



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 21 AUGUST 2008

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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, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Genetically Modified Crop Advisory Committee, pursuant to the provisions of the Genetically Modified Crops Management Act 2004:

Member: (from 21 August 2008 until 20 August 2010)

Judith Ann Winstanley Levy
Helen Maree Harvey
Lynnette Kay Cummins
Heather Lorraine Baldock
Ulli Spranz
Rosemary Helen Richards
Geoffrey Albert Masters
Michael Shane Bowden
Nicholas Kemp
John Gordon Cornish
Geoffrey Annison

Presiding Member: (from 21 August 2008 until 20 August 2010)

Judith Ann Winstanley Levy

By command,

GAIL GAGO, for Premier

MAFF08/016CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Medical Professional Conduct Tribunal, pursuant to the provisions of the Medical Practice Act 2004:

Member: (from 26 August 2008 until 25 August 2011)

Jennifer Menz
Graham Peet West
Vanessa Swan
Joan Russell

By command,

GAIL GAGO, for Premier

HEACS/08/301

Department of the Premier and Cabinet
Adelaide, 21 August 2008

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 21 August 2008 until 20 August 2011)

Jim Kouts

By command,

GAIL GAGO, for Premier

MEN08/010

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the TransAdelaide Board, pursuant to the provisions of the TransAdelaide (Corporate Structure) Act 1998:

Director: (from 21 August 2008 until 2 February 2011)

Lino di Lernia

By command,

GAIL GAGO, for Premier

MTR08/049

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the History Trust of South Australia, pursuant to the provisions of the History Trust of South Australia Act 1981:

Member: (from 25 August 2008 until 24 August 2011)

Phillip Edward James Broderick
Minerva Nasser-Eddine
Susan Magarey

Chairman: (from 25 August 2008 until 24 August 2011)

Phillip Edward James Broderick

By command,

GAIL GAGO, for Premier

ASACAB006/02

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Museum Board, pursuant to the provisions of the South Australian Museum Act 1976:

Chairman: (from 21 August 2008 until 13 August 2011)

John Charles Ellice-Flint

By command,

GAIL GAGO, for Premier

ASACAB003/02

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint Christopher John Kourakis, S.C., as a Judge of the Supreme Court from 21 August 2008, pursuant to the provisions of the Constitution Act 1934 and the Supreme Court Act 1935, and to determine pursuant to section 7 (3) (a) of the Oaths Act 1936, that the oaths related to the appointment shall be taken before the Chief Justice of the Supreme Court of South Australia.

By command,

GAIL GAGO, for Premier

AGO0070/03CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint Peter Robert Brebner as a Judge of the District Court of South Australia from 21 August 2008, pursuant to section 12 of the District Court Act 1991.

By command,

GAIL GAGO, for Premier

AGO0071/03CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint Martin Hinton, QC, as the Solicitor-General from 21 August 2008, pursuant to the provisions of the Solicitor-General Act 1972.

By command,

GAIL GAGO, for Premier

AGO0018/03CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Patrick Frederick Conlon, MP, Minister for Transport, Minister for Infrastructure and Minister for Energy to be also Acting Premier, Acting Minister for Economic Development, Acting Minister for Social Inclusion and Acting Minister for Sustainability and Climate Change for the period from 24 August 2008 to 29 August 2008 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

GAIL GAGO, for Premier

DPC082/94PT3CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Kevin Owen Foley, MP, Deputy Premier, Treasurer, Minister for Industry and Trade and Minister for Federal/State Relations to be also Acting Premier, Acting Minister for Economic Development, Acting Minister for Social Inclusion and Acting Minister for Sustainability and Climate Change for the period from 30 August 2008 to 9 September 2008 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

GAIL GAGO, for Premier

DPC082/94PT3CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Health, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Minister for the Arts for the period from 24 August 2008 to 9 September 2008 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

GAIL GAGO, for Premier

DPC082/94PT3CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Michael John Atkinson, MP, Attorney-General, Minister for Justice, Minister for Multicultural Affairs and Minister for Veterans' Affairs to be also Acting Minister for Mineral Resources Development, Acting Minister for Urban Development and Planning and Acting Minister for Small Business for the period from 22 August 2008 to 31 August 2008 inclusive, during the absence of the Honourable Paul Holloway, MLC.

By command,

GAIL GAGO, for Premier

MMRD08/006CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Jay Wilson Weatherill, MP, Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation and Minister Assisting the Premier in Cabinet Business and Public Sector Management to be also Acting

Minister for Education, Acting Minister for Mental Health and Substance Abuse, Acting Minister for Tourism and Acting Minister for the City of Adelaide for the period from 23 August 2008 to 8 September 2008 inclusive, during the absence of the Honourable Jane Diane Lomax-Smith, MP.

By command,

GAIL GAGO, for Premier

MEDU08/014CS

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint as officers of the Crown for the purpose of providing the range of custodial services for Prisoner Movement and In-Court Management Services and for the management and operation of the Mount Gambier Prison, in accordance with the South Australian Prisoner Movement and In-Court Management contract and the contract for the management and operation of the Mount Gambier Prison, without pay or other industrial entitlement, staff of GSL Custodial Services Pty Ltd listed, pursuant to section 68 of the Constitution Act 1934:

Colin McGregor Hill
Sean Lee Horrigan
Jade Hearsch
David Ferguson
Wayne Attiwell

By command,

GAIL GAGO, for Premier

MCS08/019SC

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has revoked the appointment of Kata Klarin and Stephen James Clarke as officers of the Crown for the purpose of providing the range of custodial services for Prisoner Movement and In-Court Management Services, the former staff of GSL Custodial Services Pty Ltd, pursuant to section 68 of the Constitution Act 1934 and section 36 of the Acts Interpretation Act 1915.

