



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 6 DECEMBER 2007

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Administrative and Disciplinary Division of the District Court, pursuant to the provisions of the Guardianship and Administration Act 1993:

Section 66 (2) Panel Assessor: (from 6 December 2007 until 5 December 2010)

Christopher John Branson

By command,

GAIL GAGO, for Premier

AGO0320/04CS

Janina Gipslis
Andrew Kyprianou
Janice Ann Steinert
Garth Dodd

Presiding Member: (from 18 December 2007 until 17 December 2010)

Frances Nelson

Deputy Presiding Member: (from 18 December 2007 until 17 December 2010)

Tim Bourne

By command,

GAIL GAGO, for Premier

MCS07/017SC

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Occupational Therapy Board of South Australia, pursuant to the provisions of the Occupational Therapy Practice Act 2005:

Member: (from 6 December 2007 until 5 December 2010)

Mary Russell

By command,

GAIL GAGO, for Premier

HEACS/07/246

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Electricity Supply Industry Planning Council, pursuant to the provisions of the Electricity Act 1996:

Director: (from 12 December 2007 until 11 December 2010)

Ian Stirling

By command,

GAIL GAGO, for Premier

MEN07/012CS

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Theatre Company of South Australia—Board of Governors, pursuant to the provisions of the State Theatre Company of South Australia Act 1972:

Governor: (from 20 December 2007 until 19 December 2010)

John Irving

Chair: (from 20 December 2007 until 19 December 2010)

John Irving

By command,

GAIL GAGO, for Premier

CASA2002/00004

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Emergency Management Committee, pursuant to the provisions of the Emergency Management Act 2004:

Member: (from 6 December 2007 until 5 December 2010)

David William Place

Robert Alan Freeman

James Vincent Hallion

Allan Norman Holmes

Geoffrey Ronald Knight

Anthony Kenneth Sherbon

Anne Dorothy Howe

Christopher David Anthony Lemmer

Jerome Cornelius Maguire

Bronwyn Anne Killmier

Deputy Member: (from 6 December 2007 until 1 June 2008)

David Glen Reynolds (Deputy to Rowse)

Deputy Member: (from 6 December 2007 until 5 December 2010)

Tanya Louise Smith (Deputy to the person for the time being holding or acting in the position of Chief Executive of the administrative unit that has, subject to the Minister, responsibility for administering this Act)

Gary Thomas Burns (Deputy to the State Co-ordinator)

Stuart Andrew Lawson (Deputy to the Chief Officer of the South Australian Country Fire Service)

Raymond Lawrence Sedunary (Deputy to the Chief Officer of the South Australian Metropolitan Fire Service)

Stuart Millar MacLeod (Deputy to the Chief Officer of the South Australian State Emergency Service)

Peter O'Neill (Deputy to Freeman)

John Erwin Schutz (Deputy to Holmes)

Donald James Plowman (Deputy to Knight)

Peter James Ward (Deputy to Howe)

Grantley John Stevens (Deputy to Killmier)

Judith Anne Meakins (Deputy to Hallion)

Christopher James Baggoley (Deputy to Sherbon)

Raymond Paul Creen (Deputy to Lemmer)

By command,

GAIL GAGO, for Premier

DPC038/04CS

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Parole Board of South Australia, pursuant to the provisions of the Correctional Services Act 1982:

Member: (from 18 December 2007 until 17 December 2010)

Frances Nelson

Tim Bourne

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint Hieu Van Le as Governor's Deputy of South Australia for the period from 10 a.m. on Thursday, 13 December 2007 until 10.30 a.m. on Friday, 14 December 2007.

By command,

GAIL GAGO, for Premier

DPC003/04CS

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint Suzanne Sharon Vardon to the position of Chief Executive, Department for Families and Communities for a term of one year and six months commencing on 6 December 2007, pursuant to Part 4 of the Public Sector Management Act 1995.

By command,

GAIL GAGO, for Premier

MMRD07/013CS

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has been pleased to appoint Jevan Grylls as an Inspector of Mines commencing on 6 December 2007, pursuant to Section 6 of the Mines and Works Inspection Act 1920.

By command,

GAIL GAGO, for Premier

JPS07/005CS

Department of the Premier and Cabinet
Adelaide, 6 December 2007

HIS Excellency the Governor in Executive Council has revoked the appointment of John Coombe as a Deputy Member to Stephen Hains of the State Emergency Management Committee, pursuant to the Emergency Management Act 2004 and Section 36 of the Acts Interpretation Act 1915.

By command,

GAIL GAGO, for Premier

DPC038/04CS

BOXING AND MARTIAL ARTS ACT 2000

ISKA

Notice of Rules of Iska

TAKE notice that pursuant to section 10 of the Boxing and Martial Arts Act 2000, Michael John Wright, Minister for Recreation, Sport and Racing and the Minister of the Crown to whom the administration of the Boxing and Martial Arts Act 2000, is committed, has approved the rules applicable to the conduct of Iska events to commence operation on 19 October 2007.

The rules of Iska events are set out below.
Dated 19 October 2007.

M. J. WRIGHT, Minister for Recreation,
Sport and Racing

Rules of Iska Kickboxing and Sport Karate Events

Iska Official rules for South Australia.

Effective September 2007.

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, GAIL GAGO, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as a Reserve for Sporting Club Purposes and declare that such land shall be under the care, control and management of the District Council of Barunga West.

The Schedule

Allotment 413 of Filed Plan 190165, Hundred of Ninnes, County of Daly, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 5977, Folio 133.

Dated 6 December 2007.

GAIL GAGO, Minister for Environment
and Conservation

DEH 10/1257

ESSENTIAL SERVICES COMMISSION ACT 2002

Price Determination

NOTICE is hereby given that:

1. On 30 November 2007 the Essential Services Commission made a Price Determination under the Essential Services Commission Act 2002, as authorised by sections 36AA and 35A (1) (a) of the Electricity Act 1996, fixing the Electricity Standing Contract Price for the purposes of section 36AA of the Electricity Act 1996.

2. The Electricity Standing Contract Price Determination will take effect on 1 January 2008 and cease to have effect on 31 December 2010.

3. The Electricity Standing Contract Price Determination revokes and replaces the Electricity Standing Contract Price Determination made by the Commission on 17 December 2004.

4. A copy of the Electricity Standing Contract Price Determination and statement of reasons may be inspected or obtained from the Essential Services Commission, 8th Floor, 50 Pirie Street, Adelaide and is also available at:

www.escosa.sa.gov.au.

5. Queries in relation to the price determination may be directed to the Essential Services Commission, 8th Floor, 50 Pirie Street, Adelaide. Telephone (08) 8463 4444, Freecall 1800 633 592 or email: escosa@escosa.sa.gov.au.

P. WALSH, Chairperson, Essential
Services Commission

EXPLOSIVES ACT 1936-1982

AS required by Regulation 2.05, NOTICE is hereby given that the following explosives have, in accordance with the provisions of section 6 (1) of the Explosives Act 1936-1982, been defined and classified.

Classification Code 1.1A

Mercury Fulminate (ZZ)

Classification Code 1.1B

Anoline Delay Detonator (Z)

Capped Fuse Delay Assembly (Z)

Capped Safety Fuse (Z)

Connectadet Detonator (Z)

Cordline Delay Detonator (Z)

- Delay Detonator (Z)
 Detaslide (Z)
 Detonating Relay (Z)
 Detonator (Z)
 DuPont 'SSS' Seismograph Electric Blasting Cap (Z)
 DuPont Acudet Delay Electric Blasting Cap (Z)
 DuPont Ledcore Delay Assembly (Z)
 DuPont Millisecond Delay Electric Blasting Cap (Z)
 DuPont No. 6 Blasting Cap (Z)
 DuPont No. 6 Electric Blasting Cap (Z)
 DuPont Primacord Millisecond Connector (Z)
 Electric Booster (Z)
 Electric Delay Action Detonator (Gasless) (Z)
 Electric Delay Action Detonator (Z)
 Electric Detonator (Z)
 Electric Squib (Z)
 ERT Detonator (Z)
 ERT Electric Detonator (Z)
 ERT Half-second Delay Electric Detonator (Z)
 ERT Millisecond Delay Electric Detonator (Z)
 Exeldet Detonator (Z)
 Fuse Delay Assembly (Z)
 Gasless Delay Detonator (Z)
 GOLDet Detonator (Z)
 Instadet Instantaneous Electric Detonator (Z)
 Iredet Super SP Millisecond Delay Electric Detonator (Z)
 L.E.D.C. Delay Connector (Z)
 Magnadet (Z)
 Micro-Hit (Z)
 Nonel GT Detonator (Z)
 Nonel GT1 Detonator (Z)
 Nonel GT2 Detonator (Z)
 Nonel Primadet Lead in Lines (Z)
 Nonel Primadet Long Lead Series (Z)
 Nonel Primadet LP Series (Z)
 Nonel Primadet MS Connectors (Z)
 Nonel Primadet MS Series (Z)
 Nonel Primadet Short Lead Series (Z)
 Nonel Primadet Trunkline Delays (Z)
 Short Delay Detonator (Z)
 Siline Delay Detonator (Z)
 Siline Relay Connector, One-way (Z)
 Siline Relay Connector, Two-way (Z)
 Slider Primer Detonator Assemblies (Z)
 Superseis Blasting Cap (Z)
 TEC No 8 Plain Detonator (Z)
 TECNEL non Electric Detonator (Z)
 TECNEL Trunkline Delay Connector (Z)
 Vibrocap SR (Z)
- Classification Code 1.1C**
- American Ballistite (ZZ)
 AR 2051 (ZZ)
 AR 2201 (ZZ)
 AR 2202 (ZZ)
 AR 2205 (ZZ)
 AR 2206 (ZZ)
 AR 2207 (ZZ)
 AR 2208 (ZZ)
 AR 2209 (ZZ)
 AR 2211 (ZZ)
 AR 4001 (ZZ)
 AR 4002 (ZZ)
 Ardeer Ballistite (Y or ZZ)
 Ardeer Cordite (Y or ZZ)
 Assembly, Powder Load for Core Gun (ZZ)
 Ballistite (Y or ZZ)
 Canadian Rifle Powder 4740 (ZZ)
 Clermonite (ZZ)
 Collodion Cotton (Y)
 Cordite (Y or ZZ)
 Cordite A.N. (Y or ZZ)
 Cordite A.S.N. (Y or ZZ)
 Cordite C.D. (Y or ZZ)
 Cordite H.W. (Y or ZZ)
 Cordite M.D. (Y or ZZ)
 Cordite W (Y or ZZ)
 Cordite W.M. (Y or ZZ)
 DuPont Hi-Skor 800 X (ZZ)
 DuPont Powder HN Shotgun (ZZ)
 DuPont Powder IMR 3031 (ZZ)
- DuPont Powder IMR 4064 (ZZ)
 DuPont Powder IMR 4198 (ZZ)
 DuPont Powder IMR 4227 (ZZ)
 DuPont Powder IMR 4320 (ZZ)
 DuPont Powder IMR 4350 (ZZ)
 DuPont Powder IMR 4831 (ZZ)
 DuPont Powder IMR 4895 (ZZ)
 DuPont Powder P5066 (ZZ)
 DuPont Powder PB (ZZ)
 DuPont Powder PB6 (ZZ)
 DuPont Powder SR4756 (ZZ)
 DuPont Powder SR4759 (ZZ)
 DuPont Powder SR7625 (ZZ)
 E.C. Sporting Powder (ZZ)
 ERT PSB Shotgun Powder (ZZ)
 Hercules Blue Dot (ZZ)
 Hercules Bullseye (ZZ)
 Hercules Green Dot (ZZ)
 Hercules Herco (ZZ)
 Hercules Red Dot (ZZ)
 Hercules Unique (ZZ)
 Hercules 2400 (ZZ)
 Hi Skor 700X (ZZ)
 Improved Ballistite (ZZ)
 Mechanite (Y or ZZ)
 Modified Smokeless Diamond (ZZ)
 Neoflak (ZZ)
 Neonite (ZZ)
 Nobel Cadet Neonite (ZZ)
 Nobel CK Powder (ZZ)
 Nobel Glasgow Shotgun Powder Nos. 60-69 (ZZ)
 Nobel Hornet Powder (ZZ)
 Nobel Pistol Powder No. 2 (ZZ)
 Nobel Pistol Powder No. 3 (ZZ)
 Nobel Revolver Powder No. 1 (ZZ)
 Nobel Revolver Neonite (ZZ)
 Nobel Rifle Neonite (ZZ)
 Nobel Rifle Powder Nos. 0-3 (ZZ)
 Nobel Shotgun Neonite (ZZ)
 Nobel Shotgun Powder Nos. 60-69 (ZZ)
 Nobel Shotgun Powder Nos. 78-89 (ZZ)
 Norma Handgun Powder No. 1010 (ZZ)
 Norma Handgun Powder No. 1020 (ZZ)
 Norma Pistol Powder P-1 (ZZ)
 Norma Pistol Powder P-2 (ZZ)
 Norma Pistol Powder P-3 (ZZ)
 Norma Revolver Powder R-1 (ZZ)
 Norma Revolver Powder R-2 (ZZ)
 Norma Revolver Powder R-3 (ZZ)
 Norma Revolver Powder R-23 (ZZ)
 Norma Rifle Powder No. 200 (ZZ)
 Norma Rifle Powder No. 201 (ZZ)
 Norma Rifle Powder No. 203 (ZZ)
 Norma Rifle Powder No. 204 (ZZ)
 Norma Rifle Powder No. 205 (ZZ)
 Norma Shotgun Powder No. 2010 (ZZ)
 Norma Shotgun Powder No. 2020 (ZZ)
 Norma Shotgun Powder S-70 (ZZ)
 NY 100 (ZZ)
 NY 200 (ZZ)
 NY 300 (ZZ)
 NY 500 (ZZ)
 Olin Ball Powder (ZZ)
 Schultze Gunpowder (ZZ)
 Smokeless Diamond (ZZ)
 SS Trap (ZZ)
 Viscorim (ZZ)
 Winchester Ball Powder (ZZ)
- Classification Code 1.1D**
- 'A' Cord (ZZ)
 400 Plastic (ZZ)
 A.N. Gelatine Dynamite (ZZ)
 A.N. Gelnite (ZZ)
 A.N. Ligdyn (ZZ)
 Ajax (ZZ)
 Amex (ZZ)
 Ammonium Nitrate-Mineral Oil Mixture (Ammonium Nitrate Fuel Oil Mixture) (ANFO) (ZZ)
 Ammonium Nitrate Molasses Mixture (ANMO) (ZZ)
 ANFO HD (ZZ)

ANFO-P (ZZ)
ANFO/Polystyrene (ZZ)
ANFO PS 50/50 (ZZ)
ANFO PS 60/40 (ZZ)
ANFO PS 70/30 (ZZ)
ANFO PS 80/20 (ZZ)
Anforce (ZZ)
Anoline (ZZ)
Anpower (ZZ)
Anzite (ZZ)
Anzite Blue (ZZ)
Anzomex Booster (ZZ)
Anzomex Power Plus Primer (ZZ)
Anzomex Primer (ZZ)
Anzomex Slider (ZZ)
Aquaflex (ZZ)
Aquamex (ZZ)
Aquapour (ZZ)
Astro-Pak (ZZ)
Astrolite K-40 (ZZ)
Astrolite K-65 (ZZ)
Astrolite T (ZZ)
Atlas No 18 (ZZ)
Atlas No 25 (ZZ)
Austin Delay Primer (ZZ)
Austin Primer (ZZ)
B.H.A.S. Furnace Bomb (ZZ)
BD 260 Ballistic Disc (ZZ)
BD 514 Ballistic Disc (ZZ)
Beldyn (ZZ)
Blasting Gelatine (ZZ)
CBS Super Prime Booster (ZZ)
Commercial Waterproof Primers (ZZ)
Cordeau Bickford (ZZ)
Cordline (ZZ)
Cordtex (ZZ)
D.P. 12 (ZZ)
Danfo (ZZ)
Danfo E1 (ZZ)
Detacord (ZZ)
Detagel (ZZ)
Detagel Presplit (ZZ)
Detaline Cord (ZZ)
Detaprime (ZZ)
Detasheet (ZZ)
Detonating Cord (ZZ)
Detonating Cord Primers (ZZ)
DuPont Detadrive Boosters (ZZ)
DuPont Gelatin (ZZ)
DuPont Gelex 1 (ZZ)
DuPont Gelex 2 (ZZ)
DuPont Gelobel AA (ZZ)
DuPont H.D.P. Primers (ZZ)
DuPont Hi-Velocity Gelatin 60% (ZZ)
DuPont Nitramon S (ZZ)
DuPont Nitramon S Primers (ZZ)
DuPont Nitramon WW (ZZ)
DuPont Nitramon WW-EL (ZZ)
DuPont Red Arrow 1 (ZZ)
DuPont Red Arrow 2 (ZZ)
DuPont Seismograph Hi-Velocity 60% Gelatin (ZZ)
DuPont Special Detonating Cord (ZZ)
DuPont Special Gelatin 60% (ZZ)
DuPont Special Gelatin 75% (ZZ)
DuPont Water Work Booster (ZZ)
DuPont Win-Coal AA (ZZ)
Dynagex (ZZ)
Dynagex C (ZZ)
Dyno Wesfarmers Special 18 Detonating Cord (ZZ)
Dyno Wesfarmers Special 18AA Detonating Cord (ZZ)
Dyno Wesfarmers Special 25 Detonating Cord (ZZ)
Dyno Wesfarmers Special 25A Detonating Cord (ZZ)
Dyno Wesfarmers Special 25AA Detonating Cord (ZZ)
Dyno Wesfarmers Special 40 Detonating Cord (ZZ)
Dyno Wesfarmers Special 50 Detonating Cord (ZZ)
Dyno Wesfarmers Special 50AA Detonating Cord (ZZ)
E-Cord (ZZ)
Econex (ZZ)
Emulan (ZZ)
Emulite 100 (ZZ)
Emulite 100 G (ZZ)
Emulite 130 G (ZZ)
Emulite 150 G (ZZ)
Emulite 415 (ZZ)
Emulite 416 (ZZ)
Emulite 417 (ZZ)
Emulite 850 (ZZ)
Emulite 890 (ZZ)
Energan (ZZ)
Energan 2500 Series (ZZ)
Energan 2600 Series (ZZ)
Energan 2861 (ZZ)
Ensign Bickford Cast Booster (ZZ)
Ensign Bickford Slip-on Booster (ZZ)
ERT Barlite (ZZ)
ERT Detonating Cord (ZZ)
ERT Primer (ZZ)
ETS Barlite (ZZ)
ETS Primer (ZZ)
Exactex (ZZ)
Flexicord (ZZ)
Gelamex A (ZZ)
Gelamex B (ZZ)
Gelamex C (ZZ)
Gelatine Dynamite 60% (ZZ)
Gelatine Dynamite 80% (ZZ)
Gelnite (ZZ)
Geoflex (ZZ)
Geophex (ZZ)
Glass Strip Jet (ZZ)
Goma 1-ED Gelatine Dynamite (ZZ)
Goma 2 E-C Gelatine Dynamite (ZZ)
Green Cap Booster (ZZ)
Guncotton (ZZ)
Gunpowder (ZZ)
Handibulk Dry (ZZ)
Handibulk Supadry (ZZ)
Handibulk Supawet (ZZ)
HDP Primer (ZZ)
Hemispherical Shaped Charge HSC 300 (ZZ)
Hemispherical Shaped Charge HSC 53 (ZZ)
Higel (ZZ)
Hydrogel (ZZ)
Hydromex (ZZ)
I.D.L. Cord (ZZ)
Iregel (ZZ)
Johnston TNC Formula (ZZ)
K Pipecharge (ZZ)
Kiri Ammonium Gelatine Dynamite (ZZ)
Kiri Ammonium Gelatine Dynamite 60% (ZZ)
Larvikit Tube Charge (ZZ)
Leigel (ZZ)
Ligdyn (ZZ)
Low Energy Detonating Cord (ZZ)
Magnaprimer (ZZ)
Matsu Blasting Gelatine (ZZ)
Metabel (ZZ)
Miniseis P Primer (ZZ)
Molanal (ZZ)
Molanite (ZZ)
Monograin (ZZ)
Morcol (ZZ)
N.S. Gelatine Dynamite (ZZ)
N.S. Gelnite (ZZ)
Nitrocellulose (ZZ)
Nitrocotton (ZZ)
Nobel Drimix (ZZ)
Nobel Seismic Booster (ZZ)
Nobel's Explosive No. 852 (ZZ)
Nobel-Prime (ZZ)
Oil Well Cartridge (ZZ)
Orange Cap Booster (ZZ)
Pentolite (ZZ)
Pepan 2600 Series (ZZ)
Picric Acid (ZZ)
Plastergel (ZZ)
Plastic Explosives No. 4 (PE4) (ZZ)
Powercord (ZZ)
Powergel 1500 Series (ZZ)
Powergel 2100 Series (ZZ)
Powergel 2500 Series (ZZ)
Powergel 2655 (ZZ)

Powergel 2800 Series (ZZ)
 Powergel 2900 Series (ZZ)
 Powergel Backcut (ZZ)
 Powergel Breaker (ZZ)
 Powergel Extra 4500 (B or G) Series (ZZ)
 Powergel Magnum 3151 (ZZ)
 Powergel P (ZZ)
 Powergel Perimeter (ZZ)
 Powergel Permitted 2000 (ZZ)
 Powergel Permitted 3000 (ZZ)
 Powergel Powerprime (ZZ)
 Powergel Reelex 3000 (ZZ)
 Powergel Seismic (ZZ)
 Powergel Seismic 3000 (ZZ)
 Powergel Trimex 3000 (ZZ)
 Powermite (ZZ)
 Powerpac (ZZ)
 Powerpac 3000 (ZZ)
 Powersplit (ZZ)
 Premium Ribcord (ZZ)
 Primaboozt (ZZ)
 Primacord (ZZ)
 Primacord XT (ZZ)
 Primaflex (ZZ)
 Primaline HD (ZZ)
 Primaline RX (ICI) (ZZ)

Classification Code 1.2C

Cartridges for Small Arms which are not Safety Cartridges (Y)
 Primaline RX (ZZ)
 Quarigel (ZZ)
 Quarry Monobel (ZZ)
 Quilox (ZZ)
 Redcord (ZZ)
 Ribcord (ZZ)
 Riogel 600 (ZZ)
 Riogel 600 LD 30 (ZZ)
 Riogel 600 LD 50 (ZZ)
 Riogel F (ZZ)
 Riogel G (ZZ)
 Rock Breaker (ZZ)
 Rollex (ZZ)
 Roxite (ZZ)
 S.N. Gelatine Dynamite (ZZ)
 S.N. Gelignite (ZZ)
 Saf-T-Pak (ZZ)
 Saf-T-Stick (ZZ)
 Saxonite (ZZ)
 Scalex 30 (ZZ)
 Scalex 50 (ZZ)
 Scotch Cord (ZZ)
 Seagel (ZZ)
 Seismex (ZZ)
 Seismic Charge (ZZ)
 Seismic Primer (ZZ)
 Semigel (ZZ)
 Shaped Charges (ZZ)
 Shearcord (ZZ)
 Slidercord (ZZ)
 Sliderline (ZZ)
 Slurran 916 (ZZ)
 Stopeprime (ZZ)
 Stripcord (ZZ)
 Superseis (ZZ)
 T.N.C. (ZZ)
 Tetryl Primer (ZZ)
 Tonite (or Cotton Powder No. 1) (ZZ)
 Tonite (or Cotton Powder No. 2) (ZZ)
 Tovex 100 (ZZ)
 Tovex 200 (ZZ)
 Tovex 472 (ZZ)
 Tovex 473 (ZZ)
 Tovex 500 (ZZ)
 Tovex 650 (ZZ)
 Tovex 700 (ZZ)
 Tovex 800 (ZZ)
 Tovex DX (Drivex) (ZZ)
 Tovex Extra-R (ZZ)
 Tovex Hi-Drive (ZZ)
 Tovex P Primer (ZZ)
 Tovex Pumpex (ZZ)

Tovex PX (ZZ)
 Tovex S1 (ZZ)
 Tovex SDX (ZZ)
 Tovex Seismopac (ZZ)
 Trojan Primers (ZZ)
 Trunkcord (ZZ)
 Tuffcord (ZZ)
 UEE Booster (ZZ)
 Uniline (ZZ)
 Vibrogel 3 (ZZ)
 Vibronite S Primer (ZZ)
 Vibronite S1 (ZZ)
 Vorlite (ZZ)
 Vortex (ZZ)
 Xactex (ZZ)

Classification Code 1.1G

Manufactured Fireworks Type A (Z or ZZ)

Classification Code 1.2G

Comet Line Throwing Rocket (Z)
 Comet Parachute Signal Rocket (Z)
 Manufactured Fireworks Type B (Y)
 Miniflare Distress Kits (X)
 Pains Wessex Para Red Mark I Rocket (Z)
 Schermuly Para Green Mark I Rocket (Z)
 Schermuly Para Illuminating Rocket (Z)
 Schermuly Para Red Mark I Rocket (Z)

Classification Code 1.3G

CCR (Y)
 Manufactured Fireworks Type C (X)

Classification Code 1.4B

Electric Detonators (Z)

Classification Code 1.4C

Ramset RP-4 Pellet (X)

Classification Code 1.4G

Aluminium Torch (X)
 Comet Handflare (X)
 Comet Light Smoke Signal (X)
 Comet Smoke Signal (X)
 Comet Smoke Torch (X)
 Electric Lighter for CCR (X)
 'Howard' Fuse Igniters (X)
 Magnesium Torch (X)
 Manufactured Fireworks Type D (X)
 Pains Wessex BuoySmoke (X)
 Pains Wessex Handflare (X)
 Pains Wessex HandSmoke (X)
 Pains Wessex LifesSmoke (X)
 Pains Wessex Manoverboard (X)
 Plastic Core Composition (Y)
 Plastic Igniter Cord (X)
 Quarrycord (X)
 Res-Q-Star (X)
 Schermuly Day and Night Distress Signal (X)
 Schermuly Handflare (X)
 Schermuly HandSmoke (X)
 Schermuly LifesSmoke (X)
 Schermuly Signal Cartridge (X)
 Seal Control Cartridge (Y)
 Sparkler (X)
 Speedline Igniter (X)
 Thermalite Ignitacord (X)
 Very Signal Cartridge (X)

Classification Code 1.4S

Amorces (X)
 Birdfrite (X)
 Crack Shot (X)
 Electric Arcing Match (X)
 Electric Lighter for Igniter Cord (X)
 Eley Kynoch No. 1A Percussion Cap (X)
 Eley Kynoch No. 1B Percussion Cap (X)
 Eley Kynoch No. 91 Percussion Cap (X)
 Eley Kynoch No. 175 Small Pistol Primer (X)
 Eley Kynoch No. 176 Large Rifle Primer (X)
 Eley Kynoch No. 177 Small Rifle Primer (X)
 Eley Kynoch No. 178 Large Pistol Primer (X)
 Fuse Lighters Dragon Brand (X)

Harpoon Time Fuse (X)
Hot Wire Fuse Lighter (X)
Ignitacord Connector (X)
Igniter Cord Connector (X)
Imperial No. 2 Shotshell Primer (X)
Imperial Small Rifle Primer-Boxer Type (X)
Indoor Table Bomb (X)
Kopa Smoke Alarm (X)
Lead Spitter Fuse Lighter (X)
Lightning Paper (X)
Multiple Safety Fuse Igniter (X)
Nonel Tube (X)
Nobel's Electric Delay Action Fuse (X)
Percussion Cap (X)
Percussion Caps, .303, Specially Packed (X)
Percussion Caps, .303, (not for retail sale) (X)
Quarrycord Connector (X)
Railway Fog Signal (X)
Safety Cartridges (X)
Safety Cartridges Cases (empty) Capped (X)
Safety Fuse (X)
Silver Match (X)
Skorpion Anti-Theft Device (X)
Smoke Candle No. 2 (X)
Snaps for Bonbon Crackers (X)
Starting Pistol Cap (X)
Streamer Bomb (X)
Throwdown (X)
Toy Pistol Cap (X)
Toy Pistol Cap 'Flippy' (X)
Winchester Shotshell Primers (Battery Cup Type) (X)
Winchester (WLP) Large Pistol Primers (X)
Winchester (WLR) Large Rifle Primers (X)
Winchester (WSP) Small Pistol Primers (X)
Winchester (WSR) Small Rifle Primers (X)

Classification Code 1.5D

Emulite 200 (packaged) (ZZ)
Emulite 300 (ZZ)
ERT Isanol (ZZ)
ETS Isanol (ZZ)
GX 20 Slurran (ZZ)
Handibulk Wet (ZZ)
Pepan Gold 2500 Series (ZZ)
Powergel Gold 2500 Series (ZZ)
Riogel TTX (ZZ)
Tovex BE (ZZ)
Tovex Extra (ZZ)
Tovex Extra LD (ZZ)
Tovex LD BE (ZZ)

Department for the Premier and Cabinet
SafeWork SA 9019/93

DEVELOPMENT ACT 1993, SECTION 29 (2) (b) (ii): AMENDMENTS TO DEVELOPMENT PLANS

Preamble

It is necessary to amend the Alexandrina, Burnside, Mid Murray, Mitcham, Mount Barker, Onkaparinga, Victor Harbor and Yankalilla Development Plans, dated 20 September 2007, 19 July 2007, 31 May 2007, 22 September 2005, 18 October 2007, 29 November 2007, 22 November 2007 and 15 March 2007, respectively.

