



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

www.governmentgazette.sa.gov.au

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 26 FEBRUARY 2004

CONTENTS

	Page
Appointments, Resignations, Etc.....	564
Corporations and District Councils—Notices	615
Crown Lands Act 1929—Notices.....	565
Environment Protection Authority—Notice	566
Gas Act 1997—Notice	565
Housing Improvement Act 1940—Notices	568
Land Acquisition Act 1969— <i>Erratum</i>	572
Land and Business (Sale and Conveyancing) Act 1994— Notice	572
Liquor Licensing Act 1997—Notices.....	572
Local Government Act 1999—Notice.....	574
Mining Act 1971—Notices	596
Mount Gambier Circuit Court—Notice.....	596
Petroleum Act 2000—Notice	597
Proclamations	607
Roads (Opening and Closing) Act 1991—Notice	597
Sewerage Act 1929—Notice	597
State Lotteries Act 1966—Rules	598
Transport, Department of—Notice to Mariners.....	597
Waterworks Act 1932—Notices.....	605

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

Department of the Premier and Cabinet
Adelaide, 26 February 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Residential Tenancies Tribunal, pursuant to the provisions of the Residential Tenancies Act 1995:

Deputy Registrar: (from 26 February 2004 until 25 February 2009)

Joanne Mardon

By command,

J. W. WEATHERILL, for Premier

OCBA 008/03TC1CS

Department of the Premier and Cabinet
Adelaide, 26 February 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Aboriginal Housing Authority Board of Management, pursuant to the provisions of the Housing and Urban Development (Administrative Arrangements) Act 1995:

Deputy Member: (from 26 February 2004 until 19 February 2005)

Michelle Warren (Deputy to Larkins)

By command,

J. W. WEATHERILL, for Premier

MSJ 002/04CS

Department of the Premier and Cabinet
Adelaide, 26 February 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Film Corporation, pursuant to the provisions of the South Australian Film Corporation Act 1972:

Member: (from 26 February 2004 until 25 February 2007)

Cheryl Bart

John Chataway

Chair: (from 26 February 2004 until 25 February 2007)

Cheryl Bart

By command,

J. W. WEATHERILL, for Premier

ASA 014/02CS

Department of the Premier and Cabinet
Adelaide, 26 February 2004

HER Excellency the Governor in Executive Council has been pleased to appoint Bruno Krumins, Member of the Order of Australia, as Governor's Deputy of South Australia for the period from 6.30 p.m. on Thursday, 26 February 2004 until 6.20 p.m. on Friday, 27 February 2004.

By command,

J. W. WEATHERILL, for Premier

Department of the Premier and Cabinet
Adelaide, 26 February 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the persons listed as Justices of the Peace for South Australia, pursuant to section 4 of the Justices of the Peace Act 1991:

Carmen Renee Crocker
Arthur Timothy Heathfield Dendy
Emer Geraldine Dunne
Meagen Ruth Hackett
Denise Gayle Jelfs
Anne Marie Jusaitis
Josie Helen Kretschmer
Sevi Livaditis
Rossalynd June Mottram
Kimberley Anne Riggs
Marilyn Strawbridge
Janette Turley
Russell William Vine
Christopher John Ward

By command,

J. W. WEATHERILL, for Premier

Department of the Premier and Cabinet
Adelaide, 26 February 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the land valuers listed to the panels established in relation to the regions set out below from 15 March 2004 to 14 March 2007, pursuant to section 25A (2) of the Valuation of Land Act 1971:

Denis Ronald Gilbert Barrett, AAPI (Murraylands)
Ian Hamilton Quigley, FAPI, FREI (City of Adelaide and Central)
Janet Rosemary Hawkes, BAPP SC (Valuation), MBA, AAPI (City of Adelaide and Central)
Don Harris, AAPI (City of Adelaide and Central)
Bruce Gibson Ballantyne, AAPI (City of Adelaide and Central)
David Rees Riggall, AAPI, AREI (City of Adelaide and Central)
Gavin James McCormack, AAPI (City of Adelaide and Central)
Malcolm George Potts, CREI (Valuer), AREI, PAAPI (City of Adelaide, Central and Murraylands)
John Lincoln Morgan, BAPP SC (Valuation), FAPI (City of Adelaide, Central, Eyre/Northern, Murraylands and South East)

By command,

J. W. WEATHERILL, for Premier

Department of the Premier and Cabinet
Adelaide, 26 February 2004

HER Excellency the Governor in Executive Council has been pleased to allow and countersign the proposed amendments to Statutes 7.1, 7.3, 7.4 and 7.5 of the Flinders University of South Australia, sealed on 23 December 2003, pursuant to section 20 (3) of The Flinders University of South Australia Act 1966.

By command,

J. W. WEATHERILL, for Premier

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

Reserve for Electricity Supply Purposes, section 314, Hundred of Bonython, County of Way, the notice of which was published in the *Government Gazette* of 29 January 1987 at page 223, The Third Schedule, being the land contained in Crown Record Volume 5756 Folio 441.

Dated 26 February 2004.

J. HILL, Minister for Environment
and Conservation

DL 2107/1986

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

Depot Reserve, allotment 2 of DP 48423, Hundred of Gordon, County of Alfred, the notice of which was published in the *Government Gazette* of 18 June 1998 at page 2574, The Second Schedule, being the land contained in Crown Record Volume 5627 Folio 943.

Dated 26 February 2004.

J. HILL, Minister for Environment
and Conservation

DL 3123/1993

GAS ACT 1997

SECTION 33

Ministerial Direction to the Essential Services Commission

I, PATRICK CONLON, Minister for Energy, by this notice give the following direction to the Essential Services Commission in relation to it making a determination under section 25 of the Essential Services Commission Act 2002 as authorised by subsection 33 (1) (b) of the Gas Act 1997.

Pursuant to subsection 33 (2) (a) of the Gas Act 1997: In addition to those factors that the Commission is required by the Essential Services Commission Act 2002 to take into account, the Commission will also take into account the prudent costs of gas entities incurred as a result of:

- (a) participation in an ombudsman scheme as required of them by a prescribed condition of their licenses;
- (b) compliance with applicable industry codes as made by the Commission pursuant to section 28 of the Essential Services Commission Act 2002; and
- (c) preparing for full competition in the South Australian gas supply industry.

In this notice the expression 'gas entity', is defined to have the same meaning as in section 4 of the Gas Act 1997; and

'prudent costs' are the amount that would not exceed the amount that would be incurred by a prudent gas entity acting efficiently, in accordance with accepted good industry practice, to achieve the lowest sustainable cost of delivering services, taking into account timeframes set by the South Australian Government and do not include any costs that may have already been recovered by the gas entity.

Dated 19 February 2004.

P. CONLON, Minister for Infrastructure,
Minister for Energy and Minister for
Emergency Services

ENVIRONMENT PROTECTION ACT 1993

Approval of Category B Containers

I, STEPHEN RICHARD SMITH, Senior Adviser, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Approval of Category B Containers:

Approve as Category B Containers, subject to the conditions in subclauses (i) and (ii) below, each of the classes of containers identified by reference to the following matters described in the first 4 columns of Schedule 1 of this Notice which are sold in South Australia:

- (a) the product which each class of containers shall contain;
- (b) the size of the containers;
- (c) the type of containers;
- (d) the name of the holders of these approvals.

(i) *Subsection 69 (3) Arrangements:*

The holders of these approvals must ensure that the empty containers which belong to their respective class of containers hereby approved as Category B Containers are collected from collection depots approved under section 69 of the Act by the party named in column 5 of Schedule 1 of this Notice; and

(ii) *Approved Refund Markings:*

- (a) The holders of these approvals must ensure that each container which belongs to their respective class of containers hereby approved as Category B Containers bears the refund marking approved by the Authority in respect of that class of containers.
- (b) The refund marking that appears on each container that belongs to the class of containers hereby approved, must be a minimum 1.5 mm for the smallest letter in the statement and a minimum 3 mm for the numeric ('5') in the statement.

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Beez Neez Honey Wheat Beer	345	Glass with Paper Label	Carlton & United Breweries Ltd	Visy CDL Recycling Services
BerrySweet Pure Blueberry Juice	100	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Blueberry Juice	250	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Blueberry Juice	300	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Blueberry Juice	500	PET with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Blueberry & Raspberry Juice	100	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Blueberry & Raspberry Juice	250	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Blueberry & Raspberry Juice	300	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Blueberry & Raspberry Juice	500	PET with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Raspberry Juice	100	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Raspberry Juice	250	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Raspberry Juice	300	Glass with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
BerrySweet Pure Raspberry Juice	500	PET with Paper Label	BerrySweet Australia	Visy CDL Recycling Services
Bohemian Pilsner Beer	345	Glass with Paper Label	Carlton & United Breweries Ltd	Visy CDL Recycling Services
Bundaberg Rum Dry & Lime	250	Can - Aluminium	Diageo Australia Pty Ltd	Statewide Recycling
Bundaberg Rum Dry & Lime	375	Can - Aluminium	Diageo Australia Pty Ltd	Statewide Recycling
Bundaberg Rum Dry & Lime	375	Glass with Paper Label	Diageo Australia Pty Ltd	Statewide Recycling
Carlton Draught	800	Glass with Paper Label	Carlton & United Breweries Ltd	Visy CDL Recycling Services
Ce'Jus Apple & Guava	400	Glass with Polyethylene Label	Knispel Fruit Juices Pty Ltd	Statewide Recycling
Ce'Jus Apple & Passionfruit	400	Glass with Polyethylene Label	Knispel Fruit Juices Pty Ltd	Statewide Recycling
Ce'Jus Apple & Pear	400	Glass with Polyethylene Label	Knispel Fruit Juices Pty Ltd	Statewide Recycling
Ce'Jus Apricot	400	Glass with Polyethylene Label	Knispel Fruit Juices Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Ce'Jus Banana & Mango	400	Glass with Polyethylene Label	Knispel Fruit Juices Pty Ltd	Statewide Recycling
Ce'Jus Tomato	400	Glass with Polyethylene Label	Knispel Fruit Juices Pty Ltd	Statewide Recycling
Ce'Jus Tropical	400	Glass with Polyethylene Label	Knispel Fruit Juices Pty Ltd	Statewide Recycling
Chang Thai Beer	330	Glass (Sticker)	Empire Liquor	Statewide Recycling
Cibo Espresso Natural Spring Water	600	PET with Polypropylene Label	HighBrooke Pty Ltd (trading as Darham Springs)	Flagcan Distributors
Dos Equis Mexican Amber Beer	330	Glass (Sticker)	Empire Liquor	Statewide Recycling
Dos Equis Mexican Lager Beer	330	Glass (Sticker)	Empire Liquor	Statewide Recycling
Empire Lager	375	Can - Aluminium	Carlton & United Breweries Ltd	Visy CDL Recycling Services
Gerolsteiner Naturally Sparkling Mineral Water	1 000	Glass with Paper Label	Capital Foods Australia Pty Ltd	Marine Stores Ltd
Jim Beam Kentucky Straight Bourbon Whiskey & Vanilla Cola	375	Can - Aluminium	Maxxium Australia Pty Ltd	Statewide Recycling
Kokanee Canadian Beer	330	Glass (Sticker)	Empire Liquor	Statewide Recycling
Krusovic Czech Lager Beer	330	Glass (Sticker)	Empire Liquor	Statewide Recycling
LIV Mango & Passionfruit Smoothie	300	Guala Pak	Synergy Trading Pty Ltd	Statewide Recycling
LIV Strawberry & Banana Smoothie	300	Guala Pak	Synergy Trading Pty Ltd	Statewide Recycling
Maxs Hydroxy Phase + Choc Caramel	375	LPB - Aseptic	Hi-Performance Health Pty Ltd (trading as AminoActive Australia)	Statewide Recycling
Maxs Power Protein Chocabolic	500	LPB - Aseptic	Hi-Performance Health Pty Ltd (trading as AminoActive Australia)	Statewide Recycling
Old Style Portello	275	Glass	Bickfords Australia Pty Ltd	Statewide Recycling
Rembrandt Dutch Lager Beer	330	Glass (Sticker)	Empire Liquor	Statewide Recycling
Ribena Blackcurrant Fruit Drink	330	Guala Pak	GlaxoSmithKline	Statewide Recycling
Schweppes Light Lemonade	1 250	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Light Lemonade	2 000	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Light Lemonade	600	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Solo Light Lemon Drink	1 250	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Solo Light Lemon Drink	2 000	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Solo Light Lemon Drink	375	Can - Aluminium	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Solo Light Lemon Drink	600	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Sunkist Light Orange Flavoured Drink	1 250	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Sunkist Light Orange Flavoured Drink	2 000	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Sunkist Light Orange Flavoured Drink	375	Can - Aluminium	Cadbury Schweppes Pty Ltd	Statewide Recycling
Schweppes Sunkist Light Orange Flavoured Drink	600	PET with Polypropylene Label	Cadbury Schweppes Pty Ltd	Statewide Recycling
Skywater Premium Natural Spring Water	1 500	PET with Polypropylene Label	HighBrooke Pty Ltd (trading as Darham Springs)	Flagcan Distributors
Skywater Premium Natural Spring Water	350	PET with Polypropylene Label	HighBrooke Pty Ltd (trading as Darham Springs)	Flagcan Distributors
Stratco Home Improvements Natural Spring Water	600	PET with Polypropylene Label	HighBrooke Pty Ltd (trading as Darham Springs)	Flagcan Distributors
The Oyster Bar Natural Spring Water	350	PET with Polypropylene Label	HighBrooke Pty Ltd (trading as Darham Springs)	Flagcan Distributors
UDL Vodka Green Apple	375	Can - Aluminium	Diageo Australia Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Wild About Fruit Apple & Mango Juice	375	PET with Paper Label	Wild About Fruit Company Pty Ltd	Statewide Recycling
Wild About Fruit Filtered Apple Juice	375	PET with Paper Label	Wild About Fruit Company Pty Ltd	Statewide Recycling
Wild About Fruit with Fibre Apple Juice	375	PET with Paper Label	Wild About Fruit Company Pty Ltd	Statewide Recycling
William Grants Scotch Whisky & Cola	375	Can - Aluminium	Maxxium Australia Pty Ltd	Statewide Recycling
Youth Works Natural Spring Water	350	PET with Polypropylene Label	HighBrooke Pty Ltd (trading as Darham Springs)	Flagcan Distributors

