referring to the Spencer Gulf prawn fishery, is hereby revoked from 2030 hours on 4 March 2003.

Dated 4 March 2003.

J. PRESSER, Principal Fisheries Manager

R004-03

#### GEOGRAPHICAL NAMES ACT 1991

##### Notice to Alter the Boundary of a Suburb

##### CORRIGENDUM

IN notice appearing in *Government Gazette* of 20 February 2003, page 662, first notice appearing, the suburb name of BROWNHILL CREEK as shown in the notice was incorrectly spelt. The correct spelling is BROWN HILL CREEK.

Dated 24 February 2003.

DAIS 04/0171

P. M. KENTISH, Surveyor-General, Department for Administrative and Information Services

#### GEOGRAPHICAL NAMES ACT 1991

##### FOR PUBLIC CONSULTATION

##### Notice of Intention to Assign a Name to a Place

NOTICE is hereby given pursuant to the provisions of the above Act, that the Minister for Administrative Services seeks public comment on a proposal to assign the name NICHOLAS BAUDIN ISLAND to that feature currently unidentified and located on the 1:50 000 Searcy Mapsheet, at GDA94 grid reference 418728 East, 6346571 North and shown on the plan below.

##### THE PLAN



Submissions in writing regarding this proposal may be lodged with the Secretary, Geographical Names Advisory Committee, Third Floor, 50 Grenfell Street, Adelaide, S.A. 5000 (G.P.O. Box 1354, Adelaide, S.A. 5001) within one month of the publication of this notice.

Dated 26 February 2003.

P. M. KENTISH, Surveyor-General, Department for Administrative and Information Services

DAIS 22-413/02/0068

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2002

	\$		\$
Agents, Ceasing to Act as.....	34.10	Firms:	
Associations:		Ceasing to Carry on Business (each insertion) .....	22.70
Incorporation .....	17.40	Discontinuance Place of Business .....	22.70
Intention of Incorporation .....	43.00	Land—Real Property Act:	
Transfer of Properties .....	43.00	Intention to Sell, Notice of.....	43.00
Attorney, Appointment of.....	34.10	Lost Certificate of Title Notices .....	43.00
Bailiff's Sale .....	43.00	Cancellation, Notice of (Strata Plan).....	43.00
Cemetery Curator Appointed.....	25.50	Mortgages:	
Companies:		Caveat Lodgment.....	17.40
Alteration to Constitution .....	34.10	Discharge of .....	18.30
Capital, Increase or Decrease of .....	43.00	Foreclosures.....	17.40
Ceasing to Carry on Business .....	25.50	Transfer of .....	17.40
Declaration of Dividend.....	25.50	Sublet.....	8.75
Incorporation .....	34.10	Leases—Application for Transfer (2 insertions) each.....	8.75
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	25.50
First Name.....	25.50	Licensing .....	51.00
Each Subsequent Name .....	8.75	Municipal or District Councils:	
Meeting Final.....	28.75	Annual Financial Statement—Forms 1 and 2 .....	481.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	341.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name .....	68.00
First Name.....	34.10	Each Subsequent Name.....	8.75
Each Subsequent Name .....	8.75	Noxious Trade .....	25.50
Notices:		Partnership, Dissolution of.....	25.50
Call.....	43.00	Petitions (small) .....	17.40
Change of Name.....	17.40	Registered Building Societies (from Registrar-	
Creditors.....	34.10	General).....	17.40
Creditors Compromise of Arrangement .....	34.10	Register of Unclaimed Moneys—First Name.....	25.50
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name .....	8.75
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	43.00	Rate per page (in 8pt) .....	218.00
Release of Liquidator—Application—Large Ad. ....	68.00	Rate per page (in 6pt) .....	288.00
—Release Granted .....	43.00	Sale of Land by Public Auction.....	43.50
Receiver and Manager Appointed.....	39.75	Advertisements.....	2.40
Receiver and Manager Ceasing to Act .....	34.10	Advertisements, other than those listed are charged at \$2.40 per	
Restored Name.....	32.25	column line, tabular one-third extra.	
Petition to Supreme Court for Winding Up.....	59.50	Notices by Colleges, Universities, Corporations and District	
Summons in Action.....	51.00	Councils to be charged at \$2.40 per line.	
Order of Supreme Court for Winding Up Action.....	34.10	Where the notice inserted varies significantly in length from	
Register of Interests—Section 84 (1) Exempt.....	77.00	that which is usually published a charge of \$2.40 per column line	
Removal of Office.....	17.40	will be applied in lieu of advertisement rates listed.	
Proof of Debts .....	34.10	South Australian Government publications are sold on the	
Sales of Shares and Forfeiture.....	34.10	condition that they will not be reproduced without prior	
Estates:		permission from the Government Printer.	
Assigned .....	25.50		
Deceased Persons—Notice to Creditors, etc.....	43.00		
Each Subsequent Name .....	8.75		
Deceased Persons—Closed Estates .....	25.50		
Each Subsequent Estate.....	1.10		
Probate, Selling of .....	34.10		
Public Trustee, each Estate .....	8.75		

All the above prices include GST

## GOVERNMENT GAZETTE NOTICES

ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@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.

## MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2002

## Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	1.95	0.85	497-512	28.10	27.00
17-32	2.70	1.70	513-528	28.90	27.75
33-48	3.50	2.50	529-544	29.70	28.75
49-64	4.45	3.35	545-560	30.50	29.75
65-80	5.20	4.30	561-576	31.25	30.50
81-96	6.00	5.00	577-592	32.30	31.00
97-112	6.90	5.85	593-608	33.10	32.00
113-128	7.70	6.75	609-624	33.90	33.00
129-144	8.65	7.65	625-640	34.60	33.50
145-160	9.50	8.50	641-656	35.40	34.50
161-176	10.40	9.30	657-672	36.00	35.25
177-192	11.20	10.20	673-688	37.50	36.00
193-208	12.00	11.10	689-704	38.30	37.00
209-224	12.80	11.80	705-720	38.80	38.00
225-240	13.60	12.60	721-736	40.25	38.50
241-257	14.50	13.30	737-752	40.75	39.75
258-272	15.40	14.20	753-768	41.75	40.25
273-288	16.30	15.20	769-784	42.25	41.50
289-304	17.00	16.00	785-800	43.00	42.25
305-320	17.90	16.80	801-816	43.75	42.75
321-336	18.70	17.60	817-832	44.75	43.75
337-352	19.60	18.60	833-848	45.75	44.50
353-368	20.40	19.40	849-864	46.50	45.25
369-384	21.30	20.30	865-880	47.25	46.50
385-400	22.00	21.10	881-896	47.75	47.00
401-416	22.80	21.80	897-912	49.25	47.75
417-432	23.90	22.70	913-928	49.75	49.25
433-448	24.60	23.60	929-944	50.50	49.75
449-464	25.50	24.40	945-960	51.50	50.25
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## HISTORIC SHIPWRECKS ACT 1981

*Erratum*

IN notices appearing on pages 4770 and 4771 of the *Government Gazette* of 19 December 2002 under the headings of:

## HISTORIC SHIPWRECKS ACT 1981

*Description of Historic Shipwreck (Section 5.1)*  
*Declared Articles with Historic Shipwreck (Section 5.2)*  
*Declaration of a Protected Zone (Section 7.1)*  
*Delegation of Powers (Section 15)*

The following entries should be deleted:

35°28'09"S; 138°09'05"E

and replaced by:

35°28'51.6"S; 138°09'26.0"E

Dated 6 March 2003.

J. HILL, Minister for Environment and Conservation

INDUSTRIAL AND EMPLOYEE RELATIONS ACT 1994  
INDUSTRIAL PROCEEDINGS RULES 1995*Mediation*

I, WILLIAM DAVID JENNINGS, the Senior Judge and President of the Industrial Relations Court and Commission of South Australia, by virtue of the provisions of Section 178 of the Industrial and Employee Relations Act 1994 and all other enabling powers, do hereby make the following Rule Forty One A, Mediation, to come into operation on and from 5 May 2003.