NOTICE

PURSUANT to section 29 (2) (b) (ii) of the Development Act 1993, I, Paul Holloway, being the Minister administering the Act, amend the Alexandrina, Burnside, Mid Murray, Mitcham, Mount Barker, Onkaparinga, Victor Harbor and Yankalilla Development Plans, dated 20 September 2007, 19 July 2007, 31 May 2007, 22 September 2005, 18 October 2007, 29 November 2007, 22 November 2007 and 15 March 2007 respectively, as follows:

1. Delete Figures Mit(BPA)/3; Mit(BPA)/6; Mit(BPA)/12 from the Mitcham (City) Development Plan and replace respectively, with Attachment A.
2. Delete Figure ViH(BPA)/4 from the Victor Harbor (City) Development Plan and replace with Attachment B.
3. Delete Figure Ya(BPA)/14 from the Yankalilla (DC) Development Plan and replace with Attachment C.
4. Delete Figure Onka(BPA)/10 from the Onkaparinga (City) Development Plan and replace with Attachment D.
5. Delete Figure MtB(BPA)/4 from the Mount Barker (DC) Development Plan and replace with Attachment E.
6. Delete Figure Bur(BPA)/2 from the Burnside (City) Development Plan and replace with Attachment F.
7. Delete Figure Alex(BPA)/7; Figure Alex(BPA)/8 from the Alexandrina Council Development Plan and replace respectively, with Attachment G.
8. Delete Figure MiMu(BPA)/4 from The Mid Murray Council Development Plan and replace with Attachment H.

[Please note: The maps affected by this correction may not have been consolidated into the relevant Development Plans at the time of drafting this *Gazette* Notice.]

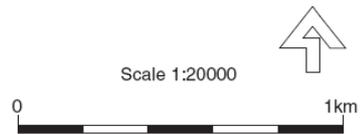
Dated 6 December 2007.

PAUL HOLLOWAY, Minister for Urban Development and Planning

ATTACHMENT A



FIGURE Mit(BPA)/11 ADJOINS



-  High Bushfire Risk
-  Excluded Area from Bushfire Protection Planning Provisions
-  Development Plan Boundary

MITCHAM (CITY)
BUSHFIRE PROTECTION AREA
FIGURE Mit(BPA)/3

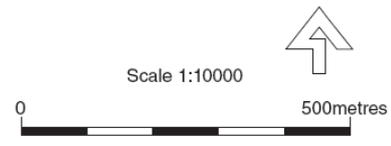
FIGURE Mit(BPA)/7 ADJOINS



FIGURE Mit(BPA)/6 ADJOINS

FIGURE Mit(BPA)/13 ADJOINS

FIGURE Mit(BPA)/16 ADJOINS



-  High Bushfire Risk
-  Medium Bushfire Risk
-  Development Plan Boundary

MITCHAM (CITY)
BUSHFIRE PROTECTION AREA
FIGURE Mit(BPA)/12

ATTACHMENT B

FIGURE ViH(BPA)/2 ADJOINS

FIGURE ViH(BPA)/3 ADJOINS

FIGURE ViH(BPA)/2 ADJOINS

FIGURE ViH(BPA)/1 ADJOINS

FIGURE ViH(BPA)/5 ADJOINS



FIGURE ViH(BPA)/7 ADJOINS

FIGURE ViH(BPA)/6 ADJOINS

VICTOR HARBOR

Scale 1:20000



-  High Bushfire Risk
-  Medium Bushfire Risk
-  Excluded Area from Bushfire Protection Planning Provisions
-  Development Plan Boundary

**VICTOR HARBOR (CITY)
BUSHFIRE PROTECTION AREA
FIGURE ViH(BPA)/4**

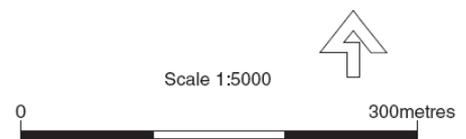
ATTACHMENT C

FIGURE Ya(BPA)/1 ADJOINS



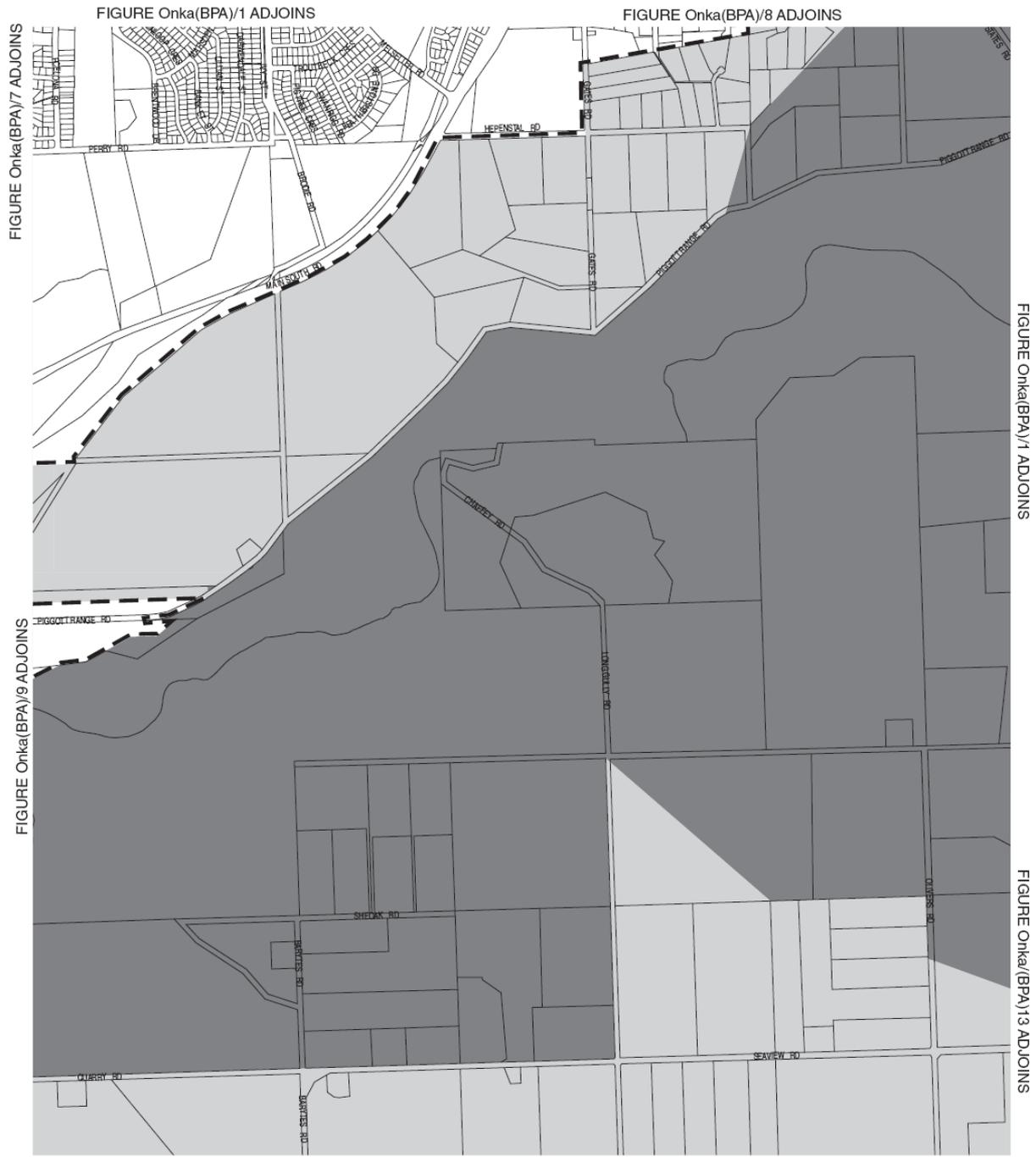
DELAMERE

-  High Bushfire Risk
-  Medium Bushfire Risk



**YANKALILLA (DC)
BUSHFIRE PROTECTION AREA
FIGURE Ya(BPA)/14**

ATTACHMENT D



-  High Bushfire Risk
-  General Bushfire Risk
-  Excluded Area from Bushfire Protection Planning Provisions
-  Development Plan Boundary


 Scale 1:20000

ONKAPARINGA (CC)
BUSHFIRE PROTECTION AREA
FIGURE Onka(BPA)/10

ATTACHMENT E

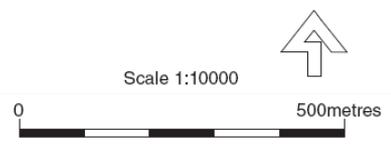
FIGURE MtB(BPA)/1 ADJOINS



FIGURE MtB(BPA)/1 ADJOINS

HAHNDORF

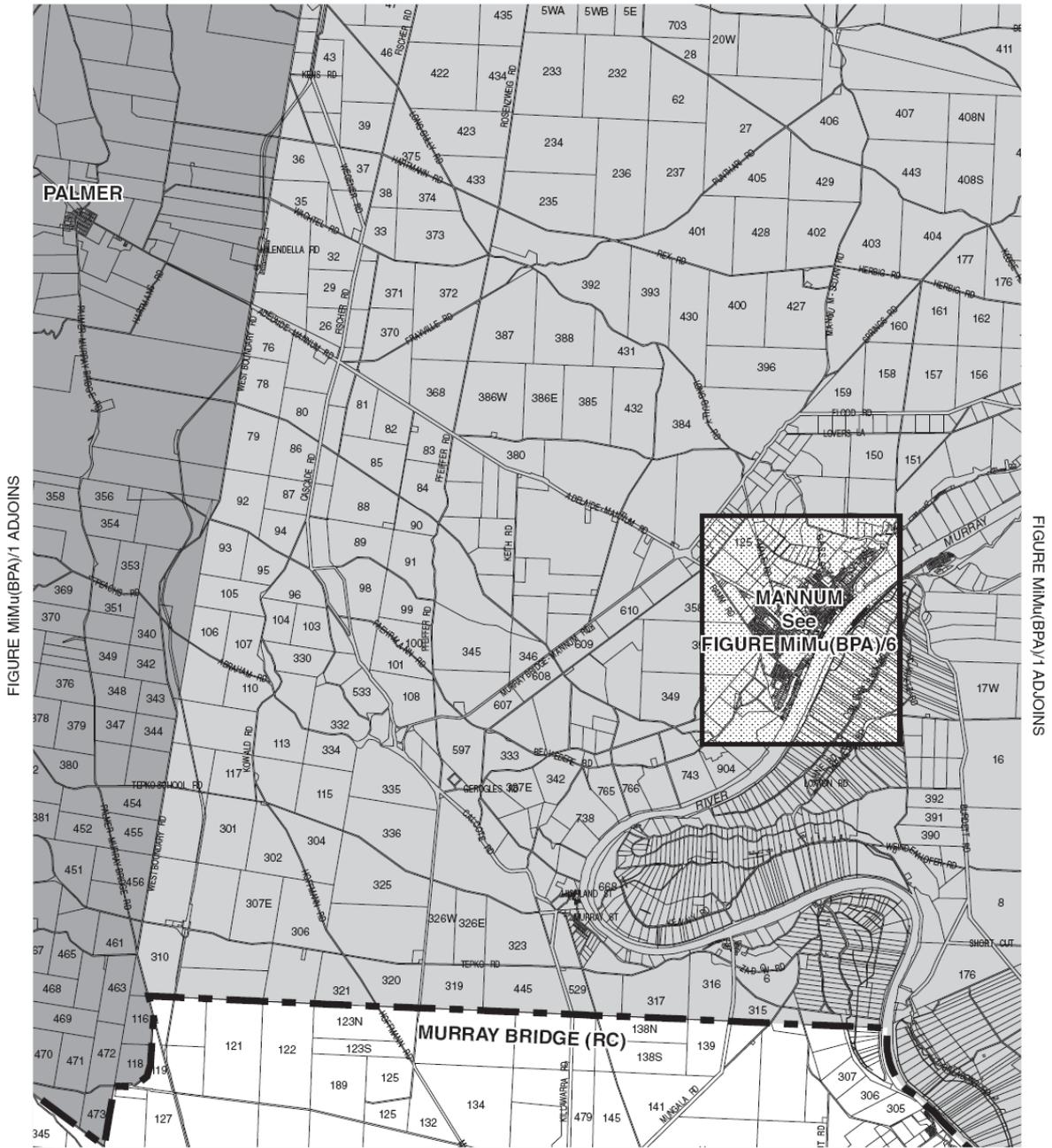
-  High Bushfire Risk
-  Medium Bushfire Risk
-  Development Plan Boundary



**MOUNT BARKER (DC)
BUSHFIRE PROTECTION AREA
FIGURE MtB(BPA)/4**

ATTACHMENT H

FIGURE MiMu(BPA)/3 ADJOINS



MANNUM

Scale 1:100000



-  Medium Bushfire Risk
-  General Bushfire Risk
-  Development Plan Boundary

**THE MID MURRAY COUNCIL
BUSHFIRE PROTECTION AREA
FIGURE MiMu(BPA)/4**

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.
- (c) The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Bravo Natural Mineral Water	330	Glass	Ausland Beverages	Statewide Recycling
Barons Black Wattle Original Ale	330	Glass	Barons Brewing Trading Company Pty Ltd	Marine Stores Ltd
Barons Lager	330	Glass	Barons Brewing Trading Company Pty Ltd	Marine Stores Ltd
Barons Lemon Myrtle Witbier	330	Glass	Barons Brewing Trading Company Pty Ltd	Marine Stores Ltd
Barons Pale Ale	330	Glass	Barons Brewing Trading Company Pty Ltd	Marine Stores Ltd
Bluetongue Premium Light	330	Glass	BlueTongue Brewery	Statewide Recycling
Ducale Alba Natural Mineral Water Non Sparkling	500	Glass	Conga Foods Pty Ltd	Statewide Recycling
Ducale Alba Natural Mineral Water Non Sparkling	1 000	Glass	Conga Foods Pty Ltd	Statewide Recycling
Blox Orange Rush Energy Drink	250	Can—Aluminium	Cuedon Pty Ltd	Marine Stores Ltd
Blox Total Impact Energy Drink Citrus Flavour	250	Can—Aluminium	Cuedon Pty Ltd	Marine Stores Ltd
Dare Iced Coffee White Chocolate Mocha	500	HDPE	Dairy Vale Foods Limited	Statewide Recycling
Dare Iced Coffee White Chocolate Mocha	500	PET	Dairy Vale Foods Limited	Statewide Recycling
MacQuarie Valley Pineapple Juice	375	PET	Dairy Vale Foods Limited	Statewide Recycling
MacQuarie Valley Pineapple Juice	500	PET	Dairy Vale Foods Limited	Statewide Recycling
MacQuarie Valley Spring Water	600	PET	Dairy Vale Foods Limited	Statewide Recycling
MacQuarie Valley Spring Water	375	PET	Dairy Vale Foods Limited	Statewide Recycling
Oak 67 Special Chocolate Milkshake	550	LPB—Gable Top	Dairy Vale Foods Limited	Statewide Recycling
Northern Expressway Still Spring Water	500	PET	Department for Transport, Energy and Infrastructure	Statewide Recycling
Ruski Lemon Lime & Bitters 4.8%	300	Glass	Diageo Australia Pty Ltd	Statewide Recycling
Slate & Cola Super Dry Mid Strength 3.5%	375	Can—Aluminium	Diageo Australia Pty Ltd	Statewide Recycling
Smirnoff Twist Berry 5.0%	275	Glass	Diageo Australia Pty Ltd	Statewide Recycling
Smirnoff Twist Lime 5.0%	275	Glass	Diageo Australia Pty Ltd	Statewide Recycling
Smirnoff Twist Orange 5.0%	275	Glass	Diageo Australia Pty Ltd	Statewide Recycling
Oishi Black Tea Lemon	500	PET	Exoriens Pty Ltd	Statewide Recycling
Oishi Green Tea Honey Lemon	1 000	LiquidPaperBoard	Exoriens Pty Ltd	Statewide Recycling
Oishi Green Tea Original	1 000	LiquidPaperBoard	Exoriens Pty Ltd	Statewide Recycling
Emma & Toms Water Blueberry & Green Tea	600	PET	G & K Fine Foods	Statewide Recycling
Emma & Toms Water Lemon & Lime	600	PET	G & K Fine Foods	Statewide Recycling
Emma & Toms Water Orange & Manderine	600	PET	G & K Fine Foods	Statewide Recycling
Emma & Toms Water Pink Grapefruit	600	PET	G & K Fine Foods	Statewide Recycling
Emma & Toms Water Raspberry & Cranberry	600	PET	G & K Fine Foods	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Mangajo Acai Berry & Green Tea	240	Glass	G & K Fine Foods	Statewide Recycling
Mangajo Goji Berry & Green Tea	240	Glass	G & K Fine Foods	Statewide Recycling
Mangajo Lemon & Green Tea	240	Glass	G & K Fine Foods	Statewide Recycling
Mangajo Pomegranate & Green Tea	240	Glass	G & K Fine Foods	Statewide Recycling
Mangajo Redbush	240	Glass	G & K Fine Foods	Statewide Recycling
Golden Circle Classics Apple Cranberry Juice	350	PET	Golden Circle Limited	Statewide Recycling
Golden Circle Classics Tropical Juice	350	PET	Golden Circle Limited	Statewide Recycling
Original Black Label Chilled Juice Apple & Forest Fruits	600	PET	Golden Circle Limited	Statewide Recycling
Moc Priode Borovnica Apple Juice	200	Guala Pack	Golubs Grocery	Statewide Recycling
Moc Priode Borovnica Blueberry Juice	200	Guala Pack	Golubs Grocery	Statewide Recycling
Moc Priode Borovnica Peach Juice	200	Guala Pack	Golubs Grocery	Statewide Recycling
Moc Priode Borovnica Plum Juice 52%	1 000	LPB—Aseptic	Golubs Grocery	Statewide Recycling
Moc Priode Borovnica Sour Cherry Juice 52%	1 000	LPB—Aseptic	Golubs Grocery	Statewide Recycling
Moc Priode Borovnica Strawberry Juice	200	Guala Pack	Golubs Grocery	Statewide Recycling
Moc Priode Borovnica Vivita Juice	200	Guala Pack	Golubs Grocery	Statewide Recycling
Ritam Apple Juice 52%	1 000	LPB—Aseptic	Golubs Grocery	Statewide Recycling
Ritam Apricot Juice 52%	1 000	LPB—Aseptic	Golubs Grocery	Statewide Recycling
Ritam Blueberry Juice 52%	1 000	LPB—Aseptic	Golubs Grocery	Statewide Recycling
Ritam Peach Juice 52%	1 000	LPB—Aseptic	Golubs Grocery	Statewide Recycling
Ritam Strawberry Juice 52%	1 000	LPB—Aseptic	Golubs Grocery	Statewide Recycling
Bratz Fruit Infused Water Blackcurrant	350	PET	L Z Enterprises Pty Ltd	Statewide Recycling
Bratz Fruit Infused Water Orange	350	PET	L Z Enterprises Pty Ltd	Statewide Recycling
Bratz Fruit Infused Water Strawberry	350	PET	L Z Enterprises Pty Ltd	Statewide Recycling
Bratz Fruit Infused Water Wild Berry	350	PET	L Z Enterprises Pty Ltd	Statewide Recycling
Spider Man Fruit Infused Water Wild Berry	350	PET	L Z Enterprises Pty Ltd	Statewide Recycling
The Incredible Hulk Fruit Infused Water Blackcurrant	350	PET	L Z Enterprises Pty Ltd	Statewide Recycling
Wolverine Fruit Infused Water Orange	350	PET	L Z Enterprises Pty Ltd	Statewide Recycling
Mountain Fresh 3 Fruits Guava Banana Apple Smoothie	300	PET	Mountain Fresh Fruit Juices	Marine Stores Ltd
Mountain Fresh 3 Fruits Mango Peach Apple Smoothie	300	PET	Mountain Fresh Fruit Juices	Marine Stores Ltd
Mountain Fresh 4 Fruits Strawberry Grape Banana Apple Smoothie	300	PET	Mountain Fresh Fruit Juices	Marine Stores Ltd
Berri Healthy Balance 50% Apple & Blackcurrant Juice	250	LPB—Aseptic	National Foods Milk Limited	Statewide Recycling
Berri Healthy Balance 50% Apple & Blackcurrant Juice	2 400	PET	National Foods Milk Limited	Statewide Recycling
Berri Healthy Balance 50% Apple Juice	250	LPB—Aseptic	National Foods Milk Limited	Statewide Recycling
Berri Healthy Balance 50% Apple Juice	2 400	PET	National Foods Milk Limited	Statewide Recycling
Berri Healthy Balance 50% Orange Juice	250	LPB—Aseptic	National Foods Milk Limited	Statewide Recycling
Berri Healthy Balance 50% Orange Juice	2 400	PET	National Foods Milk Limited	Statewide Recycling
Berri Healthy Balance 50% Pineapple Juice	2 400	PET	National Foods Milk Limited	Statewide Recycling
Nutricia Golden Circle Hint of Juice Mango & Pear	125	LPB—Aseptic	Nutricia Australia	Statewide Recycling
Nutricia Golden Circle Hint of Juice Pear	125	LPB—Aseptic	Nutricia Australia	Statewide Recycling
Nutricia Golden Circle Hint of Juice Pear Apple & Peach	125	LPB—Aseptic	Nutricia Australia	Statewide Recycling
Only Organic First Thirst Apple Dew Juice Drink	140	Glass	Only Organic (2003) Ltd	Statewide Recycling
Only Organic First Thirst Peach & Pear Juice Drink	140	Glass	Only Organic (2003) Ltd	Statewide Recycling
Youll Love Coles Diet Lemon	1 250	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Youll Love Coles Diet Orange	1 250	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Miller Chill Chelada Style	355	Glass	Pacific Beverages	Statewide Recycling
Barefoot Radler Beer Infused With Lemon & Lime	330	Glass	South Australian Brewing Company Pty Ltd	Marine Stores Ltd
DNA Cosmo 10%	250	Can—Aluminium	South State Food & Beverage Pty Ltd	Statewide Recycling
DNA JBomb 10%	250	Can—Aluminium	South State Food & Beverage Pty Ltd	Statewide Recycling
Long Island Tea 10%	275	Glass	South State Food & Beverage Pty Ltd	Marine Stores Ltd
Rebel Yell Bourbon & Cola 5%	330	Glass	South State Food & Beverage Pty Ltd	Marine Stores Ltd
Sangria 5%	275	Glass	South State Food & Beverage Pty Ltd	Marine Stores Ltd
Tequila Slamma & Lemon 5%	275	Glass	South State Food & Beverage Pty Ltd	Marine Stores Ltd

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Tequila Slamma & Lime 5%	275	Glass	South State Food & Beverage Pty Ltd	Marine Stores Ltd
Sunraysia Crush Apple Fruit Juice	250	Glass	Sunraysia Natural Beverage Company	Visy Recycling CDL Services
Sunraysia Simply Fruit Premium Cranberry Fruit Drink	800	PET	Sunraysia Natural Beverage Company	Visy Recycling CDL Services
Sunraysia Simply Fruit Premium Tomato Juice	800	PET	Sunraysia Natural Beverage Company	Visy Recycling CDL Services
Two Metre Tall Cleansing Ale	330	Glass	The Two Metre Tall Company	Marine Stores Ltd

ENVIRONMENT PROTECTION ACT 1993

Approval of Category A 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 A Containers:

Approve as Category A Containers, as identified in Column 5 of the Schedule, 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; and
- (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 A Containers, are collected from the retailers that sell them and recycled in an appropriate manner. Disposal at landfill is not considered an appropriate method of disposal.