HOUSING IMPROVEMENT ACT 1940

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

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
11 Pflaum Street	Birdwood	Lot 2 Primary Community Plan 21693, Hundred of Talunga	5894	874
386 Grand Junction Road	Enfield	Allotment 6 of Deposited Plan 4685, Hundred of Yatala	5622	35
63 Taylor Street	Kadina	Allotment 626 of Filed Plan 197997, Hundred of Wallaroo	5552	377
31 Albert Terrace	Port Pirie (Solomontown)	Allotment 263 of Filed Plan 184345, Hundred of Pirie	5706	905

Dated at Adelaide, 26 February 2004.

M. DOWNIE, General Manager, Housing Trust

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
32 Fifth Street, Ardrossan	Allotment 108 of Filed Plan 197479, Hundred of Cunningham	5393	44	30.5.91, page 1742
49 Somerset Avenue, Cumberland Park (also known as 49-51)	Allotment 2 of portion of Section 2, Hundred of Adelaide	5874	952	4.3.76, page 1102
26 Calton Road, Gawler East (also known as 26-28 Calton Road)	Allotment 1 in Deposited Plan 37633, Hundred of Nuriootpa	5168	228	25.9.03, page 3620
20 Crase Street, Kapunda (also known as 20-22)	Allotment 92 in Filed Plan 171358, Hundred of Kapunda	5330	473	9.11.73, page 2870
44 Churchill Road, Ovingham (also known as Prospect)	Allotment 43 in Deposited Plan 2436, Hundred of Yatala	5851	689	29.4.93, page 1556
50 Goode Road, Port Pirie West	Allotment 1 in Filed Plan 138025, Hundred of Pirie	5253	14	28.2.85, page 537
81 Sherriffs Road, Reynella	Allotment 101 in Filed Plan 215625, Hundred of Noarlunga	5707	225	19.12.02, page 4771
9 Hughes Street, Unley	Allotment 194 in Filed Plan 12870, Hundred of Adelaide	5230	890	27.2.03, page 793

Dated at Adelaide, 26 February 2004.

M. DOWNIE, General Manager, Housing Trust

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
247 Carrington Street, Adelaide	Allotment 2 in Filed Plan 101860, Hundred of Adelaide	5114	537	11.11.76, page 1612	200.00
160 Drayton Street, Bowden	Allotments 8 and 9 of Deposited Plan 522, Hundred of Yatala	5411	773	29.6.00, page 3453	90.00
15 Mead Street, Birkenhead	Allotment 123 of Filed Plan 3379, Hundred of Port Adelaide	5777	187	28.3.68, page 1079	50.00
7 Taylor Street, Brompton	Allotment 4 in Deposited Plan 60338, Hundred of Yatala, Allotment 113 in Deposited Plan 459, Hundred of Yatala	5883	96	14.2.85, page 380	190.00
		5508	971		
52A Victoria Road, Clare (also known as Flat 2/52)	Allotment 12 in Deposited Plan 43730, Hundred of Clare	5291	952	14.5.81, page 1486	130.00
52B Victoria Road, Clare (also known as Flat 1/52)	Allotment 12 in Deposited Plan 43730, Hundred of Clare	5291	952	14.5.81, page 1486	145.00
96 Dauntsey Road, Elizabeth North	Allotment 4 of Portion of Section 3140, Hundred of Munno Para, (LTRO Deposited Plan 32122	5419	98	26.10.95, page 1185	90.00
19 Crase Street, Kapunda	Allotment 256 of Filed Plan 176328, Hundred of Kapunda	5580	735	28.10.99, page 2107	92.00
1 Bishops Place, Kensington	Allotment 38 of Filed Plan 139118, Hundred of Adelaide	5783	174	26.6.80, page 1891	170.00
61 Hopetoun Avenue, Kilburn (6 rooms in main house)					65.00 (furnished and including gas, electric/water)
(detached dwelling at rear comprising 4 rooms)					55.00 (unfurnished)
					50.00 (furnished and including gas, electric/water)
					40.00 (unfurnished)
					150.00 (unfurnished)
(whole of house)					150.00
54-56 Venables Street, Macclesfield (also known as Lot 94)	Allotment 1 in Deposited Plan 19504, Hundred of Macclesfield	5250	477	28.8.97, page 468	150.00
73 Nashwauk Crescent, Moana (also known as 324 Esplanade)	Allotment 1 in Deposited Plan 3752, Hundred of Willunga	5348	386	24.7.03, page 3086	150.00
8 Ayling Street, Smithfield Plains	Allotment 1 in Deposited Plan 31323, Hundred of Munno Para	5083	522	27.11.03, page 4260	115.00

Dated at Adelaide, 26 February 2004.

M. DOWNIE, General Manager, Housing Trust

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 2003

Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	2.05	0.90	497-512	29.20	28.00
17-32	2.80	1.75	513-528	30.00	28.80
33-48	3.65	2.60	529-544	30.90	29.90
49-64	4.60	3.50	545-560	31.70	30.90
65-80	5.40	4.45	561-576	32.50	31.70
81-96	6.25	5.20	577-592	33.60	32.20
97-112	7.15	6.05	593-608	34.40	33.25
113-128	8.00	7.00	609-624	35.20	34.30
129-144	9.00	7.95	625-640	35.90	34.80
145-160	9.85	8.80	641-656	36.80	35.85
161-176	10.80	9.65	657-672	37.40	36.60
177-192	11.60	10.60	673-688	39.00	37.40
193-208	12.50	11.50	689-704	39.80	38.40
209-224	13.30	12.25	705-720	40.30	39.50
225-240	14.20	13.10	721-736	41.80	40.00
241-257	15.10	13.80	737-752	42.30	41.30
258-272	16.00	14.75	753-768	43.40	41.80
273-288	16.90	15.80	769-784	43.90	43.10
289-304	17.60	16.60	785-800	44.70	43.90
305-320	18.60	17.50	801-816	45.50	44.40
321-336	19.40	18.30	817-832	46.50	45.50
337-352	20.40	19.30	833-848	47.50	46.25
353-368	21.20	20.20	849-864	48.30	47.00
369-384	22.10	21.10	865-880	49.00	48.30
385-400	22.90	21.90	881-896	49.60	48.80
401-416	23.70	22.60	897-912	51.20	49.60
417-432	24.80	23.60	913-928	51.70	51.20
433-448	25.60	24.50	929-944	52.50	51.70
449-464	26.50	25.30	945-960	53.50	52.20
465-480	27.00	26.20	961-976	54.50	53.25
481-496	28.20	27.00	977-992	55.60	54.00

Legislation—Acts, Regulations, etc:	\$
Subscriptions:	
Acts	180.00
All Bills as Laid	431.00
Rules and Regulations	431.00
Parliamentary Papers	431.00
Bound Acts	199.00
Index	99.00
Government Gazette	
Copy	4.70
Subscription	238.00
Hansard	
Copy	13.00
Subscription—per session (issued weekly)	374.00
Cloth bound—per volume	161.00
Subscription—per session (issued daily)	374.00
Legislation on Disk	
Whole Database	2 763.00
Annual Subscription for fortnightly updates	849.00
Individual Act(s) including updates	POA
Compendium	
Subscriptions:	
New Subs	1 638.00
Updates	578.00

(All the above prices include GST)

All Legislation, Government Gazette, Hansard and Legislation on disk are available from:

**Counter Sales
and Mail Orders:**

Service SA, Government Legislation⁺ Outlet
Lands Titles Office, 101 Grenfell Street, Adelaide
Phone: 13 23 24 (local call cost), Fax: (08) 8204 1909
Postal: G.P.O. Box 1707, Adelaide, S.A. 5001

Online Shop:www.shop.service.sa.gov.au**Subscriptions and
Standing Orders:**

Government Publishing SA
Box 9, Plaza Level, Riverside Centre, North Terrace, Adelaide, S.A. 5000
Phone: (08) 8207 0908, (08) 8207 0910, Fax: (08) 8207 1040

LAND ACQUISITION ACT 1969

NOTICE OF ACQUISITION

Erratum

IN *Government Gazette* of 19 February 2004, page 515, second notice appearing, the last paragraph which read: The Common Seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of: *should not* have appeared.

[*]

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

Gregory Charles Nybo, an officer of P.M. Property Managers Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5213, folio 648, situated at 6 Bridges Street, Broadview, S.A. 5083.

Dated 26 February 2004.

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 Blueberry's Bar Pty Ltd, c/o Fisher Jeffries, Level 15, 211 Victoria Square, Adelaide, S.A. 5000, has applied to the Licensing Authority for a variation to the conditions of a Special Circumstances Licence in respect of premises situated at 7 Percy Street, Mount Gambier, S.A. 5290 and known as Blueberry's.