Given under my hand and the seals of the Industrial Relations Court and Commission of South Australia.

Dated 3 March 2003.

(L.S.) W. D. JENNINGS, Senior Judge/President

## RULE FORTY ONE A—MEDIATION

1. A person who seeks that the Commission mediate an industrial dispute pursuant to Section 197 may make written application to the Registrar.

2. Nothing in this Rule will prevent the Commission acting of its own motion to initiate the mediation of an industrial dispute, or a party making a verbal application during the course of other proceedings concerning an industrial dispute.

3. Mediation will be conducted by a Member of the Commission who is assigned to deal with the matter however such will only be undertaken where the mediation has the support of all relevant parties.

4. Where the matter is to be subject to mediation pursuant to this Rule, the Commission will advise the parties of such and establish, following consultation with their representatives, the necessary arrangements including any protocols for the conduct of the exercise.

5. Other than by consent of all parties, nothing said or done in the course of mediation conducted under this Rule will be admissible in relation to any subsequent conciliation or determination of the subject of the industrial dispute as conducted pursuant to Sections 200, 201 and 202 of the Act.

6. The parties to mediation may be represented as provided for in the Act and any such representative must be familiar with the matters in issue and have or be accompanied by someone with the appropriate authority.

7. The parties involved with a mediation will conduct themselves in a manner conducive to the resolution of the matters at issue.

8. Nothing in this Rule will prevent the Commission dealing with the subject matter of the industrial dispute by means other than mediation, including where provided under the Act, the making of recommendations or orders to establish the basis upon which work is to be performed whilst a matter is subject to mediation.

9. Mediation of a particular matter pursuant to this Rule will be taken to have concluded when the parties have resolved the subject matter of the dispute, agreed to an alternative course of action, or where one of the parties withdraws from the exercise.

10. Mediation in this Rule means a private and confidential process established by the Commission whereby the Member of the Commission attempts to facilitate an agreed outcome but does not become directly involved by making recommendations or orders as to the subject matter of the dispute.

11. Industrial dispute in this Rule includes issues arising between persons who may be involved in and industrial dispute where the purpose of the mediation is to prevent such a dispute.

SOUTH AUSTRALIA—INDUSTRIAL  
RELATIONS COMMISSION

## PRACTICE DIRECTION NO. 18

*Mediation*

The President has directed that I advise parties of the Commission's intention with respect to the conduct of mediation pursuant to Section 197 of the Industrial and Employee Relations Act 1994 and Rule Forty One A of the Industrial Proceedings Rules 1995 to come into operation on and from Monday, 5 May 2003.

The assignment of the Commission Member to undertake mediation will be made by the President, however due to the nature of mediation, the views of the parties will be accommodated wherever possible. This may involve the President or the Member who has responsibility for the Award, Enterprise Agreement or dispute concerned, initially consulting with the parties in a matter.

The Member who is to conduct the mediation will, after consulting the parties, make the necessary arrangements for the mediation including the dates and times and any associated arrangements.

Mediation proceedings will be held at a venue determined by the Commission following consultation with the parties. The mediation will be conducted in private and non-parties will not be permitted to attend or observe without the consent of the Commission and all of the parties.

The Commission Member conducting the mediation will encourage the parties to agree comprehensive protocols relating to the exercise. Any such protocols should be in writing and include issues as may be appropriate including:

- Representation of parties.
- How parties will conduct themselves during the mediation.
- Whether a party is to provide notice of their intention to withdraw from the mediation at any time.
- What record of the mediation outcome or process is to be taken and what status will such have for future purposes.
- Whether public statements will be made during the course of the mediation.
- What mechanisms will be used to report progress to employees and management not attending the mediation.

The Commission will not, during mediation, generally make recommendations as to the subject matter of the mediation, however the Commission may make recommendations as to process, representation, time-frames, the reporting of progress, the recording of any settlement or undertakings and the means to give effect to any resolution.

The Member of the Commission conducting the mediation will not generally be involved in any subsequent proceedings directly concerning the subject matter of the mediation.

J. CORRELL, Industrial Registrar

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT  
1994*Exemption*

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

## SCHEDULE 1

Lindsay Douglas Warner, an officer/employee of Brock Real Estate Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5230, folio 145, situated at 143 Gulf Point Drive, North Haven, S.A. 5018.

Dated 6 March 2003.

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

M. BODYCOAT, Commissioner

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Swift and Moore Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at Suite 1G, 2 Portrush Road, Payneham, S.A. 5070 and to be moved to 257-259 Rundle Street, Adelaide, S.A. 5000 and known as Swift & Moore Pty Ltd.

The application has been set down for hearing on 4 April 2003 at 9 a.m.

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

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 24 February 2003.

Applicant

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT  
1994*Exemption*

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

## SCHEDULE 1

Michael John Harris, an officer/employee of Elders Limited.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5886, folio 419, situated at Lot 12, Ozone Street, Victor Harbor, S.A. 5211.

Dated 6 March 2003.

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

M. BODYCOAT, Commissioner

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Harbord Pty Ltd, c/o Teusner & Co has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 391, Stockwell Road, Stockwell, S.A. 5355 and to be known as Harbord Wines.

The application has been set down for hearing on 4 April 2003 at 9 a.m.

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

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 24 February 2003.

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 Delside Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at New Road, Mount Torrens, S.A. 5244 and to be known as Mount Torrens Vineyards.

The application has been set down for hearing on 4 April 2003 at 9 a.m.

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

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 25 February 2003.

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 Liquorland (Australia) Pty Ltd c/o Hunt & Hunt, Level 12, 26 Flinders Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the removal of a Retail Liquor Merchant's Licence in respect of the premises situated at Shop 14-15, West Lakes Mall, West Lakes, S.A. 5021 to be situated at Shop 300A West Lakes Mall, West Lakes, S.A. 5021 and known as Liquorland Vintage Cellars and to be known as Liquorland—West Lakes.

The application has been set down for hearing on 4 April 2003 at 9 a.m.

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

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 24 February 2003.

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 Megalo Property Holdings Pty Ltd has applied to the Licensing Authority for a Producer's Licence and Wholesale Liquor Merchant's Licence in respect of the premises situated at 127 Marion Road, Richmond, S.A. 5033 and to be known as Aramis Vineyards.

The application has been set down for hearing on 4 April 2003 at 9 a.m.

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

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 February 2003.

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 Scott Cove Pty Ltd and Daly Water Property Pty Ltd, 540 Port Road, Allenby Gardens, S.A. 5009 have applied to the Licensing Authority for a Retail Liquor Merchant's Licence in respect of premises situated at 216 Days Road, Ferryden Park, S.A. 5010 and to be known as Regency Cellars.

The application has been set down for hearing on 4 April 2003 at 9 a.m.

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

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 28 February 2003.

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 Typhoon Holdings Pty Ltd, c/o Camatta Lempens has applied to the Licensing Authority for a variation to the Licence Conditions and the variation to the Extended Trading Authorisation in respect of the premises situated at 88 Wright Street, Adelaide, S.A. 5000 and known as Old Queens Arms Hotel.

The application has been set down for hearing on 4 April 2003 at 9 a.m.

*Conditions*

The following licence conditions are sought:

To delete the words from the licence 'low key entertainment such as Jazz Quartets and the like' and insert the following additional conditions onto the licence 'live entertainment shall not include live bands which fall within the category of Heavy Metal, Thrash, Gothic, Grunge, Punk, Rock or the like.'

A variation to the extended trading authorisation to include the outside area 6 from 8 p.m. until midnight on every Sunday.

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 28 February 2003.