By command,

GAIL GAGO, for Premier

MCS08/016SC

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint as officers of the Crown for the purpose of providing the range of custodial services for Prisoner Movement and In-Court Management Services, in accordance with the South Australian Prisoner Movement and In-Court Management Contract, without pay or other industrial entitlement, staff of GSL Custodial Services Pty Ltd listed, pursuant to section 68 of the Constitution Act 1934:

Adrian Domenic Andreucci
Ryan Brinsley
Sarah Ann Clarence
Billy Joe Starr
Callum Osborne Scaife
Roxanne Jill Follows
Chantelle Louise Harris
Robert John Ferguson

By command,

GAIL GAGO, for Premier

MCS08/016SC

Department of the Premier and Cabinet
Adelaide, 21 August 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the people listed as Justices of the Peace for South Australia for a period of 10 years commencing from 21 August 2008 and expiring on 20 August 2018, pursuant to section 4 of the Justices of the Peace Act 2005:

Peter John Barber
Rebecca Marie Baker
Milena Louise Bishop
Darrien Sean Bromley
Darryl James Carter
Michael Deane
Rudiger de Cock
Joanne Louise Dillon
Arthur Andrew Hansberry
Patricia Jean Holtham
Brian Alan Mathews
Michael Shane Perry
Mary Portsmouth
Carol Ann Putland
Roslyn Joy Ricci

By command,

GAIL GAGO, for Premier

JPS08/029CS

AUTHORISED BETTING OPERATIONS ACT 2000

Section 4 (1) (b)

Notice of Approval of Contingencies

NO. 2 OF 2008

INDEPENDENT GAMBLING AUTHORITY, by this notice, approves contingencies relating to sporting or other events within Australia:

1. Citation

This notice may be cited as the Approved Contingencies (Innamincka Picnic Racing—Gallopings) Notice 2008.

2. Approval

- (1) The contingencies listed in the table are approved in respect of fixed odds betting by licensed bookmakers.
- (2) This approval is subject to the provisions of the Authorised Betting Operations Act 2000, the Bookmakers Licensing Rules 2000, any other rules made under section 62 of the Act, and the conditions to which a licence or permit are subject.
- (3) This approval of contingencies may be amended or revoked by further notice.

3. Definitions

In this notice—

‘Event’—

- (a) means a race on the flat for horses where each animal is ridden by a person;
- (b) includes, in relation to an event mentioned in paragraph (a) for which there were more accepters than places, a division of that event offering the same prize as the event.

‘Place’ means the contingency that a specified Entrant will place either first or second (or, if applicable, third or fourth) in a specified Event (including where different odds are offered by a bookmaker for first place *vis-a-vis* any of second or, if applicable, third or fourth place).

‘Race’, with respect to horses, includes—

- (a) a race conducted by a licensed racing club; and
- (b) a race at a picnic race meeting or a gymkhana.

‘Win’ means the contingency that a specified Entrant will place first in or win a specified Event.

TABLE

Picnic race meeting conducted by or on behalf of the Innamincka Sporting Club at the Innamincka Racecourse on 30 August 2008 and such later date to which the meeting may be adjourned

No.	Description of Event	Prizes	Approved Contingencies
1.	Open sprint over 800 metres for horses	First—\$800 Second—\$200 Third—\$100	Win, place or derivative
2.	Open sprint over 1 000 metres for horses	First—\$800 Second—\$200 Third—\$100	Win, place or derivative
3.	800 metres race for horses which have been registered	First—\$800 Second—\$200 Third—\$100	Win, place or derivative
4.	Open race over 1 400 metres for horses	First—\$3 000 and cup Second—\$500 Third—\$300	Win, place or derivative
5.	Open race over 1 000 metres for horses	First—\$1 300 and bracelet Second—\$300 Third—\$200	Win, place or derivative
6.	Open race over 1 200 metres for horses	First—\$800 Second—\$200 Third—\$100	Win, place or derivative
7.	Consolation race over 800 metres for horses which have been registered—open to horse which have started, but not placed first, on the day	First—\$700 Second—\$200 Third—\$100	Win, place or derivative

Dated 20 August 2008.

R. C. J. CHAPPELL, Secretary to the
Independent Gambling Authority

COLLECTIONS FOR CHARITABLE PURPOSES ACT 1939

Revocation of the Code of Practice

I, CARMEL ZOLLO, Minister for Gambling, give notice that, effective 1 September 2008, I revoke the code of practice issued on 14 December 1995 under section 12 (2a) of the Collections for Charitable Purposes Act 1939.

Dated 20 August 2008.

CARMEL ZOLLO, Minister for Gambling

COLLECTIONS FOR CHARITABLE PURPOSES ACT 1939

Instrument of Delegation

I, CARMEL ZOLLO, Minister for Gambling, hereby delegate, pursuant to section 5 of the Collections for Charitable Purposes Act 1939, to the person for the time being occupying the office of the Liquor and Gambling Commissioner all the powers and functions vested in, imposed on or delegated to the Minister for Gambling under the Collections for Charitable Purposes Act 1939, except for the powers functions in sections 12 (2) (b), 16, 17, 18 and 19 of the Act. A power or function delegated by this notice may be further delegated.

The provisions of the Collections for Charitable Purposes (Miscellaneous) Amendment Act 2007, amending the Collections for Charitable Purposes Act 1939, come into operation on Monday, 1 September 2008.

Dated 20 August 2008.

CARMEL ZOLLO, Minister for Gambling

CONTROLLED SUBSTANCES ACT 1984

Prohibition of Possessing, Supplying or Administering Prescription Drugs

TAKE notice that on 8 August 2008, I, Simone Cormack, acting in the position of Executive Director of Drug and Alcohol Services South Australia, having formed the opinion that Heath Tristan Robertson has supplied a prescription drug in an irresponsible manner, exercise the authority delegated by the Minister for Mental Health and Substance Abuse under section 62A of the Controlled Substances Act 1984, and make the following order under section 57 (1) of the Act:

Heath Tristan Robertson,
20 Bath Street, Glenelg, South Australia:

- is prohibited from possessing, supplying or administering prescription drugs being those declared by Regulation 7 of the Controlled Substances (Poisons) Regulations 1996, pursuant to section 12 (2) of the Controlled Substances Act 1984, namely any poison listed in Schedule 4 of the Standard for the Uniform Scheduling of Drugs and Poisons as published and amended by the National Drugs and Poisons Schedule Committee under the Commonwealth's Therapeutic Goods Act 1989.

This order does not apply to any prescription drugs legally supplied or prescribed for treatment of Heath Robertson by a dentist or medical practitioner or by a veterinary surgeon for administration to an animal in his care.