The application has been set down for hearing on 26 March 2004 at 9 a.m.

Conditions

The following licence conditions are sought:

1. The premises will be used predominantly as a Function Centre and Pool Hall.
2. The current Area 1 is to be divided into two areas, namely Area 1 (Pool Hall area) and Area 2 (Function Centre area).
3. Area 1 will at all times include the provision of no less than five pool tables for the playing of billiard games, competitions and the like.
4. On 10 occasions per year, live entertainment consisting of bands of more than three members may perform at the premises whether in Area 2 or the whole of the licensed area provided that:

- (a) at all times the internal music levels associated with such performers shall comply with the levels prescribed in the Bassett Acoustic Report of 2 June 2000; and
- (b) the performers shall at all times only use the in-house music operating system installed at the premises.

5. Subject to condition 4, Area 2 shall only be used for pre-booked functions and shall otherwise be closed to the public at all times.

6. Subject to condition 4, the music associated with the premises shall be:

- (a) recorded DJ music as defined by the Bassett Acoustic Report of 2 June 2000, with the internal music levels as set out in that report; and
- (b) 1 to 3 piece bands provided that at all times the internal music levels associated with such performers shall comply with the levels prescribed in the Bassett Acoustic Report of 2 June 2000 for recorded DJ music.

7. A noise limiting device shall be installed to the in-house music operating system and that shall be the only system used to ensure compliance with conditions 4 and 6.

8. At all times when live entertainment is being provided on the premises, the licensed security person shall regularly, and no less than twice every half an hour, patrol by foot, Percy Street, Alexander Street and the public carpark adjacent to the premises for the period from midnight until one hour after the closure of the premises to ensure the public to ensure the quiet and orderly departure of patrons from the premises.

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

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

Dated 23 February 2004.

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 Peter Kalathas and Michael Foundas have applied to the Licensing Authority for an Entertainment Venue Licence in respect of premises situated at 106A Hindley Street, Adelaide, S.A. 5000 and known as Jungle Club.

The application has been set down for hearing on 26 March 2004 at 9 a.m.

Conditions

The following licence conditions are sought:

Approval under section 35 (1) (c) to sell liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons:

- (a) seated at a table; and
- (b) attending a function at which food is provided.

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 20 February 2004.

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 Booze 2 U Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at Unit 1/7 Naweena Road, Regency Park, S.A. 5010 and to be known as Booze 2 U.

The application has been set down for hearing on 26 March 2004 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 18 February 2004.

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 Istavist Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence, Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 235 Greenhill Road, Dulwich, S.A. 5065 known as Mangiamo Cafe Pizzeria and to be known as La Porchetta.

The application has been set down for hearing on 26 March 2004 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation is to apply to the whole of the licensed premises during the following hours:
 - Thursday to Saturday: Midnight to 5 a.m. the following day;
 - Sunday: 8 a.m. to 11 a.m. and 8 p.m. to midnight;
 - Sundays preceding Public Holidays: 8 p.m. to 5 a.m. the following day.
- Entertainment Consent is to apply to the whole of the Licensed premises.

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

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

Dated 20 February 2004.

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 Heang Ung and Thi Ly Lam have applied to the Licensing Authority for the transfer of the Restaurant Licence in respect of premises situated at 147 O'Connell Street, North Adelaide, S.A. 5006 known as Red Chilli Bistro and to be known as North Adelaide Pattaya Thai Restaurant.

The application has been set down for hearing on 30 March 2004 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, 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 17 February 2004.

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 Peter David and Judith Ann Nichols, c/o Duncan Basheer Hannon have applied to the Licensing Authority for the transfer of a Hotel Licence, Extended Trading Authorisation and variation to the Licensed Area in respect of premises situated at 160 The Terrace, Port Pirie, S.A. 5540 and known as Federal Hotel.

The application has been set down for hearing on 26 March 2004 at 9 a.m.

Conditions

The following licence conditions are sought:

1. Redefinition of the licensed area to add the Betting Shop (Saloon Bar) and Beer Garden, as per lodged plan.
2. Extended Trading Authorisation in respect of Friday and Saturday nights from midnight to 2 a.m. the following day and Sunday from 8 p.m. to midnight.

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 20 February 2004.

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 Gregory Hagias has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 45C Sussex Street, Hawthorn, S.A. 5062 and known as Cafe Astros.

The application has been set down for hearing on 29 March 2004 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 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 20 February 2004.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Grosvenor Victor Pty Ltd has applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and a Gaming Machine Licence in respect of premises situated at Ocean Street, Victor Harbor, S.A. 5211 and known as Grosvenor Hotel.

The applications have been set down for hearing on 30 March 2004 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 16 February 2004.

Applicant

LOCAL GOVERNMENT ACT 1999

WASTE CARE SA REGIONAL SUBSIDIARY

Charter—February 2004

1. INTRODUCTION

1.1 Name

The name of the subsidiary is Waste Care SA (referred to as “*the Subsidiary*” in this Charter).

1.2 Definitions

1.2.1 “absolute majority” means a majority of the whole number of the Board members or of the Constituent Councils as the case may be;

1.2.2 “Act” means the Local Government Act 1999 and all relevant Regulations made thereunder;

1.2.3 “Board” means the Board of Management established under clause 1.3 of this Charter;

1.2.4 “casting vote” means a deciding vote cast by the Chair of the Board (or a Board Member acting in that capacity) when the deliberative votes are equal;

1.2.5 “Constituent Councils” means those Councils named in clause 1.3;

1.2.6 “deliberative vote” means a vote cast by each member of the Board (including the Chair) for the purpose of deciding a matter under deliberation;

1.2.7 “Financial Year” means 1 July in each year to 30 June in the subsequent year;

1.2.8 “*Gazette*” means the *South Australian Government Gazette*;

1.2.9 “profit” means net profit in accordance with the audited end of Financial Year statements prepared under the Act;

1.2.10 “simple majority” means a majority of those present and entitled to vote;

1.2.11 “waste” means any or all waste as approved under the Environment Protection Act licence held by *the Subsidiary* or its contractor.

1.3 Establishment

The Subsidiary is a regional subsidiary established pursuant to Section 43 of the Act by the:

- 1.3.1 Adelaide City Council;
- 1.3.2 City of Campbelltown;
- 1.3.3 City of Charles Sturt;
- 1.3.4 City of Norwood, Payneham St Peters;
- 1.3.5 City of Prospect; and
- 1.3.6 Town of Walkerville.

1.4 **Local Government Act 1999**

This Charter must be read in conjunction with Parts 2 and 3 of Schedule 2 to the Act. *The Subsidiary* shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter in a manner permitted by Schedule 2.

1.5 **Objects and Purposes**

The Subsidiary is established to:

- 1.5.1 receive and dispose of waste collected from within the areas of the Constituent Councils;
- 1.5.2 receive and dispose of waste collected from outside the areas of the Constituent Councils;
- 1.5.3 to construct, establish and maintain the Integrated Resource Management Centre at Wingfield, South Australia;
- 1.5.4 provide and operate a place or places for the treatment, recycling and disposal of waste collected by or on behalf of the Constituent Councils;
- 1.5.5 employ the principles of waste avoidance, re-use, recycling and resource recovery towards a zero waste philosophy;
- 1.5.6 advance the optimal use of waste materials as a potential resource for the achievement of the highest net benefit to the Constituent Councils;
- 1.5.7 oversee infrastructure requirements of local government in establishing, processing and resource recovery operations as appropriate;
- 1.5.8 pro-actively manage its business in a competitive and changing environment;
- 1.5.9 provide a forum for discussion and/or research for the ongoing improvement of management of waste and actively seek alternative technologies for introduction at the earliest time;

- 1.5.10 formulate views on matters of interest to its Constituent Councils and to convey such views to the appropriate groups, bodies and persons at a regional, State and national level;
 - 1.5.11 develop further waste management co-operation between its Constituent Councils for the benefit of their communities;
 - 1.5.12 undertake projects (including educational programmes and processes) and activities that benefit the areas of the Constituent Councils and their communities;
 - 1.5.13 associate, collaborate and work in conjunction with other local government bodies for the advancement of matters of common interest;
 - 1.5.14 be financially self-sufficient;
 - 1.5.15 to endeavour to provide a financial return to the Constituent Councils,
- and in so doing will give due weight to economic, social and environmental considerations.

1.6 Powers, Functions and Duties

The powers, functions and duties of *the Subsidiary* are to be exercised in the performance of *the Subsidiary's* objects and purposes. *The Subsidiary* shall have those powers, functions and duties delegated to it by the Constituent Councils from time to time which include but are not limited to:

- 1.6.1 the power to borrow funds in accordance with clauses 1.6.7 and 1.7;
- 1.6.2 the power to establish a reserve fund or funds clearly identified for the upkeep and/or replacement of fixed assets of *the Subsidiary* or meeting any deferred liability of *the Subsidiary*;
- 1.6.3 subject to clause 1.6.5 the power to accumulate surplus funds from profit retention (to a maximum of 10% of profit in any one Financial Year):
 - (a) subject to compliance with clause 1.6.4 for investment purposes; and/or
 - (b) for a reserve fund or funds for future initiatives supported by the Business Plan;
- 1.6.4 for the purposes of clause 1.6.3 the duty to invest any of the surplus funds of *the Subsidiary* in any investment authorised by the Trustee Act 1936 or with the Local Government Finance Authority provided that:
 - (a) in exercising this power of investment *the Subsidiary* must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and

- (b) *the Subsidiary* must avoid investments that are speculative or hazardous in nature;
- 1.6.5 the power to distribute profit and the duty to distribute profit greater than \$20 000 (subject to clause 1.6.3) to the Constituent Councils on the following basis:
- (a) 50% of the profit for any one Financial Year in accordance with the equity share of each Constituent Council; and
- (b) 40% of the profit for any one Financial Year as a percentage of the total number of tonnes of waste that a Constituent Council had disposed of through *the Subsidiary* in that Financial Year when compared to the total number of tonnes of waste that the Constituent Councils have disposed of collectively through *the Subsidiary* in that same Financial Year
- PROVIDED THAT** any profit retention for the purposes of clause 1.6.3 which is less than 10% will result in the difference being allocated to the profit available for distribution under clause 1.6.5 (a) and 1.6.5 (b) in the ratio of 3:2 respectively and **ALSO PROVIDED THAT** any profit distribution occurs only once in each Financial Year in relation to the immediately preceding Financial Year;
- 1.6.6 entering into contracts, purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any personal property or interests therein;
- 1.6.7 purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any real property or interests therein, provided that it shall be a condition precedent, that in any such transaction where *the Subsidiary* will incur a singular or a total liability of \$500 000 or more that the written approval of two-thirds of the Constituent Councils is first had and obtained;
- 1.6.8 employing, engaging, remunerating, removing, suspending or dismissing officers, managers, employees and agents of *the Subsidiary*;
- 1.6.9 charging whatever fees *the Subsidiary* considers appropriate for services rendered to any person, body or Council (other than a Constituent Council) provided that such fees charged by *the Subsidiary* shall not be less than the cost to *the Subsidiary* of providing the service except where *the Subsidiary* considers the circumstances are extraordinary or special;
- 1.6.10 charging the Constituent Councils fees for services that cover the cost to *the Subsidiary* of providing the services;
- 1.6.11 determining the types of waste which shall be received and the method of treatment, recycling and disposal of that waste;

- 1.6.12 undertaking all manner of things relating and incidental to the receipt, treatment, recycling and disposal of waste;
- 1.6.13 printing and publishing any reports, articles, books, leaflets, statistics or other like writings;
- 1.6.14 pursuing the concept of co-operative regionalism in the receipt, treatment, recycling and disposal of waste for which the Constituent Councils are or may become responsible and to cause all waste collected by *the Subsidiary* to be treated, recycled and disposed of in a sanitary and environmentally acceptable way;
- 1.6.15 providing a forum for the discussion and consideration of topics related to the Constituent Councils' obligations and responsibilities in respect of waste;
- 1.6.16 opening and operating bank accounts;
- 1.6.17 the power to adopt and use a trading name provided that *the Subsidiary* shall first register the trading name with the Office of Consumer and Business Affairs in accordance with the requirements of the Business Names Act; and
- 1.6.18 the power to do anything else necessary or convenient for or incidental to the exercise, performance or discharge of *the Subsidiary's* powers, functions or duties.