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 Land Management Corporation, Level 8, Riverside Centre, North Terrace, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Special Circumstances Licence with a section 40 (4) endorsement in respect of the premises situated at Innovation House, Technology Park, Mawson Lakes Boulevard, Mawson Lakes.

The application has been set down for hearing on 4 April 2003 at 9 a.m.

*Condition*

The following licence condition is sought:

Entertainment Consent is sought to provide for the types of activities which may occur at a Conference.

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 26 February 2003.

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 Daniel Hosking has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 181 Hindley Street, Adelaide, S.A. 5000 known as Laughing Gas and to be known as Compulsion.

The application has been set down for hearing on 7 April 2003 at 10.30 a.m.

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

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 28 February 2003.

Applicant

#### LICQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Andrew Simon Dundon and Jacinta Kate Warnest, 19 Gray Street, Adelaide, S.A. 5067 have applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 30 Wymouth Street, Adelaide, S.A. 5000 and known as F.A.D. Food Art Design.

The application has been set down for hearing on 17 March 2003 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, on or before 14 March 2003.

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 February 2003.

Applicants

#### LICQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Brovant Pty Ltd, c/o RSM Bird Cameron, 111 Gawler Place, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at Dukes Highway, Bordertown, S.A. 5268 and known as Bordertown Dukes Motor Inn.

The application has been set down for hearing on 7 April 2003 at 9.30 a.m.

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

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 25 February 2003.

Applicant

#### NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

##### NOTICE UNDER SECTION 6 (2) OF THE NATIONAL ELECTRICITY LAW AND NATIONAL ELECTRICITY CODE

##### *Review of Directions in the NEM Code Changes*

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, and clause 8.3.9 (d) of the National Electricity Code approved under section 6 of the National Electricity Law, that a change has been made to the Chapter 10 definition of 'Affected Participant' in the National Electricity Code to give effect to a variation of the Australian

Competition & Consumer Commission's ('ACCC') authorisation of the Review of directions in the NEM Code changes proposed by National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') in accordance with clause 8.3 of the Code. Specifically, the change to the Chapter 10 definition of 'Affected Participant' in the National Electricity Code is made to give effect to an amendment of the condition of authorisation C4.40 on which the ACCC's authorisation of the Review of directions in the NEM Code changes is conditional.

This change to the National Electricity Code commences on 6 March 2003.

As required by clause 8.3.9 (d) of the National Electricity Code, a copy of the ACCC's letter granting final authorisation of the Review of directions in the NEM Code changes dated 4 October 2002 is set out below. In addition, a copy of the ACCC's letter varying this authorisation by amending condition C4.40 dated 5 February 2003 is also set out below.

The amendments referred to above and a copy of the ACCC's letters dated 4 October 2002 and 5 February 2003 can be viewed on the Internet website of NECA at <http://www.neca.com.au> under 'The Code—Gazette notices' section of that website.

The National Electricity Code can be viewed on the NECA Internet website at <http://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 National Electricity Code can be viewed is available on the NECA website.

Dated 6 March 2003.

##### *ACCC Letter of Authorisation*

4 October 2002

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

Dear Stephen

##### *Determination—Review of Directions in the NEM Code Changes*

On 18 February 2002, the Australian Competition and Consumer Commission (Commission) received applications for authorisation (Nos A90818, A90819 and A90820) of amendments to the National Electricity Code (Code). These applications were submitted by the National Electricity Code Administrator (NECA), under Part VII of the Trade Practices Act 1974 (TPA). The Code changes implement the conclusions and recommendations of a joint NECA/NEMMCO review of directions in the National Electricity Market (NEM).

Please find enclosed a copy of the Commission's determination in respect of these applications for authorisation. The Commission's determination outlines its analysis and views on the proposed Code changes. The Commission has granted authorisation, conditional upon a number of amendments to the proposed Code changes being made. The conditions of authorisation are outlined in Chapter 5 of the determination.

In accordance with s.101 of the TPA, a person dissatisfied with the Commission's determination may apply to the Australian Competition Tribunal for a review of the determination. Each application must be lodged on the appropriate form within 21 days of the date of the determination, with the Registrar of the Tribunal. The Tribunal is located in the Office of the Registrar of the Federal Court in each State.

A copy of this letter together with the determination will be placed on the Public Register kept by the Commission.

If you have any queries or require further information please call Mrs Maxine Helmling on (02) 6243 1246.

Yours sincerely,

SEBASTIAN ROBERTS, Acting General Manager,  
Regulatory Affairs—Electricity.

*ACCC Letter of Authorisation*

5 February 2003

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

Dear Stephen

*National Electricity Code: Minor variation—Review of Directions in the NEM*

On 3 October 2002, the Australian Competition and Consumer Commission (Commission) made a determination on the applications for authorisation (Nos A90818, A90819 and A90820) of amendments to the National Electricity Code (Code). The Code changes were submitted by the National Electricity Code Administrator (NECA) and implement the recommendations of a joint NECA/NEMMCO review of directions in the National Electricity Market (NEM).

In that determination, the Commission considered that the proposed arrangements to the Code set out in the application for amendments to the framework of directions in the NEM:

- (1) were likely to result in a benefit to the public which outweighs the detriment from any lessening of competition that would result if the proposed conduct or arrangements were made, or engaged in; and
- (2) were likely to result in such a benefit to the public that the proposed conduct or arrangements should be allowed to take place or be arrived at.

Consequently, subject to a number of conditions, the Commission authorised the amendments to the Code.

On 20 December 2002, NECA lodged a request for a minor variation to the Commission's condition of authorisation C4.40 to clarify the meaning of the defined term 'Affected Participant' in chapter 10 of the Code.

The purpose of the variation is to make clear that a scheduled generating unit or scheduled network service provider that is the subject of a direction or whose generating units or network services are dispatched under a reserve contract may nonetheless be an 'Affected Participant', where its dispatched quantity for other generating units or services are affected by the direction or dispatch under a reserve contract, in respect of those other generating units or services. NECA states that this was always the intention of the proposed arrangements.

*Statutory provisions*

Section 91A of the Trade Practices Act 1974 (Act) provides that, on receipt of an application for minor variation of an authorisation, the Commission must, if it is satisfied that the variation sought is a minor variation, invite submissions from interested parties. A minor variation is defined in section 87D as a single variation that does not involve a material change in the effect of the authorisation.

After consideration of the application and any submissions received, the Commission may make a determination varying the authorisation or dismissing the application. The tests for granting an application for a minor variation of an authorisation are set out in subsections 91A (4) and (5) of the Act.

*Minor variation*

The Commission has determined that the variation sought in NECA's application does not involve a material change in the effect of authorisations A90818, A90819 and A90820 granted on 3 October 2002.

*Interested parties*

The Commission invited interested parties to lodge submissions in respect of NECA's application. No submissions were received.

*Determination*

In accordance with section 91A of the Act, the Commission is satisfied that the minor variation sought by NECA to condition C4.40 of its 3 October 2002 determination would not result, or would be likely not to result, in:

- a reduction in the extent to which the benefit to the public of the authorisation of the amendments to the Code for the review of directions in the NEM outweighs any detriment to the public caused by that authorisation; or
- a reduction in the benefit to the public that arose from the original authorisation of those amendments to the Code.