(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 A 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.
- (c) The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Choopan Yogurt Soda Mint Flavor	473	PET	Persian Grocery	n/a—see notes
Naab Natural Yoghurt Drink	350	PET	Persian Grocery	n/a—see notes
Takdaneh Grape Juice	200	LPB—Aseptic	Persian Grocery	n/a—see notes
Takdaneh Pomegranate Juice	200	LPB—Aseptic	Persian Grocery	n/a—see notes
Takdaneh Sour Cherry Juice	200	LPB—Aseptic	Persian Grocery	n/a—see notes



Christmas/New Year Holiday Publishing Information

Last Gazette for 2007 will be Thursday, 20 December 2007

Closing date for notices for publication will be
4 p.m. Tuesday, 18 December 2007

First Gazette for 2008 will be Thursday, 3 January 2008

Closing date for notices for publication will be
4 p.m. Monday, 31 December 2007

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

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GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2007

	\$		\$
Agents, Ceasing to Act as.....	39.60	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	26.30
Incorporation	20.10	Discontinuance Place of Business	26.30
Intention of Incorporation	49.75	Land—Real Property Act:	
Transfer of Properties	49.75	Intention to Sell, Notice of.....	49.75
Attorney, Appointment of.....	39.60	Lost Certificate of Title Notices	49.75
Bailiff's Sale.....	49.75	Cancellation, Notice of (Strata Plan)	49.75
Cemetery Curator Appointed.....	29.45	Mortgages:	
Companies:		Caveat Lodgement.....	20.10
Alteration to Constitution	39.60	Discharge of.....	21.05
Capital, Increase or Decrease of	49.75	Foreclosures.....	20.10
Ceasing to Carry on Business	29.45	Transfer of	20.10
Declaration of Dividend.....	29.45	Sublet.....	10.10
Incorporation	39.60	Leases—Application for Transfer (2 insertions) each	10.10
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each	29.45
First Name.....	29.45	Licensing.....	58.85
Each Subsequent Name.....	10.10	Municipal or District Councils:	
Meeting Final.....	33.10	Annual Financial Statement—Forms 1 and 2	554.35
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	393.90
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	78.65
First Name.....	39.60	Each Subsequent Name.....	10.10
Each Subsequent Name.....	10.10	Noxious Trade.....	29.45
Notices:		Partnership, Dissolution of.....	29.45
Call.....	49.75	Petitions (small).....	20.10
Change of Name	20.10	Registered Building Societies (from Registrar-	
Creditors.....	39.60	General).....	20.10
Creditors Compromise of Arrangement	39.60	Register of Unclaimed Moneys—First Name.....	29.45
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	10.10
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	49.75	Rate per page (in 8pt)	252.15
Release of Liquidator—Application—Large Ad.....	78.65	Rate per page (in 6pt)	333.45
—Release Granted	49.75	Sale of Land by Public Auction.....	50.30
Receiver and Manager Appointed.....	45.85	Advertisements.....	2.80
Receiver and Manager Ceasing to Act	39.60	¼ page advertisement	117.75
Restored Name.....	37.25	½ page advertisement	235.50
Petition to Supreme Court for Winding Up.....	69.30	Full page advertisement.....	461.60
Summons in Action.....	58.85	Advertisements, other than those listed are charged at \$2.80 per	
Order of Supreme Court for Winding Up Action.....	39.60	column line, tabular one-third extra.	
Register of Interests—Section 84 (1) Exempt.....	89.10	Notices by Colleges, Universities, Corporations and District	
Removal of Office.....	20.10	Councils to be charged at \$2.80 per line.	
Proof of Debts	39.60	Where the notice inserted varies significantly in length from	
Sales of Shares and Forfeiture.....	39.60	that which is usually published a charge of \$2.80 per column line	
Estates:		will be applied in lieu of advertisement rates listed.	
Assigned	29.45	South Australian Government publications are sold on the	
Deceased Persons—Notice to Creditors, etc.....	49.75	condition that they will not be reproduced without prior	
Each Subsequent Name.....	10.10	permission from the Government Printer.	
Deceased Persons—Closed Estates	29.45		
Each Subsequent Estate	1.30		
Probate, Selling of	39.60		
Public Trustee, each Estate	10.10		

All the above prices include GST

GOVERNMENT GAZETTE NOTICES

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

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2007

Acts, Bills, Rules, Parliamentary Papers and Regulations						
Pages	Main	Amends	Pages	Main	Amends	
1-16	2.40	1.10	497-512	33.60	32.55	
17-32	3.25	2.05	513-528	34.65	33.35	
33-48	4.20	3.00	529-544	35.70	34.65	
49-64	5.30	4.05	545-560	36.75	35.70	
65-80	6.25	5.15	561-576	37.50	36.75	
81-96	7.25	6.00	577-592	38.55	37.25	
97-112	8.25	7.05	593-608	39.85	38.30	
113-128	9.25	8.10	609-624	40.65	39.60	
129-144	10.35	9.15	625-640	41.70	40.10	
145-160	11.35	10.10	641-656	42.70	41.70	
161-176	12.40	11.15	657-672	43.25	42.20	
177-192	13.45	12.20	673-688	45.05	43.25	
193-208	14.50	13.35	689-704	45.85	44.30	
209-224	15.30	14.15	705-720	46.65	45.35	
225-240	16.35	15.10	721-736	48.45	46.35	
241-257	17.50	15.95	737-752	48.95	47.40	
258-272	18.45	17.00	753-768	50.00	48.20	
273-288	19.50	18.25	769-784	50.55	49.75	
289-304	20.30	19.15	785-800	51.60	50.80	
305-320	21.55	20.20	801-816	52.60	51.30	
321-336	22.40	21.15	817-832	53.65	52.60	
337-352	23.55	22.30	833-848	54.70	53.65	
353-368	24.50	23.35	849-864	55.75	54.20	
369-384	25.55	24.40	865-880	56.80	55.75	
385-400	26.55	25.30	881-896	57.30	56.25	
401-416	27.60	26.05	897-912	58.85	57.30	
417-432	28.65	27.35	913-928	59.40	58.85	
433-448	29.70	28.40	929-944	60.45	59.40	
449-464	30.50	29.20	945-960	61.50	59.90	
465-480	31.00	30.20	961-976	63.05	60.95	
481-496	32.55	31.00	977-992	64.10	61.50	
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FIRE AND EMERGENCY SERVICES ACT 2005

SECTION 79 (3) (b)

Fires During the Fire Danger Season

I, EUAN ARTHUR FERGUSON, AFSM, the Chief Officer of the South Australian Country Fire Service hereby vary the restriction on lighting and maintaining of fires to allow the lighting of candles on the day of 16 December 2007, within the part of the State bounded by the roads from the corner of Morphett Street and War Memorial Drive, to the corner of War Memorial Drive and King William Street, to the corner of King William Street and North Terrace, to the corner of North Terrace and Morphett Street and to the corner of Morphett Street and War Memorial Drive.

Dated 27 November 2007.

EUAN FERGUSON, Chief Officer, SA
Country Fire Service

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Garry Warrick of RSD 9, Sections 209 and 210, Loxton, S.A. 5333 (the 'exemption holder') or a person acting as his agent, is exempt from the Fisheries (General) Regulations 2000, but only insofar as the exemption holder shall not be guilty of an offence when emptying the 'carp separation cage' located at Lock 1, Blanchetown, (the 'exempted activity'), subject to the conditions specified in Schedule 1, from 27 November 2007 until 31 July 2008, unless varied or revoked earlier.

SCHEDULE 1

1. All species other than carp (Family Cyprinidae) taken in the course of the exempted activity must be immediately returned to the water excluding non-native species, which must not be returned to the water alive.

2. The exemption holder may use Damien Wilksch and/or Trevor Bottrill to aid in the exempted activity.

3. While engaged in the exempted activity the exemption holder must have in his possession a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries Compliance Officer.

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

Dated 28 November 2007.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Jim Rishworth of SA Water, (the 'exemption holder') or a person acting as his agent, is exempt from the provisions of section 41 of the Fisheries Act 1982 and the Fisheries (General) Regulations 2000, insofar as he may engage in acts preparatory to the collection of fish (the 'exempted activity') from the Murray River—Lock 1 (Blanchetown), using the gear specified in Schedule 1, subject to the conditions set out in Schedule 3 from 27 November 2007 until 31 July 2008, unless varied or revoked earlier.

SCHEDULE 1

- Carp separation cage.

SCHEDULE 3

1. All native fish taken pursuant to the exempted activity must be immediately returned to the water and their detention recorded in a by-catch logbook.

2. Before initial installation of the 'carp separation cage', the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902069.

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

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

Dated 28 November 2007.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Andrew Ferguson of Australian Bight Abalone, G.P.O. Box 1243, Adelaide, S.A. 5001 (the 'exemption holder') or a person acting as his agent are exempt from the Fisheries Act 1982, but only insofar as they may collect beachcast algae and seagrass, for the purpose of trade or business (the 'exempted activity') in the areas specified in Schedule 1, subject to the conditions in Schedule 2 from 30 November 2007 until 30 June 2008.

SCHEDULE 1

Intertidal area between Mean Low Water Springs and Mean High Water Springs and bounded by 486181mE 6285680mN (MGA Zone 53) to the north and 485411mE 6279859mN (MGA Zone 53) to the south.

SCHEDULE 2

1. The exemption holder may take beachcast (unconnected and deposited on shore) algae and seagrass for the purpose of trade or business from the area listed in Schedule 1.

2. A maximum of 500 tonnes may be collected pursuant to this exemption.

3. The operation should be designed to prevent removal of sand.

4. Written permission from the Department of Transport, Energy and Infrastructure must be obtained before material may be collected from the area.

5. Written permission from the Department of Environment and Heritage must be obtained before material may be collected from the area.

6. The exemption holder must notify PIRSA Fishwatch on 1800 065 522 on any day of operation, at least two hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and other related questions. Exemption No. 9902073.

7. While engaged in the exempted activity the exemption holder must carry or have about or near his person a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer upon request.

8. A report on the area of beach cleared (square metres), volume of seagrass cleared (cubic metres) and the method and location of disposal must be supplied to the Director of Fisheries, G.P.O. Box 1625, Adelaide, S.A. 5001, no later than 15 working days after the expiry of this exemption.

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

Dated 30 November 2007.

M. SMALLRIDGE, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE note that the notice made under section 59 of the Fisheries Act 1982, and published in the *South Australian Government Gazette* on page 4084, dated 1 November 2007, being the third notice on that page, referring to Andrew Ferguson and Exemption No. 9902059, is hereby revoked.

Dated 29 November 2007.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that the exemption dated 20 November 2007, in relation to the taking of spawning female rock lobster is hereby revoked.

Take notice that pursuant to section 115 of the Fisheries Management Act 2007, Dr Adrian Linnane, Senior Rock Lobster Scientist, SARDI Aquatic Sciences, (the 'exemption holder'), is exempt from the Fisheries Management (General) Regulations 2007, insofar as he or a person listed in Schedule 1 of this notice who is authorised to act as his agent may take berried female rock lobster in the waters of the Northern Zone Rock Lobster Fishery for scientific purposes, subject to the conditions in Schedule 2, during the period commencing 21 November 2007 and ending 31 December 2007, unless varied or revoked earlier.

SCHEDULE 1

Any licence holder or registered master lawfully fishing pursuant to one of the following licences is authorised to act as an agent of the exemption holder:

N019, N044, N054, N060, N063, N075, N091, N096, N037.

SCHEDULE 2

1. A maximum of 15 berried females may be taken from each boat fishing, pursuant to this exemption.

2. At the conclusion of each day's fishing, the licence holder or registered master must record the total number of berried female rock lobster collected on that day, pursuant to this exemption on the bottom of the Catch and Disposal Record.

3. Any licence holder or registered master fishing, pursuant to this exemption must provide catch and effort information as required by the exemption holder.

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

Dated 4 December 2007.

W. ZACHARIN, Director of Fisheries

GEOGRAPHICAL NAMES ACT 1991

Notice for Public Consultation

NOTICE is hereby given pursuant to the provisions of the above Act, that the Minister for Infrastructure seeks public comment on a proposal to alter the name from **CLAYTON** to **CLAYTON BAY**.

Copies of the plan showing the extent of the subject area can be viewed at the Office of the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000 or at the office of the Alexandrina Council.

Submissions in writing regarding this proposal may be lodged with the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, within one month of the publication of this notice.

Dated 22 November 2007.

P. M. KENTISH, Surveyor-General, Department
for Transport, Energy and Infrastructure

DTEI.22-413/07/0016

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	
27 Bourke Street, Peterborough	Allotment 90 in Deposited Plan 1047, Hundred of Yongala	5357	124	26.10.06, page 3774

Dated at Adelaide, 6 December 2007. D. HUXLEY, Director, Corporate and Board Services

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
24 Hayles Road	Elizabeth Park	Allotment 712 in Deposited Plan 7006, Hundred of Munno Para	5608	496
14 Mulna Road	Ingle Farm	Allotment 561 in Deposited Plan 7960, Hundred of Yatala	5549	510
40 Norbury Drive	Salisbury Downs	Allotment 67 in Deposited Plan 10241, Hundred of Yatala	5374	467
217 Henley Beach Road (Boarding House)	Torrensville	Allotment 49 in Filed Plan 144277, Hundred of Adelaide	5845	737
6 Bond Street	West Hindmarsh	Allotment 112 in Deposited Plan 1342, Hundred of Yatala	5573	490

Dated at Adelaide, 6 December 2007. D. HUXLEY, Director, Corporate and Board Services

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		
203 Esplanade, Aldinga Beach	Allotment 260 in Deposited Plan 4625, Hundred of Willunga	5677	891	29.9.05, page 3508	175.00
58 Shipsters Road, Kensington Park	Portion of Allotment 101 in Filed Plan 27994, Hundred of Adelaide	5643	862	3.6.65, page 1400	195.00
25 Sturt Street, Mount Gambier	Allotment 725 in Filed Plan 193717, Hundred of Blanche	5728	955	30.8.07, page 3471	34.00
25 Ocean View Drive, Second Valley	Allotment 29 in Deposited Plan 6193, Hundred of Yankalilla	5161	667	26.4.07, page 1266	83.00

Dated at Adelaide, 6 December 2007. D. HUXLEY, Director, Corporate and Board Services

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, Jennifer Rankine, 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

Anita Violet Egyud, an employee of Mark Forde Pty Ltd.

SCHEDULE 2

A portion of the land described in certificate of title register book volume 5567, folio 115, situated at section 31 and proposed new subdivision of section 463 in the Hundred of Ayers in the area named Leighton, S.A. 5417.

Dated 3 December 2007.

JENNIFER RANKINE, Minister for
Consumer Affairs

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 November 2007.

Applicants

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Mykeel Hotels Pty Ltd as trustee for Mykeel Unit Trust has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 63 Melbourne Street, North Adelaide, S.A. 5006 and known as Lord Melbourne Hotel.

The application has been set down for hearing on 9 January 2008 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 2 January 2008).

The applicant's address for service is c/o Kym Turner, 63 Melbourne Street, North Adelaide, S.A. 5006.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 December 2007.

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 William Craig Swearse and Margaret Ann Swearse as trustee for W. C. & M. A. Swearse Family Trust have applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 1 Best Place, Burra North, S.A. 5417 and known as Royal Exchange Hotel.

The application has been set down for hearing on 10 January 2008 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 3 January 2008).

The applicants' address for service is c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152.

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Hummer SA Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 26 Gum Avenue, Dry Creek, S.A. 5094 and known as Hummer SA Pty Ltd.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- To authorise the sale, supply and consumption of liquor to and by passengers in the vehicle and areas adjacent (excluding dry areas) on any day at any time.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 December 2007).

The applicant's address for service is c/o Shaan Evans, P.O. Box 125, Dry Creek, S.A. 5094.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 December 2007.

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 Hahn Barossa Vineyards Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at 22 King Street North, Stockwell, S.A. 5355, to be situated at 18 Mickan Road, Stockwell, S.A. 5355 and known as Hahn Barossa Vineyards.

The application has been set down for callover on 11 January 2008 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 4 January 2008).

The applicant's address for service is c/o Bridey Shane, P.O. Box 60, Tanunda, S.A. 5352.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 December 2007.

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 Winter Hill Vineyard Pty Ltd also trading for Winter Hill Trust has applied to the Licensing Authority for the transfer of a Producer's Licence in respect of premises situated at Whillas Road, Port Lincoln, S.A. 5606 and known as Delacolline Estate.

The application has been set down for hearing on 8 January 2008 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 28 December 2007).

The applicant's address for service is c/o Leon McEvoy, 208 Carrington Street, Adelaide, S.A. 5000.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 23 November 2007.

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 Claddagh Hotels Pty Ltd has applied to the Licensing Authority for Alterations, Redefinition, variation to an Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at Railway Terrace, Morgan, S.A. 5320 and known as Terminus Hotel.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Alterations and Redefinition to licensed premises to include the Verandah and adjacent area, Beer Garden and Balcony as per plans lodged with this office.
- Variation to the existing Extended Trading Authorisation to include the abovementioned areas.
- Variation to Extended Trading Authorisation for the areas currently approved with Extended Trading Authorisation and to include the abovementioned areas for the following hours:

Days preceding other Public Holidays: Midnight to 2 a.m. the following day;

Sundays preceding Public Holidays: 8 p.m. to 2 a.m. the following day.

- Variation to Entertainment Consent to include Area 4 and Beer Garden as per plans lodged with this office.
- Variation to Entertainment Consent for the areas currently approved with Entertainment Consent and to include the abovementioned areas for the following hours:

Days preceding other Public Holidays: Midnight to 2 a.m. the following day;

Sundays preceding Public Holidays: 8 p.m. to 2 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 December 2007).

The applicant's address for service is c/o Anthony O'Donnell, Railway Terrace, Morgan, S.A. 5320.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 3 December 2007.

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 David Bae Lee has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 54 King William Street, Adelaide, S.A. 5000, known as Berties Restaurant and to be known as Korean and Mongolian BBQ.

The application has been set down for hearing on 8 January 2008 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 1 January 2008).

The applicant's address for service is c/o Lillian Lin, P.O. Box 7070, Hutt Street, Adelaide, S.A. 5001.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 November 2007.

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 Wei Ming Tsui has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 104 Kelly Road, Modbury North, S.A. 5092 and known as Rickshaw Inn.

The application has been set down for hearing on 8 January 2008 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 1 January 2008).

The applicant's address for service is c/o Claudia Cream, P.O. Box 177, Park Holme, S.A. 5043.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 November 2007.

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 Anthony Glen Edmonds has applied to the Licensing Authority for Redefinition, variation to Conditions and variation to Entertainment Consent in respect of premises situated at 3 Hallet Place, Port Lincoln, S.A. 5606 and known as Oceans Nightclub.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Redefinition to the licensed premises to include Lounge, Foyer and Cafe at the front of the premises and the outdoor area and buildings at the rear of the premises as per plans lodged with this office.
- Variation to trading hours for the areas currently approved with the existing hours and to include the abovementioned areas for the following hours:
 - Thursday: 10 p.m. to 3 a.m. the following day;
 - Sunday: 8 a.m. to 11 a.m. and 8 p.m. to 10 p.m.;
 - New Year's Eve: 10 p.m. to 3 a.m. the following day;
 - Days preceding other Public Holidays: 10 p.m. to 3 a.m. the following day; and
 - Sundays preceding Public Holidays: 8 p.m. to 3 a.m. the following day.
- Variation to Entertainment Consent to include the abovementioned hours and areas.
- Variation to Conditions:

Variation to Condition 3 from:

There will be a minimum of four licensed security officers on duty at the venue while Oceans Nightclub is in operation.

- (a) There will be at least one licensed security officer on duty, patrolling the externals of the venue and surrounding premises at all times that Oceans Nightclub is in operation.

To:

There will be a minimum of four licensed security officers on duty at the venue whilst Oceans Nightclub is in operation as a Night Club.

- (a) There will be at least one licensed security officer on duty, patrolling the externals of the venue and surrounding premises at all times that Oceans Nightclub is in operation as a Night Club.

Delete Condition 6:

The applicant will agree to have a member of the Port Lincoln M.F.S. attend and check the venue for compliance with Fire Safety Regulations.

Delete Condition 12:

The liquor licence shall be restricted to the ground floor of the Theatre Building.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 December 2007).

The applicant's address for service is c/o Duncan Basheer Hannon Lawyers, 66 Wright Street, Adelaide, S.A. 5000, (Attention: Max Basheer or David Tillett).

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 November 2007.

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 New Delhi Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 235 Anzac Highway, Plympton, S.A. 5038 and known as La Spaghetтата Restaurant.

The application has been set down for hearing on 8 January 2008 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 1 January 2008).

The applicant's address for service is c/o New Delhi Pty Ltd, 60 Kildonan Road, Warradale, S.A. 5046.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 November 2007.

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 Hon Ching Chan and Suet Mung Hui have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 39 Flinders Terrace, Port Augusta, S.A. 5700 and known as King Po Chinese Restaurant.

The application has been set down for hearing on 8 January 2008 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 1 January 2008).

The applicants' address for service is c/o Hon Ching Chan, 39 Flinders Terrace, Port Augusta, S.A. 5700.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 November 2007.

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 Buck Arms Hotel Pty Ltd has applied to the Licensing Authority for Alterations, Redefinition and variation to Extended Trading Authorisation in respect of premises situated at Northcote Terrace, Gilberton, S.A. 5081 and known as Buckingham Arms Hotel.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Alterations and Redefinition to licensed premises to include an outdoor area adjacent to Area 1 as per plans lodged with this office.
- Variation to Extended Trading Authorisation for Areas 2, 3, 4 and the abovementioned area for the following hours:
 - Monday to Saturday: Midnight to 3 a.m. the following day;
 - Sunday: 9 a.m. to 11 a.m. and 8 p.m. to 3 a.m. the following day;
 - Good Friday: Midnight to 2 a.m.;
 - Christmas Day: Midnight to 2 a.m.;
 - Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;
 - New Year's Eve: 2 a.m. the following day to 3 a.m. the following day;
 - Days preceding other Public Holidays: Midnight to 3 a.m. the following day; and

Sundays preceding Public Holidays: 8 p.m. to 3 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 December 2007).

The applicant's address for service is c/o Buck Arms Hotel Pty Ltd, 1/36 George Street, Stepney, S.A. 5069.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 November 2007.

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 Dennis Thomas Wheatley and Margaret Wheatley have applied to the Licensing Authority for Redefinition in respect of premises situated at 1 Main North Road, Stone Hut, S.A. 5480 and known as Old Bakery Stone Hut.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Redefinition to include the outside area as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the callover date (viz: 28 December 2007).

The applicants' address for service is c/o Dennis Wheatley, P.O. Box 56, Laura, S.A. 5480.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 November 2007.

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 Decant Wines Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 40 Fisher Street, Fullarton, S.A. 5063, to be situated at 229 Greenhill Road, Dulwich, S.A. 5065 and known as Decant Wines.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 December 2007).

The applicant's address for service is c/o Decant Wines, 40 Fisher Street, Fullarton, S.A. 5063.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 November 2007.

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 Park Hotel Pty Ltd has applied to the Licensing Authority for a variation to an Extended Trading Authorisation in respect of premises situated at 163 Commercial Street West, Mount Gambier, S.A. 5290 and known as Park Hotel.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to an Extended Trading Authorisation for Areas 1 and 3 for the following hours:

Monday to Wednesday: Midnight to 3 a.m. the following day;

Thursday to Saturday: Midnight to 4 a.m. the following day;

Sunday: 9 a.m. to 11 a.m. and 8 p.m. to 3 a.m. the following day;

Good Friday: Midnight to 2 a.m.;

Christmas Day: Midnight to 2 a.m.;

Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;

New Year's Eve: 2 a.m. the following day to 3 a.m. the following day;

Days preceding other Public Holidays: Midnight to 3 a.m. the following day; and

Sundays preceding Public Holidays: 8 p.m. to 3 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 December 2007).

The applicant's address for service is c/o Park Hotel Pty Ltd, 1/36 George Street, Stepney, S.A. 5069.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 29 November 2007.

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 Graham Cannard and Jannene Ruth Cannard have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Section 41, Hundred of Pichi Richi, Quorn, S.A. 5433 and to be known as Pichi Richi Camel Tours.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- The licence shall authorise the sale of liquor on the licensed premises at any time on any day for consumption at a place other than the licensed premises, provided that such consumption is only by a person with or ancillary to food provided by the licensee, or by persons participating in a Camel Tour or Safari organised by the licensee.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the callover date (viz: 28 December 2007).

The applicants' address for service is c/o Ben Allen, Wallmans Lawyers, G.P.O. Box 1018, Adelaide, S.A. 5001.

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 November 2007.

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 McCracken Country Club Pty Ltd has applied to the Licensing Authority for Alterations in respect of premises situated at McCracken Drive, Victor Harbor, S.A. 5211 and known as McCracken Country Club.

The application has been set down for callover on 4 January 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Alterations to create 11 additional units and an outdoor area adjacent to the existing clubrooms as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 December 2007).

The applicant's address for service is c/o Duncan Basheer Hannon, Barristers & Solicitors, G.P.O. Box 2, Adelaide, S.A. 5001 (Attention: Max Basheer or David Tillet).

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 Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 4 December 2007.

Applicant

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: Blackfire Resources Pty Ltd

Location: Willowie area—Approximately 35 km east of Port Augusta.

Term: 1 year

Area in km²: 658

Ref.: 2007/00161

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: Helix Resources Limited

Location: Olary area—Immediately south of Olary.

Term: 1 year

Area in km²: 976

Ref.: 2007/00370

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: Magnesium Minerals Pty Ltd

Location: Collaby Hill area—Approximately 70 km south-east of Port Augusta.

Term: 1 year

Area in km²: 241

Ref.: 2007/00381

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: Gingertom Resources Pty Ltd

Location: Konkaby Rockhole area—Approximately 15 km north-north-west of Tarcoola.

Term: 1 year

Area in km²: 14

Ref.: 2007/00471

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 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Agricola Mining Pty Ltd

Claim Number: 3829

Location: Allotment 22 in Deposited Plan 67635, Hundred of Kongorong—Approximately 20 km south-west of Mount Gambier.

Area: 15.40 hectares

Purpose: For the recovery of Agricultural Limestone.

Reference: T02693

A copy of the proposal has been provided to the District Council of Grant.

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 6 January 2008.

Copies of all submissions will be forwarded to the applicant, and may be made available for public inspection unless confidentiality is requested.

H. TYRTEOS, Mining Registrar

Medical Board of South Australia

CODE OF PROFESSIONAL CONDUCT

GOOD MEDICAL PRACTICE

*DUTIES OF A MEDICAL PRACTITIONER REGISTERED WITH THE
MEDICAL BOARD of SOUTH AUSTRALIA*

May 2007

CODE OF PROFESSIONAL CONDUCT**GOOD MEDICAL PRACTICE
DUTIES OF A MEDICAL PRACTITIONER REGISTERED WITH THE MEDICAL
BOARD OF SOUTH AUSTRALIA ('THE BOARD')****EXECUTIVE SUMMARY**

The aim of this Code of Professional Conduct is to set out general principles which promote professionalism in the practice of medicine, thereby protecting the health and safety of the public. These principles complement the requirements of the Medical Practice Act 2004 and case law. However, they are not a substitute for the provisions of law and case law and in the event of any doubt, the legislative provisions take precedence. The Code applies to all medical practitioners in South Australia.

This summary should be read in conjunction with the detailed Code. The terms

- 'you must' and
- 'you should'

are used in the following ways:

'You must' is used for an overriding duty or principle. 'You should' is used when the Board is providing an explanation of how you will meet the overriding duty.

Standard 1

You must possess and apply adequate knowledge and skill in the practice of medicine and be registered and accredited by the Medical Board of South Australia as a medical practitioner.

Standard 2

You must observe professional and ethical obligations. These include:

- ***Education, teaching and training responsibilities***
- ***Providing honest assessment of the performance of colleagues***
- ***Putting patients first while putting aside your own personal views***
- ***Maintaining trust with patients through your interaction with patients***
- ***Arranging appropriate alternative treatment when the medical practitioner/patient relationship deteriorates***
- ***Disclosure of adverse events to appropriate authorities***
- ***Responding appropriately to situations in which a complaint is made about your treatment or where treatment is unsuccessful***
- ***Co-operating fully with the investigating authorities such as the Health and Community Services Complaints Commissioner and the Board in respect of adverse events***
- ***Dealing appropriately with the next of kin of deceased patients***
- ***Ensuring your professional standing is not misused through improper financial or personal dealings with patients***
- ***Ensuring that your own health does not put patients at risk***
- ***Ensuring other practitioners do not place patients at risk through their health, behaviour, conduct or performance***
- ***Providing factual information about your services***

Standard 3

You must ensure that you work towards a productive and professional relationship with all colleagues in health care teams:

- ***Through treating colleagues with professional courtesy, with consideration and without prejudice regardless of your personal views***
- ***By working constructively with health care teams***
- ***By ensuring patient treatment is covered during your own absence or unavailability***
- ***Ensuring that a patient's care is co-ordinated***
- ***Ensuring appropriate delegation and referral of care of a patient***

Standard 4

You must display probity in your professional practice in respect of:

- ***Financial and commercial dealings***
- ***Financial interests in hospitals, nursing homes and other medical organisations***
- ***Not accepting gifts or other inducements***
- ***Not entering into financial agreements with patients which may compromise the therapeutic relationship***
- ***Ensuring that any documents signed by you are not false or misleading***
- ***Ensuring that research in which you are engaged is conducted ethically and according to protocol and that you report fraud or misconduct in research to the appropriate authority***

GOOD MEDICAL PRACTICE

DUTIES OF A MEDICAL PRACTITIONER REGISTERED WITH THE MEDICAL BOARD OF SOUTH AUSTRALIA

A. INTRODUCTION

Role and functions of the Board

The Medical Board of South Australia was established in 1844. Its mission statement is to protect the public and promote professionalism.