1.7 **Borrowing Money**

- 1.7.1 *The Subsidiary* has the power to borrow up to \$12 000 000 from the Local Government Finance Authority without any further approval from the Constituent Councils for the purposes of meeting the construction costs of the Integrated Resource Management Centre at Wingfield, South Australia.
- 1.7.2 If *the Subsidiary* intends to borrow money for the purposes of a project with expenditure of a capital nature in excess of \$500 000, *the Subsidiary* must make a proposal in writing to all Constituent Councils outlining the amount of money proposed to be borrowed, the terms and conditions of the loan and the purpose to which the money will be put. The consent of two-thirds of the Constituent Councils is required for *the Subsidiary* to proceed with the proposed borrowing.
- 1.7.3 For the purposes of clause 1.7.2 such borrowings must:
 - (a) not be used for the purpose of funding operational costs; and
 - (b) be from the Local Government Financial Authority or a registered bank or financial institution within Australia; and
 - (c) must be drawn down within a period of 24 months from the date of approval.

1.7.4 *The Subsidiary* may operate an overdraft facility or facilities as required provided that it must not exceed \$100 000 in total without the approval of two-thirds of the Constituent Councils.

1.8 **Property**

1.8.1 All property held by *the Subsidiary* is held by it on behalf of the Constituent Councils;

1.8.2 No person may sell, encumber or otherwise deal with any property of *the Subsidiary* without the approval of the Board by way of a Board resolution.

1.9 **Delegation by *the Subsidiary***

The Board may by resolution delegate any of its powers, functions and duties under this Charter but may not delegate:

1.9.1 the power to impose charges;

1.9.2 the power to enter into transactions in excess of \$50 000;

1.9.3 the power to borrow money or obtain any other form of financial accommodation not set out or included in a budget approved by *the Subsidiary* or where required by this Charter approved by the Constituent Councils;

1.9.4 the power to approve expenditure of money on the works, services or operations of *the Subsidiary* not set out or included in a budget approved by *the Subsidiary* or where required by this Charter approved by the Constituent Councils;

1.9.5 the power to approve the reimbursement of expenses or payment of allowances to members of the Board;

1.9.6 the power to adopt budgets; and

1.9.7 the power to make any application or recommendation to the Minister.

A delegation is revocable at will and does not prevent *the Subsidiary* from acting in a matter.

1.10 **National Competition Policy**

The Subsidiary must undertake any commercial activities which constitute a significant business activity of *the Subsidiary*, in accordance with the principles of competitive neutrality.

(See clause 32, Part 2, Schedule 2 of the Act and Part 4 of the Government Business Enterprises (Competition) Act 1996)

2. STRUCTURE

- 2.1 *The Subsidiary* is a body corporate and is governed by its Board, which has the responsibility to manage the business and other affairs of *the Subsidiary* ensuring that *the Subsidiary* acts in accordance with this Charter.
- 2.2 All meetings of *the Subsidiary* shall be meetings of the Board.
- 2.3 The Board will be entitled to make decisions in accordance with the powers and functions of *the Subsidiary* established in this Charter.

3. MEMBERSHIP AND SUBSCRIPTION

3.1 Initial Constituent Councils

- 3.1.1 All those councils which were Constituent Councils upon establishment of *the Subsidiary* under this Charter are known as the Initial Constituent Councils.
- 3.1.2 Each of the Initial Constituent Councils agrees to commit all of its putrescible domestic waste through *the Subsidiary* at a rate of \$38 per tonne (plus GST and the Environment Protection Act levy and any other statutory charge or impost) for a three year period from the commencement of *the Subsidiary*.

3.2 New Members

Subject to the provisions of the Act including but not limited to Ministerial approval, this Charter may be amended by a unanimous resolution of the Constituent Councils to provide for the admission of a new Constituent Council or Councils, with or without conditions of membership.

3.3 Equity Share

- 3.3.1 Upon establishment of the Subsidiary each initial Constituent Councils will have an equity share in *the Subsidiary* as set out in the table contained at Schedule 1 to this Charter.
- 3.3.2 The equity share of a Constituent Council in *the Subsidiary* can be no greater than 25% at any time.
- 3.3.3 The only time that the equity share of the Constituent Councils in *the Subsidiary* will vary is where a new Constituent Council is admitted to or an existing Constituent Council withdraws from *the Subsidiary* in accordance with this Charter.

3.4 Withdrawal

- 3.4.1 A Constituent Council may not withdraw from *the Subsidiary* except with the approval of the Minister and subject to the Act and this Charter.

- 3.4.2 A Constituent Council which intends to withdraw from *the Subsidiary* shall give to the Board written notice of such intention, specifying the date of intended withdrawal. The notice shall be a minimum of 12 months notice expiring on 30 June in the Financial Year after which the notice period has expired unless otherwise agreed by unanimous resolution of the other Constituent Councils.
- 3.4.3 The withdrawal of a Constituent Council does not extinguish the liability of that Constituent Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of *the Subsidiary* at the end of the Financial Year in which such withdrawal occurs.
- 3.4.4 The withdrawal of a Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by *the Subsidiary* at any time before or after such withdrawal in respect of any act or omission by *the Subsidiary* prior to such withdrawal.
- 3.4.5 The withdrawal of an initial Constituent Council does not extinguish its guarantee (to the extent of its equity share) of the initial borrowings undertaken by *the Subsidiary* in accordance with clause 1.7.1 (but reduced proportionately as the borrowings are repaid) for a period of 10 years from the date of establishment of *the Subsidiary*.
- 3.4.6 The withdrawal of a Constituent Council does not affect its entitlement to any benefit retained in *the Subsidiary* under clause 1.6.3 or arising from the profit distribution for that Financial Year in accordance with clause 1.6.5.
- 3.4.7 Payment, of any monies outstanding under this Charter, by or to the withdrawing Constituent Council must be fully paid by 30 June of the financial year following 30 June of the year in which the withdrawal occurs unless there is common agreement of alternative payment arrangements by the Constituent Councils.

4. BOARD OF MANAGEMENT

The Board shall have the responsibility to manage all of the activities of *the Subsidiary* ensuring that *the Subsidiary* acts in accordance with this Charter.

4.1 Functions of the Board

- 4.1.1 The formulation of strategic plans and strategies aimed at improving the activities of *the Subsidiary*.
- 4.1.2 To provide professional input and policy direction to *the Subsidiary*.
- 4.1.3 Monitoring, overseeing and evaluating the performance of the Executive Officer of *the Subsidiary*.
- 4.1.4 Ensuring that ethical behaviour and integrity is established and maintained by *the Subsidiary* and its Board Members in all activities undertaken by *the Subsidiary*.

- 4.1.5 Subject to subclause 4.5.15 ensuring that the activities of *the Subsidiary* are undertaken in an open and transparent manner.
- 4.1.6 The preparation and development of Business Plans to be considered in consultation with the Constituent Councils.
- 4.1.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

4.2 **Membership of the Board**

- 4.2.1 The Board shall consist of a minimum of six members (appointed by the Constituent Councils) and a maximum of eight members appointed as follows:
 - (a) one person appointed by each Constituent Council;
 - (b) two persons with relevant expertise appointed by the Board in its absolute discretion.
- 4.2.2 Subject to this clause a Board Member shall be appointed for a term of three years specified in the instrument of appointment and at the expiration of the term of office will be eligible for re-appointment.
- 4.2.3 Each Constituent Council may appoint a deputy Board Member to act in place of that Constituent Council's Board Member appointed pursuant to clause 4.2.1 (a) where the Board Member will not be present at a meeting of the Board.
- 4.2.4 In the absence of the Board Member, a deputy Board Member will be deemed to be the Board Member and can exercise all of the rights, privileges and obligations of the Board Member during the absence of that Board Member.
- 4.2.5 Each Constituent Council must give notice in writing to *the Subsidiary* of the persons appointed as Board Members and deputy Board Members and of any revocation of those appointments.
- 4.2.6 The appointment of a Board Member shall terminate upon any of the grounds set out at clause 20, Part 2, Schedule 2 of the Act arising or otherwise:
 - (a) if the Board Member has been appointed under clause 4.2.1 (a):
 - (i) upon the Council who appointed him/her ceasing to be a Constituent Council; or
 - (ii) if the Board Member is an elected member of a Constituent Council upon ceasing to be an elected member; or

(iii) if the Board Member is an employee of a Constituent Council, upon ceasing to be employed by the Council which appointed him/her;

(b) in respect of any Board appointment upon the happening of any other event through which the Board Member would be ineligible to remain as a member of the Board;

(See clause 20, Part 2, Schedule 2 of the Act for the grounds which give rise to a vacancy)

4.2.7 The Board may by a two-thirds majority vote of the Board Members present (excluding the Board Member subject to this clause 4.2.7) make a recommendation to the relevant Constituent Council requesting the Constituent Council to terminate the appointment of a Board Member that it has appointed under clause 4.2.1 (a) or terminate the appointment of a Board Member appointed under clause 4.2.1 (b) for:

(a) any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;

(b) serious neglect of duty in attending to his/her responsibilities as a Board Member;

(c) breach of fiduciary duty to *the Subsidiary* or the Constituent Council(s);

(d) breach of the duty of confidentiality to *the Subsidiary* and the Constituent Council(s);

(e) breach of the conflict of interest provisions; or

(f) any other behaviour which may discredit *the Subsidiary*.

4.2.8 A Board Member may be removed from office as a Board Member prior to the expiration of a term of appointment only in accordance with the following:

(a) a Board Member appointed by a Constituent Council pursuant to clause 4.2.1 (a), by resolution of the Constituent Council which originally appointed the Board Member; and

(b) the Board Member appointed pursuant to clause 4.2.1 (b) by the Board.

4.2.9 If any casual vacancy occurs in the membership of the Board it will be filled in the same manner as the original appointment. The person appointed to the Board to fill a casual vacancy will be appointed for the balance of the term of the original appointment.

4.2.10 A Board Member shall be eligible for such allowance from the funds of *the Subsidiary* as the Board shall determine from time to time.

4.3 Propriety of Members of the Board

- 4.3.1 The principles regarding conflict of interest prescribed in the Act apply to all Board Members in the same manner as if they were elected members of a council.

(See Chapter 5, Part 4, Division 3 of the Act for Conflict of Interest Provisions)

- 4.3.2 The Board Members are not required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.

- 4.3.3 The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties as required by Chapter 5, Part 4, Division 1 of the Act and clause 23 of Part 2 of Schedule 2 to the Act.

4.4 Chair of the Board

- 4.4.1 The Chair of the Board shall be a Board Member appointed by the Board who has been appointed pursuant to clause 4.2.1 (a), and shall hold office for a term of three years, unless he/she resigns or is removed from office pursuant to clause 4.2 or is otherwise no longer eligible to act as a Board Member.