S. CORMACK, Delegate for the Minister,
Mental Health and Substance Abuse

CONTROLLED SUBSTANCES ACT 1984

Prohibition of Administering Prescription Drugs

TAKE notice that on 9 July 2008, I, Keith Evans, Executive Director of Drug and Alcohol Services South Australia, having formed the opinion that Bronwyn Fletcher has administered a prescription drug in an irresponsible manner, exercise the authority delegated by the Minister for Mental Health and Substance Abuse under section 62A of the Controlled Substances Act 1984, and make the following order under section 57 (1) of the Act:

Bronwyn Fletcher
Date of birth, 4 May 1963,

is prohibited from using, supplying, administering or possessing any of the following substances or class of substances:

- a drug of dependence as declared by Regulation 7A of the Controlled Substances (Poisons) Regulations 1996, pursuant to section 12 (3) of the Controlled Substances Act 1984, namely any poison listed in Schedule 8 of the Standard for the Uniform Scheduling of Drugs and Poisons as published and amended by the National Drugs and Poisons Schedule Committee under the Commonwealth's Therapeutic Goods Act 1989; or
- a prescription drug as declared by Regulation 7 of the Controlled Substances (Poisons) Regulations 1996, pursuant to section 12 (3) of the Controlled Substances Act 1984, but only where the prescription drug contains the drug codeine or dextropropoxyphene.

This order does not apply to any of the above drugs or class of drugs legally supplied or prescribed for treatment of Bronwyn Fletcher by a dentist or medical practitioner or by a veterinary surgeon for administration to an animal in her care.

K. EVANS, Delegate for the Minister,
Mental Health and Substance Abuse

GOVERNMENT LAND SALE

UNDER THE CROWN LANDS ACT 1929

Section 228

Department for Environment and Heritage
Adelaide, 21 August 2008

NOTICE is hereby given that the undermentioned Crown Land will be offered for sale by public auction to be held on site, Friday, 19 September 2008, at 2 p.m.

Conditions of Sale

Subject to a reserve price the land shall be sold at the highest bid.

If any dispute arises at the fall of the hammer, the land may be put up again at the discretion of the auctioneer.

The land will not be sold to any person under the age of 18 years and no such person shall be entitled to obtain a Land Grant.

All biddings must be made in an audible voice and the name of the purchaser as declared by the highest bidder will be announced by the auctioneer, and immediately entered by him, against the land sold. Such entry shall be taken as conclusive evidence of the land having been bought by the person whose name has been so announced and entered and the Land Grant shall issue accordingly.

No advance of less than one dollar will be taken as a bid by the auctioneer.

If at the conclusion of the sale any deposit that is unpaid the land may be at once re-offered.

Time shall be deemed to be of the essence of the contract.

The sale is also subject to all Acts and Regulations now in force relating to the sale of Crown Lands.

The purchaser shall pay to the Department for Environment and Heritage the full purchase money or a deposit of at least 20 per centum thereof at the time of the sale and the balance, if any, within one calendar month.

The purchaser shall also pay within one calendar month of the date of sale the sum of \$339.20 for the preparation and registration of each Land Grant.

J. WEATHERILL, Minister for Environment
and Conservation

THE SCHEDULE

SECTION 333
HUNDRED OF RANDELL
COUNTY OF YORK*Limitation: Nil*

In the event of expenses being incurred by the Department for Environment and Heritage, pursuant to the Fences Act 1975, in regard to the above land such amounts will be added to the purchase money of the land and will be payable with the deposit.

A. HOLMES, Chief Executive, Department
for Environment and Heritage

DEH 13/1145

DEVELOPMENT ACT 1993, SECTION 46 (1): OLYMPIC
DAM MAJOR DEVELOPMENT DECLARATION*Preamble*

1. The Olympic Dam and Stuart Shelf Indenture (the Indenture) in the Schedule to the Roxby Downs (Indenture Ratification) Act 1982, provides comprehensively for mining developments in the Olympic Dam Area and the Selected Areas (as defined therein) and for associated treatment and transportation facilities and related infrastructure in connection therewith.

2. Pursuant to Clause 28 of the Indenture, the Minister for Mineral Resources Development has made a declaration under section 46 (1) of the Development Act 1993 (see *Gazette*, 15 September 2005, page 3318, 14 December 2006, page 4310 and 10 April 2008, page 1236) in relation to certain kinds of development to the extent they are undertaken on land referred to in Clause 28 (1) of the Indenture as part of the Olympic Dam Expansion Project (being the project or projects to be carried out pursuant to one or more Subsequent Project Notices to be given under Clause 9 (2) of the Indenture involving the establishment of an open pit mine, related additional processing facilities and other related facilities and infrastructure).

NOTICE

PURSUANT to section 46 (1) of the Development Act 1993, being of the opinion that a declaration is appropriate for the proper assessment of a development or project of major environmental, social or economic importance, I declare that section 46 of the Act applies to any development of a kind specified in the Schedule to the extent that it is undertaken:

- (a) as part of the Olympic Dam Expansion Project; and
- (b) on land other than the land referred to in Clause 28 (1) of the Indenture.

Schedule—Specified Kinds of Development

Development for any of the following purposes:

- (a) establishing a new airport;
- (b) decommissioning an existing airport;
- (c) establishing a rail line and associated intermodal facility;
- (d) establishing facilities for unloading plant and equipment from barges;
- (e) establishing or upgrading a haul road or other road;
- (f) establishing new worker accommodation;
- (g) establishing a coastal seawater desalination plant and pipeline; and
- (h) any purpose ancillary to any of the preceding purposes,

but excluding:

- (i) land divisions and development reasonably required for a particular land division;
- (j) residential houses and other development primarily to provide accommodation (including workers' accommodation) within the Roxby Downs municipality;
- (k) offices, warehouses, workshops and other buildings in light or heavy industrial areas in the Roxby Downs municipality;
- (l) new service stations in the Roxby Downs municipality;
- (m) connections to or other work on any element of a power, water or gas distribution or wastewater collection system in the Roxby Downs municipality;
- (n) works in the nature of repairs or maintenance;
- (o) any pilot coastal seawater desalination plant and associated infrastructure;
- (p) any activities relating to the investigation of the extent of dewatering of the proposed open pit that may be required, including, without limitation, the drilling of dewatering wells and the transport of water by pipeline between the wells and proposed saline water borefields;
- (q) any activities relating to the investigation of the potential establishment of a water borefield for supply of water and/or potential re-injection of water produced by dewatering, including the drilling of wells, the storage and transport of water and other activities to investigate the location of the borefield and its capacity;
- (r) any activities relating to geotechnical investigations, including drilling holes, digging pits, collecting samples and conducting other activities to investigate the condition, quality and features of land;
- (s) any activities relating to surveying work, including constructing any survey markers;
- (t) any activities to define the limits and reserves of mineralisations and to evaluate the geological, economic, engineering, mining, environmental, metallurgical treatment and marketing aspects of the development of mineralisations including, without limitation, activities relating to investigation and research into new technologies for present or future operations at Olympic Dam (including establishing and operating pilot and demonstration plants to trial the use of sulphur dioxide/oxygen as an alternative oxidant to sodium chlorate, new feed systems for the smelter, alternative methods of treating concentrate to extract copper, alternative methods of extracting uranium from tailings, leach discharge and other new technologies); and
- (u) any activities ancillary to those referred to in (i) to (t) above.