Accordingly, the Commission varies authorisations A90818, A90819 and A90820 dated 3 October 2002, by amending condition C4.40 to provide that the definition of 'Affected Participant' in chapter 10 of the Code be varied to read as follows:

*Affected Participant*

In respect of a particular *direction* or *dispatch* under a *reserve contract*, as the case may be, in an *intervention price trading interval*:

- (1) A *Scheduled Generator* or *Scheduled Network Service Provider*, which was not the subject of the *direction* or whose *plant* was not *dispatched* under the *reserve contract*, that had its *dispatched* quantity affected by that *direction* or *dispatch* of *plant* under that *reserve contract*; or
- (2) A *Scheduled Generator* or *Scheduled Network Service Provider*, which was the subject of the *direction* or whose *plant* was dispatched under the *reserve contract*, that had its *dispatched* quantity for other *generating units* or other services which were not the subject of that *direction* or which were not *dispatched* under that *reserve contract* affected by that *direction* or *dispatch* of *plant* under that *reserve contract*, however, the *Scheduled Generating Unit* or *Scheduled Network Service Provider* is only an *Affected Participant* in respect of those *generating units* and services which were not the subject of that *direction* or were not *dispatched* under that *reserve contract*; or
- (3) An *eligible person* entitled to receive an amount from *NEMMCO* pursuant to clause 3.18.1 (b) (1) where there has been a change in flow of a *directional interconnector*, for which the *eligible person* holds units for the *intervention price trading interval*, as a result of the *direction* or the *dispatch* of *plant* under the *reserve contract*.

This minor variation comes into force:

- (a) if no application is made to the Australian Competition Tribunal for review of this determination—on 6 March 2003;
- (b) if an application for review of this determination is made to the Tribunal and is not withdrawn—on the day the Tribunal makes its determination on the application for review; or
- (c) if an application for review of this determination is made to the Tribunal and is withdrawn—on the day the application is withdrawn.

If you have any queries regarding this matter, please contact Kenny Yap on (02) 6243 1224.

Yours sincerely,

SEBASTIAN ROBERTS, Acting General Manager,  
 Regulatory Affairs—Electricity.

## DETERMINATION OF THE REMUNERATION TRIBUNAL

NO. 1 OF 2003

MEMBERS OF THE JUDICIARY, MEMBERS OF THE INDUSTRIAL RELATIONS COMMISSION, THE STATE CORONER, COMMISSIONERS OF THE ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT

1. *Scope of Determination*

This Determination applies to the undermentioned Members of the Judiciary and to the undermentioned Statutory Office Holders.

2. *Salary*2.1 *Members of the Judiciary*

2.1.1 The annual salaries for the members of the judiciary will be as follows:

Office	Salary \$ per annum
Chief Justice of the Supreme Court.....	257 040
Puisne Judges of the Supreme Court .....	229 500
Masters of the Supreme Court.....	202 680
Chief Judge of the District Court .....	229 500
Other District Court Judges.....	202 680
Masters of the District Court.....	179 000
Chief Magistrate.....	189 590
Deputy Chief Magistrate .....	176 770
Supervising Magistrates .....	172 360
Assisting Supervising Magistrate of the Adelaide Magistrates Court .....	168 900
Stipendiary Magistrates.....	160 700
Supervising Industrial Magistrate .....	160 700
Other Industrial Magistrates.....	160 700
Stipendiary Magistrate directed by the Chief Magistrate to perform the duties of a Regional Manager paid the salary shown for as long as that person continues to perform such duties .....	172 360
Stipendiary Magistrate directed by the Chief Magistrate to perform the duties of a Magistrate- in-Charge at a particular court paid the salary shown for as long as that person continues to perform such duties .....	165 220
Stipendiary Magistrate appointed Warden under the Mining Act 1971, as amended, and performing the duties of Senior Warden paid the salary shown for as long as that person continues to perform such duties .....	165 220
His Honour Judge W. D. Jennings, Senior Judge of the Industrial Relations Court and President of the Industrial Relations Commission paid the salary shown for as long as he continues to perform both functions. ....	223 650
Other Judges of the Industrial Relations Court who hold joint commissions in the Australian Industrial Relations Commission and the Industrial Relations Commission of South Australia .....	202 680

2.1.2 Where a person is appointed as Acting Chief Justice of the Supreme Court or as Acting Chief Judge of the District Court and such appointment extends for a continuous period of more than one week, the person appointed shall be paid a salary equal to the salary specified herein for the Chief Justice or the Chief Judge, as appropriate, for the whole of the period the appointment is in effect.

2.2 *Statutory Office Holders*

The annual salaries for the following statutory office holders will be as follows:

Office	Salary \$ per annum
W. Chivell, State Coroner whilst he continues to perform this function under his current conditions of employment .....	187 490
Deputy Presidents of the Industrial Relations Commission.....	177 150
Commissioners of the Industrial Relations Commission.....	154 040
Commissioners of the Environment, Resources and Development Court .....	154 040

3. *Travelling and Accommodation Allowances*

Allowances to be paid will be in accordance with the Tribunal's most recent Determination on these allowances as amended from time to time.

4. *Telephone Rental and Calls Allowance*

When a person to whom this Determination applies is required to have a telephone at home for official purposes, that person shall be paid the whole of the telephone rental for a single point connection without extra services and one-third of the cost of metered local calls. Reimbursement should be made for international and STD official calls on the basis of actual costs incurred.

5. *Conveyance Allowances*

Allowances to be paid will be in accordance with the Tribunal's most recent Determination on these allowances as amended from time to time.

6. *Date of Operation*

Salaries prescribed in Clause 2 are operative on and from 1 November 2002, on an interim basis, and supersede those of all previous Determinations covering persons whose office is listed herein.

Dated 6 March 2003.

H. R. BACHMANN, President

D. FLUX, Member

J. A. MEEKING, Member

## REMUNERATION TRIBUNAL

## REPORT RELATING TO DETERMINATION NO. 1 OF 2003

1. *Introduction*

1.1 In accordance with the provisions of the Remuneration Act 1990, the Remuneration Tribunal by letters dated 31 October 2002, invited those members of the judiciary and statutory office holders whose offices are listed under section 13 of the Act, as well as those covered by relevant sections of the Industrial and Employee Relations Act 1994, to make submissions in relation to the remuneration of members of the judiciary and those office holders. The Tribunal also invited the Minister to make submissions in the public interest.

1.2 On 11 November 2002 the following notice was published in *The Advertiser* newspaper.

## REMUNERATION TRIBUNAL

*Review of Remuneration for Members of the Judiciary and other Statutory Officers*

Section 8 (2) of the Remuneration Act 1990 requires the Tribunal to sit at least once a year to review its previous determinations. Accordingly, the Tribunal is conducting a review of the salaries payable to members of the Judiciary and other Statutory Officers.

Interested persons, organisations and associations are invited to submit in writing any views they consider should be taken into account in the above review.

The closing date is Friday, 22 November 2002 and submissions should be forwarded to:

The Secretary  
Remuneration Tribunal  
G.P.O. Box 1651  
Adelaide, S.A. 5001

or alternatively submissions can be forwarded via the Tribunal's website:

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

Telephone: (08) 8226 4001  
Facsimile: (08) 8226 4174

One written submission was received from the public in response to this notice.

- 1.3 The Tribunal received a letter, dated 26 November 2002, from the Judicial Remuneration Co-ordinating Committee (JRCC) on behalf of the whole State judiciary requesting the Tribunal defer its proposed hearing, set for 4 December 2002, until the Commonwealth Tribunal determination for the federal judiciary was brought down.
- 1.4 The Tribunal received a further letter, dated 27 November 2002, from the JRCC stating that although the Commonwealth Tribunal Determination had now been released 'there would still be insufficient time in which to prepare adequate submissions before 4 December and the nature of those submissions may depend on some further discussion to be held with representatives of the Executive Government'.
- 1.5 The Tribunal by letter, dated 2 December 2002, advised the parties that:
 

'upon request from the Judicial Remuneration Co-ordinating Committee, the Tribunal has deferred the hearing set for 4 December 2002, until the parties have had time to consider the findings of the Commonwealth Tribunal in its major review of judicial and related offices' remuneration.'
- 1.6 On 10 December 2002, the JRCC wrote to the Tribunal advising that they were still not in a position to be able to lodge a written submission with respect of the review to the judicial remuneration for 2002. The JRCC also stated:
 

'With Cabinet approval, there have been some discussions initiated between representatives of the Executive Government and the Judiciary. Those discussions are ongoing, and are not now likely to be able to be concluded before the end of this year. The nature of any submission to the Tribunal will now depend on the outcome of those discussions.'