Functions of the Board include:

- Promoting and maintaining high standards of medical practice in South Australia;
- Advising the Minister on matters relating to the registration of medical practitioners and students and standards of medical practice;
- Publishing and distributing information concerning the Medical Practice Act to registered medical practitioners and other interested persons; and
- Providing counseling services for registered medical practitioners and medical students.

The Board publishes policies and guidelines for practitioners to ensure that medical practice is conducted in South Australia such that the public is protected. It does this in the context of South Australia's cultural diversity. To this end, the Board has developed this Code of Conduct.

Objectives of establishing a Code of Conduct

This Code of Professional Conduct has been developed to assist both medical practitioners and members of the public to understand the duties of a medical practitioner registered by the Medical Board of South Australia in respect of patients, their colleagues and medical authorities.

This Code sets out general principles in relation to the practice of medicine. It is not exhaustive, and cannot cover all forms of professional practice or conduct which may bring a medical practitioner's registration into question.

The Code complements legislation, but is not a substitute for the legislative provisions and case law that have developed in the area and in the event of any doubt the legislative provisions and case law take precedence.

Guidance on specific issues and areas of practice is contained in a number of policy statements and other documents displayed on the Board's website:
www.medicalboardsa.asn.au.

All medical practice requires medical competence and high standards of individual patient care, and adherence to this Code is not alone a guarantee of clinical competence in managing individual patients. All medical practitioners have an obligation to comply with relevant legislation and authorisation.

Breaches of the *Medical Practice Act 2004* or Regulations may also constitute unprofessional conduct.

METHODOLOGY OF CODE DEVELOPMENT

Section 13(1) (g) of the *Medical Practice Act, 2004*, provides that the Board may establish a Code of Professional Conduct. The provisions of such a Code are a relevant consideration in determining what constitutes proper and ethical conduct by a registered medical practitioner.

In May 2006, the Board determined to prepare a Code of Professional Conduct, based from two other codes:

- The code adopted by the NSW Medical Board in August 2005 entitled “***The duties of a medical practitioner registered with the NSW Medical Board – Good Medical Practice***”; and
- A set of guidelines adapted with permission from the General Medical Council’s (UK) publication ***Good Medical Practice***, in February 2000.

Section 91(4)(b) of the *Medical Practice Act 2004* provides that the provisions of this Code of Professional Conduct may be relevant considerations in determining what constitutes proper and ethical conduct by a registered medical practitioner. It is expected that the principles set out in this Code of Professional Conduct will therefore be relevant considerations for the determinations of the Board, the Health and Community Services Complaints Commissioner and any quasi judicial or judicial body such as the Medical Tribunal or a Professional Standards Committee in dealing with complaints against medical practitioners.

The Code of Professional Conduct also reflects the input of medical practitioners, special interest groups and the general public of South Australia in its development.

STANDARD 1**Clinical Competence/Performance**

You must possess and apply adequate knowledge and skill in the practice of medicine and be registered and accredited by the Medical Board of South Australia as a medical practitioner.

Clinical Competence / Performance**1.1 Good clinical care includes:**

- an adequate assessment of the patient's condition, based on the history and clinical signs and appropriate examination;
- communicating with patients respectfully and with the assistance of a skilled interpreter where necessary;
- where appropriate, providing or arranging investigations or treatment;
- systematic follow up based on the results of investigations;
- when necessary, taking suitable and prompt action; and
- when indicated, referring the patient to another practitioner.

1.2 In providing care you should:

- recognise and work within the limits of your clinical competence or supervision when making diagnoses and when giving or arranging treatment;
- be willing to consult colleagues;
- keep clear, accurate and contemporaneous patient records;
- keep colleagues well informed when sharing the care of patients;
- prescribe only the treatment, drugs, or appliances that serve the needs of patients; and
- do your best to provide appropriate treatment in an emergency.

Medical practitioners must not exploit their patients through the provision of services that are excessive, unnecessary or not reasonably required.

1.3 In order to maintain your competence (knowledge and skill) you must:

- participate in educational activities, relevant to your area of practice, which develop and maintain your competence and performance throughout your working life and keep records of the continuing professional development you have undertaken; and
- observe and keep up to date with the laws and codes which affect your work.

1.4 In order to maintain safe performance you should:

- ensure that you report to authorities where the premises or equipment are unsafe or unhygienic;
- ensure that you practice safely, managing your workload so that risks to patients and yourself are minimised;
- maintain appropriate hygiene standards by regular hand washing and other infection control measures;
- work with colleagues to monitor and maintain your awareness of the quality of the care you provide;
- take part in regular and systematic medical and clinical audit, and record all data carefully and honestly;
- ensure you are aware of specific cultural practices in provision of medical care;
- respond to the results of audit to improve your practice, for example, by undertaking further training; and
- respond constructively to assessments and appraisals of your professional competence and performance.

STANDARD 2**Professional/Ethical Obligations*****You must observe professional and ethical obligations. These include:***

- Undertaking education, teaching and training responsibilities;
- Providing honest assessment of the performance of colleagues;
- Maintaining trust with patients through your interaction with patients;
- Putting patients first while putting aside your own personal views;
- Responding appropriately to situations in which a complaint is made about treatment provided by you, or treatment that is unsuccessful;

- Dealing appropriately with the next of kin of deceased patients, seriously ill patients, those who can not speak for themselves and carers of those with cognitive and other impairments;
- Arranging appropriate alternative treatment when the medical practitioner/patient relationship deteriorates;
- Ensuring your professional standing is not misused through improper dealings with patients;
- Ensuring that your health does not put patients at risk;
- Ensuring other practitioners do not place patients at risk through their health, behaviour, conduct or performance;
- Reporting adverse events relating to the professional performance or conduct of colleagues;
- Not coercing patients into taking out private health cover in order to perform a medical procedure; and
- Providing factual information about your services.

2.1 Education, Teaching and Training

- You should encourage members of the public to be aware of and understand health issues and contribute to the education and training of other medical practitioners, medical students and colleagues.
- If you have special responsibilities for teaching you should develop the skills, attitudes and practices of a competent teacher.
- You should make sure that students and junior colleagues under your supervision are properly supervised.
- You should be honest and objective when assessing the performance of those you have supervised or trained.

2.2 References

- When providing references for colleagues, your comments should be honest and include all relevant information which has a bearing on the colleague's competence, performance, reliability and conduct.

2.3 Maintaining trust with and providing information to patients

Successful relationships between medical practitioners and patients depend on trust. To establish and maintain that trust you should:

- listen to patients and respect their views, cultural needs and practices;
- treat patients politely and considerately;
- respect your patients' privacy and dignity;
- observe professional boundaries with patients. This includes not engaging in personal relationships or sexual behaviour with patients;

- treat information about patients as confidential. (There may be circumstances where legislative provisions or the public interest requires that confidentiality be breached. You should seek appropriate advice in these circumstances.);
- give patients full information about their condition and treatment, outlining the risks and benefits, and prognosis. You should provide this information to the parent, guardian or person responsible where patients lack the maturity or ability to understand for themselves;
- give information to patients, parent, guardian or person responsible in a way they can understand;
- wherever possible, check that the patient, or their parent, guardian or person responsible has understood the information given and the course of action proposed and that they consent to it, before you provide treatment or investigate a patient's condition. Obtain written consent wherever possible or if not appropriate keep accurate records detailing who has given consent;
- respect the right of patients to be fully involved in all decisions about their care and work in partnership with families and carers;
- respect the right of patients to decline treatment or decline to take part in teaching or research;
- respect the right of patients to a second opinion; and
- be readily accessible to patients and colleagues when you are on duty.

2.4 *Putting Patients First*

- You should recognise the fundamental role of the patient, or, their parent, guardian, carer or person responsible in decision making about and treatment of the patient.
- You should give priority to the investigation and treatment of patients on the basis of clinical need, bearing in mind the needs of other patients.
- The investigations or treatment you provide or arrange should be based on your clinical judgment of the patient's needs and the likely effectiveness. You should not allow your views about a patient's lifestyle, culture, beliefs, race, colour, gender, sexuality, age, religion, social, economic or insurance status, to prejudice the treatment you provide or arrange.
- If you feel that your beliefs might affect the treatment you provide, you should explain this to patients, tell them of their right to see another medical practitioner, and where appropriate, refer them to another medical practitioner.

- You should not refuse or delay treatment because you believe that a patient's actions have contributed to the patient's condition, or because you may be putting yourself at risk. If a patient poses a risk to your health or safety, you should take reasonable steps to protect yourself before investigating their condition or providing treatment.
- You must act in your patient's best interests when making referrals and providing or arranging treatment or care. You must not ask for or accept any inducement, gift or hospitality which may affect or be seen to affect your judgment. You must not offer such inducements to colleagues.

2.5 *If Things Go Wrong*

Patients who complain about the care or treatment they have received have a right to expect a prompt and appropriate response. You have a professional responsibility to:

- deal with complaints constructively and honestly;
- co-operate with any complaints procedure which applies to your practice;
- ensure that a patient's complaint does not prejudice the care or treatment you provide or arrange for that patient - it may sometimes be wise to arrange an appropriate referral to another medical practitioner;
- act immediately to put matters right, if it is possible, if a patient under your care has suffered serious harm, through misadventure or for any other reason. You should explain fully to the patient what has happened and the likely short and long-term effects. When appropriate, you should offer an apology. If the patient lacks the maturity to understand what has happened, you should explain the situation honestly to those with parental responsibility for the child. If the patient is cognitively impaired you should provide explanation to the patient's parent, guardian, carer or person responsible;
- co-operate fully with any formal inquiry into the treatment of a patient, subject to appropriate advice from your medical defence organisation. You should not withhold relevant information. Similarly, you must assist the coroner when an inquest or inquiry is held into a patient's death; and
- maintain adequate insurance or professional indemnity cover.

2.6 *When a patient dies, you should;*

- explain, to the best of your knowledge, the reasons for the death to those with parental responsibility, the guardian, carer, patient's partner or next of kin, unless you know that the patient would have objected.

2.7 When the medical practitioner / patient relationship deteriorates, you should:

- do your best to establish and maintain a relationship of trust with your patient. Rarely, there may be circumstances in which you find it necessary to end a professional relationship with a patient and in such cases you should tell the patient why you have made the decision; and
- ensure that arrangements are made quickly for the continuing care of the patient, should you terminate the relationship. You should transfer records or other information to the patient's new medical practitioner on request.

2.8 Misuse of your professional standing:

Do not use your professional standing to gain inappropriate advantage over patients. You must not engage in actions including but not limited to:

- using your position to establish improper personal relationships with patients or their close relatives;
- putting pressure on your patients to give or lend money or to provide other benefits to you or other people;
- improperly disclosing or misusing confidential information about patients;
- giving patients, or recommending to them, an investigation or treatment which you know is not in their best interests;
- deliberately withholding appropriate investigation, treatment or referral;
- putting pressure on patients regarding their insurance status; and
- Allowing anyone who is not a registered medical practitioner to carry out tasks which require the knowledge and skills of a medical practitioner.

You should disclose any pecuniary interest you may have in giving a referral or recommendation to a patient.

2.9 Your duty to protect all patients

In order to protect your patients and the public, you should:

- be vigilant in identifying medical practitioners or other colleagues whose health, conduct, behaviour or performance may be a threat to the public;
- do your best to find out the facts, then, if necessary, notify an appropriate person such as the hospital Chief Executive or the Medical Board. Your comments about colleagues must be honest. If you are not sure what to do, ask an experienced

colleague or contact the Medical Board or your defence organisation for advice. The safety of patients must come first at all times; and

- report adverse events which reflect on the professional performance or conduct of yourself or colleagues to a hospital Chief Executive or Medical Board.

2.10 If your own health may put patients at risk

If you have a serious medical condition which you could pass on to patients, or if your judgment or performance could be significantly affected by a medical condition or illness, you should:

- Consult with and follow advice from an appropriate medical practitioner on whether, and in what ways, you should modify your practice. Do not rely on your own assessment of the risk to patients; and
- Have all the necessary tests and act on the advice given to you by a suitably qualified medical practitioner about necessary treatment and/or modifications to your clinical practice.

Under S77 of the *Medical Practice Act 2004*, a medical practitioner or medical student must report his or her medical unfitness to the Board in writing.

If in doubt, you will find more advice on what to do if you believe that you or a colleague (including a medical practitioner for whom you are providing medical care) may be placing patients at risk in, by contacting the Board.

2.11 Providing information about your services

If you publish or broadcast information about services you provide, you must:

- ensure that the information is factual and verifiable;
- provide information in a way that conforms with advertising regulations under the Trade Practices Act and fair trading requirements;
- ensure that the information is not false, misleading or deceptive and that it does not create an unjustified expectation of beneficial treatment or promote the unnecessary or inappropriate use of medical services;
- avoid making claims about the quality of your services or compare your services with those your colleagues provide; and
- not offer guarantees of cures, nor exploit a patient's vulnerability or lack of medical knowledge.

STANDARD 3

You must ensure that you work towards a productive and professional relationship with all colleagues in health care teams:

- through treating colleagues with respect regardless of your personal views;
- by working constructively with all health care professionals in health care teams;
- by ensuring patient treatment is covered during your own absence or unavailability;
- by ensuring that a patient's care is co-ordinated; and
- by ensuring appropriate delegation and referral of care of a patient.

3.1 Treating colleagues with professional courtesy, with consideration and without prejudice

- You must always treat your colleagues fairly, and in accordance with anti-discrimination laws. You should not allow your views of a colleague's lifestyle, culture, beliefs, race, colour, gender, sexuality, religion or age to prejudice your professional relationship with the colleague.
- You should ensure that students or medical practitioners or staff under your supervision are not abused or harassed.
- You should respect the views of other colleagues even if they differ from your own.
- You must not make any patient doubt the knowledge or skills of colleagues by making unnecessary or unsustainable comments about them.

3.2 Working constructively with teams

Health care is increasingly provided by multi-disciplinary teams, although you remain accountable for your professional conduct and the care you provide. You should:

- work constructively and respect the skills and contributions of all team members;
- ensure optimal communication with other members of the health care team; and
- endeavour to resolve disagreement within the team. If you believe that the decision would harm the patient, tell someone who can take action. If necessary, and as a last resort, take action yourself to protect the patient's safety or health.

If you are a team leader, you should:

- take responsibility for ensuring that the team provides care which is safe, effective and efficient;
- do your best to make sure that the whole team understands the need to provide a polite, responsive and accessible service and to treat patient information as confidential;

- make sure that colleagues understand their role and responsibilities in the team; and
- work to continually enhance your skills as a team leader.

3.3 *Ensuring patient treatment is covered*

- You should be satisfied that when you are off duty, suitable arrangements are made for your patients' medical care. These arrangements should include effective handover procedures and clear communication between medical practitioners.
- You should satisfy yourself that medical practitioners who stand in for you have the qualifications, experience, knowledge and skills to perform the duties for which they will be responsible.

3.4 *Ensuring patient care is coordinated*

It is in a patient's best interests for one medical practitioner, usually a general practitioner, to be fully informed about, and responsible for maintaining continuity of a patient's medical care. You should:

- be aware of the range of specialist services available to your patients; and
- actively coordinate a patient's care, or assure yourself that this task is being undertaken by another medical practitioner.

3.5 *Ensuring appropriate delegation and referral*

Delegation involves asking a nurse, medical practitioner, medical student or other health care worker to provide treatment or care on your behalf. When you delegate or refer care or treatment you should:

- be sure that the person to whom you delegate or refer is competent to carry out the procedure or provide the therapy involved. You should always pass on all relevant information about the patient's history and current condition; and
- unless the patient objects, tell the referring medical practitioner the results of the investigations, the treatment provided, and any other information necessary for the continuing care of the patient.

STANDARD 4***You must display proper standards of probity in your professional practice*****4.1 *Financial and commercial dealings***

You must be honest in financial and commercial matters relating to your work. In particular you should:

- tell patients which part of your fee is not covered by a Medicare rebate;
- avoid financial involvement such as loans and investment schemes with patients. There may be a detrimental effect on a therapeutic relationship with a patient if therapeutic and financial interests in a relationship between a medical practitioner and patient are combined.

4.2 *Financial interests in hospitals, nursing homes and other medical organisations*

- If you have financial or commercial interests in organisations providing health care or in pharmaceutical or other biomedical companies, these must not affect the way you prescribe for, treat or refer patients.
- If you have a financial or commercial interest in an organisation or hospital to which you plan to refer a patient for treatment or investigation, you must tell the patient about such interest. (see below)
- Section 71 of the Medical Practice Act requires a medical practitioner or student to declare **in writing**, any interest of the registered person or a prescribed relative of the registered person, in any business, before referring or recommending a patient to a health service provided by that business.

4.3 *Accepting gifts or other inducements*

- You must not ask for or accept any material gifts or loans from companies that sell or market drugs or appliances.
- You must not ask for or accept fees for agreeing to meet sales representatives.

It is an offence under section 72 of the Medical Practice Act 2004 to give, offer or accept a benefit for referral or recommendation. Note that further guidance on this matter in the form of a professional standard will be provided in due course.

4.4 *Signing certificates and other documents*

Registered medical practitioners have the authority to sign a variety of documents, such as death certificates and sickness certificates, on the assumption that they will only sign statements they believe to be true.

- You must take reasonable steps, such as verifying information from previous medical practitioners where required, to satisfy yourself of the accuracy of any signed statements that you make.
- You must not sign documents which you believe to be false or misleading.

4.5 *Research*

If you take part in clinical drug trials or other research involving patients or volunteers, you should:

- ensure that the research protocol has been approved by a properly constituted research ethics committee;
- conduct all research with honesty and integrity;
- ensure that the research participant has given informed, valid consent to take part in the research;
- ensure that the research is not contrary to the individual's interests;
- seek advice where your research involves children or adults who are not able to make decisions for themselves;
- follow all aspects of the research protocol;
- accept only those payments approved by a research ethics committee.

4.6 *Fraud*

You must report evidence of fraud or misconduct in research to an appropriate person or authority.

Dated 6 December 2007.

JOHN HILL, Minister for Health

MOTOR VEHICLES ACT 1959

Recognised as an Historic Motor Vehicle Club

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

FB-EK Holden Car Club of South Australia Inc.

Dated 29 November 2007.

M. SMALL, Registrar of Motor Vehicles

NATIONAL ELECTRICITY LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law (NEL) of the following matter:

Under section 107, the period of time for the making of the final determination on the draft *National Electricity Amendment (Process for Region Change) Rule 2007* has been extended to **20 December 2007**.

Further details on the above matter are available on the AEMC's website www.aemc.gov.au. All documents in relation to the above matter are published on the AEMC's website and are available for inspection at the offices of the AEMC.

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

6 December 2007.

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Variation to the Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse

PURSUANT to section 132 (9) of the Natural Resources Management Act 2004 ('the Act') and pursuant to the delegation of power in section 132 of the Act made to me by the Minister for Environment and Conservation (under section 9 (1) of the Administrative Arrangements Act 1994 and by the notice published in the *Government Gazette* of 15 September 2005, page 3307), I, Karlene Maywald, Minister for the River Murray, hereby vary the Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse published in the *Government Gazette* of 25 July 2007, page 3167 ('the Notice'), and varied in the *Government Gazette* of 20 September 2007, page 3744 and of 22 November 2007, page 4276, as follows:

1. Clause 1 (a) of Schedule 2 of the Notice is replaced with the following:

- (a) If a person holds a water licence endorsed with a water (taking) allocation to take water from the River Murray Prescribed Watercourse for purposes other than domestic, stock or industrial purposes (as defined in the Act and the Water Allocation Plan for the River Murray Prescribed Watercourse adopted on 1 July 2002 and amended on 12 January 2004), that person is entitled to take a quantity of water equivalent to **32%** of the water (taking) allocation endorsed on the water licence, subject to the provisions of paragraphs 2-7 inclusive of this Schedule.

2. Clause 1 (d) of Schedule 2 of the Notice is replaced with the following:

- (d) If, during the period of this Notice, a person receives approval under the Act to convert a water (holding) allocation to a water (taking) allocation, that person is entitled to take a quantity of water equivalent to **32%** of the water (taking) allocation endorsed on the water licence after conversion, subject to the provisions of paragraphs 2-7 inclusive of this Schedule.

Dated 5 December 2007.

K. MAYWALD, Minister for the River Murray

PASSENGER TRANSPORT ACT 1994

Appointment of Prescribed Officers

NOTICE is hereby given that the following persons have been appointed by the Minister for Transport as Prescribed Officers under section 57 of the Passenger Transport Act 1994:

Derek Samuel Craig
Robb Rexford McArthur
Christina Maree Ann De Vries
Adrian David Bickle

Dated 26 November 2007.

J. V. HALLION, Chief Executive, Department
for Transport, Energy and Infrastructure

PASSENGER TRANSPORT ACT 1994

Appointment of Authorised Officers

NOTICE is hereby given that the following persons have been appointed by the Minister for Transport as Authorised Officers under section 53 of the Passenger Transport Act 1994:

Derek Samuel Craig
Robb Rexford McArthur
Christina Maree Ann De Vries
Adrian David Bickle

Dated 26 November 2007.

J. V. HALLION, Chief Executive, Department
for Transport, Energy and Infrastructure

PASSENGER TRANSPORT ACT 1994

Appointment of Approved Vehicle Inspectors

NOTICE is hereby given that the following persons have been appointed by the Minister for Transport as Approved Vehicle Inspectors under section 54 of the Passenger Transport Act 1994:

Derek Samuel Craig
Robb Rexford McArthur

Dated 26 November 2007.

J. V. HALLION, Chief Executive, Department
for Transport, Energy and Infrastructure

PETROLEUM ACT 2000

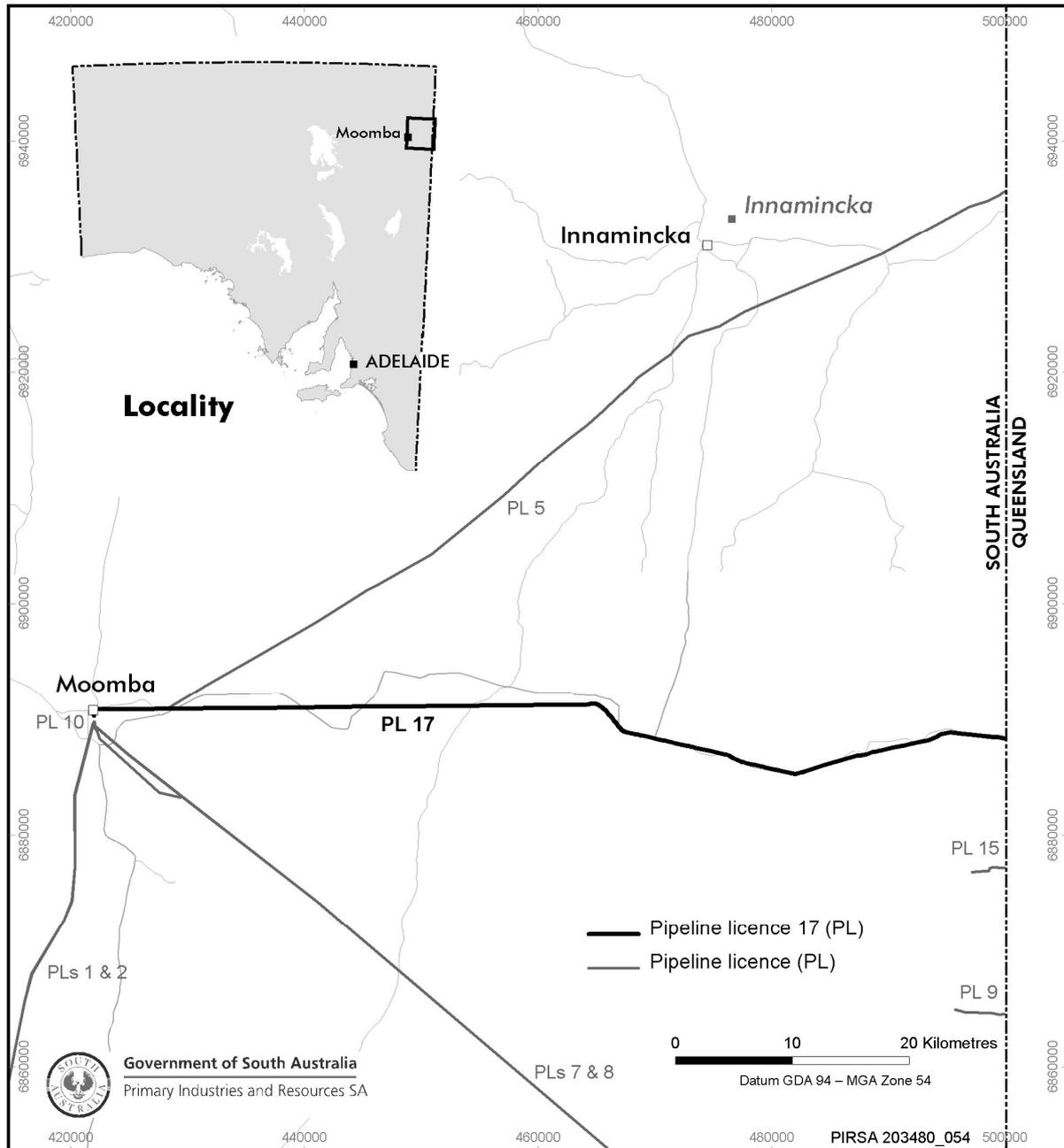
Grant of Pipeline Licence

NOTICE is hereby given that the undermentioned Pipeline Licence has been granted under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

No. of Licence	Licensee	Locality	Date of Expiry	Reference
17	Santos Limited	Cooper Basin of South Australia	29 November 2028	27/02/498

General Description of the Licence Area

The Pipeline is to be constructed along the route shown on the map following:



Dated 30 November 2007.

B. A. GOLDSTEIN, Director Petroleum and Geothermal
 Minerals and Energy Resources
 Primary Industries and Resources SA
 Delegate of the Minister for Mineral Resources Development

PETROLEUM ACT 2000

SECTION 25 (5) (b)

Variation of Petroleum Exploration Licence—PEL 107

NOTICE is hereby given that under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573, the conditions of the abovementioned Petroleum Exploration Licence have been varied as follows:

Condition 1 of the licence is omitted and the following substituted:

'1. During the term of the licence, the licensee shall carry out or cause to be carried out exploratory operations on the area comprised in the licence in accordance with such work programs as are approved by the Minister from time to time. Years one to five exploratory operations are guaranteed. These exploratory operations shall include but not necessarily be limited to:

Year of Term of Licence	Minimum Work Requirements
One	1 well; 50 km 2D seismic; Seismic reprocessing; and Geological and geophysical studies
Two	1 well; and 50 km 2D seismic or detailed 3D seismic program
Three	4 wells; and 50 km 2D seismic or detailed 3D seismic program
Four	2 wells; and 125 km ² 3D seismic
Five	Geological and geophysical studies

The revised work requirements as a result of this variation would not have altered the outcome of the original competitive tender process.