Dated 18 August 2008.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

DEVELOPMENT ACT 1993: SECTION 46 (4)

Preamble

1. On 15 September 2005, the Minister for Mineral Resources Development, by notice in the *Gazette* (see *Gazette*, 15 September 2005, page 3318), declared that section 46 of the Development Act 1993, applied to any development of a kind specified in the Schedule to that notice (the declaration).

2. The Minister for Mineral Resources Development, by notice in the *Gazette*, varied the declaration on 14 December 2006 (see *Gazette*, 14 December 2006, page 4310) and 10 April 2008 (see *Gazette*, 10 April 2008, page 1236).

3. It has been decided to vary the declaration again.

NOTICE

PURSUANT to section 46 (4) of the Development Act 1993, I vary the declaration referred to in Clause 1 of the Preamble, as previously varied by the notices referred to in Clause 2 of the Preamble, as follows:

A. by deleting the Preamble to the declaration and substituting:

‘Clause 28 (2) of the Olympic Dam and Stuart Shelf Indenture (the Indenture) in the Schedule to the Roxby Downs (Indenture Ratification) Act 1982 provides that, in relation to the land referred to in Clause 28 (1), references to the ‘Minister’ in Division 2 of Part 4 of the Development Act 1993, are to be taken to be references to the Minister responsible for Mineral Resources Development (the Indenture Minister). Subsection (1) of section 46 of the Development Act 1993, therefore enables the Indenture Minister to apply that section to a specified kind of development or project on the relevant land if the Indenture Minister is of the opinion that a declaration under that section is appropriate or necessary for the proper assessment of development or a project of major environmental, social or economic importance.’;

B. by inserting, at the end of the sentence that immediately follows the heading ‘NOTICE’, the following:

‘to the extent that it is undertaken:

- (a) as part of the Olympic Dam Expansion Project (being the project or projects to be carried out pursuant to one or more Subsequent Project Notices to be given under Clause 9 (2) of the Indenture involving the establishment of an open pit mine, related additional processing facilities and other related facilities and infrastructure); and
- (b) on land referred to in Clause 28 (1) of the Indenture.’;

C. by deleting the words ‘for the purposes of establishing the expanded Olympic Dam Project (not including works in the nature of repairs or maintenance), including any or all of the following elements’ in the opening paragraph of the Schedule to the declaration and substituting the words ‘of the following kinds’;

D. by deleting the words ‘pipeline, not including the liquid fuel replacement gas pipeline between Moomba and Olympic Dam being investigated as part of current operations’ in paragraph (c) of the Schedule to the declaration and substituting the words ‘transmission pipeline’;

E. by deleting the words ‘mine expansion, including open pit mine’ in paragraph (f) of the Schedule to the declaration and substituting the words ‘open pit mine expansion, including’;

F. by inserting the word ‘and’ after paragraph (g) of the Schedule to the declaration;

G. by deleting paragraph (h) of the Schedule to the declaration;

H. by deleting the words ‘with the exception of a pilot coastal seawater desalination plant and associated infrastructure; and’ in paragraph (i) of the Schedule to the declaration and redesignating that paragraph as paragraph (h);

I. by deleting paragraph (j) of the Schedule to the declaration;

J. by deleting the word ‘But’ after the former paragraph (j) of the Schedule to the declaration and substituting the word ‘but’;

- K. by inserting, before paragraph (k) of the Schedule to the declaration, the following paragraphs:
- (i) works in the nature of repairs or maintenance;
 - (j) any pilot coastal seawater desalination plant and associated infrastructure;'
- L. by deleting the word 'the' before the word 'dewatering' in paragraph (l) of the Schedule to the declaration;
- M. by deleting the word 'and' after paragraph (l) of the Schedule to the declaration;
- N. by deleting the full stop at the end of paragraph (m) of the Schedule to the declaration and substituting a semi-colon; and
- O. by inserting, after paragraph (m) of the Schedule to the declaration, the following paragraphs:
- (n) any activities relating to surveying work, including constructing any survey markers;
 - (o) any activities to define the limits and reserves of mineralisations and to evaluate the geological, economic, engineering, mining, environmental, metallurgical treatment and marketing aspects of the development of mineralisations including, without limitation, activities relating to investigation and research into new technologies for present or future operations at Olympic Dam (including establishing and operating pilot and demonstration plants to trial the use of sulphur dioxide/oxygen as an alternative oxidant to sodium chlorate, new feed systems for the smelter, alternative methods of treating concentrate to extract copper, alternative methods of extracting uranium from tailings, leach discharge and other new technologies); and
 - (p) any activities ancillary to those referred to in (i) to (o) above.'

The declaration, as so varied, is set out in the Schedule below.

SCHEDULE

DEVELOPMENT ACT 1993: SECTION 46 (1)

Preamble

Clause 28 (2) of the Olympic Dam and Stuart Shelf Indenture (the Indenture) in the Schedule to the Roxby Downs (Indenture Ratification) Act 1982 provides that, in relation to the land referred to in Clause 28 (1), references to the 'Minister' in Division 2 of Part 4 of the Development Act 1993, are to be taken to be references to the Minister responsible for Mineral Resources Development (the Indenture Minister). Subsection (1) of section 46 of the Development Act 1993, therefore enables the Indenture Minister to apply that section to a specified kind of development or project on the relevant land if the Indenture Minister is of the opinion that a declaration under that section is appropriate or necessary for the proper assessment of development or a project of major environmental, social or economic importance.

NOTICE

PURSUANT to section 46 (1) of the Development Act 1993, being of the opinion that a declaration is appropriate for the proper assessment of a development or project of major environmental, social or economic importance, I declare that section 46 of the Act applies to any development of a kind specified in the Schedule to the extent that it is undertaken:

- (a) as part of the Olympic Dam Expansion Project (being the project or projects to be carried out pursuant to one or more Subsequent Project Notices to be given under Clause 9 (2) of the Indenture involving the establishment of an open pit mine, related additional processing facilities and other related facilities and infrastructure); and
- (b) on land referred to in Clause 28 (1) of the Indenture.