Subsequently, on 13 December 2002, the Tribunal further advised that it would be sitting on 17 December 2002 in order to hear submissions from the JRCC and the Minister's representatives regarding the further deferral of the review until the parties were in a better position to make submissions to the Tribunal.
- 1.7 On 17 December 2002, the Tribunal heard oral submissions from Judge Anderson on behalf of the JRCC and David Watts on behalf of the Minister. At that time the JRCC tendered to the Tribunal a copy of the Commonwealth Tribunal's determination in relation to judicial remuneration and requested a further adjournment until at least early February 2003. This submission was supported by the Minister's representative. The Tribunal, whilst agreeing with a further adjournment, was reluctant to delay the matter too long. Accordingly, the Tribunal requested written submissions by 7 February 2003 and set 17 February 2003 in order to hear any oral submissions.
- 1.8 The Tribunal received written submissions from the JRCC on behalf of all the Justices and Masters of the Supreme Court, the Judges and Masters of the District Court, the Judges of the Industrial Relations Court, Stipendiary and Industrial Magistrates, the lay Deputy Presidents and Commissioners of the Industrial Relations Commission, the Commissioners of the Environment Resources and Development Court and the State Coroner.

1.9 A letter was also received from the Crown Solicitor's Office, on behalf of the Minister, in relation to judicial salaries and the remuneration of the offices of Commissioner and lay Deputy President of the Industrial Relations Commission of South Australia, advising that the Minister did not intend to make submissions in the public interest in respect to the review.

1.10 On 10 February 2003, the Tribunal heard oral sub-missions from Justice Bleby and Judge Anderson on behalf of the JRCC.

1.11 The written submissions from the JRCC were directed principally at the salary level of Puisne Judges of the Supreme Court which is consistent with previous enquiries conducted by the Tribunal in relation to judicial remuneration. Copies of the most recent determinations of other Tribunals were included as part of the submissions.

## 2. Comparison of Federal and State Judicial Salaries

2.1 As in previous reviews the Tribunal examined the Federal and other State judicial salaries. The JRCC submission presented to the Tribunal once again referred to salaries presently payable in other relevant jurisdictions.

2.2 As mentioned earlier in this report, the Tribunal was made aware of the determination made by the Commonwealth Tribunal, in November 2002, in relation to its major review of judicial and related offices' remuneration. This determination awarded a three stage increase for High Court, Federal Court and Family Court judges, the first stage being 7% to operate from 1 July 2002. These new salaries are not yet operative as the Remuneration Tribunal Act 1973 states that each House of the Commonwealth Parliament then has a further 15 sitting days in which to disallow the determination. The latest possible dates for the disallowance, based on the current sitting calendar are 25 March 2003 (House of Representatives) and 15 May 2003 (the Senate).

2.3 The Tribunal is advised that the present relevant judicial salaries (for the Puisne Judges in States and Territories) are as follows:

Court/State	Salary \$	Operative Date
New South Wales	231 880	1.10.02
Northern Territory	237 100	1.7.02
Australian Capital Territory	237 100	1.7.02
Western Australia	234 170	1.1.03
Tasmania	225 171	1.7.02
Queensland	222 100	1.7.01
Victoria	227 100	29.10.02
South Australia	218 500	1.11.01
Federal Court	237 100	1.7.02
Family Court	237 100	1.7.02

2.4 The Tribunal is also advised that other State Tribunals are currently considering the Commonwealth Tribunal determination and further reviews of state judicial remuneration are to be undertaken as a result.

2.5 Particular mention was made that reviews were underway in Queensland and Western Australia and New South Wales. Victoria will consider the effect of the Commonwealth Tribunal's determination in its next review of judicial salaries in that State.

## 3. Attraction and Retention Factors

3.1 The JRCC submitted that:

'As the JRCC has previously pointed out, primary considerations in the public interest are the independence of the judiciary, public confidence in the judicial system as an independent third arm of Government and, in order to achieve that, ensuring the continued supply of appointees of the highest quality. It is only by that means that the Courts of this State will maintain the highest possible standing and authority in the community, which they must have if our present system of democratic government is to continue.'

The level of judicial remuneration will not achieve compliance with those principles by itself, but it is a very important and significant factor in maintaining those necessary standards, and any submission made in the public interest must be viewed against that fundamental principle.'

3.2 The Tribunal is not aware of any exceptional issues arising in respect of the recruitment or retention of judges in South Australia which needs to be taken into account by the Tribunal.

3.3 The Tribunal concludes that the approach of setting salaries in a 'national framework' continues to be appropriate and in the public interest to ensure that the JRCC's assertions do not materialise and that the Minister can continue to submit that there are no difficulties in the recruitment or retention of judges in South Australia.

#### 4. *South Australian Economic Circumstances*

4.1 No submissions were received by the Tribunal in relation to the economic position of South Australia but the Tribunal was advised that the increase in the CPI between the September quarter 2001 and the September quarter 2002 was 3.2% nationally and 3.7% for Adelaide.

4.2 In respect to wage movements the Tribunal has ascertained that the Wage Cost Index shows annual wages growth in South Australia was 3.8% from the September quarter 2001 to the September quarter 2002 whilst the annual wages growth nationally was 3.3%.

4.3 Recent estimates of the level of earnings are available in the ABS Survey of Average Weekly Earnings. The survey shows that for the August 2002 quarter average weekly ordinary time earnings for full-time adults were:

- in the private sector \$767.40 in South Australia and \$852.90 for Australia—South Australian wages are lower by 10.0%;
- in the public sector \$951.90 in South Australia and \$974.70 for Australia—South Australian wages are lower by 2.4%;
- average of both sectors \$805.50 in South Australia, compared with \$879.40 nationally—South Australian wages are lower by 8.4%.

4.4 The Tribunal concludes based on a comparison of the data provided in 2001 (7.1% for the difference in private sector; 2.1% for public sector difference and 5.6% for the difference in the average of both sectors) that there is a widening of the gap in the average weekly ordinary time earnings between South Australia and Australia as a whole.

#### 5. *Other Issues Before the Tribunal*

5.1 The JRCC have indicated to the Tribunal that the discussions between representatives of the Executive Government and the judiciary, as mentioned in their letter to the Tribunal dated 10 December 2002, have not yet concluded. The Tribunal will be informed of the outcome of these discussions in due course.

#### 5.2 *Comparative Conditions*

5.2.1 The JRCC once again drew attention to the substantially inferior conditions enjoyed by judges in South Australia in the three areas of annual leave, long service leave and judicial pensions. The JRCC submitted that 'Proper application of the work value principle requires that there be a comparison not only of the nature of the work performed but of the whole range of conditions under which the work is performed, and the Tribunal should take as its starting point the fact that certain South Australian conditions are inferior.'

5.2.2 The JRCC went on to quote the Commonwealth Tribunal in its most recent determination:

'The Tribunal considers that the judicial pension plays an important role in terms of overall remuneration and its significance should not be dismissed. The Tribunal considers that reference to the salary component alone does not provide an accurate picture of the true level of judicial remuneration.'

5.2.3 It is the Tribunal's understanding that the reference in the Commonwealth Tribunal determination detailed above relates to the total package of remuneration of judicial salaries not to the conditions under which the work is performed. The Wage Fixation principles determined by the Industrial Relations Commission of South Australia state that the expression 'the conditions under which the work is performed' relates to the environment in which the work is done and does not refer to other conditions such as leave entitlements and judicial pensions.