Dated 29 November 2007.

B. A. GOLDSTEIN,
Director Petroleum and Geothermal
Minerals and Energy Resources
Primary Industries and Resources SA
Delegate of the Minister for Mineral
Resources Development

DETERMINATION OF THE REMUNERATION TRIBUNAL
NO. 8 OF 2007

Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman, Ombudsman and Health and Community Services Complaints Commissioner

1. *Scope of Determination*

This Determination applies to the separate offices of Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman, Ombudsman and Health and Community Services Complaints Commissioner.

2. *Salary*

2.1 *Auditor-General*

The salary of the office of Auditor-General shall be \$252 800 per annum.

2.2 *Electoral Commissioner*

The salary of the office of Electoral Commissioner shall be \$147 000 per annum.

2.3 *Deputy Electoral Commissioner*

The salary of the office of Deputy Electoral Commissioner shall be \$107 500 per annum, except when acting as Electoral Commissioner for a continuous period of more than one week, in which case the Deputy Electoral Commissioner will be paid for the acting period at the rate of the salary for the Electoral Commissioner.

2.4 *Employee Ombudsman*

The salary of the office of Employee Ombudsman shall be \$109 800 per annum.

2.5 *Ombudsman*

The salary of the office of Ombudsman shall be \$187 300 per annum.

2.6 *Health and Community Services Complaints Commissioner*

The salary of the office of Health and Community Services Complaints Commissioner shall be \$169 100 per annum.

3. *Telephone Rental and Calls Allowance*

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

4. *Travelling and Accommodation Allowances*

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

5. *Conveyance Allowances*

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

6. *Date of Operation*

The salaries prescribed in Clause 2 are operative from 1 July 2007 and supersede those of all previous Determinations covering persons whose office is listed herein.

Dated 4 December 2007.

H. R. BACHMANN, President

J. MEEKING, Member

D. SMYTHE, Member

REMUNERATION TRIBUNAL

REPORT RELATING TO DETERMINATION NO. 8 OF 2007

1. *Introduction*

1.1 In accordance with the provisions of the Remuneration Act 1990, the Remuneration Tribunal by letters dated 3 September 2007, invited the office holders of the statutory positions of Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman, Health and Community Services Complaints Commissioner and Ombudsman to make submissions in relation to the remuneration of those offices. The Tribunal also invited the Minister to make submissions in the public interest.

1.2 On 12 September 2007, the following notice was published in *The Advertiser* newspaper:

REMUNERATION TRIBUNAL

Review of Salaries for Statutory Office Holders

Section 8 (2) of the Remuneration Act 1990, requires the Tribunal to sit at least once in each year to review its previous determinations. Accordingly, the Tribunal is conducting a review of the determination incorporating the salaries payable to the following statutory office holders:

- Auditor-General;
- Electoral Commissioner;
- Deputy Electoral Commissioner;
- Employee Ombudsman;
- Ombudsman; and
- Health and Community Services Complaints Commissioner.

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

The closing date is 26 September 2007 and submissions should be forwarded to:

The Secretary
Remuneration Tribunal
G.P.O. Box 2343
Adelaide, S.A. 5001

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

www.remtribunal.sa.gov.au

Telephone: (08) 8226 4093

Facsimile: (08) 8226 4174

1.3 The Tribunal received written submissions from the Minister, Health and Community Services Complaints Commissioner, the Auditor-General, the Acting Ombudsman and a member of the public, and a joint written submission from the Electoral Commissioner and Deputy Electoral Commissioner. The Employee Ombudsman made an oral submission to the Tribunal on 23 October 2007, as did the Minister's representative.

1.4 The Minister made the same submission in respect of all of the offices covered by this report. In doing so the Minister submitted, *'A salary increase should be granted to Statutory Office Holders (being the Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman, Ombudsman and Health and Community Services Complaints Commissioner) that is generally consistent with movements in Public Sector Executive remuneration in 2007 in particular, and in the public sector generally.'*

Given that Government is yet to determine the salary increase that will apply to public sector executives for 2007 and in view of the importance of the executive increase, the Tribunal is requested to defer its decision until such time as the executive increase is known.

In the alternative, the Tribunal, in determining the salary outcomes for Statutory Office Holders, should have regard to the economic indicia outlined in the Minister's submission: in particular, the CPI increase for South Australia and the salary increase of 3.5% applicable to public sector salaried employees immediately below the Executive level, together with information about the public sector Executive level increase for 2007 when it becomes known'.

1.5 In previous submissions the Minister has submitted, *'given the nature and status of the Statutory Offices, it is in the public interest that the salaries for these officers keep pace with, but do not significantly exceed, increases applicable to other public sector positions of similar status'.*

1.6 The Tribunal understands that Government has recently granted a 3.5% increase to Public Sector Executives.

2. Auditor-General

2.1 The remuneration for the Office of Auditor-General was last determined in Determination No. 9 of 2006 operative from 1 July 2006. The current salary is \$243 700 per annum.

2.2 The Auditor-General advised he did not wish to make written or oral submissions.

2.3 After reviewing previous Tribunal Determinations and the submissions received during this review the Tribunal has determined that the salary for the Office of Auditor-General will be \$252 800 per annum. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

3. Electoral Commissioner

3.1 The remuneration of the Office of Electoral Commissioner was last determined in Determination No. 9 of 2006 operative from 1 July 2006. The current salary is \$141 200 per annum.

3.2 The Electoral Commissioner and Deputy Electoral Commissioner again submitted that when determining the work value of their positions, the Tribunal should consider the following forces:

- market rates;
- attraction and retention;
- career limitations that may occur due to vigorously maintaining independence of the Office; and
- no opportunity to negotiate increases for factors other than CPI increases.

3.3 The Tribunal has had regard to the submissions made and has determined the salary for the Office of Electoral Commissioner will be \$147 000 per annum. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

4. Deputy Electoral Commissioner

4.1 The remuneration for the Office of Deputy Electoral Commissioner was last determined in Determination No. 9 of 2006 operative from 1 July 2006. The current salary is \$103 400 per annum.

4.2 As previously stated, the Electoral Commissioner and the Deputy Electoral Commissioner made a joint submission as briefly outlined at Clause 3.2 above.

4.3 As was the case with the Electoral Commissioner, the Tribunal had regard to the submissions made and in doing so has determined the salary for the Office of Deputy Electoral Commissioner will be \$107 400 per annum. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

5. Employee Ombudsman

5.1 The remuneration for the Office of Employee Ombudsman was last determined in Determination No. 9 of 2006 operative from 1 July 2006. The salary is currently \$105 700 per annum.

5.2 The Employee Ombudsman submitted that as a result of the amendment to the *Fair Work Act 1994* ('the Act') the Employee Ombudsman is now considered a 'peak entity', as this term is defined at section 4 therein, and as such now has additional duties and responsibilities.

5.3 In addition to the Minister's submission for all Statutory Offices, a supplementary written submission was received from the Minister in response to the Employee Ombudsman's oral submissions. This submission provided some background material on the operation of the peak entities. It also drew attention to the Tribunal's previous approach to changes in work value and the requirement of the nature of the work to the change constituting a *'significant net addition to work requirements'*.

5.4 Having considered the submissions and of its own knowledge the Tribunal was not persuaded that the Office of Employee Ombudsman had undergone significant work value change such to warrant an increase beyond the general salary movement afforded to the other statutory offices covered by this report. Accordingly, the Tribunal has determined that the salary for this Office will be \$109 800 per annum. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

6. Ombudsman

6.1 The remuneration of the Office of Ombudsman was last determined in Determination No. 9 of 2006 operative from 1 July 2006. The current salary is \$180 500 per annum.

6.2 The Office of Ombudsman was vacant at the date of this review. Whilst the Tribunal does not have the jurisdiction to determine remuneration for the Acting Ombudsman, it nevertheless received and considered a submission from the person currently undertaking that role. In part the Acting Ombudsman submitted, *'...in making a determination with respect to the remuneration of the office of Ombudsman, that the Ombudsman should be remunerated on a basis that recognises the general movement in salary of other statutory offices'*.

6.3 Having considered the submissions made with respect to this Office the Tribunal has determined the salary for the Office of Ombudsman will be \$187 300 per annum. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

7. Health and Community Services Complaints Commissioner

7.1 The remuneration of the Health and Community Services Complaints Commissioner was first determined in Determination No. 9 of 2006 operative from 1 July 2006. The current salary is \$162 900 per annum.

7.2 Written submissions were received from the Health and Community Complaints Commissioner stated, *inter alia*, '...if the Remuneration Tribunal determines to increase my remuneration, any such increase should be limited to comparable increases in public sector employee remuneration at a comparable responsibility level'.

7.3 The Tribunal has considered the submissions made and has determined that the salary for this Office will be \$169 100 per annum. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

8. Conclusion

8.1 As has been the practice in recent reports concerning the above statutory offices the Tribunal reiterates the requirements of the State wage case principles as they relate to changes in work value, viz '*Changes in work value may arise from changes in the nature of work, skill and responsibility required or the conditions under which work is performed. Changes in work by themselves may not lead to a change in wage rates. The strict test for an alteration in wage rates is that the change in the nature of the work should constitute such a significant net addition to work requirements as to warrant the creation of a new classification or upgrading to a higher classification*'.

8.2 Salaries determined herein will operate from 1 July 2007.

Dated 4 December 2007.

H. R. BACHMANN, President

ROADS (OPENING AND CLOSING) ACT 1991: SECTION 24

NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER

*Road Closure
Shearer Drive, Seaford*

BY Road Process Order made on 10 August 2007, the City of Onkaparinga ordered that:

1. Portions of Shearer Drive situated adjoining allotments 12 and 13 in Deposited Plan 69768, Hundred of Willunga, more particularly delineated and lettered 'A' and 'B' in Preliminary Plan No. 07/0037 be closed.

2. Portion of the land subject to closure marked 'A' be transferred to Dean Mervyn Knuckey and Trevor Brian Lambert in accordance with agreement for transfer dated 15 June 2007 entered into between the City of Onkaparinga and D. M. Knuckey and T. B. Lambert.

3. Portion of the land subject to closure marked 'B' be transferred to Trevor Brian Lambert in accordance with agreement for transfer dated 15 June 2007 entered into between the City of Onkaparinga and T. B. Lambert.

On 23 November 2007 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 75327 being the authority for the new boundaries.

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

Dated 6 December 2007.

P. M. KENTISH, Surveyor-General

NOTICE TO MARINERS

AMENDMENT TO NO. 45 OF 2007

Murray Mouth Exclusion Zone—Vessel Access

BOAT operators are reminded that whilst daylight access past the Murray Mouth has been permitted between October 2007 and 4 p.m. on Sunday, 27 April 2008, an Exclusion Zone remains in place around dredging activities within the Murray Mouth area.

Yellow buoys, either connected by a surface cable and rod, or individually anchored, will mark the extent of the exclusion zone within the Murray Mouth area.

Mariners are further advised that vessels are not to enter this buoyed zone, unless authorised to do so by SA Water.

Penalties for entering the buoyed zone will be enforced.

Adelaide, 17 October 2007.

PATRICK CONLON, Minister for Transport

DTEI 2007/00313

RULES OF COURT

District Court Civil Rules 2006 (Amendment No. 3)

BY virtue and in pursuance of section 51 of the District Court Act 1991 and all other enabling powers, We, Terence Anthony Worthington, Chief Judge and Andrea Simpson and Dean Ernest Clayton, Judges of the District Court of South Australia, do hereby make the following Rules of Court:

1. These rules may be cited as the District Court Civil Rules 2006 (Amendment No. 3).

2. The District Court Civil Rules 2006 are amended as set out below.

3. These amendments are to come into effect on 1 January 2008, or on their gazettal, whichever is the later.

4. The following rule numbered 18A is inserted immediately after the present Rule 18:

‘18A Summary recovery of fees

- (1) When an appropriate fee has not been paid to the Court within 14 days of a written demand by the Registrar posted to the last known address of the practitioner or party at whose instance the fee was incurred, the Registrar may report the default to the Court.
- (2) After consideration of any evidentiary material or submissions provided by the practitioner or party at whose instance the fee was incurred, the Court may make such orders as it sees fit to enforce payment of the fee.
- (3) The Registrar must, at least 14 days before the date set for hearing by the Court, serve written notice of the hearing on the practitioner or party.
- (4) The orders which may be made under subrule (2) include an order entering judgment in favour of the Courts Administration Authority in respect of the fee, and an order with respect to the costs of the proceedings following the report by the Registrar.
- (5) The Registrar may, with the consent of the Attorney-General, commit to the Crown Solicitor the conduct of the proceedings before the Court.’

5. Rule 32 (2) is amended by inserting immediately after the word ‘Court’ in both subrules (a) and (b) the words ‘or to the plaintiff’.

6. Rule 35 (2) is amended by deleting from Examples 1 and 2 the words ‘might be’ and inserting in their place in each case the words ‘is to be’.

7. Rule 35 is amended by adding a new subrule immediately after subrule (3):

- ‘(4) A cross-action by way of counterclaim is to be in the same document as any defence filed by the party making the counterclaim.’

8. The whole of Rule 37 is deleted and the following new rule inserted in its place:

‘37 Actions that are in part cross-actions and in part third party actions

- (1) A party wishing to introduce a cross-action and a third party action of the kind referred to in Rule 36 (2) must file an originating process in an approved form.
- (2) The originating process for a combined cross-action and third party action is to be filed and served within the time allowed for filing and serving a defence.
- (3) On the filing of the originating process for a combined cross-action and third party action, a person against whom the third party action lies becomes a party to the action.
- (4) If the defendants are to file a defence to such an action, the relevant time limit is that which is appropriate to a third party action.’

9. Rule 91 (2) is amended by:

- (1) inserting the words ‘or affidavits’ immediately after the words ‘formal pleadings’;
- (2) inserting the words ‘or by affidavits’ immediately after the words ‘a statement of the plaintiff’s claim’; and
- (3) deleting from subparagraph (a) the words ‘within a time fixed by the Court on hearing the application’ and inserting in their place the words ‘or an affidavit as directed by the Court on hearing the application’.

10. Rule 140 (4) is deleted and the following inserted in its place:

- ‘(4) Unless the parties otherwise agree, or the Court otherwise orders, the place for inspection must be premises:
- (i) at which a lawyer practices in South Australia; or
 - (ii) within 50 km of the G.P.O. at Adelaide,
- as nominated by the party holding the documents to be inspected.’

11. Rule 146 (1) (b) is amended by inserting immediately after the words ‘the Court’ first appearing the words ‘or to any party’.

12. Rule 229 is amended by deleting the existing subrule 229 (3) and by inserting new subrules (3) and (4) as follows:

- ‘(3) A plaintiff who enters judgment under this Rule is, subject to any order of the Court to the contrary, entitled to costs up to the date of entering judgment and:
- (a) if judgment is entered for a specified amount—the judgment may, at the option of the plaintiff:
 - (i) require the defendant to pay the plaintiff’s costs to be adjudicated; or
 - (ii) require the defendant to pay lump sum costs fixed in accordance with subrule (4);
 - (b) if the Court is yet to assess the amount of the judgment—the Court will make the appropriate order for costs at the conclusion of the assessment proceedings.
- (4) Under subrule 229 (3) (a) (ii) the costs will be fixed, without any need for the plaintiff to present details of the costs incurred, at the amount prescribed in the First Schedule in addition to the amount of the appropriate fee for the filing of the summons which was paid by the plaintiff.’

13. Schedule 1 to the Rules is amended by adding immediately after item 23 and before the Notes the following:

- ‘24 The Lump Sum allowed on a default judgment pursuant to Rule 229 (4)\$1 790.’

Dated 28 November 2007.

T. A. WORTHINGTON, Chief Judge

A. SIMPSON, Judge

D. E. CLAYTON, Judge

RULES OF COURT

Supreme Court Civil Rules 2006 (Amendment No. 4)

BY virtue and in pursuance of section 72 of the Supreme Court Act 1935 and all other enabling powers, We, Judges of the Supreme Court of South Australia, make the following Supreme Court Civil Rules 2006 (Amendment No. 4).

1. These rules may be cited as the Supreme Court Civil Rules 2006 (Amendment No. 4).

2. The Supreme Court Civil Rules 2006 are amended as set out below.

3. These amendments are to come into effect on 1 January 2008, or on their gazettal, whichever is the later.

4. The following rule numbered 18A is inserted immediately after the present Rule 18:

‘18A Summary recovery of fees

- (1) When an appropriate fee has not been paid to the Court within 14 days of a written demand by the Registrar posted to the last known address of the practitioner or party at whose instance the fee was incurred, the Registrar may report the default to the Court.
- (2) After consideration of any evidentiary material or submissions provided by the practitioner or party at whose instance the fee was incurred, the Court may make such orders as it sees fit to enforce payment of the fee.
- (3) The Registrar must, at least 14 days before the date set for hearing by the Court, serve written notice of the hearing on the practitioner or party.
- (4) The orders which may be made under subrule (2) include an order entering judgment in favour of the Courts Administration Authority in respect of the fee, and an order with respect to the costs of the proceedings following the report by the Registrar.
- (5) The Registrar may, with the consent of the Attorney-General, commit to the Crown Solicitor the conduct of the proceedings before the Court.’

5. Rule 32 (2) is amended by inserting immediately after the word ‘Court’ in both subparagraphs (a) and (b) the words ‘or to the plaintiff’.

6. Rule 35 (2) is amended by deleting from Examples 1 and 2 the words ‘might be’ and inserting in their place in each case the words ‘is to be’.

7. Rule 35 is amended by adding a new subrule immediately after subrule (3):

- ‘(4) A cross-action by way of counterclaim is to be in the same document as any defence filed by the party making the counterclaim.’

8. The whole of Rule 37 is deleted and the following new rule inserted in its place:

‘37 Actions that are in part cross-actions and in part third party actions

- (1) A party wishing to introduce a cross-action and a third party action of the kind referred to in Rule 36 (2) must file an originating process in an approved form.
- (2) The originating process for a combined cross-action and third party action is to be filed and served within the time allowed for filing and serving a defence.
- (3) On the filing of the originating process for a combined cross-action and third party action, a person against whom the third party action lies becomes a party to the action.
- (4) If the defendants are to file a defence to such an action, the relevant time limit is that which is appropriate to a third party action.’

9. Rule 91 (2) is amended by:

- (1) inserting the words ‘or affidavits’ immediately after the words ‘formal pleadings’;
- (2) inserting the words ‘or by affidavits’ immediately after the words ‘a statement of the plaintiff’s claim’; and
- (3) deleting from subparagraph (a) the words ‘within a time fixed by the Court on hearing the application’ and inserting in their place the words ‘or an affidavit as directed by the Court on hearing the application’.

10. Rule 140 (4) is deleted and the following inserted in its place:

- ‘(4) Unless the parties otherwise agree, or the Court otherwise orders, the place for inspection must be premises:
- (i) at which a lawyer practices in South Australia; or
 - (ii) within 50 km of the G.P.O. at Adelaide,
- as nominated by the party holding the documents to be inspected.’

11. Rule 146 (1) (b) is amended by inserting immediately after the words ‘the Court’ first appearing the words ‘or to any party’.

12. Rule 229 is amended by deleting the existing subrule 229 (3) and by inserting new subrules (3) and (4) as follows:

- ‘(3) A plaintiff who enters judgment under this Rule is, subject to any order of the Court to the contrary, entitled to costs up to the date of entering judgment and:
- (a) if judgment is entered for a specified amount—the judgment may, at the option of the plaintiff:
 - (i) require the defendant to pay the plaintiff’s costs to be adjudicated; or
 - (ii) require the defendant to pay lump sum costs fixed in accordance with subrule (4);
 - (b) if the Court is yet to assess the amount of the judgment—the Court will make the appropriate order for costs at the conclusion of the assessment proceedings.
- (4) Under subrule 229 (3) (a) (ii) the costs will be fixed, without any need for the plaintiff to present details of the costs incurred, at the amount prescribed in the First Schedule in addition to the amount of the appropriate fee for the filing of the summons which was paid by the plaintiff.’

13. Schedule 1 to the Rules is amended by adding immediately after item 23 and before the Notes the following:

- ‘24 The Lump Sum allowed on a default judgment pursuant to Rule 229 (4)\$1 790.’

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 26th day of November 2007.

(L.S.)

J. J. DOYLE, CJ
 K. P. DUGGAN, J
 B. M. DEBELLE, J
 M. J. NYLAND, J
 D. J. BLEBY, J
 T. A. GRAY, J
 J. R. SULAN, J
 A. M. VANSTONE, J
 T. R. ANDERSON, J
 R. C. WHITE, J
 M. DAVID, J
 P. KELLY, J



tafeSA

TAFE SA CAMPUS CLOSURE TIMES DURING THE 2007/2008 HOLIDAY PERIOD

TAFE SA ADELAIDE NORTH	
CLOSING	
TUESDAY 18 DECEMBER 2007	
Cheltenham	
FRIDAY 21 DECEMBER 2007	
All other campuses	
OPENING	
WED 2 JANUARY 2008 (with skeleton staff)	
Elizabeth	Regency Park
Gilles Plains	
MONDAY 7 JANUARY 2008	
Croydon	Salisbury
Port Adelaide	Tea Tree Gully
Parafield	
MONDAY 21 JANUARY 2008	
Cheltenham	

TAFE SA ADELAIDE SOUTH	
CLOSING	
FRIDAY 21 DECEMBER 2007	
All campuses	
OPENING	
WED 2 JANUARY 2008 (with skeleton staff)	
All campuses	

TAFE SA REGIONAL	
CLOSING	
FRIDAY 21 DECEMBER 2007	
All campuses/ sites	
OPENING	
WED 2 JANUARY 2008 (with skeleton staff)	
Barossa Valley	Mount Gambier
Berri	Whyalla
Gawler	
MONDAY 7 JANUARY 2008	
Clare	Kadina
Port Augusta	Port Pirie
Mount Barker	Murray Bridge
Victor Harbor	Renmark
Port Lincoln	Naracoorte
Millicent	Urrbrae
Roseworthy	
MONDAY 14 JANUARY 2008	
Jamestown	Ceduna
Roxby Downs	
MONDAY 21 JANUARY 2008	
Yorketown	Peterborough
Cooper Pedy	Loxton
Waikerie	Kangaroo Island
Cleve	Kimba
Wudinna	
MONDAY 29 JANUARY 2008	
Bordertown	Kingston
Narungga	
All other sites	

BRIAN CUNNINGHAM, Chief Executive Officer

TRAINING AND SKILLS DEVELOPMENT ACT 2003

Part 4—Apprenticeships/Traineeships

Pursuant to the provisions of the Training and Skills Development Act 2003, the Training and Skills Commission gives notice that determines the following Apprenticeship and Traineeship conditions in addition to the gazettals of:

- | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|
| 1. 5 February 2004 | 2. 19 February 2004 | 3. 11 March 2004 | 4. 1 April 2004 |
| 5. 1 July 2004 | 6. 15 July 2004 | 7. 22 July 2004 | 8. 30 September 2004 |
| 9. 16 December 2004 | 10. 27 January 2005 | 11. 3 February 2005 | 12. 10 February 2005 |
| 13. 10 March 2005 | 14. 24 March 2005 | 15. 5 May 2005 | 16. 12 May 2005 |
| 17. 2 June 2005 | 18. 16 June 2005 | 19. 7 July 2005 | 20. 4 August 2005 |
| 21. 18 August 2005 | 22. 1 September 2005 | 23. 15 September 2005 | 24. 22 September 2005 |
| 25. 6 October 2005 | 26. 20 October 2005 | 27. 27 October 2005 | 28. 8 December 2005 |
| 29. 22 December 2005 | 30. 9 March 2006 | 31. 6 April 2006 | 32. 20 April 2006 |
| 33. 4 May 2006 | 34. 18 May 2006 | 35. 25 May 2006 | 36. 1 June 2006 |
| 37. 3 August 2006 | 38. 10 August 2006 | 39. 31 August 2006 | 40. 7 September 2006 |
| 41. 21 September 2006 | 42. 29 September 2006 | 43. 12 October 2006 | 44. 9 November 2006 |
| 45. 23 November 2006 | 46. 30 November 2006 | 47. 7 December 2006 | 48. 21 December 2006 |
| 49. 4 January 2007 | 50. 11 January 2007 | 51. 1 February 2007 | 52. 8 February 2007 |
| 53. 15 February 2007 | 54. 19 April 2007 | 55. 10 May 2007 | 56. 26 July 2007 |
| 57. 2 August 2007 | 58. 30 August 2007 | 59. 6 September 2007 | 60. 13 September 2007 |
| 61. 8 November 2007 | | | |

Trades, Declared Vocations or Other Occupations, required Qualifications and Contract of Training Conditions for the

Health Training Package (HLT07)

*Trade / #Declared Vocation / Other Occupation	National Code	Qualification	Term of Contract	Probationary Period
# Dental Assistant	HLT43007	Certificate IV in Dental Assisting	24 months	2 months
# Dental Technologist	HLT50507	Diploma of Dental Technology	24 months	2 months
# Health Ancillary Worker (Dental Assistant)	HLT31807	Certificate III in Dental Assisting	12 months	1 month
# Health Services Assistant	HLT31407	Certificate III in Hospital/Health Services Pharmacy Support	12 months	1 month
	HLT32007	Certificate III in Mortuary Theatre Practice	12 months	1 month
	HLT32107	Certificate III in Prosthetic/Orthotic Technology	24 months	2 months
	HLT40507	Certificate IV in Hospital/Health Services Pharmacy Support	24 months	2 months

*Trade / #Declared Vocation / Other Occupation	National Code	Qualification	Term of Contract	Probationary Period
# Health Services Technician	HLT41307	Certificate IV in Audiometric Assessment	24 months	2 months
	HLT41507	Certificate IV in Hyperbaric Technology	24 months	2 months
	HLT41607	Certificate IV in Mortuary Theatre Practice	24 months	2 months
	HLT41707	Certificate IV in Neurophysiology Technology	24 months	2 months
	HLT41907	Certificate IV in Sleep Technology	24 months	2 months
	HLT42107	Certificate IV in Cardiac Technology	24 months	2 months
# Health Support Worker	HLT21207	Certificate II in Health Support Services	12 months	1 month
	HLT31107	Certificate III in Sterilisation Services	12 months	1 month
	HLT31507	Certificate III in Nutrition and Dietetic Assistance	12 months	1 month
	HLT32407	Certificate III in Allied Health Assistance	12 months	1 month
	HLT32507	Certificate III in Health Services Assistance	12 months	1 month
	HLT32607	Certificate III in Pathology	12 months	1 month
	HLT32807	Certificate III in Health Support Services	12 months	1 month
	HLT40407	Certificate IV in Health Supervision	12 months	1 month
# Massage Therapist	HLT40307	Certificate IV in Massage Therapy Practice	24 months	2 months

WATERWORKS ACT 1932

Water Rates in Respect of Non-Commercial Land (except Residential and Vacant Land)

AFTER consultation with the South Australian Water Corporation, I fix the following water rates under section 65C (1) (d) of the Waterworks Act 1932, in respect of all water supplied to all classes of non-commercial land except residential and vacant land for the financial year commencing on 1 July 2008 and ending on 30 June 2009:

- (i) for each kilolitre supplied up to, and including, 120 kilolitres—\$0.71 per kilolitre;
- (ii) for each kilolitre supplied over 120 kilolitres—\$1.38 per kilolitre.

Dated 5 December 2007.