Schedule—Specified Kinds of Development

Development of the following kinds:

- (a) any new water supply pipeline from any borefield, including any related bores or pumps;
- (b) any new energy supply transmission line;

- (c) any new natural gas transmission pipeline;
- (d) any new on-site power station;
- (e) any rail line;
- (f) any open pit mine expansion, including tailings disposal facilities and evaporation ponds, or waste rock disposal area;
- (g) any minerals processing facility; and
- (h) any coastal seawater desalination plant and pipeline,

but excluding:

- (i) works in the nature of repairs or maintenance;
- (j) any pilot coastal seawater desalination plant and associated infrastructure;
- (k) any activities relating to the investigation of the extent of dewatering of the proposed open pit that may be required, including, without limitation, the drilling of dewatering wells and the transport of water by pipeline between the wells and proposed saline water borefields;
- (l) any activities relating to the investigation of the potential establishment of a water borefield for supply of water and/or potential re-injection of water produced by dewatering, including the drilling of wells, the storage and transport of water and other activities to investigate the location of the borefield and its capacity;
- (m) any activities relating to geotechnical investigations, including drilling holes, digging pits, collecting samples and conducting other activities to investigate the condition, quality and features of land;
- (n) any activities relating to surveying work, including constructing any survey markers;
- (o) any activities to define the limits and reserves of mineralisations and to evaluate the geological, economic, engineering, mining, environmental, metallurgical treatment and marketing aspects of the development of mineralisations including, without limitation, activities relating to investigation and research into new technologies for present or future operations at Olympic Dam (including establishing and operating pilot and demonstration plants to trial the use of sulphur dioxide/oxygen as an alternative oxidant to sodium chlorate, new feed systems for the smelter, alternative methods of treating concentrate to extract copper, alternative methods of extracting uranium from tailings, leach discharge and other new technologies); and
- (p) any activities ancillary to those referred to in (i) to (o) above.

Dated 18 August 2008.

PAUL HOLLOWAY, Minister for Mineral Resources Development

DEVELOPMENT ACT 1993

Boston Island Development Plan Amendment Prepared by the Minister—Draft for Public Consultation

NOTICE is hereby given that the Minister for Urban Development and Planning has, pursuant to sections 24 and 26 of the Development Act 1993, prepared a draft Boston Island Development Plan Amendment (DPA) to amend the Land Not Within a Council Area (Coastal Waters) Development Plan.

The draft DPA proposes to create a new Boston Island Zone with five new policy areas that guide a range of activities within designated areas on Boston Island including residential uses, tourism development, mixed use, coastal open space and recreation.

The draft DPA will be on public consultation from 21 August 2008 to 22 October 2008.

Copies of the draft DPA are available during normal office hours at Planning SA, Level 5, 136 North Terrace, Adelaide, or can be viewed on the internet at www.planning.sa.gov.au/go/BostonIslandDPA. Alternatively the draft DPA can be viewed during normal office hours at the City of Port Lincoln, 60 Tasman Terrace, Port Lincoln.

Written submissions regarding the draft DPA should be submitted no later than 5 p.m. on 22 October 2008. All submissions should be addressed to the Presiding Member, Development Policy Advisory Committee, c/o Planning SA, G.P.O. Box 1815, Adelaide, S.A. 5001 and should clearly indicate whether you wish to be heard in support of your submission at the public meeting. If you wish to lodge your submission electronically, please email the electronic submission to plnsa.dpac@saugov.sa.gov.au.

Copies of all submissions will be available for inspection by interested persons at Planning SA, Level 5, 136 North Terrace, Adelaide, until the conclusion of the public meeting, and will also be available for viewing on the Planning SA website.

A public meeting will be held on Monday, 10 November 2008 at 7 p.m. at the Port Lincoln Hotel (Lincoln Ballroom), 1 Lincoln Highway, Port Lincoln, at which time interested persons may appear to be heard in relation to the draft DPA and the submissions. The public meeting will not be held if no submissions are received or if no submission includes a request to be heard. Please check Planning SA's website at:

www.planning.sa.gov.au/go/BostonIslandDPA

before the scheduled date of the meeting to find out whether it is being held.

If you would like further information about the draft DPA, contact Steven Copus on telephone 8303 0659 or via email at copus.steven@saugov.sa.gov.au.

SHARON UNDERWOOD, Secretary,
Development Policy Advisory Committee

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF CITY OF PORT LINCOLN—BUILDING HEIGHT AND DESIGN (CITY CENTRE ZONE) DEVELOPMENT PLAN AMENDMENT

PURSUANT to section 28 (1) of the Development Act 1993, I, Paul Holloway, Minister for Urban Development and Planning, am of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'City of Port Lincoln—Building Height and Design (City Centre Zone) Development Plan Amendment' that the Plan Amendment should come into operation without delay on an interim basis on 21 August 2008.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

FAIR WORK ACT 1994**INDUSTRIAL PROCEEDINGS RULES 1995**

We, WILLIAM DAVID JENNINGS, Senior Judge of the Industrial Relations Court of South Australia, and PETER DENNIS HANNON, President of the Industrial Relations Commission of South Australia, by virtue of the provisions of section 178 of the *Fair Work Act 1994* do hereby make a new Part VI – Referral of Matters to the Commission under the Training and Skills Development Act 2008 and Rules 80, 81, 82 and 83, as attached.

This rule operates on and from 1 September 2008.

Given under our hands and the seals of the Industrial Relations Court and Commission of South Australia this 1st day of August 2008.

(signed)
W.D. Jennings
Senior Judge



(signed)
P.D. Hannon
President



**PART VI – REFERRAL OF MATTERS TO THE COMMISSION UNDER THE
TRAINING AND SKILLS DEVELOPMENT ACT 2008**

(operational: on and from 1/9/2008)

RULE EIGHTY - DEFINITIONS

(operational: on and from 1/9/2008)

- (1) Except where a contrary intention appears for the purposes of this Part the words set out below will mean:

Approved form means a form prescribed by a practice direction of the Industrial Commission.

Assessor means a person appointed by the Minister for Employment and Training to sit with members of the IRC in proceedings under the TSD Act.

Business days means any day the Registry is open for business.

Lodging and filing in relation to notices to be given to the Registrar means the provision of the notice to the Registrar in person at the Registry of the Industrial Relations Commission, by mail to the Commission's postal address, by facsimile transmission, or in electronic form to the Commission's email address.

Member means a Member of the Industrial Relations Commission of South Australia and includes the President, Deputy President and Commissioner.

Party means those persons having a direct interest in the matter.

President means the President of the Industrial Relations Commission of South Australia.