- 4.4.2 There shall also be a Deputy Chair of the Board who shall be a Board Member who has been appointed pursuant to clause 4.2.1 (a) and who will be appointed by the Board to hold office for a term of three years, unless he/she resigns or is removed from office pursuant to clause 4.2 or is otherwise no longer eligible to act as a Board Member.

- 4.4.3 The Chair and the Deputy Chair are eligible for re-appointment at the expiration of their terms of office.

- 4.4.4 In the event that the appointed Chair either resigns or is no longer eligible to act as a Board Member prior to the expiration of that persons term, then the Deputy Chair shall act in that office or in the event of the Deputy Chair refusing or being unable to so act the Board shall elect from amongst the Board Members appointed by the Constituent Councils pursuant to clause 4.2.1 (a) a new Chair who shall hold office until a further appointment is made pursuant to clause 4.4.1 whereupon the person so appointed will hold office for the duration of the original appointment.

- 4.4.5 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the Deputy Chair shall preside and in the event of both the Chair and the Deputy Chair being absent from a meeting the Board Members present shall appoint a member from amongst them, who shall preside for that meeting or until the Chair or the Deputy Chair is present.

4.5 Meetings of the Board

- 4.5.1 The provisions of Part 2 of the Local Government (Procedures at Meetings) Regulations 1999 shall, insofar as the same may be applicable and not inconsistent with this Charter, apply to the proceedings at and conduct of all meetings of the Board.
- 4.5.2 Ordinary meetings of the Board must take place at such times and places as may be fixed by the Board or the Executive Officer of *the Subsidiary* from time to time, and in any event not less than six times per Financial Year. Meetings shall not be held before 5 *p.m.* unless the Board resolves otherwise by resolution supported unanimously by all of the Board Members present at the meeting which determines the issue.
- 4.5.3 An ordinary meeting of the Board will constitute an ordinary meeting of *the Subsidiary*. The Board shall administer the business of the ordinary meeting.
- 4.5.4 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means (“telecommunications meeting”) of a number of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.
- 4.5.5 A proposed resolution in writing and given to all Board Members in accordance with proceedings determined by the Board will be a valid decision of the Board where a majority of Board members vote in favour of the resolution by signing and returning the resolution to the Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Executive Officer. The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.
- 4.5.6 Notice of ordinary meetings of the Board must be given by the Executive Officer to each Board Member not less than three clear business days prior to the holding of the meeting.
- 4.5.7 Notice of a meeting for the purpose of making a recommendation to wind up *the Subsidiary* will be sent to Board Members and to the Chief Executive Officers of the Constituent Councils at least eight weeks before the date of the meeting at which the recommendation will be considered.

- 4.5.8 Any Constituent Council or Board Member may by delivering a written request to the Executive Officer of *the Subsidiary* require a special meeting of the Board to be held. On receipt of the request the Executive Officer shall send a notice of the special meeting to all Board Members and Executive Officers of the Constituent Councils at least 24 hours prior to the commencement of the special meeting. Such notice shall specify the date, time and place of the special meeting and be signed by the Executive Officer of *the Subsidiary*, and contain, or be accompanied by, the agenda for the meeting.
- 4.5.9 The request by any Board member to the Executive Officer of *the Subsidiary* requiring a special meeting to be held must be accompanied by the proposed agenda for the meeting and any written reports intended to be considered at the meeting (and if the proposed agenda is not provided the request is of no effect).
- 4.5.10 The Chair may convene urgent general meetings of the Board at the Chair's discretion.
- 4.5.11 The Chair shall convene other meetings of the Board as a general meeting may direct.
- 4.5.12 A majority of the Board Members present at a meeting of the Board may adjourn the meeting from time to time and from place to place.
- 4.5.13 Subject to clause 4.5.15 meetings of the Board must be conducted in a place open to the public.
- 4.5.14 All Board Members must keep confidential all documents and any information provided to them on a confidential basis for their consideration prior to a meeting of the Board.
- 4.5.15 The Board may order that the public be excluded from attendance at any meeting in order to enable the Board to consider in confidence any information or matter listed in Section 90 (3) of the Act (after taking into account any relevant consideration under that subsection).
- This exercise of this power does not exclude Board Members and any other person permitted by the Board to remain in the room.
- 4.5.16 Where an order is made under clause 4.5.15, a note must be made in the minutes of the making of the order and of the grounds on which it was made.
- 4.5.17 Where the Board has considered any information or a matter in confidence under clause 4.5.15 it may subsequently resolve to keep minutes and/or documents considered during that part of the meeting as confidential in accordance with Section 91 of the Act.

4.5.18 The Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented to the next ordinary meeting of the Board for confirmation and adoption.

4.5.19 Where the Executive Officer is excluded from attendance at a meeting of the Board pursuant to clause 4.5.15, the person presiding at the meeting shall cause the minutes to be kept.

4.5.20 **Quorum**

(a) The quorum for any meeting of the Board is a simple majority of the number of Board Members in office under clause 4.2.1 and no business will be transacted at a meeting of the Board unless a quorum is present.

(b) In the matter of a meeting for the purpose of recommending the winding up of *the Subsidiary*, a quorum will be constituted by the attendance of Board Members of a majority of the Constituent Councils.

4.5.21 **Voting**

(a) Every Board Member, including the Chair, shall have a deliberative vote. The Chair shall not in the event of an equality of votes have a casting vote.

(b) All matters will be decided by a majority of votes of the Board Members present except where this Charter provides otherwise. In the event of an equality of votes the matter will lapse.

(c) A recommendation to Constituent Council's to wind up *the Subsidiary* requires the votes of the Board Members of a majority of the Constituent Councils.

(d) Subject to conflicts of interest, each Board Member validly present at a meeting must vote on a matter arising for decision at the meeting. Failure by any Board Member to vote other than in conflict of interest situations will be deemed to be a negative vote in relation to the question for decision.

4.5.22 Subject to clause 4.5.24 a person is entitled to inspect, without payment of a fee:

(a) minutes of a Board Meeting;

(b) reports to the Board received at a meeting of the Board;

(c) recommendations presented to the Board in writing and adopted by resolution of the Board.

- 4.5.23 Subject to clause 4.5.24, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents available for inspection under clause 4.5.22.
- 4.5.24 Clauses 4.5.22 and 4.5.23 do not apply in relation to a document or part of a document if:
- (a) the document or part of the document relates to a matter of a kind referred to in clause 4.5.15; and
 - (b) the Board has ordered in accordance with clause 4.5.17 that the document or part of the document be kept confidential (provided that in so ordering the Board must specify the duration of the order or the circumstances in which it will cease to apply or a period after which it must be reviewed).
- 4.5.25 The Board may invite any person to attend at a meeting of the Board to act in an advisory capacity.
- 4.5.26 Subject to this Charter and to any direction of the Constituent Councils the Board may determine its own procedures for voting which must be fair and contribute to free and open decision making.

5. EMPLOYEES OF THE SUBSIDIARY

- 5.1 The Board must appoint an Executive Officer of *the Subsidiary* to manage the business of the Board on terms agreed between the Executive Officer and the Board. The Executive Officer may be a natural person or a body corporate approved by the Board.
- 5.2 The Executive Officer shall cause records to be kept of the business and financial affairs of *the Subsidiary* in accordance with this Charter, in addition to other duties provided for by this Charter and those specified in the terms and conditions of appointment.
- 5.3 In the absence of the Executive Officer for any period exceeding four weeks a suitable person to act in the position of Executive Officer of *the Subsidiary* must be appointed by the Board.
- 5.4 The Board shall delegate responsibility for the day to day management of *the Subsidiary* to the Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of *the Subsidiary*.
- 5.5 The functions of the Executive Officer shall be specified in the terms and conditions of appointment and shall include but are not limited to:
- 5.5.1 attending at all meetings of the Board unless excluded by resolution of the Board;

- 5.5.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
 - 5.5.3 providing information to assist the Board to assess *the Subsidiary's* performance against its Strategic and Business Plans;
 - 5.5.4 appointing, managing, suspending and dismissing employees of *the Subsidiary*;
 - 5.5.5 determining the conditions of employment of employees of *the Subsidiary*, within budgetary constraints set by the Board;
 - 5.5.6 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
 - 5.5.7 ensuring that *the Subsidiary* is at all times complying with Schedule 2 to the Act;
 - 5.5.8 ensuring that *the Subsidiary's* annual report is distributed to the Constituent Councils in time to be incorporated in their annual reports;
 - 5.5.9 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of *the Subsidiary*;
 - 5.5.10 ensuring that the assets and resources of *the Subsidiary* are properly managed and maintained;
 - 5.5.11 exercising, performing or discharging other powers, functions or duties conferred on the Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board; and
 - 5.5.12 achieving financial outcomes in accordance with adopted plans and budgets of *the Subsidiary*;
 - 5.5.13 invite any person to attend at a meeting to act in an advisory capacity.
- 5.6 The Executive Officer may delegate or sub-delegate to an employee of *the Subsidiary* or a committee comprising employees of *the Subsidiary*, any power or function vested in the Executive Officer. Such delegation or sub-delegation may be subject to any conditions or limitations as determined by the Executive Officer.
- 5.7 Where a power or function is delegated to an employee, the employee is responsible to the Executive Officer for the efficient and effective exercise or performance of that power or function.
- 5.8 Where a power or function is delegated to an employee, or a person occupying a particular office or position, that employee or person is responsible to the Executive Officer for the efficient and effective exercise or performance of that power or function.

- 5.9 A written record of all delegations and sub-delegations must be kept by the Executive Officer at all times.
- 5.10 The Executive Officer shall provide a report on his activities to the Board at least once in every three Board Meeting.

6. MANAGEMENT

6.1 Financial Management

- 6.1.1 *The Subsidiary* shall keep proper books of accounts in accordance with the requirements of the Local Government (Financial Management) Regulations 1999.
- 6.1.2 *The Subsidiary* must reconsider its budget at least three times in each Financial Year at intervals of not less than three months between 30 September and 31 May (inclusive) in accordance with the requirements of the Local Government (Financial Management) Regulations 1999.
- 6.1.3 *The Subsidiary's* books of account must be available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.
- 6.1.4 *The Subsidiary* must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 6.1.5 *The Subsidiary* shall appoint no less than two Board Members, the Executive Officer, the Chair and the Deputy Chair as authorised operators of the bank accounts. A minimum of two authorised operators must be required to deal with the bank account at any one time.
- 6.1.6 All cheques must be signed by two persons authorised by resolution of the Board.
- 6.1.7 Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior approval of the Auditor.

The Executive Officer must act prudently in the handling of all financial transactions for *the Subsidiary* and must provide quarterly financial and corporate reports to the Board and if requested, the Constituent Councils.

6.2 Audit

- 6.2.1 The Board shall appoint an auditor in accordance with the Local Government (Financial Management) Regulations 1999.
- 6.2.2 The Auditor shall hold office until the appointment is rescinded by a resolution of the Board at an ordinary meeting.

- 6.2.3 The Auditor will have the same powers and responsibilities as set out in the Act in relation to a Council.
- 6.2.4 The audit of financial statements of *the Subsidiary*, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Constituent Councils.
- 6.2.5 The books of account and financial statements shall be audited at least once per year.
- 6.2.6 *The Subsidiary* is required to establish an audit committee comprising all members of the Board.