KARLENE MAYWALD, Minister for Water Security

WATERWORKS ACT 1932

Supply Charge in Respect of Non-Commercial Land (except Residential and Vacant Land)

AFTER consultation with the South Australian Water Corporation, I fix the supply charge under section 65C (1) (a) of the Waterworks Act 1932, in respect of all classes of non-commercial land except residential and vacant land for the financial year commencing on 1 July 2008 and ending on 30 June 2009 at \$174.60 per annum.

Dated 5 December 2007.

KARLENE MAYWALD, Minister for Water Security

WATERWORKS ACT 1932

Supply Charge in Respect of Non-Commercial (Residential and Vacant) Land

AFTER consultation with the South Australian Water Corporation, I fix the supply charge under section 65C (1) (a) of the Waterworks Act 1932, in respect of residential and vacant land for the financial year commencing on 1 July 2008 and ending on 30 June 2009 at \$157.40 per annum.

Dated 5 December 2007.

KARLENE MAYWALD, Minister for Water Security

WATERWORKS ACT 1932

Water Rates in Respect of Non-Commercial (Residential and Vacant) Land

AFTER consultation with the South Australian Water Corporation, I fix the following water rates under section 65C (1) (d) of the Waterworks Act 1932, in respect of water supplied to residential and vacant land for the financial year commencing on 1 July 2008 and ending on 30 June 2009 as follow:

Properties having the following land use codes:

- (a) Houses with the land use codes 1100, 1101, 1118, 1119 and 1912;
- (b) Units, maisonettes, townhouses and row houses (various categories) with land use codes in the range 1200 to 1399;
- (c) Independent Living Units with the land use code 1765; and
- (d) Shacks with the land use codes 1920 and 1921:
 - (i) for each kilolitre supplied up to, and including, 120 kilolitres \$0.71 per kilolitre
 - (ii) for each kilolitre supplied over 120 kilolitres up to, and including, 520 kilolitres..... \$1.38 per kilolitre
 - (iii) for each kilolitre supplied over 520 kilolitres \$1.65 per kilolitre

Properties with land use codes other than the above:

- (i) for each kilolitre supplied up to, and including, 120 kilolitres \$0.71 per kilolitre
- (ii) for each kilolitre supplied over 120 kilolitres \$1.38 per kilolitre

Dated 5 December 2007.

KARLENE MAYWALD, Minister for Water Security

WATERWORKS ACT 1932

Water Rates in Respect of Commercial Land

AFTER consultation with the South Australian Water Corporation, I fix the water rate under section 65C (1) (d) of the Waterworks Act 1932, in respect of water supplied to commercial land for the financial year commencing on 1 July 2008 and ending on 30 June 2009:

- (i) for each kilolitre supplied up to, and including, 120 kilolitres—\$0.71 per kilolitre;
- (ii) for each kilolitre supplied over 120 kilolitres—\$1.38 per kilolitre.

Dated 5 December 2007.

KARLENE MAYWALD, Minister for Water Security

WATERWORKS ACT 1932

Rates for Supply by Agreement (other than recycled water and the Clare Valley Water Supply Scheme)

IN relation to agreements for the supply of water entered into pursuant to section 37 (1) of the Waterworks Act 1932, the rates payable in respect of the financial year commencing on 1 July 2008 and ending on 30 June 2009 are as set out in the Schedule. The rates in the Schedule:

- (a) do not apply to supplies for which rates apply under Part 5 of the Waterworks Act 1932; and
- (b) do not apply to the extent that the Corporation determines pursuant to the Waterworks Act 1932, that those charges do not apply or that other charges apply.

SCHEDULE

Supply charge payable in respect to each supply in any water district other than those in the Marla water district	\$157.40
Water rates payable in respect to each and every supply in any water district other than those in the Marla water district for water supplied during the consumption year ending in the 2008-2009 financial year and having the following land use codes:	
(a) Houses with the land use codes 1100, 1101, 1118, 1119 and 1912;	
(b) Units, maisonettes, townhouses and row houses (various categories) with land use codes in the range 1200 to 1399;	
(c) Independent Living Units with the land use code 1765; and	
(d) Shacks with the land use codes 1920 and 1921:	
(i) for each kilolitre supplied up to, and including, 120 kilolitres	\$0.71 per kilolitre
(ii) for each kilolitre supplied over 120 kilolitres up to, and including, 520 kilolitres.....	\$1.38 per kilolitre
(iii) for each kilolitre supplied over 520 kilolitres	\$1.65 per kilolitre
Water rates payable in respect to each and every supply in any water district other than those in the Marla water district for water supplied during the consumption year ending in the 2008-2009 financial year with land use codes other than the above or for which the Corporation does not have a land use code:	
(i) for each kilolitre supplied up to, and including, 120 kilolitres	\$0.71 per kilolitre
(ii) for each kilolitre supplied over 120 kilolitres	\$1.38 per kilolitre
Charge payable in respect to each supply in the Marla water district	\$314.80
Water rates payable in respect to each and every supply in the Marla water district for water supplied during the consumption year ending in the 2008-2009 financial year and having the following land use codes:	
(a) Houses with the land use codes 1100, 1101, 1118, 1119 and 1912;	
(b) Units, maisonettes, townhouses and row houses (various categories) with land use codes in the range 1200 to 1399;	
(c) Independent Living Units with the land use code 1765; and	
(d) Shacks with the land use codes 1920 and 1921:	
(i) for each kilolitre supplied up to, and including, 120 kilolitres	\$1.42 per kilolitre
(ii) for each kilolitre supplied over 120 kilolitres up to, and including, 520 kilolitres.....	\$2.76 per kilolitre
(iii) for each kilolitre supplied over 520 kilolitres	\$3.30 per kilolitre
Water rates payable in respect to each and every supply in the Marla water district for water supplied during the consumption year ending in the 2008-2009 financial year with land use codes other than above or for which the Corporation does not have a land use code:	
(i) for each kilolitre supplied up to, and including, 120 kilolitres	\$1.42 per kilolitre
(ii) for each kilolitre supplied over 120 kilolitres	\$2.76 per kilolitre

Dated 3 December 2007.

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

A. HOWE, Chief Executive

In the presence of:

G. A. HENSTOCK, Head of Regulation and Governance

South Australia

Environment Protection (Noise Policy) Notice 2007

under section 28 of the *Environment Protection Act 1993*

1—Short title

This notice may be cited as the *Environment Protection (Noise Policy) Notice 2007*.

2—Commencement

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

3—Noise policy

- (1) The draft policy known as the *Environment Protection (Noise) Policy 2007* and approved by the Minister under section 28(11) of the *Environment Protection Act 1993* is an authorised environment protection policy under that Act.
- (2) The policy referred to in subclause (1) will come into operation on 31 March 2008.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

EPCS07/0013

South Australia

Environment Protection (Noise) Policy 2007

under the *Environment Protection Act 1993*

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Part 1—Preliminary

1—Short title

This policy may be cited as the *Environment Protection (Noise) Policy 2007*.

2—Commencement

This policy will come into operation on a day to be fixed by the Governor by notice in the Gazette.

3—Interpretation

- (1) In this policy—

Act means the *Environment Protection Act 1993*;

ambient noise at a place affected by noise from a noise source means the noise at the place other than the noise from the noise source;

ambient noise level (continuous) means the value, expressed in dB(A), of a continuous steady sound that, for the period over which the measurement is taken using fast time weighting, has the same mean square sound pressure as the ambient noise level which varies with time when measured in accordance with Part 3;

ambient noise level (maximum) means the value, expressed in dB(A), of the highest instantaneous noise level measured using fast time weighting during measurement of the ambient noise level (continuous);

background noise level means the noise level that, according to a measurement taken using fast time weighting in accordance with Part 3, is equalled or exceeded for 90 per cent of the period over which the measurement is taken;

building includes a structure and part of a building or structure;

characteristic, in relation to noise from a noise source, means a tonal, impulsive, low frequency or modulating characteristic of the noise that is determined by the Authority or another administering agency, in accordance with the *Guidelines for the use of the Environment Protection (Noise) Policy 2007* published by the Authority as in force from time to time, to be fundamental to the nature and impact of the noise;

dB(A) means decibels measured using the "A" weighting network of a sound level meter;

Development Plan means a Development Plan under the *Development Act 1993*;

domestic premises means premises principally used for a purpose other than a business purpose;

extraneous noise means—

- (a) noise caused by wind (such as wind on vegetation or the microphone diaphragm), insects, animals, birds, aircraft or unusual traffic conditions or any other infrequently occurring event; or
- (b) noise that the Authority or another administering agency determines to be of a significant level and the result of an organised activity that might be discontinued, reduced or relocated;

fast time weighting means a setting of a sound level meter to a "fast" or "F" response;

habitable room means any room that is not a storage area, bathroom, laundry or toilet;

impulsive characteristic—a noise has an impulsive characteristic if it has a dominant characteristic consisting of a single pressure peak, or a sequence of such peaks, or a single burst with multiple pressure peaks whose amplitude decays with time, or a sequence of such bursts;

indicative noise level for a noise source means the indicative noise level determined for the noise source under clause 5;

land use category means a category of land use determined under clause 4 for the purpose of determining the indicative noise level for a noise source or the relevant allowable noise level for noise-affected premises;

locality means an area to which a Development Plan applies (whether described in the Plan as a locality, or as a zone or a precinct or otherwise) that is—

- (a) made subject to a set of land use rules by provisions of the Plan; and
- (b) not itself further divided by the Plan into areas that are made subject to separate sets of land use rules;

low frequency characteristic—a noise has a low frequency characteristic if it has a characteristic that dominates the overall noise with content between 20 hertz and 250 hertz;

modulating characteristic—a noise has a modulating characteristic if it varies significantly in frequency character or amplitude;

noise-affected premises—see clause 12;

noise level means sound pressure level in dB(A);

noise source means premises or a place at which an activity is undertaken, or a machine or device is operated, resulting in the emission of noise;

premises means land, or the whole or part of a building or vessel;

quiet locality—a locality is a quiet locality if the Development Plan provisions that make land use rules for the locality principally promote land uses that all fall within either or both of the following land use categories:

- (a) Residential;
- (b) Rural Living;

relevant Development Plan provisions for premises means the Development Plan provisions that make land use rules for the locality in which the premises are situated;

source noise level (continuous) means the value, expressed in dB(A), of a continuous steady sound that, for the period over which the measurement is taken using fast time weighting, has the same mean square sound pressure as the noise level which varies over time when measured in relation to a noise source and noise-affected premises in accordance with Part 3;

source noise level (maximum), in relation to a noise source, means the value, expressed in dB(A), of the highest instantaneous noise level using fast time weighting during the measurement of the source noise level (continuous) in relation to the noise source and noise-affected premises;

tonal characteristic—a noise has a tonal characteristic if it has a perceptible and definite pitch or tone.

- (2) In this policy, the expression **mandatory provision** followed by a statement as to the category of offence is to be taken to signify that contravention of the provision at the foot of which the expression appears is, for the purposes of Part 5 of the Act, an offence of the category so stated.
- (3) In this policy, a reference to an Australian Standard, an Australian/New Zealand Standard or an International Electro-technical Commission Standard is a reference to the Standard as varied from time to time.

Note—

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

4—Land uses and land use categories

- (1) For the purposes of this Policy, relevant Development Plan provisions for a locality **principally promote** a particular land use in the locality if—
 - (a) that land use alone is promoted by the provisions; or
 - (b) that land use is clearly given precedence by the provisions over other land uses also promoted by the provisions; or
 - (c) that land use is one of a number of land uses promoted by the provisions, none of which is given precedence as referred to in paragraph (b).
- (2) If there is uncertainty as to what land uses are principally promoted by relevant Development Plan provisions, the question is to be determined, for the purposes of this Policy, by the Authority in consultation with the council for the area concerned.
- (3) The land use category within which a land use principally promoted by relevant Development Plan provisions falls is to be determined by the Authority in accordance with the *Guidelines for the use of the Environment Protection (Noise) Policy 2007* published by the Authority as in force from time to time.

- (4) If there is uncertainty as to what land use category a land use principally promoted by the relevant Development Plan provisions falls within, the question is to be determined, for the purposes of this Policy, by the Authority in consultation with the council for the area concerned.

5—Indicative noise levels

- (1) Subject to this clause, the indicative noise level for a noise source is to be determined as follows:
 - (a) where—
 - (i) the land uses principally promoted by the relevant Development Plan provisions for the noise source fall within a land use category specified in Table 1 in subclause (9); and
 - (ii) the land uses principally promoted by the relevant Development Plan provisions for the noise-affected premises fall within the same category as those principally promoted by the relevant Development Plan provisions for the noise source,by reference to indicative noise factors set out in Table 1;
 - (b) in any other case—by reference to indicative noise factors set out in Table 2 in subclause (9).
- (2) When measurements to determine the source noise level (continuous) are taken—
 - (a) between 7.00 a.m. and 10.00 p.m. on the same day—an indicative noise factor used to determine the indicative noise level for the noise source is found in Table 1 or 2 in the column under the heading "**Day**"; or
 - (b) between 10.00 p.m. on one day and 7.00 a.m. on the following day—an indicative noise factor used to determine the indicative noise level for the noise source is found in Table 1 or 2 in the column under the heading "**Night**".
- (3) An indicative noise factor is also selected from Table 1 or 2 by reference to a land use category—an indicative noise factor for a land use category is found in the table in the column alongside the land use category.
- (4) If the land uses principally promoted by the relevant Development Plan provisions for the noise source and those principally promoted by the relevant Development Plan provisions for the noise-affected premises all fall within a single land use category, the indicative noise level for the noise source is the indicative noise factor for that land use category.
- (5) Subject to subclause (6), if the land uses principally promoted by the relevant Development Plan provisions for the noise source and those principally promoted by the relevant Development Plan provisions for the noise-affected premises do not all fall within a single land use category, the indicative noise level is the average of the indicative noise factors for the land use categories within which those land uses fall.
- (6) Subclause (5) does not apply if the locality in which the noise source is situated is separated from the locality in which the noise-affected premises are situated by another locality that is (on an imaginary straight line joining the noise source and the noise-affected premises) at least 100 metres wide, but instead subclause (4) applies as if the land uses principally promoted by the relevant Development Plan provisions for the noise source were the same as those principally promoted by the relevant Development Plan provisions for the noise-affected premises.
- (7) A figure resulting from the calculation of an average under subclause (5) must, if it contains a fraction, be rounded to the nearest whole number.

- (8) Despite the other provisions of this clause, if the measurement place is within a habitable room but cannot be located at an open window, the indicative noise level for the noise source is—
- (a) the satisfactory level set out in *Australian/New Zealand Standard AS/NZS 2107:2000—Acoustic Recommended Design Sound Levels and Reverberation Times for Building Interiors*, determined by the Authority to be the relevant level; or
 - (b) 20 dB(A) less than the indicative noise level that would, but for this subclause, apply,

whichever is the greater.

(9) **Tables**

Table 1 (subclause (1)(a))		
Land Use Category	Indicative Noise Factor (dB(A))	
	Day	Night
General Industry	65	65
Special Industry	70	70

Table 2 (subclause (1)(b))		
Land Use Category	Indicative Noise Factor (dB(A))	
	Day	Night
Rural Living	47	40
Residential	52	45
Rural Industry	57	50
Light Industry	57	50
Commercial	62	55
General Industry	65	55
Special Industry	70	60

6—Application of policy

Except insofar as it forms part of ambient noise, this Policy does not apply to—

- (a) a noise of a class set out in Schedule 1; or
- (b) a noise if an environmental authorisation, environment protection order, or exemption, relating to the noise, applied to the noise immediately before the commencement of this policy and continues to apply to the noise.

7—Revocation of other policies

The following environment protection policies are revoked:

- (a) *Environment Protection (Machine Noise) Policy 1994* (see *Gazette 27.10.1994 p1376*);
- (b) *Environment Protection (Industrial Noise) Policy 1994* (see *Gazette 27.10.1994 p1366*), as amended.

8—Amendment of policy without following normal procedure (section 32)

- (1) The following provisions of this policy may be amended by the Minister, by notice in the Gazette, under section 32(1)(c) of the Act:
 - (a) clause 3;
 - (b) Part 3;
 - (c) Part 6;
 - (d) Part 7;
 - (e) Schedule 1.
- (2) The kinds of changes that may be made to a provision by amendment under subclause (1) are as follows:
 - (a) the provision may be substituted wholly or in part;
 - (b) material may be varied or struck out from the provision;
 - (c) material may be inserted into the provision.
- (3) The Authority will not make a recommendation to the Minister for amendment of a provision under subclause (1) unless it has—
 - (a) developed a written proposal for the amendment, clearly setting out the purpose and likely impact of and reasons for the proposed amendment; and
 - (b) consulted with relevant organisations and industries and the community likely to be affected by the proposed amendment; and
 - (c) given consideration to and informed the Minister of the views expressed by those consulted.

Part 2—Objects of policy

9—Objects of policy

This policy has the following objects:

- (a) to set out procedures for measuring noise to determine compliance with the Act and this policy (see Part 3);
- (b) to fix noise goals for most noise sources compliance with which will satisfy the general environmental duty under section 25 of the Act in relation to noise from those noise sources (see Part 4);

Note—

Clause 6 excludes certain noise from the application of this policy.

Part 4 does not apply to noises of the kinds to which Part 6 and Part 7 apply.

- (c) to set out criteria for determining what requirements (if any) the Authority or another administering agency will impose to deal with noise sources not complying with applicable noise goals under this policy (see Part 4);
- (d) to provide the basis for a consistent approach to issues relating to noise in the determination of applications for development authorisation under the *Development Act 1993* (see Part 5);
- (e) to make special provision for certain kinds of noises (see Part 6);

- (f) to apply guidelines or other guidance documents to certain kinds of noises (see Part 7).

Part 3—Measurement procedure

10—Application of Part

Except as otherwise specified, this Part does not apply to noise to which guidelines under Part 7 apply.

11—Instrumentation

- (1) The measurement of noise for the purposes of this policy must be taken by a sound level meter that complies with *Australian Standard AS 1259-1990 Acoustics—Sound Level Meters* and has been tested in the previous 24 months by a National Association of Testing Authorities of Australia registered laboratory and certified by the laboratory to be accurate within relevant tolerances allowed for a Type 0, 1 or 2 sound level meter in *Australian Standard AS 1259-1990* or *International Electro-technical Commission Standards IEC 651-1979* and *IEC 804-1985*.
- (2) Other equipment may be used in conjunction with a sound level meter when taking a noise measurement provided that the overall accuracy of the measurement, as certified by a National Association of Testing Authorities of Australia registered laboratory in the previous 24 months, is no less than that acceptable for a Type 2 sound level meter.
- (3) For each series of noise measurements taken, a calibrated reference sound source accurate within plus or minus 1 dB(A) must be used to check the performance of the sound level meter and other equipment used in the measurement, before and after that measurement.

12—Noise-affected premises and measurement place

- (1) For the purposes of this policy, measurements to determine the compliance with this policy of noise from a noise source are to be taken in relation to premises at which the noise is audible (*noise-affected premises*) that—
 - (a) are in separate occupation from the noise source and used for residential or business purposes; or
 - (b) constitute a quiet ambient environment set aside as a park or reserve or for public recreation or enjoyment.
- (2) The measurement of a source noise level (continuous) and, subject to clause 15, an ambient noise level (continuous) or background noise level must be taken at a place, determined in accordance with subclauses (3), (4) and (5), at the noise-affected premises that is within or near, and at the same approximate elevation as, an area frequented by persons residing, working or sleeping at the premises, or, in the case of land set aside as a park or reserve or for public recreation or enjoyment, by members of the public.
- (3) Unless the Authority or another administering agency determines that it is not practicable or relevant to do so, the measurement place must be located outside any buildings.
- (4) If the Authority or another administering agency determines that it is not practicable or relevant to locate the measurement place outside any buildings—
 - (a) the measurement place must be at a window of a habitable room; and
 - (b) the window must be opened as wide as possible.
- (5) If the measurement place cannot be located at an open window of a habitable room, the measurement place must be within such a room.

- (6) Subclauses (3), (4) and (5) do not apply to measurements for the purposes of Part 6 Division 5.

13—General procedures

The following procedures must be adopted when measuring a source noise level (continuous), ambient noise level (continuous) or background noise level:

- (a) if the measurement is taken outside—
- (i) the microphone of the sound level meter must be at a height of 1.2 to 1.5 metres above any horizontal acoustically reflecting surface, and, if it is practicable and relevant, at a distance of at least 3.5 metres from any vertical acoustically reflecting surface; and
 - (ii) the axis of maximum sensitivity of the microphone of the sound level meter must be directed towards the noise source; and
 - (iii) a wind shield approved by the sound level meter manufacturer must be used; and
 - (iv) the wind velocity at the measurement place must not exceed 5 metres per second; and
 - (v) care must be taken to avoid any effect on the measurement of extraneous noise, acoustic vibration or electrical interference; and
 - (vi) steps must be taken, as determined by the Authority or another administering agency, to take account of any significantly varying meteorological patterns in the locality;
- (b) if the measurement is taken at an open window of a room—
- (i) the microphone of the sound level meter must be in the middle of the plane of the open window; and
 - (ii) the axis of maximum sensitivity of the microphone of the sound level meter must be perpendicular to the plane of the window; and
 - (iii) a wind shield approved by the sound level meter manufacturer must be used; and
 - (iv) the wind velocity at the measurement place must not exceed 5 metres per second; and
 - (v) care must be taken to avoid any effect on the measurement of extraneous noise, acoustic vibration or electrical interference or noise generated within the premises in which the measurement is taken; and
 - (vi) steps must be taken, as determined by the Authority or another administering agency, to take account of any significantly varying meteorological patterns in the locality;
- (c) if the measurement is taken within a room or at any place determined by the Authority or another administering authority—
- (i) the sound level meter must be held at a position that produces the highest noise level reading in the room or place when at least 1 metre from walls, at least 1.5 metres from windows, and at a height of 1.2 to 1.5 metres above floor level; and

- (ii) a wind shield approved by the sound level meter manufacturer must be used; and
- (iii) care must be taken to avoid any effect on the measurement of any extraneous noise, acoustic vibration or electrical interference or noise generated within the premises in which the measurement is taken; and
- (iv) steps must be taken, as determined by the Authority or other administering agency, to take account of any significantly varying meteorological patterns in the locality.

14—Source noise level procedures

- (1) A measurement of a source noise level (continuous) made for the purposes of this policy—
 - (a) must be made using fast time weighting; and
 - (b) must be made—
 - (i) over a period of 15 minutes; or
 - (ii) if the Authority or another administering agency has determined, in accordance with the *Guidelines for the use of the Environment Protection (Noise) Policy 2007* published by the Authority as in force from time to time, that a different period is more or equally representative of the impact of the noise from the noise source—over the period so determined by the Authority or other administering agency.
- (2) The source noise level (continuous) must be adjusted in a manner determined by the Authority to remove the influence of the ambient noise level (continuous).
- (3) If the noise from the noise source contains characteristics, the source noise level (continuous) must be further adjusted in the following way (except for the purposes of comparison with the background noise level plus 5 dB(A)):
 - (a) if the noise from the noise source contains 1 characteristic, 5 dB(A) must be added to the source noise level (continuous);
 - (b) if the noise from the noise source contains 2 characteristics, 8 dB(A) must be added to the source noise level (continuous);
 - (c) if the noise from the noise source contains 3 or 4 characteristics, 10 dB(A) must be added to the source noise level (continuous).
- (4) Subclause (3) does not apply to measurements for the purposes of Part 6 Division 5.

15—Ambient and background noise level procedures

- (1) A measurement of ambient noise level (continuous) or background noise level made for the purposes of this policy must be made—
 - (a) using fast time weighting; and
 - (b) over a period when the noise from the noise source is absent from the measurement place, being a period determined by the Authority or another administering agency to be adequately representative of the nature of the ambient noise.

- (2) If it is not reasonably practicable to measure the ambient noise level (continuous) or background noise level at the noise-affected premises because of difficulty in eliminating noise from the noise source or eliminating the effect of extraneous noise on the measurement, the measurement must be taken at a place determined by the Authority or another administering agency where—
- (a) the noise from the noise source is absent; and
 - (b) extraneous noise does not affect the measurement; and
 - (c) the noise is determined by the Authority or other administering agency to adequately match the ambient noise at the noise-affected premises.

16—Rounding

The final result of a measurement procedure under this Part must, if it contains a fraction, be rounded to the nearest whole number.

Part 4—General noise control provisions

17—Application of Part

Except as otherwise specified, this Part does not apply to noise to which the provisions of Part 6, or guidelines under Part 7, apply.

18—Compliance with noise goals satisfies general environmental duty

- (1) The general environmental duty under section 25 of the Act is satisfied in relation to noise from a noise source, insofar as the noise affects particular noise-affected premises, if the noise complies with the noise goals.
- (2) The noise complies with the noise goals if measurements taken in relation to the noise source and the noise-affected premises show that—
 - (a) the source noise level (continuous) does not exceed the background noise level plus 5 dB(A); or
 - (b) the source noise level (continuous) does not exceed the indicative noise level for the noise source.

19—Criteria for determining action to deal with non-complying noise

If noise from a noise source does not comply with the noise goals, the Authority or another administering agency must, in determining whether it should require any action to be taken to reduce the noise and, if so, what action should be required and what period should be allowed for taking such action, have regard to the following matters:

- (a) the amount in dB(A) by which the source noise level (continuous) exceeds the relevant level and the frequency and duration of the noise level that give rise to that result;
- (b) any component of the ambient noise or extraneous noise that—
 - (i) has a noise level similar to or greater than the source noise level (continuous); and
 - (ii) has a similar noise character or similar regularity and duration to the noise from the noise source;
- (c) the times of occurrence of the noise from the noise source;

- (d) the number of persons adversely affected by the noise from the noise source and whether there is any special need for quiet at the noise-affected premises;
- (e) the land uses existing in the vicinity of the noise source when the kind of activity currently undertaken at the noise source was first undertaken there;
- (f) the kind of activity undertaken at the noise source and the other land uses existing in the vicinity of the noise-affected premises when the current occupancy of the noise-affected premises commenced;
- (g) whether Development Plan provisions applicable to the noise source have been introduced or changed since the kind of activity currently undertaken at the noise source was first undertaken there;
- (h) whether Development Plan provisions applicable to the noise-affected premises have been introduced or changed since the current occupancy of the noise-affected premises commenced;
- (i) any other matter required to be taken into account under section 25 of the Act or determined to be relevant by the Authority or the other administering agency.

Part 5—Development authorisation applications

20—Development authorisation applications

- (1) This clause applies for the purpose of the determination by the Authority under Part 6 Division 7 of the Act of the Authority's response in relation to an application for development authorisation referred to it under the *Development Act 1993*.
- (2) For the purposes of this clause—
 - (a) the land to which the application for development authorisation relates is to be taken to be a **noise source** of the kind that would exist if the development proposed in the application had been undertaken and an activity of the kind proposed to be undertaken by the applicant were being undertaken there; and
 - (b) assuming that measurements were taken, in accordance with this policy, in relation to the noise source and existing or future premises (**noise-affected premises**) determined by the Authority to be premises that might be adversely affected by the noise from the noise source—
 - (i) a **predicted source noise level (continuous)** for the development is the noise level determined by the Authority to be the source noise level (continuous) for the noise source that would result from those measurements; and
 - (ii) a **predicted source noise level (maximum)** for the development is a noise level determined by the Authority to be the source noise level (maximum) that would be recorded during those measurements; and
 - (c) the **relevant indicative noise level** is the indicative noise level determined for the noise source in relation to the noise-affected premises.
- (3) A predicted source noise level (continuous) for the development should not exceed the relevant indicative noise level less 5 dB(A).