5.2.4 The Tribunal has considered similar submissions from the JRCC in each of the last five years and repeats that it is not prepared to set an allowance or provide for any other remuneration for such differences in entitlements over which it has no control. If South Australia is so out of line with other jurisdictions it seems more appropriate for these issues to be considered by the Parliament or other determining authorities as appropriate. The Tribunal is concerned that this issue is continuously raised in lieu of it being addressed by Parliament or other appropriate authority.

#### 5.3 *Productivity*

Whilst no evidence in relation to productivity was included in the submissions before the Tribunal, the Tribunal considers it important in the public interest to be informed of efficiencies and productivity improvements and intends to continue this practice.

#### 5.4 *Telephone Rental and Calls Allowance*

The Telephone Rental and Calls Allowance for members of the Judiciary, members of the Industrial Relations Commission, the State Coroner, Commissioners of the Environment, Resources and Development Court are currently prescribed in Determination No. 3 of 2001. These allowances, as adjusted in February 2001, will remain unaffected by this Determination.

#### 5.5 *Conveyance Allowance*

Conveyance Allowances for Judges, Statutory Officers and Court Offices are currently prescribed in Determination No. 5 of 2001. These allowances were adjusted in August 2001 and these allowances will remain unaffected by this Determination.

#### 5.6 *Travelling and Accommodation Allowances*

Travelling and Accommodation Allowances for Judges, Statutory Officers and Court Offices are currently prescribed in Determination No. 2 of 2002. These allowances were adjusted in April 2002 and will remain unaffected by this determination.

#### 6. *Determination and Operative Date*

6.1 The JRCC submitted the following:

'In the absence of any other information, it is respectfully suggested that the Tribunal should at least determine the benchmark salary at the same level as that of a puisne judge of the Federal Court, and that the determination should be retrospective to 1 November 2002.'

In the light of the terms of the Commonwealth determination itself, and in view of the fact that there is likely, in the near future, to be quite significant movement in the determinations of other Tribunals, the JRCC invites this Tribunal to indicate that this Determination is an interim determination. In any event, the JRCC reserves the right to request the Tribunal to consider the matter further in the light of whatever might happen in other jurisdictions, and before the customary review at the end of 2003.'

6.2 Having regard to the JRCC submission made to the Tribunal and section 15 of the Remuneration Act which requires the Tribunal when determining remuneration under this Act to have regard to the constitutional principle of judicial independence and the current salary levels in other jurisdictions the Tribunal has determined, on an interim basis, that the salary of the Puisne Judge of the Supreme Court will be \$229 500 per annum from 1 November 2002.

- 6.3 The salaries for all other judicial officers listed in the Determination have also been increased, on an interim basis, from the same date to the annual amounts shown in the Determination being *pro-rata* increases.
- 6.4 The salaries of W. Chivell, State Coroner (for as long as he continues to perform this function with his current conditions of employment), lay Deputy Presidents and Commissioners of the Industrial Relations Commission and Commissioners of the Environment, Resources and Development Court have also been increased, on an interim basis, from the same date to the annual amounts shown in the Determination being *pro-rata* increases.
- 6.5 In view of the fact that other Tribunals will further review the salaries of judicial officers as a result of the Commonwealth Tribunal's determination, this Tribunal will give further consideration to the salaries of the judiciary in this State following further movement in other states and after final consideration of the Commonwealth Tribunal determination has been given by the Commonwealth Parliament.

Dated 6 March 2003.

H. R. BACHMANN, President

ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER**

*Balranald Street, Sutherland Road and  
Douglas Street, Ferryden Park  
Deposited Plan 61463*

BY Road Process Order made on 22 January 2003, the Development Assessment Commission ordered that:

1. Portions of the public roads (Balranald Street, Sutherland Road and Douglas Street) adjoining allotment 91 in Deposited Plan 4969 and allotments 14, 45, 46, 47 and 48 in Deposited Plan 4972, more particularly delineated and lettered 'A', 'B' and 'C' (respectively) in Preliminary Plan No. 02/0039 be closed.
2. Transfer the whole of the land subject to closure to the SOUTH AUSTRALIAN HOUSING TRUST in accordance with agreement for transfer dated 20 January 2003 entered into between the City of Port Adelaide Enfield and the South Australian Housing Trust.
3. The following easement is granted over portion of the road closed by this order:

Grant to the South Australian Water Corporation an easement for sewerage purposes.

On 3 March 2003 that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 6 March 2003.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER**

*Medindie Lane, Medindie  
Deposited Plan 58977*

BY Road Process Order made on 17 December 2001, The Corporation of the City of Walkerville ordered that:

1. Portion of the public road (Medindie Lane) east of Main North Road and adjoining the southern boundary of allotment 29 in Filed Plan 36092, more particularly delineated and lettered 'A' and 'B' in Preliminary Plan No. 32/0654 be closed.

2. Transfer the whole of the land subject to closure lettered 'A' to G. D. BIGNELL NOMINEES PTY LTD in accordance with agreement for transfer dated 17 December 2001 entered into between The Corporation of the City of Walkerville and G. D. Bignell Nominees Pty Ltd.

3. Issue a Certificate of Title to THE CORPORATION OF THE CITY OF WALKERVILLE for the whole of the land subject to closure lettered 'B' which land is being retained by Council for Public Purposes.

On 5 February 2002 that order was confirmed by the Minister for Administrative and Information Services, conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 6 March 2003.

P. M. KENTISH, Surveyor-General

SURVEY ACT 1992

*Revocation*

PURSUANT to section 50 (3) of the Survey Act 1992, notice is given that a Confused Boundary Area is revoked for the area bounded by Way Street, Marine Parade North, Cameron Street, Deposited Plan 2990 and Kempe Street in the area of Port Vincent.

Dated 6 March 2003.

P. M. KENTISH, Surveyor-General

REF: LTO 268/2001

NOTICE TO MARINERS

No. 9 of 2003

*South Australia—Gulf of St Vincent—Port Stanvac—Temporary  
Buoy Established*

A TEMPORARY buoy Fl. White every 3 seconds has been established in position Latitude 35°05.5'S and Longitude 136°27.5'E for a period of 3 months.

The buoy may be used to hang off a 300 m long floating hose and will be marked with a series of flashing white lights.

Mariners are advised to keep well clear of the above.

Navy chart affected: Aus 125.

Adelaide 24 February 2003.

M. WRIGHT, Minister for Transport

TSA 2003/00738

NOTICE TO MARINERS

No. 10 of 2003

*Tumby Bay—Spencer Gulf*

(former Notice No. 4 of 2003)

A NEW port hand Fl. (R) every 4 seconds, has replaced the unlit port hand buoy marking the shoal in Tumby Bay. The approximate GPS position of the new buoy in WGS 84 co-ordinates are Latitude 34°24.014'S and Longitude 136°06.783'E.

*Arno Bay—Spencer Gulf*

(former Notice No. 3 of 2003)

A South Cardinal buoy V.Qk.fl (6) + L Fl. every 10 seconds, has been placed in approximate WGS 84 position Latitude 33°54.893'S and Longitude 136°35.286'E to replace the missing marker.

Adelaide 24 February 2003.

M. WRIGHT, Minister for Transport

TSA 2003/00738

**NOTICE TO MARINERS**

No. 11 of 2003

*South Australia—Port Victoria—New Navigation Light  
Established*

SOUTH BEATRICE ROCK is now marked with a port hand buoy Fl. (R) every 3 seconds, in approximately WGS 84 position Latitude 34°26.872'S and Longitude 137°23.878'E.

Navy chart affected: Aus 777.

Publication affected: Australia Pilot Vol. 1 (Seventh Edition 1992), page 96.

Adelaide 24 February 2003.

M. WRIGHT, Minister for Transport

TSA 2003/00738

**NOTICE TO MARINERS**

No. 12 of 2003

*South Australia—River Murray—Nildottie—Permanent Buoy  
Established*

SA WATER is placing an unlit water quality monitoring buoy 1 km downstream of Nildottie in approximate position Latitude 34°41.4'S and Longitude 139°37.8'E (Grid reference 745 604). The buoy is orange/pink in colour, approximately 70 cm in diameter and marked with an SA logo.