6.3 **Business Plan**

The Subsidiary shall:

- 6.3.1 prepare a Business Plan every three years consequent upon clause 6.3.2;
- 6.3.2 the initial Business Plan must be prepared within six months of establishment of *the Subsidiary*;
- 6.3.3 the Business Plan must:
 - (a) link the core activities of *the Subsidiary* to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;
 - (b) include the performance targets of *the Subsidiary*; and
 - (c) include those measures to be employed to monitor and assess performance and achievement of targets;
- 6.3.4 the Board shall compare the Business Plan against performance targets at least twice every Financial Year;
- 6.3.5 review the contents of the Business Plan annually; and
- 6.3.6 undertake reasonable consultation with the Constituent Councils prior to adopting or amending the Business Plan.

(See clause 24, Part 2, Schedule 2 to the Act for the contents of the Business Plan)

6.4 **Annual Program and Budget**

- 6.4.1 Before the end of June in each Financial Year in accordance with the Local Government (Financial Management) Regulations 1999 a proposed annual program and budget detailing the estimated revenues and costs for the forthcoming financial year shall be submitted by the Executive Officer to the Board.

- 6.4.2 The proposed annual program and the budget must be referred to Constituent Councils at the same time as the Executive Officer submits them to the Board Members.
- 6.4.3 A Constituent Council may comment in writing to the Executive Officer on the annual program and the budget at least three business days before the meeting at which they will be considered by the Board or, alternatively, may comment through its Board Member at the meeting of the Board.
- 6.4.4 The Board must provide a copy of the adopted budget to the Chief Executive Officer of each Constituent Council within five business days after the adoption.
- 6.4.5 Reports summarising the financial position and performance of the Authority against the annual budget shall be prepared and presented to the Board every three calendar months and copies provided to the Constituent Councils within five days of the Board meeting to which they have been presented.

(See clause 25, Part 2, Schedule 2 to the Act for the Contents of the Budget)

6.5 Reporting

- 6.5.1 The Board must submit to the Constituent Councils by 30 September in each Financial Year a report on the work and operations of *the Subsidiary* detailing achievement of the aims and objectives of its Business Plan and incorporating the audited Financial Statements of *the Subsidiary* and any other information or reports required by the Constituent Councils.
- 6.5.2 The Board shall present financial statements in accordance with the Local Government (Financial Management) Regulations 1999 to the Constituent Councils at the end of each Financial Year.

7. MISCELLANEOUS

7.1 Insurance and Superannuation Requirements

- 7.1.1 *The Subsidiary* shall register with the Local Government Mutual Liability Scheme and comply with the Rules of that Scheme.
- 7.1.2 *The Subsidiary* shall advise Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of *the Subsidiary*.
- 7.1.3 If *the Subsidiary* employs any person it shall register with the Local Government Superannuation Scheme and the Local Government Workers Compensation Scheme and comply with the Rules of those Schemes.

7.2 Winding Up

- 7.2.1 *The Subsidiary* may be wound up by the Minister acting upon a unanimous resolution of the Constituent Councils or by the Minister in accordance with Schedule 2, Part 2, clause 33 (1) (b) of the Act.
- 7.2.2 In the event of a winding up of *the Subsidiary*, any surplus assets after payment of all expenses shall be returned to the Constituent Councils in proportion to the equity shares of the Constituent Councils prior to the passing of the resolution to wind up.
- 7.2.3 If there are insufficient funds to pay all expenses due by *the Subsidiary* on winding up, a levy shall be imposed on all Constituent Councils in proportion to the equity share of the Constituent Councils in the financial year prior to the passing of the resolution to wind up.

7.3 Non-Derogation and Direction by Constituent Councils

- 7.3.1 The establishment of *the Subsidiary* does not derogate from the power of any of the Constituent Councils to act independently in relation to a matter within the jurisdiction of *the Subsidiary*.
- 7.3.2 Provided that the Constituent Councils have all first agreed unanimously as to the action to be taken, the Constituent Councils may direct and control *the Subsidiary*.
- 7.3.3 For the purpose of clause 7.3.1, any decision of the Constituent Councils under clause 7.3.2 and/or direction given or control exercised by the Constituent Councils must be given in writing to the Executive Officer of *the Subsidiary*.

7.4 Alteration and Review of Charter

- 7.4.1 This Charter will be reviewed by the Constituent Councils acting in concurrence at least once in every three years.
- 7.4.2 This Charter may be amended by a resolution passed by each of the Constituent Councils.
- 7.4.3 The Executive Officer must ensure that the amended Charter is published in the *Gazette* and a copy of the amended Charter provided to the Minister.

7.5 Disputes Between Constituent Councils

- 7.5.1 The Constituent Councils agree to work together in good faith to resolve any matter requiring their direction or resolution.
- 7.5.2 Where the Constituent Councils are unable to resolve a matter within 21 days of the matter being presented to them, the matter will be referred by the Executive Officer to the Institute of Arbitrators and Mediators Australia for arbitration by its President (or his/her nominee).

7.5.3 Notwithstanding clause 7.5.2 the Constituent Councils agree to be bound by the decision of the appointed arbitrator (except in relation to any decision relating to the acquisition or disposal of any real property) and will endeavour to work together in good faith in the implementation of that decision.

7.5.4 The costs of arbitration shall be borne equally by the Constituent Councils involved in the arbitration.

7.6 Committees

7.6.1 The Board may establish a committee of Board Members for the purpose of:

- (a) enquiring into and reporting to the Board on any matter within *the Subsidiary's* functions and powers and as detailed in the terms of reference given by the Board to the committee;
- (b) exercising, performing or discharging delegated powers, functions or duties.

7.6.2 A member of a committee established under clause 7.6.1 holds office at the pleasure of the Board.

7.6.3 The Board may establish advisory committees consisting of or including persons who are not Board Members for enquiring into and reporting to the Board on any matter within *the Subsidiary's* functions and powers and as detailed in the terms of reference which must be given by the Board to the advisory committee.

7.6.4 The Chair of the Board is an *ex-officio* member of any committee or advisory committee established by the Board.

7.7 Common Seal

7.7.1 *The Subsidiary* shall have a common seal upon which its corporate name shall appear in legible characters.

7.7.2 The common seal shall not be used without the express authorisation of a resolution of *the Subsidiary* and every use of the common seal shall be recorded in the minute book of *the Subsidiary*.

7.7.3 The affixing of the common seal shall be witnessed by the Chair or the Deputy Chair and the Executive Officer or such other person as *the Subsidiary* may appoint for the purpose.

7.7.4 The common seal shall be kept in the custody of the Executive Officer or such other person as *the Subsidiary* may from time to time decide.

7.8 Circumstances Not Provided For

- 7.8.1 If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Chair may decide the action to be taken to ensure achievement of the objects of *the Subsidiary* and its effective administration.
- 7.8.2 The Chair shall report any such decision at the next ordinary meeting of *the Subsidiary*.

SCHEDULE 1

EQUITY SHARE

Constituent Council	Equity Share %
Adelaide City Council	23.75
City of Campbelltown	23.75
City of Charles Sturt	23.75
City of Norwood, Payneham and St Peters	17.81
City of Prospect	5
Town of Walkerville	5.94
TOTAL	100

RORY MCEWEN, Minister for Local Government

MINING ACT 1971

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

Applicant: Rio Tinto Exploration Pty Ltd
 Location: Eucla Basin area—Approximately 220 km north-west of Tarcoola
 Term: 1 year
 Area in km²: 922
 Ref: 2002/00003

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

MINING ACT 1971

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

Applicant: Landmark Stone Pty Ltd
 Location: Delamere area—Approximately 80 km south-west of Adelaide
 Term: 1 year
 Area in km²: 52
 Ref: 2003/00406

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

MINING ACT 1971

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

Applicant: Kelaray Pty Ltd
 Location: Mount Parry area—Approximately 20 km north-west of Leigh Creek
 Term: 1 year
 Area in km²: 281
 Ref: 2003/00260

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

MINING ACT 1971

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

Applicant: Rio Tinto Exploration Pty Ltd (50%) and BHP Billiton Minerals Pty Ltd (50%)
 Location: Peake and Denison Ranges area—Approximately 80 km south of Oodnadatta
 Term: 1 year
 Area in km²: 569
 Ref: 2003/00150

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

MOUNT GAMBIER CIRCUIT COURT
DISTRICT COURT OF SOUTH AUSTRALIA

Sheriff's Office, Adelaide, 23 February 2004

IN pursuance of a precept from the District Court to me directed, I do hereby give notice that the said Court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Mount Gambier on the day and time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be unless a Judge otherwise orders, as follows:

Monday, 1 March 2004 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intention to plead guilty and the order of sentences for all matters listed for disposition by the District Court.

Juries will be summoned for Tuesday, 2 March 2004 and persons will be tried on this and subsequent days of the sittings.

Prisoners in H.M. Gaol and on Bail for Sentence and for Trial at the Sittings of the Mount Gambier Courthouse, commencing Monday, 1 March 2004.

Evans, Cara Jo-Anne	Aggravated serious criminal trespass in a place of residence; common assault	On bail
Greenfield, Samuel James	Producing cannabis oil; taking part in the production of cannabis oil	On bail
Kellett, Carey Benjamin	Application for enforcement of a breached bond; selling methylamphetamine; unlawful possession	On bail
Kite, Julie Anne	Aggravated serious criminal trespass in a place of residence	On bail
Barr, Rebecca Rosalyn	Aggravated serious criminal trespass in a place of residence; theft	On bail
Leonard, Andrew John	Aggravated serious criminal trespass in a place of residence; common assault	In gaol
Morgan, Phillip	Unlawful sexual intercourse with a person under 12 (3); procuring an act of gross indecency	On bail
Kellett, Carey Benjamin	Hinder police	On bail
Wilson, Regina Shirley	Possessing cannabis (all forms); possess equipment to administer cannabis	On bail
Beschay, Edward	Taking part in the production of a controlled substance	In gaol
Brockie, Waylon Christopher	Application for enforcement of a breached bond; common assault (2); property damage (3)	On bail
Cameron, Lochiel Craig	Indecent assault (2)	—

Prisoners on bail must surrender at 10 a.m. of the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant will be issued forthwith.

By order of the Court,

W. T. M. GOODES, Sheriff

PETROLEUM ACT 2000

Statement of Environmental Objectives for Existing Regulated Activities

PURSUANT to section 6 (1) of the Schedule and 134 (1) to the Petroleum Act 2000 (the Act) I, Barry Alan Goldstein, Director Petroleum, Office of Minerals and Energy Resources, Department of Primary Industries and Resources SA, Delegate of the Minister for Mineral Resources Development, pursuant to Delegation dated 28 March 2002, *Gazetted* 11 April 2002, do hereby publish the following document as having been approved as a statement of environmental objectives under the Act.

Document:

Angaston to Berri Transmission Pipeline and Murray Bridge Lateral Pipeline (Riverland Pipeline—PL6) Statement of Environmental Objectives, December 2003.

This document is available for public inspection on the Environmental Register section of the Petroleum Group's web-site (www.petroleum.pir.sa.gov.au) or at the Public Office determined pursuant to section 107 (1) of the Act to be at:

Minerals and Petroleum Centre
Office of Minerals and Energy Resources
Ground Floor
101 Grenfell Street
Adelaide, S.A. 5000

Dated 24 February 2004.

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

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Grassmere Road, Prospect
Deposited Plan 61602*

BY Road Process Order made on 3 February 2003, The City of Prospect ordered that:

1. Portion of the public road (the southern end of Grassmere Road) extending from the southern boundary of allotment 1 in Filed Plan 109966 to allotment 50 in Deposited Plan 45567 more particularly lettered 'A' in Preliminary Plan No. 02/0089 be closed.