- (4) In addition, if the noise-affected premises are situated in a quiet locality—
- (a) a predicted source noise level (continuous) for the development, as determined by the Authority for a period between 7.00 a.m. and 10.00 p.m. on the same day, should not exceed 52 dB(A); and
 - (b) a predicted noise level (continuous) for the development, as determined by the Authority for a period between 10.00 p.m. on one day and 7.00 a.m. on the following day, should not exceed 45 dB(A); and
 - (c) a predicted source noise level (maximum) for the development, as determined by the Authority for a time between 10.00 p.m. on one day and 7.00 a.m. on the following day, should not exceed 60 dB(A).
- (5) Determinations to be made by the Authority for the purposes of subclauses (2) to (4) are, to the extent required by the Authority, to be made on the basis of documents and information (including calculations and technical details) provided by the applicant for development authorisation.
- (6) If a predicted source noise level (continuous) or predicted source noise level (maximum) for the development exceeds a relevant level prescribed in subclause (3) or (4), the Authority must have regard to the following matters in determining its response:
- (a) the amount in dB(A) by which the predicted source noise level (continuous) or predicted source noise level (maximum) exceeds the relevant level and the likely frequency and duration of the noise levels that give rise to that result;
 - (b) any component of the ambient noise or extraneous noise that—
 - (i) has a noise level similar to or greater than the predicted source noise level (continuous) or predicted source noise level (maximum); and
 - (ii) has a similar noise character or similar regularity and duration to the noise from the noise source;
 - (c) the times of occurrence of the noise from the noise source;
 - (d) the number of persons likely to be adversely affected by the noise from the noise source and whether there is or is likely to be any special need for quiet at noise-affected premises;
 - (e) the land uses existing in the vicinity of the noise source;
 - (f) any other matter required to be taken into account under section 25 of the Act or determined to be relevant by the Authority.

Part 6—Special noise control provisions

Division 1—Construction noise

21—Interpretation

- (1) In this Division—
- construction activity* includes—
- (a) demolition work, site preparation work and building maintenance or repair work; and
 - (b) the operation of vehicles within, or entering or leaving, a construction site; and

- (c) any activities, at or within the immediate vicinity of a construction site, of persons who perform work at the site, or work connected with work at the site;

responsible person for construction activity means each of the following:

- (a) if the activity is undertaken by or for the owner of the construction site, the owner;
 - (b) if the activity is undertaken by or for the occupier of the construction site, the occupier;
 - (c) if there is a contractor performing the work, the contractor;
 - (d) if there is a head contractor for the work, the head contractor.
- (2) In this Division, a reference to the **noise source** is a reference to the premises or place at which the construction activity is being undertaken.

22—Application

This Division does not apply to—

- (a) construction activity at or within the immediate vicinity of a site if development authorisation is not required under the *Development Act 1993* in respect of any of the activities undertaken at the site; or
- (b) construction activity related to roads, railways or other public infrastructure.

23—Construction activity

- (1) The following provisions apply to construction activity resulting in noise with an adverse impact on amenity:
- (a) subject to paragraph (b), the activity—
 - (i) must not occur on a Sunday or other public holiday; and
 - (ii) must not occur on any other day except between 7.00 a.m. and 7.00 p.m.;
 - (b) a particular operation may occur on a Sunday or other public holiday between 9.00 a.m. and 7.00 p.m., or may commence before 7.00 a.m. on any other day—
 - (i) to avoid an unreasonable interruption of vehicle or pedestrian traffic movement; or
 - (ii) if other grounds exist that the Authority or another administering agency determines to be sufficient;
 - (c) all reasonable and practicable measures must be taken to minimise noise resulting from the activity and to minimise its impact, including (without limitation)—
 - (i) commencing any particularly noisy part of the activity (such as masonry sawing or jack hammering) after 9.00 a.m.; and
 - (ii) locating noisy equipment (such as masonry saws or cement mixers) or processes so that their impact on neighbouring premises is minimised (whether by maximising the distance to the premises, using structures or elevations to create barriers or otherwise); and
 - (iii) shutting or throttling equipment down whenever it is not in actual use; and
 - (iv) ensuring that noise reduction devices such as mufflers are fitted and operating effectively; and

- (v) ensuring that equipment is not operated if maintenance or repairs would eliminate or significantly reduce a characteristic of noise resulting from its operation that is audible at noise-affected premises; and
 - (vi) operating equipment and handling materials so as to minimise impact noise; and
 - (vii) using off-site or other alternative processes that eliminate or lessen resulting noise.
- (2) The responsible person for construction activity must ensure that if the construction activity results in noise with an adverse impact on amenity, the construction activity does not occur or commence except as permitted by subclause (1)(a) and (b).

Mandatory Provision: Category B offence.

- (3) For the purposes of this clause, construction activity results in noise with an adverse impact on amenity if measurements taken in relation to the noise source and noise-affected premises show—
- (a) that the source noise level (continuous) exceeds 45 dB(A); or
 - (b) that the source noise level (maximum) exceeds 60 dB(A).
- (4) However—
- (a) if measurements of ambient noise at the noise-affected premises show that the ambient noise level (continuous) exceeds 45 dB(A), the construction activity does not result in noise with an adverse impact on amenity unless the source noise level (continuous) exceeds the ambient noise level (continuous);
 - (b) if measurements of ambient noise at the noise-affected premises show that the ambient noise level (maximum) consistently exceeds 60 dB(A), the construction activity does not result in noise with an adverse impact on amenity unless the source noise level (maximum) exceeds the ambient noise level (maximum) or the frequency of the occurrence of the ambient noise level (maximum).

Division 2—Domestic noise

24—Interpretation

- (1) In this Division—

domestic activity means an activity at domestic premises involving the use of machinery, tools or other equipment but does not include the use of a fixed domestic machine;

fixed domestic machine means a machine that is installed and operated in a fixed position at domestic premises.

- (2) In this Division, a reference to the *noise source* is a reference to the premises at which the fixed domestic machine is installed or, as the case requires, the domestic activity is being undertaken.

25—Fixed domestic machine noise

- (1) A person must not install a machine in a fixed position at domestic premises such that noise resulting from the operation of the machine has an adverse impact on amenity.

Mandatory Provision: Category B offence.

- (2) The owner of domestic premises and, if a different person is occupier of the domestic premises, the occupier must each ensure that a fixed domestic machine is not operated at the premises if—
- (a) noise resulting from the operation of the machine has an adverse impact on amenity; or
 - (b) maintenance or repairs would eliminate or significantly reduce a characteristic of the noise resulting from its operation that is audible at any noise-affected premises.

Mandatory Provision: Category B offence.

- (3) An installer (being a contractor and not the owner or occupier of the domestic premises) is not guilty of an offence against subclause (1) unless it is proved that—
- (a) at the time of taking measurements as referred to in subclause (5) or (6), the machine did not have a defect resulting in noise with a characteristic that was audible at the noise-affected premises; and
 - (b) the adverse impact on amenity was not the result of the removal of a barrier at the noise source after the time of installation of the machine.
- (4) It will be a defence to a charge of an offence against subclause (1) for an installer of the machine who is a contractor and not the owner or occupier of the domestic premises if the person proves that the person had, before installing the machine, been given written plans for the installation or construction by the owner or occupier of a barrier that would prevent any adverse impact on amenity resulting from the operation of the machine.
- (5) For the purposes of this clause, the operation of a fixed domestic machine results in noise with an adverse impact on amenity if—
- (a) measurements taken in relation to the noise source and noise-affected premises when the machine is operated between 7.00 a.m. and 10.00 p.m. on the same day show that the source noise level (continuous) exceeds 52 dB(A); or
 - (b) measurements taken in relation to the noise source and noise-affected premises when the machine is operated between 10.00 p.m. on one day and 7.00 a.m. on the following day show that the source noise level (continuous) exceeds 45 dB(A).
- (6) However—
- (a) if measurements of ambient noise at the noise-affected premises taken when the machine is operated between 7.00 a.m. and 10.00 p.m. on the same day show that the ambient noise level (continuous) exceeds 52 dB(A), the operation of the machine does not result in noise with an adverse impact on amenity unless the source noise level (continuous) exceeds the ambient noise level (continuous);
 - (b) if measurements of ambient noise at the noise-affected premises taken when the machine is operated between 10.00 p.m. on one day and 7.00 a.m. on the following day show that the ambient noise level (continuous) exceeds 45 dB(A), the operation of the machine does not result in noise with an adverse impact on amenity unless the source noise level (continuous) exceeds the ambient noise level (continuous).
- (7) If the machine is operated simultaneously with other fixed domestic machines at the same premises (whether on every occasion of its operation or some occasions only), measurements taken as referred to in subclause (5) or (6) for the purposes of subclause (2) must be taken in relation to the noise emitted when all the machines are in operation.

26—Noise from domestic activity

- (1) The following provisions apply to domestic activity resulting in noise with an adverse impact on amenity:
 - (a) the activity must not be undertaken except—
 - (i) between 9.00 a.m. and 8.00 p.m. on a Sunday; or
 - (ii) between 8.00 a.m. and 8.00 p.m. on any other day;
 - (b) all reasonable and practicable measures must be taken to minimise noise resulting from the activity and to minimise its impact, including (without limitation)—
 - (i) commencing any particularly noisy part of the activity after 9.00 a.m.; and
 - (ii) locating noisy equipment or processes so that their impact on neighbouring premises is minimised (whether by maximising the distance to the premises, using structures or elevations to create barriers or otherwise); and
 - (iii) shutting or throttling equipment down whenever it is not in actual use; and
 - (iv) ensuring that noise reduction devices such as mufflers are fitted and operating effectively; and
 - (v) ensuring that equipment is not operated if maintenance or repairs would eliminate or significantly reduce a characteristic of noise resulting from its operation that is audible at noise-affected premises.
- (2) The occupier of domestic premises must ensure that if domestic activity at the premises results in noise with an adverse impact on amenity, the domestic activity is not undertaken except as permitted by subclause (1)(a).

Mandatory Provision: Category B offence.
- (3) For the purposes of this clause, domestic activity has an adverse impact on amenity if measurements taken in relation to the noise source and noise-affected premises show—
 - (a) that the source noise level (continuous) exceeds 45 dB(A); or
 - (b) that the source noise level (maximum) exceeds 60 dB(A).
- (4) However—
 - (a) if measurements of ambient noise at the noise-affected premises show that the ambient noise level (continuous) exceeds 45 dB(A), the domestic activity does not result in noise with an adverse impact on amenity unless the source noise level (continuous) exceeds the ambient noise level (continuous);
 - (b) if measurements of ambient noise at the noise-affected premises show that the ambient noise level (maximum) consistently exceeds 60 dB(A), the domestic activity does not result in noise with an adverse impact on amenity unless the source noise level (maximum) consistently exceeds the ambient noise level (maximum) or the frequency of the occurrence of the ambient noise level (maximum).
- (5) If the Authority or another administering agency determines that it is appropriate to do so because of the nature and duration of the noise resulting from the domestic activity, the Authority or other administering agency may, in addition, by an environment protection order, require that the source noise level (continuous), as measured during the hours referred to in subclause (1)(a), not exceed 52 dB(A) or the ambient noise level (continuous), whichever is the greater.

Division 3—Rubbish collection, street sweeping machines etc

27—Application

- (1) This Division applies to the following activities:
 - (a) rubbish collection when part of an organised program of such activity undertaken by or on behalf of a council or business;
 - (b) the operation of sweeping machines, blowers or other similar machines when part of an organised program of such activity undertaken by or on behalf of a council or business;
 - (c) the operation of powered saws or mulching machines when part of a program of work related to public street trees.
- (2) In this Division, a reference to the *noise source* is a reference to the premises or place at which the activity to which this Division applies is being undertaken.

28—Rubbish collection, street sweeping machines etc

- (1) The following provisions apply to an activity to which this Division applies when it results in noise with an adverse impact on amenity:
 - (a) subject to paragraph (b), the activity must not be undertaken except—
 - (i) between 9.00 a.m. and 7.00 p.m. on a Sunday or other public holiday;
 - (ii) between 7.00 a.m. and 7.00 p.m. on any other day;
 - (b) if the activity is to be undertaken on a public street, it may be commenced before 9.00 a.m. on a Sunday or public holiday, or before 7.00 a.m. on any other day—
 - (i) to avoid an unreasonable interruption of vehicle or pedestrian traffic movement; or
 - (ii) if other grounds exist that the Authority or another administering agency determines to be sufficient;
 - (c) all reasonable and practicable measures must be taken to minimise noise resulting from the activity and to minimise its impact, including (without limitation)—
 - (i) commencing any particularly noisy part of the activity after 9.00 a.m.; and
 - (ii) locating noisy equipment or processes so that their impact is minimised (whether by maximising the distance to the premises, using structures or elevations to create barriers or otherwise); and
 - (iii) scheduling the various parts of the activity so that sites with higher impacts on noise sensitive premises are scheduled for times after 9.00 a.m.; and
 - (iv) shutting or throttling equipment down whenever it is not in actual use; and
 - (v) ensuring that noise reduction devices such as mufflers are fitted and operating effectively; and
 - (vi) ensuring that equipment is not operated if maintenance or repairs would eliminate or significantly reduce a characteristic of noise resulting from its operation that is audible at noise-affected premises.

- (2) If an activity to which this Division applies results in noise with an adverse impact on amenity, a person who causes the activity to be undertaken, and the contractor (if any) engaged to perform such work, must each ensure that the activity does not occur or commence except as permitted by subclause (1)(a) or (b).
Mandatory Provision: Category B offence.
- (3) For the purposes of this clause, an activity to which this Division applies results in noise with an adverse effect on amenity if measurements taken in relation to the noise source and noise-affected premises show that the source noise level (maximum) exceeds 60 dB(A).
- (4) However, if measurements of ambient noise at the noise-affected premises show that the ambient noise level (maximum) consistently exceeds 60 dB(A), the activity does not result in noise with an adverse impact on amenity unless the source noise level (maximum) consistently exceeds the ambient noise level (maximum) or the frequency of the occurrence of the ambient noise level (maximum).

Division 4—Building intruder alarm systems

29—Interpretation

In this Division—

building intruder alarm system means an electronic alarm system fitted to a building other than a fire or smoke alarm system.

30—Operation of building intruder alarm systems

- (1) A building intruder alarm system must not be operated unless—
 - (a) it automatically ceases to sound (whether the sound was continuous or intermittent) within 5 minutes after initial activation by a detection device; and
 - (b) it cannot be reactivated by the same detection device except after the system has been re-set manually; and
 - (c) it is positioned in a way that minimises its impact on premises in separate occupation consistently with maintaining its effectiveness as an alarm system.
- (2) The owner of a building to which a building intruder alarm system is fitted and, if a different person is occupier of the building, the occupier must each ensure compliance with subclause (1) in relation to the operation of the system.

Mandatory Provision: Category B offence.

Division 5—Frost fans

31—Interpretation

In this Division—

frost fan means a device designed or adapted to combat frost by fanning warmer air over the frost-affected surfaces;

operator of a frost fan means the person responsible for the operation of the fan.

32—Operation of frost fans

- (1) The following provisions apply to the operation of a frost fan:
 - (a) the fan must not be of dimensions, or have an operating speed, greater than is reasonably required for its effective operation;

- (b) the fan must not be operated except during a period when frost occurs or is reasonably likely to occur, or as necessary for maintenance work;
 - (c) maintenance work must not be carried out on the fan except between 7.00 a.m. and 10.00 p.m. on the same day;
 - (d) the fan must not be operated if measurements taken in relation to the noise source and noise-affected premises that are residential premises show that the source noise level (continuous) exceeds—
 - (i) the background noise level plus 5 dB(A); and
 - (ii) the relevant allowable noise level for the noise-affected premises set out in the table in subclause (6).
- (2) Measurements for the purposes of subclause (1)(d) must first be taken outside any buildings and, if the source noise level (continuous) exceeds the relevant levels prescribed in subclause (1)(d), that result must be ignored and measurements must then be taken in the noise-affected premises within the habitable room most affected by noise from the noise source and the windows of that room must be kept closed during the measurements.
- (3) If the fan is operated simultaneously with other frost fans at the same premises (whether on every occasion of its operation or some occasions only), measurements taken for the purposes of subclause (1)(d) must be taken in relation to the noise emitted when all the fans are in operation.
- (4) For the purposes of this clause, the **relevant allowable noise level** for noise-affected premises is selected from the table as follows:
- (a) if the land uses principally promoted by the relevant Development Plan provisions for the noise-affected premises fall within either or both of the land use categories Residential or Rural Living, the relevant allowable noise level is found in the table in the column alongside those land use categories;
 - (b) in any other case, the relevant allowable noise level is found in the column alongside the land use categories Rural Industry or Light Industry.
- (5) The operator of a frost fan or an occupier of premises at which a frost fan is operated must ensure compliance with subclause (1) in relation to its operation.
- (6) **Table**

Land Use Category	Allowable Noise Level (dB(A))	
	Measurements Outside	Measurements within Habitable Room
Residential or Rural Living	45	25
Rural Industry or Light Industry	55	35

Part 7—Guidance documents

33—Audible bird scaring devices

- (1) If a person operates an audible bird scaring device, the *Audible Bird Scaring Devices Environmental Noise Guidelines 2007* prepared by the Authority apply.

- (2) In this clause—

audible bird scaring device means a device designed, adapted or used to scare birds by the emission of noise.

34—Wind farms

- (1) If a person operates a wind farm, the *Wind Farms Environmental Noise Guidelines 2003* prepared by the Authority apply.

- (2) In this clause—

wind farm means a group of wind turbine generators.

35—Issue of environment protection orders to give effect to guidelines

The Authority or another administering agency may issue an environment protection order to a person who undertakes an activity referred to in this Part to give effect to the guidelines that apply to the activity under this Part.

Schedule 1—Noise excluded from policy (clause 6)

- 1 Noise principally consisting of music or voices, or both, resulting from an activity at domestic premises.
- 2 Noise from a school, kindergarten, child care centre or place of worship.
- 3 Aircraft or railway noise.
- 4 Other vehicle noise except from vehicles operating within, or entering or leaving, business premises.
- 5 Noise that may be the subject of proceedings under—
 - (a) the *Liquor Licensing Act 1997*; or
 - (b) the *Community Titles Act 1996*; or
 - (c) the *Strata Titles Act 1988*; or
 - (d) the *Residential Tenancies Act 1995*.
- 6 Noise caused by dogs or other animals resulting from an activity at domestic premises.
- 7 Noise from any of the following as described in clause 8 of Schedule 1 of the Act:
 - (a) aerodromes;
 - (b) helicopter landing facilities;
 - (c) motor racing or testing venues;
 - (d) shooting ranges.
- 8 Noise from blasting operations carried out as part of a mining operation within the meaning of the *Mines and Works Inspection Act 1920* or *Mining Act 1971*.
- 9 Noise caused by emergency vehicle sirens.
- 10 Noise outside of the human audible range.

South Australia

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act (Commencement) Proclamation 2007

1—Short title

This proclamation may be cited as the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act (Commencement) Proclamation 2007*.

2—Commencement of Act

The *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* (No 29 of 2007) will come into operation on 16 December 2007.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

AGO0056/06CS

South Australia

Environment Protection (Site Contamination) Amendment Act (Commencement) Proclamation 2007

1—Short title

This proclamation may be cited as the *Environment Protection (Site Contamination) Amendment Act (Commencement) Proclamation 2007*.

2—Commencement of certain provisions of Act

- (1) The following provisions of the *Environment Protection (Site Contamination) Amendment Act 2007* (No 44 of 2007) (the ***Amendment Act***) will come into operation on 10 December 2007:
 - (a) section 4(2) of the Amendment Act;
 - (b) definition of ***chemical substance*** inserted by section 4(3) of the Amendment Act;
 - (c) definitions of ***site***, ***site contamination***, ***site contamination auditor*** and ***site contamination consultant*** inserted by section 4(8) of the Amendment Act;
 - (d) section 4(9) of the Amendment Act;
 - (e) section 5 of the Amendment Act;
 - (f) Part 10A, other than Divisions 1, 2, 3 and 4 of that Part, inserted by section 11 of the Amendment Act.
- (2) The operation of the remaining provisions of the Amendment Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

EPCS06/0006

South Australia

National Electricity (South Australia) (National Electricity Law—Miscellaneous Amendments) Amendment Act (Commencement) Proclamation 2007

1—Short title

This proclamation may be cited as the *National Electricity (South Australia) (National Electricity Law—Miscellaneous Amendments) Amendment Act (Commencement) Proclamation 2007*.

2—Commencement of Act

The *National Electricity (South Australia) (National Electricity Law—Miscellaneous Amendments) Amendment Act 2007* (No 53 of 2007) will come into operation on 1 January 2008.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

MEN07/013CS

South Australia

Administrative Arrangements (Administration of Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act) Proclamation 2007

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act) Proclamation 2007*.

2—Commencement

This proclamation comes into operation on 16 December 2007.

3—Administration of Act committed to Attorney-General

The administration of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* is committed to the Attorney-General.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

AGO0056/06CS

South Australia

Administrative Arrangements (Transfer of Assets, Rights and Liabilities to Minister for Water Security) Proclamation 2007

under section 7 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Transfer of Assets, Rights and Liabilities to Minister for Water Security) Proclamation 2007*.

2—Commencement

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

3—Transfer of certain assets, rights and liabilities

The assets, rights or liabilities of the Minister for Government Enterprises or the Minister for Infrastructure attributable to any function or other activity of the South Australian Water Corporation are transferred to the Minister for Water Security.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

DPC050/96

South Australia

Children's Protection (Declaration for Purposes of Part 8) Proclamation 2007

under section 54 of the *Children's Protection Act 1993*

1—Short title

This proclamation may be cited as the *Children's Protection (Declaration for Purposes of Part 8) Proclamation 2007*.

2—Commencement

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

3—Declaration of child welfare law and interstate law

For the purposes of Part 8 of the *Children's Protection Act 1993*, the *Children and Young Persons (Care and Protection) Act 1998* of New South Wales is declared to be—

- (a) a child welfare law; and
- (b) an interstate law.

4—Declaration of interstate office or position

- (1) The Director-General of the agency principally assisting the Minister in the administration of the *Children and Young Persons (Care and Protection) Act 1998* of New South Wales is declared to be an office or position the holder of which is the interstate officer in relation to New South Wales for the purposes of Part 8 of the *Children's Protection Act 1993*.
- (2) In subclause (1)—

Minister means the Minister to whom the administration of the *Children and Young Persons (Care and Protection) Act 1998* of New South Wales is allocated.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

DFCCS/07/079

South Australia

Crown Lands (Resumption of Dedicated Land) Proclamation 2007

under section 5AA(1)(c) of the *Crown Lands Act 1929*

Preamble

- 1 The following land is dedicated for the purposes of the Electricity Trust of South Australia (*Gazette 11.11.1965 p1646*):
 - Section 323, Hundred of Hutchison, being the whole of the land contained in Certificate of Title Register Book Volume 5842 Folio 934.
 - 2 The registered proprietor of the land has requested the resumption of the land.
-

1—Short title

This proclamation may be cited as the *Crown Lands (Resumption of Dedicated Land) Proclamation 2007*.

2—Commencement

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

3—Resumption of dedicated land

The land defined in the preamble to this proclamation is resumed.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

EC05/0050CS

South Australia

Criminal Assets Confiscation Variation Regulations 2007

under the *Criminal Assets Confiscation Act 2005*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Criminal Assets Confiscation Regulations 2006*

- 4 Insertion of regulation 8A
 - 8A Declaration of foreign offences
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Criminal Assets Confiscation Variation Regulations 2007*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Criminal Assets Confiscation Regulations 2006*

4—Insertion of regulation 8A

After regulation 8 insert:

8A—Declaration of foreign offences

- (1) For the purposes of paragraph (d) of the definition of *serious offence* in section 3 of the Act, a foreign offence triable by the United States Military Commission is declared to be within that definition.
- (2) In this regulation—

United States Military Commission means the United States Military Commission constituted under Title 10 USC Sec 948d of the *Military Commissions Act 2006* of the United States of America.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

No 292 of 2007

AGO0052/07CS

South Australia

Environment Protection (Fees and Levy) Variation Regulations 2007

under the *Environment Protection Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Environment Protection (Fees and Levy) Regulations 1994*

- 4 Variation of Schedule 3—Licence fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment Protection (Fees and Levy) Variation Regulations 2007*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Environment Protection (Fees and Levy) Regulations 1994*

4—Variation of Schedule 3—Licence fees

Schedule 3, Part A, particulars included under the headings referred to as "6(1)(a) **Abattoirs, Slaughterhouses or Poultry Processors***" and "6(1)(b) **Abattoirs, Slaughterhouses or Poultry Processors***" and the corresponding fee units in the adjacent columns—delete the headings, particulars and corresponding fee units and substitute:

<p>6(1)(a) Abattoirs, Slaughterhouses or Poultry Processors* <i>Where rate of production of poultry meat or poultry meat products exceeds 200 tonnes per year</i></p> <p>Poultry or poultry meat products for licence period—</p> <p>(i) more than 200 tonnes but not more than 500 tonnes</p> <p>(ii) more than 500 tonnes but not more than 2 000 tonnes</p> <p>(iii) more than 2 000 tonnes but not more than 5 000 tonnes</p> <p>(iv) more than 5 000 tonnes but not more than 20 000 tonnes</p> <p>(v) more than 20 000 tonnes</p> <p>* Discount applicable under regulation 11</p>	21	37	50	60	71
<p>6(1)(b) Abattoirs, Slaughterhouses or Poultry Processors* <i>Where rate of production of meat or meat products (other than poultry) exceeds 100 tonnes per year</i></p> <p>Meat or meat product production for licence period—</p> <p>(i) more than 100 tonnes but not more than 200 tonnes</p> <p>(ii) more than 200 tonnes but not more than 500 tonnes</p> <p>(iii) more than 500 tonnes but not more than 2 500 tonnes</p> <p>(iv) more than 2 500 tonnes but not more than 10 000 tonnes</p> <p>(v) more than 10 000 tonnes but not more than 20 000 tonnes</p> <p>(vi) more than 20 000 tonnes</p> <p>* Discount applicable under regulation 11</p>	14	25	34	40	48
	18	32	44	52	62
	37	65	89	106	126
	92	163	222	263	314
	185	325	444	527	628
	370	650	887	1 057	1 257

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

No 293 of 2007

EPCS07/0017

South Australia

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007

under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Prescribed offences
- 5 Prescribed circumstances
- 6 Prescribed fees
- 7 Prescribed forms
- 8 Sale or disposal of motor vehicles
- 9 Service of notices

Schedule 1—Prescribed fees

Schedule 2—Prescribed forms

1—Short title

These regulations may be cited as the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007*.

2—Commencement

These regulations will come into operation on the day on which the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* comes into operation.

3—Interpretation

In these regulations—

Act means the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*.

4—Prescribed offences

For the purposes of the definition of *prescribed offence* in section 3(1) of the Act the following offences are prescribed:

- (a) an offence against section 19A or 19AC of the *Criminal Law Consolidation Act 1935*;
- (b) an offence against section 44B, 45A, 46, 47, 47B or 47BA of the *Road Traffic Act 1961*;
- (c) an offence against section 54 of the *Summary Offences Act 1953*;
- (d) an offence against section 9 of the *Graffiti Control Act 2001*;

- (e) an offence against section 85 of the *Criminal Law Consolidation Act 1935* if the offence involves the marking of graffiti;
- (f) an offence against section 9, 74(2), 91(5) or 102 of the *Motor Vehicles Act 1959* (other than a first offence against any of those sections).