Mariners are advised to exercise caution in the area.

Adelaide 25 February 2003.

M. WRIGHT, Minister for Transport

TSA 2003/00738

**WATER RESOURCES ACT 1997***Revocation*

PURSUANT to section 122A (8) of the Water Resources Act 1997 ('the Act'), I, John David Hill, Minister for Environment and Conservation, revoke the notice declaring that section 122A (1) applies in the Comaum-Caroline, Lacepede Kongorong, Naracoorte Ranges, Padthaway and Tatiara Prescribed Wells Areas, dated 9 January 2002 and published in the *Government Gazette* of 10 January 2002 at page 18.

Dated 27 February 2003.

J. HILL, Minister for Environment and  
Conservation**WATER MAINS AND SEWERS**

Office of the South Australian Water Corporation  
Adelaide, 6 March 2003

**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****CAMPBELLTOWN CITY COUNCIL**

Third Street, Magill. p6  
Shakespeare Avenue, Magill. p6  
Second Street, Magill. p6

**CITY OF PORT ADELAIDE ENFIELD**

McGregor Terrace, Rosewater and Gillman. p7  
Halton Street, Enfield. p14

**CITY OF TEA TREE GULLY**

Farnham Terrace, Dernancourt. p2

**TOWNSHIP OF CLARE WATER DISTRICT****CLARE AND GILBERT VALLEYS COUNCIL**

King Street, Clare. p19

**COONALPYN DOWNS COUNTRY LANDS WATER DISTRICT****COORONG DISTRICT COUNCIL**

Easement in lot 2 in LTRO DP 36415, Dukes Highway, Taillem Bend. p5

**CRYSTAL BROOK WATER DISTRICT****PORT PIRIE REGIONAL COUNCIL**

Musgrave Street, Crystal Brook. p18

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

Easements in lot 2s07 in LTRO DP 45975, Seaview Road, Moonta Bay. p15

Easement in lot 120 in LTRO DP 41993, Narangga Terrace, Moonta Bay. p16

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

East Terrace North, Wallaroo. p17

**WATER MAINS ABANDONED**

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

**ADELAIDE WATER DISTRICT****CAMPBELLTOWN CITY COUNCIL**

Third Street, Magill. p6  
Shakespeare Avenue, Magill. p6

**CITY OF PORT ADELAIDE ENFIELD**

McGregor Terrace, Rosewater and Gillman. p7  
Halton Street, Enfield. p14

**CITY OF TEA TREE GULLY**

Farnham Terrace, Dernancourt. p2

**COONALPYN DOWNS COUNTRY LANDS WATER DISTRICT****COORONG DISTRICT COUNCIL**

Easement in lot 2 in LTRO DP 36415, Dukes Highway, Taillem Bend. p5

**STREAKY BAY COUNTRY LANDS WATER DISTRICT****DISTRICT COUNCIL OF STREAKY BAY**

Waterworks reserve (section 310, hundred of Ripon), Streaky Bay. p1

**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.

**ARDROSSAN WATER DISTRICT****DISTRICT COUNCIL OF YORKE PENINSULA**

Hogarth Street, Ardrossan. p22

**STREAKY BAY COUNTRY LANDS WATER DISTRICT**

DISTRICT COUNCIL OF STREAKY BAY  
Waterworks reserve (section 310, hundred of Ripon), Streaky Bay.  
p1

**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 PORT ADELAIDE ENFIELD  
Cormack Road, Wingfield. FB 1109 p18  
Brentnall Avenue, Blair Athol. FB 1109 p25

**MILLICENT COUNTRY DRAINAGE AREA**

WATTLE RANGE COUNCIL  
Daphne Street, Millicent. FB 1090 p34

**SEWERS ABANDONED**

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

**STIRLING COUNTRY DRAINAGE AREA**

ADELAIDE HILLS COUNCIL  
Easements in lot 9 in LTRO FP 5822, Michael Moran Drive, and lot 47 in LTRO DP 6531, Protea Crescent, Crafers—150 mm PVC pumping main. FB 1112 p15  
Lesley Crescent, Crafers—150 mm PVC pumping main. FB 1112 p15 and 16  
Glenside Road, Crafers—150 mm PVC pumping main. FB 1112 p16

**SEWERS LAID**

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

**STIRLING COUNTRY DRAINAGE AREA**

ADELAIDE HILLS COUNCIL  
Easements in lot 9 in LTRO FP 5822, Michael Moran Drive, and lot 47 in LTRO DP 6531, Protea Crescent, Crafers—200 mm MDPE pumping main. FB 1108 p39  
Lesley Crescent, Crafers—200 mm MDPE pumping main. FB 1108 p39 and 40  
Glenside Road, Crafers—200 mm MDPE pumping main. FB 1108 p40

A. HOWE, Chief Executive Officer, South  
Australian Water Corporation.

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South Australia

## **Oaths (Appointments) Proclamation 2003**

under section 33 of the *Oaths Act 1936*

### **Short title**

1. This proclamation may be cited as the *Oaths (Appointments) Proclamation 2003*.

### **Commencement**

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

### **Appointment of persons to take declarations and attest instruments**

3. The following managers are appointed to take declarations and attest the execution of instruments:

Verity Ann Coombe of the Commonwealth Bank  
Brett Alexander Davy of the Australian Central Credit Union  
Martin Stuart Ding of the Commonwealth Bank  
Jane Michele Hart of the Commonwealth Bank  
Leanne Michele Jarrett of the ANZ Bank  
Joanne Marie Nicholls of the Commonwealth Bank  
Gillian Leigh Rowse of the Adelaide Bank  
Con Andrew Sgoutas of the Westpac Banking Corporation  
Elizabeth Fletcher Walker of the Adelaide Bank  
Susan Jane Whitbourne of BankSA.

Made by the Governor

with the advice and consent of the Executive Council  
on 6 March 2003.

AGO0045/03CS

South Australia

## **Consumer Transactions (No 2) Variation Regulations 2003**

under the *Consumer Transactions Act 1972*

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### **Contents**

#### **Part 1—Preliminary**

1. Short title
2. Commencement
3. Variation provisions

#### **Part 2—Variation of Consumer Transactions Regulations (No 2) 1996 (Gazette 17.10.1996 p 1392)**

4. Variation of Schedule 1—Extended definition of services
- 

### **Part 1—Preliminary**

#### **Short title**

1. These regulations may be cited as the *Consumer Transactions (No 2) Variation Regulations 2003*.

#### **Commencement**

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

#### **Variation provisions**

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

### **Part 2—Variation of Consumer Transactions Regulations (No 2) 1996 (Gazette 17.10.1996 p 1392)**

#### **Variation of Schedule 1—Extended definition of services**

4. Schedule 1—after paragraph (y) insert:

(z) hairdressing as defined in the *Hairdressers Act 1988*.

#### **Made by the Governor**

with the advice and consent of the Executive Council  
on 6 March 2003.

No. 21 of 2003

OCBACS014/02

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## CITY OF PORT LINCOLN

*Exclusion of Land from Classification as Community Land*

NOTICE is hereby given that pursuant to section 193 (1) (a) of the Local Government Act 1999, council resolved at its meeting held on 10 September 2001, that the land described in certificate of title volume 5620, folio 984, being 3 Adelaide Place, Port Lincoln, be excluded from the classification as community land.

I. BURFITT, Chief Executive Officer

## DISTRICT COUNCIL OF THE COPPER COAST

## 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 certain by-law provisions.

A. All previous provisions in any by-laws made or adopted by the Council, prior to the date this by-law is made, dealing with permits and penalties 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.

(5) Council means the 'District Council of the Copper Coast'.