2. The whole of the land subject be transferred to Duke Northpark Pty Ltd in accordance with agreement for transfer dated 3 February 2003 entered into between the City of Prospect and Duke Northpark Pty Ltd.

3. The following easements are granted over the whole of the land subject to that closure:

Grant free and unrestricted rights of way appurtenant to Certificates of Title 5299/391 to 394 (inclusive), 5299/389 and 5029/213 to 216 (inclusive).

On 21 July 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 26 February 2004.

P. M. KENTISH, Surveyor-General

SEWERAGE ACT 1929

Addition of Land to Stirling Country Drainage Area

PURSUANT to section 18 of the Sewerage Act 1929, the South Australian Water Corporation:

- (a) adds to the Stirling Country Drainage Area all the land contained in:
- (i) allotment 19 in Filed Plan 129173; and
 - (ii) allotment 20 in Filed Plan 129174; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 11 February 2004.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 04/00625 D1205

NOTICE TO MARINERS

NO. 7 OF 2004

(Amendment to Notice No. 6 of 2004)

THE sunken vessel *New Endeavour* in No. 1 Dock Basin is lying on her port side. A green light Flashing every 4 seconds is fitted at the end of the mast to warn mariners of the danger.

Adelaide, 20 February 2004.

MICHAEL WRIGHT, Minister for Transport

TSA 2004/00541

STATE LOTTERIES ACT 1966
LOTTERIES (GENERAL) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (General) (Amendment) Rules 2003 (No. 2).
- 1.2 The Lotteries (General) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 19 July 1999, as amended, by the amendment published in the *Government Gazette* on 27 March 2003, are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from midnight on 29 February 2004 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 9.14*

Rule 9.14 of the Principal Rules is deleted and the following is substituted therefor:

'9.14 The Commission may decline to pay a prize in respect of any ticket or record of electronic entry presented as evidence of a winning entry if, in the Commission's opinion:

- 9.14.1 the entry was purchased by a minor or an Easisplay Club membership card issued to a minor was submitted at the time of purchase of the entry;
- 9.14.2 any number or security marking on the ticket has been tampered with in any way; or
- 9.14.3 the ticket has been stolen, mutilated, altered, defaced or is counterfeit, misprinted, illegible, incomplete or defective in any way,

and furthermore, the Commission shall retain such a ticket or record of electronic entry for such period as the Commission determines.'

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 16 October 2003.

STEPHEN SHIRLEY, Commission Member

CHRIS CRAGO, Commission Member

Approved,

JOHN HILL, Acting Treasurer

STATE LOTTERIES ACT 1966
LOTTERIES (LOTTO) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Lotto) (Amendment) Rules 2003 (No. 2).
- 1.2 The Lotteries (Lotto) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 19 July 1999, as amended, by the amendment published in the *Government Gazette* on 27 March 2003, are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from midnight on 29 February 2004 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 3.9*

Rule 3.9 of the Principal Rules is deleted and the following is substituted therefor:

'A player who marks a "top up" box will be taken to have authorised the terminal to generate a random forecast of a sufficient quantity of numbers to complete the panel, the coupon or the nominated number of games, as the case may be.'

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 16 October 2003.

STEPHEN SHIRLEY, Commission Member

CHRIS CRAGO, Commission Member

Approved,

JOHN HILL, Acting Treasurer

STATE LOTTERIES ACT 1966
LOTTERIES (OZ LOTTO) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Oz Lotto) (Amendment) Rules 2003 (No. 2).
- 1.2 The Lotteries (Oz Lotto) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 19 July 1999, as amended, by the amendment published in the *Government Gazette* on 27 March 2003, are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from midnight on 29 February 2004 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 3.9*

Rule 3.9 of the Principal Rules is deleted and the following is substituted therefor:

'A player who marks a "top up" box will be taken to have authorised the terminal to generate a random forecast of a sufficient quantity of numbers to complete the panel, the coupon or the nominated number of games, as the case may be.'

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 16 October 2003.

STEPHEN SHIRLEY, Commission Member

CHRIS CRAGO, Commission Member

Approved,

JOHN HILL, Acting Treasurer

STATE LOTTERIES ACT 1966
LOTTERIES (POWERBALL) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Powerball) (Amendment) Rules 2003 (No. 2).
- 1.2 The Lotteries (Powerball) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 19 July 1999, as amended, by the amendment published in the *Government Gazette* on 27 March 2003, are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from midnight on 29 February 2004 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 3.9*

Rule 3.9 of the Principal Rules is deleted and the following is substituted therefor:

'A player who marks a "top up" box will be taken to have authorised the terminal to generate a random forecast of a sufficient quantity of numbers to complete the panel, the coupon or the nominated number of games, as the case may be.'

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 16 October 2003.

STEPHEN SHIRLEY, Commission Member

CHRIS CRAGO, Commission Member

Approved,

JOHN HILL, Acting Treasurer

STATE LOTTERIES ACT 1966
LOTTERIES (SA LOTTO) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (SA Lotto) (Amendment) Rules 2003 (No. 2).
- 1.2 The Lotteries (SA Lotto) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 19 July 1999, as amended, by the amendment published in the *Government Gazette* on 27 March 2003, are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from midnight on 29 February 2004 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 3.9*

Rule 3.9 of the Principal Rules is deleted and the following is substituted therefor:

'A player who marks a "top up" box will be taken to have authorised the terminal to generate a random forecast of a sufficient quantity of numbers to complete the panel, the coupon or the nominated number of games, as the case may be.'

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 16 October 2003.

STEPHEN SHIRLEY, Commission Member

CHRIS CRAGO, Commission Member

Approved,

JOHN HILL, Acting Treasurer

STATE LOTTERIES ACT 1966
LOTTERIES (SUPER 66) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Super 66) (Amendment) Rules 2003 (No. 2).
- 1.2 The Lotteries (Super 66) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 19 July 1999, as amended, by the amendment published in the *Government Gazette* on 27 March 2003, are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from midnight on 29 February 2004 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 3.10*

Rule 3.10 of the Principal Rules is deleted and the following is substituted therefor:

'A player who marks a "top up" box will be taken to have authorised the terminal to generate a random forecast of a sufficient quantity of numbers to complete the panel, the coupon or the nominated number of games, as the case may be.'

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 16 October 2003.

STEPHEN SHIRLEY, Commission Member

CHRIS CRAGO, Commission Member

Approved,

JOHN HILL, Acting Treasurer

STATE LOTTERIES ACT 1966
LOTTERIES (THE POOLS) RULES

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (The Pools) (Amendment) Rules 2003 (No. 2).
- 1.2 The Lotteries (SA Lotto) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 19 July 1999, as amended, by the amendment published in the *Government Gazette* on 27 March 2003, are hereinafter referred to as the 'Principal Rules'.
- 1.3 The Principal Rules are hereby amended effective from midnight on 29 February 2004 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 3.9*

Rule 3.9 of the Principal Rules is deleted and the following is substituted therefor:

'A player who marks a "top up" box will be taken to have authorised the terminal to generate a random forecast of a sufficient quantity of numbers to complete the panel, the coupon or the nominated number of games, as the case may be.'

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

Dated 16 October 2003.

STEPHEN SHIRLEY, Commission Member

CHRIS CRAGO, Commission Member

Approved,

JOHN HILL, Acting Treasurer

WATERWORKS ACT 1932

Addition of Land to Adelaide Water District

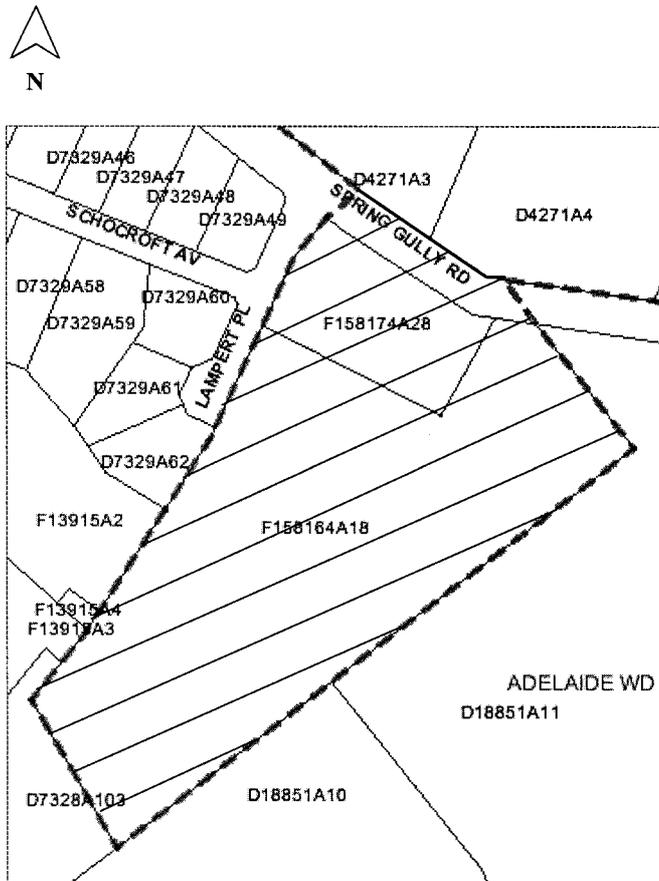
PURSUANT to section 6 of the *Waterworks Act 1932*, the South Australian Water Corporation:

- (a) adds to the Adelaide Water District the land shown on the plan in the schedule; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

W1206
SA Water 04/00626
 Mapsheet: 662848K48Q

SCHEDULE

CRAFERS
HUNDRED OF ONKAPARINGA



NOT TO SCALE

BOUNDARY OF ADELAIDE WATER DISTRICT PREVIOUSLY PROCLAIMED
 SHOWN AS DASHED LINE

LAND TO BE ADDED TO ADELAIDE WATER DISTRICT SHOWN 

Dated 11 February 2004.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

WATERWORKS ACT 1932

Addition of Land to Kingston S.E. Water District

PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) adds to the Kingston S.E. Water District all the land contained in allotment 1 in Deposited Plan 62768; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 11 February 2004.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 04/00640 W1209

South Australia

South Australian Health Commission (Incorporation of Southern Adelaide Health Service Incorporated) Proclamation 2004

under section 27 of the *South Australian Health Commission Act 1976*

Preamble

- 1 The following bodies are incorporated under the *South Australian Health Commission Act 1976*:
 - (a) Flinders Medical Centre (see Gazette 19 June 1980 p 1636);
 - (b) Noarlunga Health Services Incorporated (see Gazette 6 August 1992 p 788);
 - (c) Drug and Alcohol Services Council (see Gazette 30 August 1984 p 694).
 - 2 It is now intended to establish an incorporated hospital under the *South Australian Health Commission Act 1976* to take over the functions of providing health services provided by the bodies referred to in clause 1.
 - 3 The governing bodies of the bodies referred to in clause 1 have consented to the establishment of the incorporated hospital and have agreed on the terms of the constitution under which the incorporated hospital is to operate.
 - 4 The dissolution of the bodies referred to in clause 1 is to have effect on 1 July 2004 in order to assist in providing a smooth transition to the new corporate structure.
 - 5 On the dissolution of the bodies referred to in clause 1, all the real and personal property and rights and liabilities of those bodies will, by force of section 27 of the Act, be transferred to and vested in the incorporated hospital established by this proclamation.
-

1—Short title

This proclamation may be cited as the *South Australian Health Commission (Incorporation of Southern Adelaide Health Service Incorporated) Proclamation 2004*.

2—Commencement

This proclamation comes into operation as follows:

- (a) clause 3 will come into operation on the day on which this proclamation is made;
- (b) clause 4 will come into operation on 1 July 2004.