5—Prescribed circumstances

The following circumstances in which a motor vehicle is used by a person are prescribed for the purposes of sections 8(2)(a) and 11(c)(i) of the Act:

- (a) the motor vehicle is being used by the person (not being the owner of the motor vehicle) in accordance with a contractual arrangement with the owner of the motor vehicle, other than a contractual arrangement that confers on the person an express or implied right or option to purchase the motor vehicle; and
- (b) the owner of the motor vehicle is a person who carries on a business that consists of, or involves, hiring or otherwise supplying motor vehicles to others for business or personal use.

Examples—

A person visiting South Australia on holiday hires a car from a car hire company to use while in the State. While that person is driving the car in accordance with the hire contract, the car is being used in circumstances prescribed by this regulation.

A taxi driver drives a taxi that is owned, not by the driver, but by the taxi company for whom the driver works. While the taxi driver is using the taxi in accordance with his or her employment contract, the taxi is being used in circumstances prescribed by this regulation.

6—Prescribed fees

The fees set out in Schedule 1 are prescribed for the purposes set out in that Schedule.

7—Prescribed forms

- (1) For the purposes of section 14(1) of the Act, a notice that includes the particulars set out in Form 1 in Schedule 2 is a notice in the prescribed form.
- (2) For the purposes of section 14(2) of the Act, a notice that includes the particulars set out in Form 2 in Schedule 2 is a notice in the prescribed form.
- (3) For the purposes of section 15(1) of the Act—
 - (a) if the relevant authority giving the notice is a police officer or person authorised by the Commissioner to exercise the powers of a relevant authority—a notice that includes the particulars set out in Form 3 in Schedule 2 is a notice in the prescribed form; or
 - (b) if the relevant authority giving the notice is the Sheriff or a person authorised by the Sheriff to exercise the powers of a relevant authority—a notice that includes the particulars set out in Form 4 in Schedule 2 is a notice in the prescribed form.

8—Sale or disposal of motor vehicles

For the purpose of exercising a power to sell a motor vehicle under section 20 of the Act, the Sheriff or the Commissioner may—

- (a) set a reserve price for the motor vehicle; and
- (b) move the motor vehicle to another location within the State.

9—Service of notices

In accordance with section 23(1)(d) of the Act, a notice required or authorised to be given to, or served on, a person for the purposes of the Act may, if the person is a company or registered body within the meaning of the *Corporations Act 2001* of the Commonwealth, be given to or served on the person in accordance with that Act.

Schedule 1—Prescribed fees

Fees payable to Commissioner in relation to impounding of a motor vehicle (section 9)	Fee
Administration fee (to be charged once only in relation to the impounding of a particular motor vehicle in relation to a particular offence)	\$57.00
Fee for transportation of vehicle to storage facility	\$180.00
Vehicle storage fee	\$15.00 per day (or part thereof) during which the vehicle is impounded or remains uncollected
Fees payable to Commissioner in relation to clamping of a motor vehicle (section 9)	Fee
Administration fee (to be charged once only in relation to the clamping of a particular motor vehicle in relation to a particular offence)	\$23.70
Fee for attending to attach clamps to motor vehicle	\$57.00 plus a fee of 68 cents per kilometre travelled to and from the location at which the clamps are attached
Fee for attending to remove clamps from motor vehicle	\$57.00 plus a fee of 68 cents per kilometre travelled to and from the location at which the clamps are removed
Fees payable to Sheriff in relation to impounding or forfeiture of motor vehicle (section 12(1)(b))	Fee
Administration fee (to be charged once only in relation to the impounding or forfeiture of a particular motor vehicle in relation to a particular offence)	\$44.50
Seizure fee	\$62.50
Fee for transportation of vehicle to storage facility	\$180.00
Vehicle storage fee (for impounded vehicles only)	\$15.00 per day (or part thereof) during which the vehicle is impounded or remains uncollected

Schedule 2—Prescribed forms

Form 1

Prescribed form for the purpose of a notice under section 14(1) of the Act

Notice prohibiting sale or disposal of motor vehicle

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007

Section 14(1)

To
(full name)

of
(address)

You are an owner of motor vehicle, registration number

a
(description of vehicle)

and

the Commissioner of Police reasonably believes that—

- a power to clamp or impound this motor vehicle may be exercised under Part 2 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* in respect of a prescribed offence (as defined in section 3 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*) that is alleged to have occurred on the day of 20 at
(location)

but

- that power is not to be exercised immediately.

YOU ARE PROHIBITED FROM SELLING OR OTHERWISE DISPOSING OF THE MOTOR VEHICLE DESCRIBED IN THIS NOTICE UNTIL THE POWER TO CLAMP OR IMPOUND HAS BEEN EXERCISED. CONTRAVENTION OF THIS NOTICE IS AN OFFENCE AS FOLLOWS:

AN OWNER OF A MOTOR VEHICLE MUST NOT SELL OR OTHERWISE DISPOSE OF THE MOTOR VEHICLE IN CONTRAVENTION OF A NOTICE GIVEN UNDER SECTION 14 OF THE *CRIMINAL LAW (CLAMPING, IMPOUNDING AND FORFEITURE OF VEHICLES) ACT 2007*.

Maximum penalty: \$2 500 or imprisonment for 6 months.

Given by the Commissioner of Police on
(date)

If you have any questions about this notice please contact SAPOL on telephone during business hours.

Form 2**Prescribed form for the purpose of a notice under section 14(2) of the Act****Notice prohibiting sale or disposal of motor vehicle***Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

Section 14(2)

To
(full name)of
(address)You are an owner of motor vehicle, registration number
a
(description of vehicle)and you or another person
(name of other person if applicable)are to be reported for, have been reported for, have been charged with or have been arrested in relation to a prescribed offence (as defined in section 3 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*), that is alleged to have occurred on the day of 20..... at
(location)and the Commissioner of Police reasonably believes that, on conviction for the offence an application could be made under Part 3 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* for the court to impound or forfeit the motor vehicle.**YOU ARE PROHIBITED FROM SELLING OR OTHERWISE DISPOSING OF THE MOTOR VEHICLE DESCRIBED IN THIS NOTICE UNTIL PROCEEDINGS RELATING TO THE OFFENCE HAVE BEEN FINALISED. CONTRAVENTION OF THIS NOTICE IS AN OFFENCE AS FOLLOWS:**AN OWNER OF A MOTOR VEHICLE MUST NOT SELL OR OTHERWISE DISPOSE OF THE MOTOR VEHICLE IN CONTRAVENTION OF A NOTICE SERVED UNDER SECTION 14 OF THE *CRIMINAL LAW (CLAMPING, IMPOUNDING AND FORFEITURE OF VEHICLES) ACT 2007*.

Maximum penalty: \$2 500 or imprisonment for 6 months.

Given by the Commissioner of Police on
(date)

If you have any questions about this notice please contact SAPOL on telephone during business hours.

Further important information**Finalisation of proceedings**For the purposes of section 14(2) of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* proceedings relating to an offence are finalised if—

- (a) the charge of the offence is withdrawn or proceedings for the offence are otherwise discontinued; or
- (b) a court has determined the charge.

The Commissioner of Police may at any time withdraw this notice and must do so if the Commissioner becomes aware that no charges are to be laid in respect of the relevant prescribed offence or that charges relating to the relevant prescribed offence are not to be proceeded with.

You will be advised of any withdrawal of the notice in writing.

Form 3

Prescribed form for the purpose of a notice under section 15 of the Act (where a police officer or a person authorised by the Commissioner is the relevant authority)

Notice requiring production of motor vehicle for the purposes of Part 2 of the Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007
Section 15

To
(full name)

of
(address)

You are an owner of motor vehicle, registration number
a
(description of vehicle)

and you or another person
(name of other person if applicable)

are to be reported for, have been reported for, have been charged with or have been arrested in relation to a prescribed offence (as defined in section 3 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*), that is alleged to have occurred on the day of 20..... at
(location)

FOR THE PURPOSES OF (tick appropriate action) CLAMPING IMPOUNDING
THAT MOTOR VEHICLE IN ACCORDANCE WITH PART 2 OF THE CRIMINAL LAW (CLAMPING, IMPOUNDING AND FORFEITURE OF VEHICLES) ACT 2007, I, BEING A RELEVANT AUTHORITY FOR THE PURPOSES OF THAT ACT, AND BY AUTHORITY OF SECTION 15 OF THAT ACT, REQUIRE YOU TO PRODUCE THE MOTOR VEHICLE BETWEEN THE HOURS OF am/pm and am/pm
on the day of 20.....
at
(location)

It is an offence, without reasonable excuse, to refuse or fail to comply with this notice.

Maximum penalty: \$2 500 or imprisonment for 6 months.

RELEVANT AUTHORITY:		
..... (officer's signature) (print name) (officer's ID)
..... (location) (date)	

If you are unable to produce the vehicle on this day, please contact SAPOL on telephone during business hours before that day.

Form 4

Prescribed form for the purpose of a notice under section 15 of the Act (where the Sheriff or a person authorised by the Sheriff is the relevant authority)

Notice requiring production of motor vehicle for the purposes of Part 3 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007

Section 15

To
(full name)

of
(address)

You are an owner of motor vehicle, registration number
a
(description of vehicle)

And the motor vehicle is the subject of an order for impounding forfeiture (tick appropriate order)
that was made by
(name of court)

upon the conviction of
(name of defendant)

in these proceedings
(name and number of proceedings)

on the day of 20.....

FOR THE PURPOSES OF ENFORCING THAT ORDER, I, BEING A RELEVANT AUTHORITY FOR THE PURPOSES OF THAT ACT, AND BY THE AUTHORITY OF SECTION 15 OF THE *CRIMINAL LAW (CLAMPING, IMPOUNDING AND FORFEITURE OF VEHICLES) ACT 2007*, REQUIRE YOU TO PRODUCE THE MOTOR VEHICLE BETWEEN THE HOURS OF am/pm and..... am/pm on the day of 20..... at

(location)

It is an offence, without reasonable excuse, to refuse or fail to comply with this notice.

Maximum penalty: \$2 500 or imprisonment for 6 months.

RELEVANT AUTHORITY:
.....
(signature of Sheriff or authorised person) (print name) (date)

.....
(signature of Sheriff or authorised person) (print name) (date)

If you are unable to produce the vehicle on this day, please contact the Sheriff's office on telephone during business hours before that day.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

No 294 of 2007

AGO0056/06CS

South Australia

Summary Offences (General) Variation Regulations 2007

under the *Summary Offences Act 1953*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Summary Offences (General) Regulations 2001*

- 4 Revocation of Part 2
 - 5 Revocation of Schedules A1 and B1
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Summary Offences (General) Variation Regulations 2007*.

2—Commencement

These regulations will come into operation on the day on which the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Summary Offences (General) Regulations 2001*

4—Revocation of Part 2

Part 2—delete the Part

5—Revocation of Schedules A1 and B1

Schedules A1 and B1—delete the Schedules

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

No 295 of 2007

AGO0056/06CS

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2007

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
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Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2007*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

- (1) Schedule 1, item headed "Robe—Area 1", column headed "Period"—delete "1 p.m. on 31 December 2006 to 9 a.m. on 1 January 2007." and substitute:
 - 1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008.
- (2) Schedule 1, item headed "Robe—Area 2", column headed "Period"—delete "1 p.m. on 31 December 2006 to 9 a.m. on 1 January 2007." and substitute:
 - 1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008.

- (3) Schedule 1, item headed "Robe—Area 3", column headed "Period"—delete "1 p.m. on 31 December 2006 to 9 a.m. on 1 January 2007." and substitute:
1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008.
- (4) Schedule 1, item headed "Robe—Area 4", column headed "Period"—delete "1 p.m. on 31 December 2006 to 9 a.m. on 1 January 2007." and substitute:
1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008.
- (5) Schedule 1, item headed "Robe—Area 5", column headed "Period"—delete "1 p.m. on 31 December 2006 to 9 a.m. on 1 January 2007." and substitute:
1 p.m. on 31 December 2007 to 2 a.m. on 2 January 2008.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 6 December 2007

No 296 of 2007

MCA07/052CS

South Australia

National Electricity (South Australia) Variation Regulations 2007

under the *National Electricity (South Australia) Act 1996*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *National Electricity (South Australia) Variation Regulations 2007*.

2—Commencement

- (1) Subject to subregulation (2), these regulations will come into operation on the day on which the *National Electricity (South Australia) (National Electricity Law—Miscellaneous Amendments) Amendment Act 2007* comes into operation.
- (2) Regulation 14 comes into operation on the day on which these regulations are made.

3—Variation provisions

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

Part 2—Variation of *National Electricity (South Australia) Regulations*

4—Substitution of regulation 4

Regulation 4—delete the regulation and substitute:

4—Jurisdictional regulator—Tasmania

For the purposes of paragraph (h) of the definition of *jurisdictional regulator* in section 2 of the new National Electricity Law, in relation to the State of Tasmania as a participating jurisdiction—

- (a) the Regulator within the meaning of the *Electricity Supply Industry Act 1995* of Tasmania is a jurisdictional regulator of Tasmania; or
- (b) if the functions or powers of that Regulator under the new National Electricity Law are transferred to the AER by or under a law of Tasmania, the AER is a jurisdictional regulator of that jurisdiction.

5—Revocation of regulation 5A

Regulation 5A—delete the regulation

6—Variation of regulation 6—Civil penalty provisions

Regulation 6(1)—delete "paragraph (c)" and substitute:

paragraph (i)

7—Substitution of regulation 7

Regulation 7—delete the regulation and substitute:

7—Review provisions of relevant Commercial Arbitration Act

For the purposes of paragraph (g) of the definition of *review provisions of the Commercial Arbitration Act of this jurisdiction* in section 71(3) of the new National Electricity Law, in relation to the Commonwealth as a participating jurisdiction, Part 5 of the *Commercial Arbitration Act 1986* of the Australian Capital Territory is prescribed as corresponding to Part 5 of the *Commercial Arbitration and Industrial Referral Agreements Act 1986* of South Australia.

8—Variation of regulation 8—Content of requests for Rule

Regulation 8(1)(c) and (d)—delete paragraphs (c) and (d) and substitute:

- (c) a statement of the nature and scope of the issue that is proposed to be addressed and an explanation of how the proposed Rule would address the issue;
- (d) an explanation of how the proposed Rule will or is likely to contribute to the achievement of the national electricity objective;

- (e) an explanation of the expected benefits and costs of the proposed change and the potential impacts of the change on those likely to be affected;
- (f) in the case of a request by an electricity market regulatory body in the circumstances described in section 96A(1)(a) of the new National Electricity Law—a summary of the consultation conducted by the electricity market regulatory body (including information about the extent of the consultation and about the issues raised during the consultation and the electricity market regulatory body's response to those issues).

9—Insertion of regulations 9, 10 and 11

After regulation 8 insert:

9—Merits review and other non-judicial review

- (1) For the purposes of the definition of *reviewable regulatory decision* in section 71A of the new National Electricity law, a determination of the AER under any of the following clauses of the Rules is prescribed to be a reviewable regulatory decision:
 - (a) clause 6.6.1(d);
 - (b) clause 6.6.1(g);
 - (c) clause 6A.7.3(d);
 - (d) clause 6A.7.3(g).
- (2) For the purposes of the definition of *small to medium user or end user* in section 71A of the new National Electricity Law, a level of 4000 megawatt hours is fixed.

10—Service of summons to appear as a witness

- (1) For the purposes of section 143 of the new National Electricity Law, a summons issued by the AER must include—
 - (a) the name and address of the person on whom the summons is to be served; and
 - (b) if the summons is for the production of a document—
 - (i) a proper description of the document; and
 - (ii) if the document is to be produced by a person that is a corporation, the name and title of the appropriate officer of the corporation who is to attend and produce the document; and
 - (c) the date, time and place of the hearing of the AER at which the person is required to attend and (if required) to produce the document.
- (2) The summons will remain in force for a period specified in the summons or, if no period is specified, until the conclusion of the proceeding in relation to which the summons has been issued.

- (3) The summons will be taken to be effectively served if—
- (a) a copy of the summons is handed to the person to be served or, where service by that method is refused or obstructed or made impracticable, a copy of the summons is placed as near as practicable to the person and the person is informed of the nature of the summons; or
 - (b) a copy of the summons is delivered to a legal practitioner acting for the person to be served and the legal practitioner endorses a statement on the summons to the effect that the legal practitioner accepts service; or
 - (c) where the person to be served is a corporation, a copy of the summons is served on the corporation in accordance with the provisions of the *Corporations Act 2001* of the Commonwealth; or
 - (d) a copy of the summons is served in accordance with an agreement made between the parties as to the place and method of service and the person on whom service may be effected; or
 - (e) an answer to the summons is filed with the AER; or
 - (f) the AER is satisfied that the person to be served has received a copy of the summons.

11—AER to be able to charge for costs of access disputes

Pursuant to section 156 of the new National Electricity Law, the AER may—

- (a) charge the parties to an access dispute for its costs in the access dispute; and
- (b) apportion those costs between the parties.

10—Variation of regulation 13—System operations functions or powers

- (1) Regulation 13(2)(d)—delete "(n)" and substitute:
 - (o)
- (2) Regulation 13(2)(l)—delete "clause S5.2.6.3" and substitute:

clause S 5.2.6.2
- (3) Regulation 13(2)(m)—delete "clause S5.2.6.3(a)" and substitute:

clause S 5.2.6.2
- (4) Regulation 13(2)(n)—delete "clause S5.2.6.3(b)" and substitute:

clause S 5.2.6.2

11—Insertion of regulation 15

After regulation 14 insert:

15—Fees

The fees set out in Schedule 1A are prescribed.

12—Variation of Schedule 1—Civil penalty provisions

- (1) Schedule 1—delete "clause 3.11.4(j)" and substitute:
clause 3.11.3(j)
- (2) Schedule 1—delete "clause 3.11.5(i)" and substitute:
clause 3.11.5(o)
- (3) Schedule 1—delete "clause 3.13.3(p)" and substitute:
clause 3.13.3(t)
- (4) Schedule 1—delete "clause 3.15.11A(b)(2)" and substitute:
clause 3.15.10A(b)(2)
- (5) Schedule 1—delete "clause 4.8.12(a)" and substitute:
clause 4.8.12(d)
- (6) Schedule 1—delete "clause 4.8.13(a)(1) - (4)"
- (7) Schedule 1—delete "clause 4.8.13(b)"
- (8) Schedule 1—after "clause 4.8.14(d) - (e)" insert:
clause 4.8.15(g)
- (9) Schedule 1—delete "clause 4.9.2(c)" and substitute:
clause 4.9.2(d)
- (10) Schedule 1—delete "clause 4.9.3B(b)"
- (11) Schedule 1—delete "clause 5.3.2(a1)"
- (12) Schedule 1—after "clause 5.3.2(b)" insert:
clause 5.3.2(c)
- (13) Schedule 1—after "clause 5.3.2(d)" insert:
clause 5.3.2(f)
- (14) Schedule 1—delete "clause 5.3.4A(b)" and substitute:
clause 5.3.4A(c)
- (15) Schedule 1—delete "clause 5.3.4A(d) - (e)" and substitute:
clause 5.3.4A(e), (f) and (g)
- (16) Schedule 1—delete "clause 5.3.5(g) - (h)" and substitute:
clause 5.3.5(g)
- (17) Schedule 1—after "clause 5.3.6(b) - (c1)" insert:
clause 5.3.6(g)
- (18) Schedule 1—after "clause 5.3.6(h)" insert:
clause 5.3.6(i)
- (19) Schedule 1—delete "clause 5.3.7(e)" and substitute:
clause 5.3.7(g)

- (20) Schedule 1—delete "clause 5.3.8(c)" and substitute:
clause 5.3.8(e)
- (21) Schedule 1—delete "clause 5.3.8(d)" and substitute:
clause 5.3.8(f)
clause 5.3.9(h)
clause 5.3.10(a)
- (22) Schedule 1—delete "clause 5.5A(j)"
- (23) Schedule 1—after "clause 5.6.2(m) - (n)" insert:
clause 5.6.4(l)
- (24) Schedule 1—delete "clause 5.7.6(d)" and substitute:
clause 5.7.6(e)
- (25) Schedule 1—delete "clause 7.2.2(a)" and substitute:
clause 7.2.3(c)
clause 7.2.3(e)
- (26) Schedule 1—delete "clause 7.2.2(b)(2)" and substitute:
clause 7.2.3(h)(2)
- (27) Schedule 1—delete "clause 7.2.3(a)(1) - (2)"
- (28) Schedule 1—delete "clause 7.2.3(a)(3)"
- (29) Schedule 1—delete "clause 7.2.5(a) - (bc)" and substitute:
clause 7.2.5(a) - (b)
- (30) Schedule 1—delete "clause 7.3.1(a)(1) - (12)" and substitute:
clause 7.3.1(a)(1) - (13)
- (31) Schedule 1—delete "clause 7.3.1(da) - (db)" and substitute:
clause 7.3.1(e) - (f)
- (32) Schedule 1—delete "clause 7.11(a) - (c)" and substitute:
clause 7.11.1(a) - (d)
clause 7.11.2(a)
clause 7.11.2(c) - (d)

13—Insertion of Schedule 1A

After Schedule 1 insert:

Schedule 1A—Fees

Notification of an access dispute—section 125(2) of the new National
Electricity Law

\$2 750

14—Variation of Schedule 2—Transitional and savings provisions

Schedule 2—after clause 20 insert:

21—Transfer of National Electricity Tribunal funds to AEMC

- (1) This clause is made for the purposes of winding up the affairs of the National Electricity Tribunal in preparation for the commencement of section 7 of the *National Electricity (South Australia) (New National Electricity Law) Amendment Act 2005*.
- (2) The Registrar and Deputy Registrar of the National Electricity Tribunal may take steps to facilitate winding up the affairs of the Tribunal, including—
 - (a) preparing financial statements of the accounts of the Tribunal; and
 - (b) preparing a winding up report; and
 - (c) causing or facilitating (after payment of the expenses of the winding up) the transfer to the AEMC of any ADI account in the name of the Tribunal or of the money in such an account and any rights to interest on that money.
- (3) If there is any money remaining in an ADI account in the name of the National Electricity Tribunal on the commencement of section 7 of the *National Electricity (South Australia) (New National Electricity Law) Amendment Act 2005*, it will then vest in the AEMC.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

on the unanimous recommendation of the Ministers of the participating jurisdictions and with the advice and consent of the Executive Council
on 6 December 2007

No 297 of 2007

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CITY OF CHARLES STURT

ROADS (OPENING AND CLOSING) ACT 1991

*Re-advertisement**Road Closure, Portion of West Street, Brompton*

NOTICE is hereby given pursuant to section 10 of the said Act, that council proposes to make a Road Process Order to close and transfer to Adelaide Civil Pty Ltd, Australian Property Projects Pty Ltd and Kinsmen Projects 4 Pty Ltd, the 5 m strip of West Street, adjoining allotment 102 in Deposited Plan 17000 and allotment 4 in Filed Plan 121454 shown as 'A' and 'B' on Preliminary Plan No. 04/0077.

A copy of the plan and statement of persons affected are available for public inspection at Council's Office, 72 Woodville Road, Woodville 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 6 December 2007, to the Council, P.O. Box 1, Woodville, S.A. 5011 and the Surveyor-General, GPO 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.

P. LOCKETT, Chief Executive Officer

CITY OF ONKAPARINGA

ROADS (OPENING AND CLOSING) ACT 1991

Road Closing—Skyline Drive, Flagstaff Hill

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Onkaparinga proposes to make a Road Process Order to close and transfer to Reservoir Grazing Company Pty. Ltd., portion of the public road (Skyline Drive) situate adjoining the north-eastern boundary of allotment 735 in Deposited Plan 75195 more particularly delineated and lettered 'A' on Preliminary Plan No. 07/0085.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, Ramsay Place, Noarlunga Centre and the Adelaide office of the Surveyor-General during normal office hours.

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

The objection or application must be made in writing to the Council, P.O. Box 1, Noarlunga Centre, S.A. 5168, within 28 days of the publication of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 6 December 2007.

J. TATE, Chief Executive Officer

PORT AUGUSTA CITY COUNCIL

Revocation of Community Land Classification

NOTICE is hereby given that Council at its meeting held on Monday, 26 November 2007, resolved to revoke the Community Land Classification for Sections 1108 and 1109, Hundred of Davenport, Winninowie, as described in Crown record volume 5754, folio 531, having complied with all requirements in relation to section 194 of the Local Government Act 1999.

Dated 26 November 2007.

J. G. STEPHENS, City Manager

CITY OF SALISBURY

Election of Mayor

NOTICE is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Mayor, due to the resignation of Mayor Tony Zappia, to take effect from Wednesday, 12 December 2007.

S. HAINS, Chief Executive Officer

CITY OF SALISBURY

Close of Roll for Supplementary Election

DUE to the resignation of Mayor Tony Zappia, a Supplementary Election will be necessary to fill the vacancy of Mayor.

The voters roll to conduct this Supplementary Election will close at 5 p.m. on Friday, 14 December 2007.

You are entitled to vote in the election if you are on the State Electoral Roll. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form. Electoral enrolment forms are available from post offices or online at: www.seo.sa.gov.au.

If you are not eligible to enrol on the State Electoral Roll you may still be entitled to enrol to vote if you own or occupy a property. Contact the council to find out how.

Nominations to fill the vacancy will open on Thursday, 24 January 2008 and will be received up until 12 noon on Thursday, 7 February 2008.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Tuesday, 11 March 2008.

K. MOUSLEY, Returning Officer

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

Burford, Lorna Frances, late of 580 Brighton Road, South Brighton, retired nurse, who died on 27 July 2007.

Charles, Herbert John, late of 81 Tapleys Hill Road, Hendon, retired truck driver, who died on 22 September 2007.

Edwards, Phyllis, late of 53-59 Austral Terrace, Morphettville, retired telephonist, who died on 19 September 2007.

Henderson, Ronda Isabel, late of 336 Kensington Road, Leabrook, of no occupation, who died on 7 September 2007.

Illingworth, Jean Roma, late of 26 River Road, Port Noarlunga, retired clerk, who died on 3 October 2007.

Jones, Elbourne Robert, late of 18 McHarg Road, Happy Valley, retired businessman, who died on 23 July 2007.

Josephs, Veronica Joan, late of 35 Hulbert Street, Hove, of no occupation, who died on 2 October 2007.

MacKenzie, Robert Hugh, late of 147 St Bernard's Road, Rostrevor, retired sheetmetal worker, who died on 8 September 2007.

Opie, Marion Joan, late of 47 Eve Road, Bellevue Heights, of no occupation, who died on 22 September 2007.

Parslow, Norman Oliver, late of 53-59 Austral Terrace, Morphettville, retired manager, who died on 9 September 2007.

Perham, Winnie, late of 147 St Bernards Road, Rostrevor, widow, who died on 7 September 2007.

Reed, Agnes Jean, late of 52 Dunrobin Road, Hove, widow, who died on 21 September 2007.

Ryle, Irene Joyce, late of 4 Lochside Drive, West Lakes, home duties, who died on 29 September 2007.

Salmon, Edith Aileen, late of 10 Wigley Street, Largs Bay, retired public servant, who died on 6 October 2007.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 11 January 2008, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 6 December 2007.

M. I. BODYCOAT, Public Trustee

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