TSD Act means the Training and Skills Development Act 2008.

TSC means the Training and Skills Commission established under Part 2, Division 2 of the TSD Act.

Training contract means a training contract under Part 4 of the TSD Act.

Training plan means a training plan under Part 4 of the TSD Act.

**RULE EIGHTY ONE -
REVIEW OF A COMPLIANCE NOTICE
UNDER SECTION 63 OF THE TSD ACT**

(operational: on and from 1/9/2008)

- (1) A party seeking a review by the Industrial Relations Commission of a compliance notice issued under section 63 (1) of the TSD Act, must file an application in the approved form at the Registry within 14 days from the issue of the compliance notice.

- (2) On the filing of an application for review, the Registrar will set a date and time for a directions conference before the Industrial Relations Commission. The Registrar will advise the parties of the hearing details and unless otherwise directed by the President, provide them with a copy of the application for review. The TSC will be regarded as the respondent to the review.
- (3) At the directions conference the Industrial Relations Commission will issue orders to facilitate the efficient conduct of proceedings, which may include:
 - (a) directions with respect to service of the application on other persons who may have an interest in the proceedings;
 - (b) directions to the parties as to any procedural matters relating to the hearing and determination of the application for review;
 - (c) allocation of a date (or dates) and place for the hearing of the application for review.
- (4) The review will be heard by a Member of the Industrial Relations Commission assigned by the President, sitting with assessors selected in accordance with section 68 and Schedule 1 of the TSD Act.
- (5) The conduct of the matter will be as directed by the Member utilising the relevant powers of the Fair Work Act 1994.
- (6) The parties to the review application, including the respondent TSC, will be advised by the Member of the decision upon review as soon as possible after it is made.

**RULE EIGHTY TWO -
SUSPENSION OF APPRENTICE/TRAINEE FOR SERIOUS MISCONDUCT
UNDER SECTION 64 OF THE TSD ACT
(operational: on and from 1/9/2008)**

Commencement of proceedings

- (1) Where an employer suspends an apprentice/trainee from employment under section 64 of the TSD Act, the employer must advise the Industrial Relations Commission immediately after the suspension by contacting the Registrar by phone, by personal attendance at the Registry, by facsimile transmission or by email. At that time the employer must state the date and time of the suspension, the name and contact details of the apprentice/trainee suspended, the employer's legal or trading name and the employer's contact person's name and contact details.
- (2) Immediately on receiving the advice in accordance with subrule (1), the Registrar will set a date and time for a conciliation conference before a Member of the Industrial Relations Commission and immediately advise the parties and the TSC of the hearing details. The assigned conciliation conference date will be within seven days of the suspension taking effect.

- (3) The employer must confirm the reference under subrule (1) within three days of the suspension by written notice lodged at the Registry personally or by post, facsimile transmission or email which states:
- (a) the name, date of birth and the training contract id number of the apprentice/trainee suspended and his/her contact details including mobile telephone number and email address where available;
 - (b) the employer's legal name as stated on the training contract, the trading name and the employer's contact persons' name and details including fax and telephone numbers and email addresses;
 - (c) a summary of the nature of the wilful and serious misconduct alleged; and
 - (d) the date and time of the suspension.
- (4) Unless otherwise directed by the President, the Registrar will provide the apprentice/trainee with a copy of the notice given under subrule (3) and will confirm the date and time of the conciliation conference by notice in writing to the apprentice/trainee, the employer and the TSC.

Conciliation Conference

- (5) A request by any party to change the date or location given for the conciliation conference must be directed to the Member assigned to preside at the conference and may only be changed at the direction of that Member.
- (6) Any person notified is required to attend the conciliation conference on the date and time and at the place specified.
- (7) The conciliation conference will be conducted with a minimum of formality and legal technicality by the Member who at their discretion will determine the manner in which the conference is conducted and may give directions as to who may attend and as to the conduct of the parties and their representatives.
- (8) Subject to the limitation imposed by section 65 (2) (d) of the TSD Act, the Member who is to preside at the conference may, if in all the circumstances the Member considers it appropriate, extend the suspension until such time as a conference can be held where it cannot be held within seven days of the suspension occurring.
- (9) Nothing said or done at the conciliation conference by either party or any other person attending is admissible at the hearing of the matter except by the consent of the parties but if some or all of the issues in dispute are resolved between the parties, the Member may:
- (a) make and sign a written memorandum of that resolution and any such record will be capable of being given in evidence in any subsequent proceedings; or
 - (b) record the terms of settlement and direct the Registrar to draw up a consent order.

- (10) If the matter is not discontinued or settled and the Member considers that further conciliation would not be appropriate, the Member will conclude the conference and issue directions that may include:
- (a) an order requiring the parties to confirm their assertions and the basis of their position and where necessary, to file and serve one upon the other, further particulars of their position.
 - (b) an order that parties disclose relevant documents to the other parties, in accordance with Rule 25.
 - (c) allocate a date (or dates) and place for the hearing by the Industrial Relations Commission sitting with Assessors.
 - (d) hear the parties in respect to the same Member who presided at the conciliation continuing to hear the matter.
- (11) If the Member of the Industrial Relations Commission who presided at the conciliation decides not to hear the matter, the President will assign another Member of the Industrial Relations Commission to hear the matter.

Hearing

- (12) A Member of the Industrial Relations Commission sitting with assessors selected in accordance with section 68 and Schedule 1 of the TSD Act will hear and determine the matter.
- (13) The conduct of the matter will be as directed by the Member utilising the relevant powers of the Fair Work Act 1994.
- (14) Where an employer fails to attend the hearing in person or by a representative, the Commission may, if satisfied that the employer had reasonable notice and a reasonable opportunity to be heard, revoke the suspension and order that the employer pay any remuneration or compensation to which the apprentice/trainee would, but for the suspension, have been entitled.

**RULE EIGHTY THREE -
DISPUTES AND GRIEVANCES RELATING TO TRAINING CONTRACTS
UNDER SECTION 65 OF THE TSD ACT**
(operational: on and from 1/9/2008)

Commencement of proceedings

- (1) An application under section 65 (1) of the TSD Act will be made in an approved form and will be filed in the Registry personally or by post, facsimile transmission or email within the time prescribed by section 65 (8) of the TSD Act (i.e. within the term of the training contract or within six months after expiry, termination or cancellation of the relevant training contract).