3—Establishment of incorporated hospital

- (1) An incorporated hospital is established to take over the functions of providing health services provided by the bodies referred to in clause 1 of the preamble and to provide health services in accordance with the constitution referred to in clause 3 of the preamble from 1 July 2004.

- (2) The incorporated hospital is assigned the name *Southern Adelaide Health Service Incorporated*.

4—Dissolution of existing bodies

- (1) The bodies referred to in clause 1 of the preamble are dissolved (with effect on the date referred to in clause 2(b)).
- (2) It is declared that the transfer and vesting of any rights or liabilities of a body dissolved by this proclamation that relate to the employment of any person will take effect with continuity of employment and without termination of any employee's service.

Made by the Governor

with the advice and consent of the Executive Council

on 26 February 2004.

DHS04/04CS

South Australia

South Australian Health Commission (Incorporation of Children, Youth and Women's Health Service Incorporated) Proclamation 2004

under section 27 of the *South Australian Health Commission Act 1976*

Preamble

- 1 The following bodies are incorporated under the *South Australian Health Commission Act 1976*:
 - (a) Women's and Children's Hospital (see Gazette 19 January 1989 p 119);
 - (b) Child and Youth Health (see Gazette 13 July 1995 pp 54 and 55).
 - 2 It is now intended to establish an incorporated hospital under the *South Australian Health Commission Act 1976* to take over the functions of providing health services provided by the bodies referred to in clause 1.
 - 3 The governing bodies of the bodies referred to in clause 1 have consented to the establishment of the incorporated hospital and have agreed on the terms of the constitution under which the incorporated hospital is to operate.
 - 4 The dissolution of the bodies referred to in clause 1 is to have effect on 1 July 2004 in order to assist in providing a smooth transition to the new corporate structure.
 - 5 On the dissolution of the bodies referred to in clause 1, all the real and personal property and rights and liabilities of those bodies will, by force of section 27 of the Act, be transferred to and vested in the incorporated hospital established by this proclamation.
-

1—Short title

This proclamation may be cited as the *South Australian Health Commission (Incorporation of Children, Youth and Women's Health Service Incorporated) Proclamation 2004*.

2—Commencement

This proclamation comes into operation as follows:

- (a) clause 3 will come into operation on the day on which this proclamation is made;
- (b) clause 4 will come into operation on 1 July 2004.

3—Establishment of incorporated hospital

- (1) An incorporated hospital is established to take over the functions of providing health services provided by the bodies referred to in clause 1 of the preamble and to provide health services in accordance with the constitution referred to in clause 3 of the preamble from 1 July 2004.
- (2) The incorporated hospital is assigned the name *Children, Youth and Women's Health Service Incorporated*.

4—Dissolution of existing bodies

- (1) The bodies referred to in clause 1 of the preamble are dissolved (with effect on the date referred to in clause 2(b)).
- (2) It is declared that the transfer and vesting of any rights or liabilities of a body dissolved by this proclamation that relate to the employment of any person will take effect with continuity of employment and without termination of any employee's service.

Made by the Governor

with the advice and consent of the Executive Council

on 26 February 2004.

DHS04/04CS

South Australia

South Australian Health Commission (Incorporation of Central Northern Adelaide Health Service Incorporated) Proclamation 2004

under section 27 of the *South Australian Health Commission Act 1976*

Preamble

- 1 The following bodies are incorporated under the *South Australian Health Commission Act 1976*:
 - (a) Royal Adelaide Hospital (see Gazette 7 December 1978 p 2159);
 - (b) North Western Adelaide Health Service (see Gazette 28 September 1995 p 822);
 - (c) Modbury Hospital (see Gazette 18 January 1979 p 99);
 - (d) Adelaide Central Community Health Service (see Gazette 13 July 1995 p 54);
 - (e) Northern Metropolitan Community Health Service (see Gazette 29 June 1995 p 2972);
 - (f) South Australian Dental Service (see Gazette 1 July 1982 p 5).
- 2 It is now intended to establish an incorporated hospital under the *South Australian Health Commission Act 1976* to take over the functions of providing health services provided by the bodies referred to in clause 1.
- 3 The governing bodies of the bodies referred to in clause 1 have consented to the establishment of the incorporated hospital and have agreed on the terms of the constitution under which the incorporated hospital is to operate.
- 4 The dissolution of the bodies referred to in clause 1 is to have effect on 1 July 2004 in order to assist in providing a smooth transition to the new corporate structure.
- 5 On the dissolution of the bodies referred to in clause 1, all the real and personal property and rights and liabilities of those bodies will, by force of section 27 of the Act, be transferred to and vested in the incorporated hospital established by this proclamation.

1—Short title

This proclamation may be cited as the *South Australian Health Commission (Incorporation of Central Northern Adelaide Health Service Incorporated) Proclamation 2004*.

2—Commencement

This proclamation comes into operation as follows:

- (a) clause 3 will come into operation on the day on which this proclamation is made;
- (b) clause 4 will come into operation on 1 July 2004.

3—Establishment of incorporated hospital

- (1) An incorporated hospital is established to take over the functions of providing health services provided by the bodies referred to in clause 1 of the preamble and to provide health services in accordance with the constitution referred to in clause 3 of the preamble from 1 July 2004.
- (2) The incorporated hospital is assigned the name *Central Northern Adelaide Health Service Incorporated*.

4—Dissolution of existing bodies

- (1) The bodies referred to in clause 1 of the preamble are dissolved (with effect on the date referred to in clause 2(b)).
- (2) It is declared that the transfer and vesting of any rights or liabilities of a body dissolved by this proclamation that relate to the employment of any person will take effect with continuity of employment and without termination of any employee's service.

Made by the Governor

with the advice and consent of the Executive Council

on 26 February 2004.

DHS04/04CS

South Australia

Survey (Miscellaneous) Amendment Act (Commencement) Proclamation 2004

1—Short title

This proclamation may be cited as the *Survey (Miscellaneous) Amendment Act (Commencement) Proclamation 2004*.

2—Commencement of Act

The *Survey (Miscellaneous) Amendment Act 2003* (No 61 of 2003) will come into operation on 1 April 2004.

Made by the Governor

with the advice and consent of the Executive Council

on 26 February 2004.

MAS01/021/CS

FAXING COPY?

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

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

Please use the following fax number:

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

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

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

Government Gazette notices can be E-mailed.

The address is:

governmentgazette@saugov.sa.gov.au

Documents should be sent as attachments in Word format.

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

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

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

CITY OF ADELAIDE

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Public Road, Adelaide

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that The Corporation of the City of Adelaide proposes to make a Road Process Order to close and transfer to Brilaide Pty Ltd the whole of the unnamed public road adjoining the western boundary of Eliza Street in Town Acre 242 in the City of Adelaide, more particularly delineated and lettered 'A' on the Preliminary Plan No. 04/0015.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, Customer Centre, 25 Pirie Street, Adelaide and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any person is entitled to object to the proposed road process, or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure. Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons. Any application for an easement must give full particulars of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

The objection or application for an easement must be made in writing to the Council, G.P.O. Box 2252, Adelaide, S.A. 5001 within 28 days of this notice and a copy shall be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the council will give notification of a meeting at which the matter will be considered, so that the person making the submission or a representative may attend, if so desired.

M. HEMMERLING, Chief Executive Officer

CITY OF HOLDFAST BAY

Supplementary Election for Brighton Ward

NOMINATIONS are hereby invited and will be received at the City of Holdfast Bay located at 24 Jetty Road, Brighton from 26 February 2004 until 12 noon on 18 March 2004, from any person eligible to be a candidate for election to the vacancy.

Nomination forms and candidate's handbooks are available from 24 Jetty Road, Brighton.

A candidate must submit a profile of not more than 150 words with the nomination form.

A candidate photograph of predominantly the head and shoulders, taken within the preceding 12 months, may also be submitted.

A briefing session for prospective candidates will be conducted at 6.30 p.m. on Monday, 1 March 2004 at 24 Jetty Road, Brighton.

If more than the required number of nominations are received for the vacancy, an election will be conducted entirely by postal ballot with the return of the completed ballot papers to reach the Returning Officer no later than 12 noon on Monday, 19 April 2004.

STEVE TULLY, Returning Officer

CITY OF WEST TORRENS

Naming of Private Road

NOTICE is hereby given that at its meeting held on 3 February 2004, the City of West Torrens decided, pursuant to section 219 (1) of the Local Government Act 1999, to assign the name Transport Avenue in the suburb of Adelaide Airport to the private road on Commonwealth land which forms an extension to the existing public road called Transport Avenue in the suburb of Netley.

M. WITHERS, Acting Chief Executive Officer

ALEXANDRINA COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure Walkway—Kemp Street/Frayne Street, Goolwa Beach

NOTICE is hereby given pursuant to section 10 of the Act, that the council proposes to make a Road Process Order to close and sell to P. C. Astley, S. R. Smith and D. J. and B. J. Osborne the walkway (allotment 1011 in Deposited Plan 6596) between Kemp Street and Frayne Street, shown lettered 'A' and 'B' (respectively) on Preliminary Plan No. 04/0007.

A copy of the plan and statement of persons affected are available for public inspection at Council's office, 16 Dawson Street, Goolwa, and the office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any application for easement or objections must be made in writing within 28 days from 26 February 2004, to the Council, P.O. Box 21, Goolwa, S.A. 5214 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details.

Where a submission is made, council will give notification of a meeting to deal with the matter.

J. L. COOMBE, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

Periodical Election

NOMINATIONS are hereby invited and will be received at the District Council of Barunga West Office, Bay Street, Port Broughton from Thursday, 26 February 2004 until noon on Thursday, 18 March 2004 from any person eligible to be a candidate for election to the vacancy of a Councillor (1 vacancy).

Nomination forms and candidate's handbooks are available from the District Council of Barunga West Offices, Bay Street, Port Broughton or Railway Terrace, Bute.

A candidate must submit a profile of not more than 150 words with the nomination form. A candidate photograph of predominantly the head and shoulders taken within the preceding 12 months may also be submitted.

A briefing for prospective candidates will be conducted at 7.30 p.m. on Wednesday, 25 February 2004 in the Conference Room at the District Council of Barunga West, 11 Bay Street, Port Broughton.

If more than the required number of nominations are received for any vacancy, an election will be conducted entirely by postal ballot with the return of the completed ballot papers to reach the Deputy Returning Officer no later than noon on Monday, 19 April 2004.

STEVE TULLY, Returning Officer

CLARE AND GILBERT VALLEYS COUNCIL

Declaration of Public Streets and Roads

NOTICE is hereby given that at its meeting held on 16 February 2004, council resolved that, pursuant to the powers contained in section 208 of the Local Government Act 1999, that all of the land laid out as streets and roads as originally delineated in GRO Plan 30/1860, in the Hundred of Clare, (Hayward Street, unmade road off Blyth Road, Armagh) be declared public roads, excluding those roads previously closed or declared public.

M. A. GOLDSTONE, Chief Executive Officer

DISTRICT COUNCIL OF FRANKLIN HARBOUR

Change of Name of Council Area

NOTICE is hereby given that pursuant to section 13 (b) (ii) of the Local Government Act 1999, the name of the area of the council is changed from the District Council of Franklin Harbor to the District Council of Franklin Harbour, effective from the date of this notice.

Dated 26 February 2004.

B. A. FRANCIS, District Clerk

ATTENTION

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

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before 10 a.m. on Thursday**.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.

Email: governmentgazette@saugov.sa.gov.au