*Penalties*

2. (1) Any person who commits a breach of any by-law of the Council shall be guilty of an offence and, in addition to any other penalty that may be imposed, shall be liable to a 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 an offence.

(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 District Council of the Copper Coast held on 19 February 2003, by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

J. W. SHANE, Chief Executive Officer

## DISTRICT COUNCIL OF THE COPPER COAST

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

*By-law No. 2—Boat Ramps*

TO regulate the use of boat ramps within the Council area and surrounding lands used for access to the boat ramps and which are under the control of the Council.

*Definitions*

1. In this by-law:

- (1) 'Annual Ticket' means a ticket purchased from the council offices authorising the launch of one small craft at a boat ramp, and is valid until the next 30 June.
- (2) 'Boat Ramp' means a facility constructed, maintained and operated by the Council for the launching of small craft.
- (3) 'Council Offices' means the offices of the council located at 5 John Terrace, Wallaroo, 51 Taylor Street, Kadina and 71 George Street, Moonta in the State of South Australia.
- (4) 'Short Term Ticket' means a ticket purchased from a vending machine located at the boat ramp, valid for one launch of any one small craft at the boat ramp within 24 hours from the time of purchase.
- (5) 'Officer' means a Council Officer, Police Officer or any other authorised person.
- (6) 'Ticket' means either an Annual Ticket or a Short Term Ticket.

*Boat Ramp Usage*

2. No person shall use a boat ramp without having first purchased a ticket.

3. Council shall from time to time prescribe a fee for a ticket to use a boat ramp.

4. An annual ticket may be purchased for a fee from any one of the council offices.

5. A short term ticket may be purchased from the vending machine(s) located at or near a boat ramp.

6. Council may erect signs or notices stating the fee and the location of the ticket vending machine(s).

7. Upon request of an Officer, any person about to use, using, or having used, a boat ramp may be asked to produce a ticket.

8. Council may exempt organisations involved in search and rescue at sea from the requirement to purchase a ticket.

*Offence*

9. Any person using a boat ramp without having first obtained a ticket commits an offence.

10. If a ticket cannot be produced, the Officer may issue an account to the person using a boat ramp.

The foregoing by-law was duly made and passed at a meeting of the District Council of the Copper Coast held on 19 February 2003, by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

J. W. SHANE, Chief Executive Officer

## KINGSTON DISTRICT COUNCIL

*Appointments*

NOTICE is hereby given that the Kingston District Council at its meeting held on Friday, 21 February 2003, made the following appointments:

That pursuant to section 260 of the Local Government Act 1999, the following persons were appointed as Authorised Officers:

Stephen John Rufus  
Daryl Alfred Cearn  
Malcolm Robert Bates  
Heather Lee Schinckel  
David John Haggert  
Gary Christopher Arnold Thorpe

That Stephen John Rufus be appointed as Registrar of Dogs, pursuant to section 26 (1) (b) of the Dog and Cat Management Act 1995.

That the following persons be appointed as Dog Management Officers, pursuant to section 27 of the Dog and Cat Management Act 1995:

Stephen John Rufus  
Daryl Alfred Cearns  
Malcolm Robert Bates  
Heather Lee Schinckel  
David John Haggett  
Michael John Wilkin  
Maxwell John Sly

That the following persons be appointed as Cat Management Officers, pursuant to section 68 of the Dog and Cat Management Act 1995:

Stephen John Rufus  
Daryl Alfred Cearns  
Malcolm Robert Bates  
David John Haggett

*Revocation of Appointments*

That all previous appointments of Authorised Officers pursuant to the Local Government Act 1999 and the Dog and Cat Management Act 1995, hereby be revoked.

S. RUFUS, Chief Executive Officer

DISTRICT COUNCIL OF LOXTON WAIKERIE

*Resignation of Councillor*

NOTICE is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor with the District Council of Loxton Waikerie due to the resignation of Councillor Sarah Centofanti with effect from 19 February 2003.

T. L. BURGEMEISTER, District Clerk

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

- Broadbent, Dorothy Iris*, late of 16 Sandwell Street, Peterhead, home duties, who died on 23 November 2002.  
*Egaas, Robert Weston*, late of 63 Partridge Street, Glenelg South, retired wood machinist, who died on 18 December 2002.  
*Henderson, Patricia Catherine*, late of 10 Doreen Street, Oaklands Park, of no occupation, who died on 4 November 2002.  
*Holman, Arthur Herbert*, late of 2 Nairne Terrace, Forestville, retired driver, who died on 28 December 2002.  
*James, Keith Verran*, late of 1 Fulton Street, Brighton, of no occupation, who died on 14 June 2002.  
*Jones, Sarah Jane*, late of 133 Frost Road, Salisbury South, retired clerical officer, who died on 27 October 2002.  
*Ridley, Myra Lillian*, late of 580 Brighton Road, South Brighton, home duties, who died on 2 January 2003.  
*Rowen, Norma Winifred Miriam*, late of 7 Terra Avenue, Mitchell Park, home duties, who died on 16 January 2003.  
*Thomson, William*, late of 14 Moor Crescent, Hallett Cove, retired engineering fitter, who died on 22 January 2003.  
*Trimboli, Francesco*, late of George Street, Truro, retired cement worker, who died on 16 September 2002.  
*Warming, Peter Midtgaard*, late of 3 Selby Street, Kurrulta Park, retired labourer, who died on 28 October 2002.  
*Whicker, Margaret Joan*, late of 8 Warunda Avenue, Seaview Downs, married woman, who died on 19 December 2002.

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 4 April 2003, 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 6 March 2003.

C. J. O'LOUGHLIN, Public Trustee

ESTATE OF WERNER MEYERSTEIN (Deceased)

TAKE notice that after the expiration of 8 days application will be made in the Registry of the Supreme Court of South Australia in its Testamentary Causes Jurisdiction for the sealing of Letters of Administration with the Will annexed of the estate of Werner Meyerstein late of Unit 6, 394 Alma Road, North Caulfield, Victoria, of no occupation, granted by the Supreme Court at Melbourne in the said State of Victoria on 4 June 2001.

C. J. O'LOUGHLIN, Public Trustee, Attorney for the State Trustees Limited, in the State of Victoria

IN the matter of the estate of the undermentioned deceased person:

*Hunt, Audrey*, late of 5 Beck Street, Dernancourt, a clerk, who died on 20 February 2003.

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries and other persons having claims against the above estate are directed to send full particulars and evidence of such claims to the undersigned on or before 4 April 2003, otherwise they will be excluded from the distribution of the estate and notice is also hereby given that all persons who are indebted to the above estate are required to pay the amount of their debt to the undersigned or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver the same to the undersigned.

FINLAYSONS LAWYERS, (ABN 92 386 254 392),  
81 Flinders Street, Adelaide, S.A. 5000.

SOUTH AUSTRALIA—In the Supreme Court No. 2377 of 1996. In the matter of Johnson & Pahl Pty Limited (ACN 007 706 738) and in the matter of the Corporations Act 2001.

*Notice of Release of Liquidator*

Take notice that by order of the Supreme Court of South Australia dated 17 February 2003, 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 28 February 2003.

P. I. MACKS, Liquidator

UNCLAIMED MONEYS ACT 1891

*Register of Unclaimed Moneys held by Holden Limited for the Years Ended 31 December 1995 and 1996*

Name of Owner on Books	Amount Due to Owner \$	Description and Date when First Due
I. Ali .....	426.00	Wages 30.1.95
D. K. Flinn .....	67.15	Wages 30.4.95
S. Poole .....	67.15	Wages 30.4.95
P. S. Memery .....	31.87	Wages 31.7.95
L. McArdle .....	1 189.00	Wages 28.8.95
B. Lykke .....	125.00	Wages 20.5.96
P. J. Wall .....	7.56	Wages 27.5.96
Total .....	1 913.73	

# ATTENTION

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

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