- (2) Where an applicant seeks an extension of time pursuant to section 65 (9) of the TSD Act, the applicant must seek permission on the approved form, giving reasons for the extension sought.
- (3) Conciliation will be commenced as soon as possible and in any event within 14 business days of the application under subrules (1).
- (4) Unless otherwise directed by the President, the Registrar will immediately provide the parties identified in the application with a copy of the application including any attachments, and will notify them of the date and time of the conciliation conference.

Conciliation Conference

- (5) The Member assigned to preside at the conference will consult the parties about the location of the conference prior to making the necessary arrangements for conduct of the conference. In the absence of agreement or proper facilities to conduct the conciliation conference, the conference will be held at a place as directed by the Member.
- (6) A request by any party to change the date or location of the conciliation conference must be directed to the Member assigned to preside at the conference and may only be changed at the direction of that Member.
- (7) Any person notified is required to attend the compulsory conciliation conference on the date and time and at the place specified.
- (8) The conciliation conference will be conducted with a minimum of formality and legal technicality. The Member will at their discretion determine the manner in which the conference is conducted and may give directions as to who may attend and as to the conduct of the parties and their representatives. The Member may further direct that:
 - (a) a party provide a response to the application outlining the particulars of their position;
 - (b) the conciliation conference be held by using video and/or telephone;
 - (c) the conference be adjourned to other times and places as necessary.
- (9) Nothing said or done at the conciliation conference by either party or any other person attending is admissible at the hearing of the matter except by the consent of the parties but if some or all of the issues in dispute are resolved between the parties, the Member may, subject to this subrule:
 - (a) make and sign a written memorandum of that resolution and any such record will be capable of being given in evidence in any subsequent proceedings; or
 - (b) record the terms of settlement and direct the Registrar to draw up a consent order.

- (10) If the application is not discontinued or settled and the Member considers that further conciliation would not be appropriate, the Member will conclude the conference and issue directions that may include:
- (a) an order requiring the parties to confirm their assertions and the basis of their positions and, where necessary to file and serve one upon the other, further particulars of their position
 - (b) an order that all parties make disclosure of documents in accordance with Rule 25.
 - (c) allocate a date (or dates) and place for the hearing of the application by the Industrial Relations Commission sitting with Assessors.
- (11) Before, or not more than three business days after the conclusion of the conference, the Member must prepare a memorandum to the parties that:
- (a) includes a preliminary assessment of the merits of the claim and any defense to the claim; and
 - (b) recommends to the parties how best to proceed to a resolution of the questions in issue between them (or, if in the Member's opinion the application patently lacks merit, recommending that it be withdrawn), and forward it to the parties, provided that any memorandum so prepared is subject to subrule (10).

Hearing

- (12) After the conclusion of conciliation, the application will be referred to the President who will assign another Member to hear the matter. The assigned Member will select assessors in accordance with section 68 and Schedule 1 of the TSD Act to hear and determine the matter.
- (13) The Member to whom the matter is assigned will give directions as to the date, time and place of the hearing of the application and the parties will be given notice thereof.
- (14) The conduct of the matter will be as directed by the Member utilising the relevant powers of the Fair Work Act 1994.
- (15) Nothing in this rule shall prevent the Member making procedural orders for the effective conduct of the hearing.
- (16) The application lodged and any response provided will not be taken to be a formal statement of the parties' position. The Member may direct the parties to provide written confirmation of their position on the matter(s) in dispute or the grievance and to provide the other party with a list of all relevant documents in their possession.
- (17) Where an applicant fails to attend the hearing in person or by a representative, the Commission may, if satisfied that the applicant had reasonable notice and a reasonable opportunity to be heard, dismiss the application.
- (18) Where an applicant lodges an application under this Rule, and in response to any clarification sought by the Registrar or a Member regarding their intention to proceed does not confirm such an intention within 10 days, the Registrar may deem the matter to be discontinued without further notice.
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GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2008

	\$		\$
Agents, Ceasing to Act as.....	41.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	27.25
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Transfer of Properties	51.50	Intention to Sell, Notice of.....	51.50
Attorney, Appointment of.....	41.00	Lost Certificate of Title Notices	51.50
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Ceasing to Carry on Business	30.50	Transfer of	20.80
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Meeting Final.....	34.25	Annual Financial Statement—Forms 1 and 2	574.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	408.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	81.50
First Name.....	41.00	Each Subsequent Name.....	10.50
Each Subsequent Name.....	10.50	Noxious Trade.....	30.50
Notices:		Partnership, Dissolution of.....	30.50
Call.....	51.50	Petitions (small).....	20.80
Change of Name	20.80	Registered Building Societies (from Registrar-	
Creditors.....	41.00	General).....	20.80
Creditors Compromise of Arrangement	41.00	Register of Unclaimed Moneys—First Name.....	30.50
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	10.50
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	51.50	Rate per page (in 8pt)	261.00
Release of Liquidator—Application—Large Ad.....	81.50	Rate per page (in 6pt)	345.00
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Acts, Bills, Rules, Parliamentary Papers and Regulations						
Pages	Main	Amends	Pages	Main	Amends	
1-16	2.50	1.15	497-512	34.75	33.75	
17-32	3.35	2.10	513-528	35.75	34.50	
33-48	4.35	3.10	529-544	37.00	35.75	
49-64	5.50	4.20	545-560	38.00	37.00	
65-80	6.45	5.35	561-576	38.75	38.00	
81-96	7.50	6.20	577-592	40.00	38.50	
97-112	8.55	7.30	593-608	41.25	39.75	
113-128	9.55	8.40	609-624	42.00	41.00	
129-144	10.70	9.45	625-640	43.25	41.50	
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177-192	13.90	12.60	673-688	46.75	44.75	
193-208	15.00	13.80	689-704	47.50	45.70	
209-224	15.80	14.60	705-720	48.25	47.00	
225-240	16.90	15.60	721-736	50.00	48.00	
241-257	18.10	16.50	737-752	50.50	49.00	
258-272	19.10	17.60	753-768	51.50	50.00	
273-288	20.20	18.90	769-784	52.50	51.50	
289-304	21.00	19.80	785-800	53.50	52.50	
305-320	22.30	20.90	801-816	54.50	53.00	
321-336	23.20	21.90	817-832	55.50	54.50	
337-352	24.40	23.10	833-848	56.50	55.50	
353-368	25.25	24.20	849-864	57.50	56.00	
369-384	26.50	25.25	865-880	59.00	57.50	
385-400	27.50	26.25	881-896	59.50	58.00	
401-416	28.50	27.00	897-912	61.00	59.50	
417-432	29.75	28.25	913-928	61.50	61.00	
433-448	30.75	29.50	929-944	62.50	61.50	
449-464	31.50	30.25	945-960	63.50	62.00	
465-480	32.00	31.25	961-976	65.50	63.00	
481-496	33.75	32.00	977-992	66.50	63.50	

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FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that, pursuant to section 115 of the Fisheries Management Act 2007, the person listed in Schedule 1 (the 'exemption holder') of SAM Abalone Pty Ltd, P.O. Box 2260, Port Lincoln, S.A. 5607, is exempt from section 52 of the Fisheries Management Act 2007, but only insofar as he may take greenlip abalone (*Haliotis laevis*) for the purpose of aquaculture broodstock (the 'exempted activity') in the waters specified in Schedule 2, subject to the conditions in Schedule 3, from 13 August 2008 until 30 June 2009, unless varied or revoked earlier.

SCHEDULE 1

Tom Hyde.

SCHEDULE 2

'Western Zone'—the South Australian coastal waters west of the meridian of longitude 136°30'E to the Western Australia border.

SCHEDULE 3

1. The exemption holder may take a maximum 200 greenlip abalone (*Haliotis laevis*) from the waters of the Western Zone Abalone Fishery for the purpose of aquaculture broodstock.

2. Abalone taken pursuant to this exemption must not be sold or transferred to another party.

3. All abalone taken pursuant to this exemption must be delivered to and retained on the registered aquaculture site of Landbased Aquaculture Licence No. FT00423.

4. The exemption holder must notify PIRSA Fisheries Compliance on 1800 065 522 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 notice 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 boats involved, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902142.

5. The exemption holder must notify PIRSA Fisheries Compliance on 1800 065 522 at least 30 minutes prior to landing any abalone taken pursuant to this notice and provide the following information:

- Estimate time of landing.
- Location of landing point.
- Number of abalone to be landed.
- Exemption No. 9902142.

6. The exemption holder must, within 50 m of the point of landing of any abalone taken pursuant to this notice, complete the PIRSA form 'Broodstock Collection Report Statement'. Immediately upon arrival at the exemption holders registered aquaculture site, this form must be faxed to PIRSA Fisheries on (08) 8226 0434. Prior to release into the registered aquaculture site, all abalone taken pursuant to this notice must be tagged so as to be clearly identified as wild broodstock.

7. Broodstock taken under this exemption must be physically contained and separated from any farm-reared and growout animals, including no mixing of water used to hold wild-caught broodstock with areas used to hold growout stock.

8. Broodstock taken pursuant to this exemption must be held together in identifiable groups from specific geographic locations or if broodstock from different areas must be mixed due to on-farm logistics, broodstock must be tagged so that their date and location of capture can be determined.

9. PIRSA Fisheries retains the right for a Fisheries Officer to accompany the exemption holder at any time during the exempted activity.

10. 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.

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

Dated 13 August 2008.

W. ZACHARIN, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007 ('the Act'), Peter Hawthorne of SARDI Aquatic Sciences, 9 Krummel Street, Mount Gambier, S.A. 5290 (the 'exemption holder'), is exempt from sections 70, 72 (2) (c) and 78 (2) of the Act and Clauses 120 and 124 of Schedule 6 of the Fisheries Management (General) Regulation 2007, but only insofar as he or any person acting as his agent may undertake the exempted activities described in Schedule 1, subject to the conditions in Schedule 2, during the period 1 September 2008 to 30 September 2008 inclusive, unless varied or revoked earlier.

SCHEDULE 1

The following fishing activities undertaken for the purposes of research:

- the taking of southern rock lobster (*Jasus edwardsii*) less than the minimum legal size during the closed period for the taking of southern rock lobster; and
- depositing southern rock lobster taken pursuant to this notice in waters after they have been kept apart from their natural habitat for the purposes of research.

SCHEDULE 2

1. The exemption holder may take southern rock lobster from within the Southern Zone Rock Lobster Fishery for the purposes of the exempted activity.

2. A maximum of 4 500 southern rock lobster may be taken pursuant to this notice.

3. Boats registered pursuant to the following Southern Zone Rock Lobster Fishery licences may undertake the exempted activity—S052, S178.

4. Rock lobster may be deposited in waters of the Southern Zone Rock Lobster Fishery at the direction of the exemption holder, in accordance with the research project guidelines.

5. While engaged in the exempted activity the exemption holder or a person acting as his agent must have in their possession a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries Compliance Officer.

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

Dated 13 August 2008.

W. ZACHARIN, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Kate Mason of the South Australian Murray-Darling Basin Natural Resources Management Board, P.O. Box 2343, Murray Bridge, S.A. 5253 (the 'exemption holder'), or a person acting as her agent, is exempt from the provisions of section 70 of the Fisheries Management Act 2007 and Regulation 7 (a) of the Fisheries Management (General) Regulations 2007, but only insofar as she may engage in the collection of fish (the 'exempted activity') from the waters described in Schedule 1, using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3, from 13 August 2008 until 30 June 2009, unless varied or revoked earlier.

SCHEDULE 1

The backwaters and wetlands of the River Murray between Lock 1 and the Coorong.

SCHEDULE 2

- 8 fine mesh (9 mm mesh size) fyke nets;
- 20 shrimp traps;
- 2 seine nets;
- 2 dip nets.

SCHEDULE 3

1. The specimens collected by the exemption holders are for scientific and research purposes only and must not be sold.

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

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

4. Before conducting the exempted activity, the exemption holder or a person acting as her agent 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. 9902141.

5. The exemption holder must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice to the Director of Fisheries (G.P.O. Box 1625, Adelaide, S.A. 5001) within 14 days of the expiry of this notice, giving the following details:

- the date, time and location of collection;
- the description of all species collected; and
- the number of each species collected.

6. 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.

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

Dated 13 August 2008.

W. ZACHARIN, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Garry Warrick, RSD 9, New Residence via Loxton, S.A. 5333 (the 'exemption holder'), holder of River Fishery Licence No. R27, is exempt from section 53 (2) of the Fisheries Management Act 2007 and Regulation 7 (b) (i) and Clause 6 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as he may use the device described in Schedule 1 to take carp, bony bream and other non-native species in the areas specified in Schedule 2 for the purpose of trade or business (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 15 August 2008 until 30 June 2009, unless varied or revoked earlier.

SCHEDULE 1

'Carp net'—a gill net with a ply greater than 5, having a maximum length of 50 m and a minimum mesh size of 10 cm and a maximum mesh size not exceeding 18 cm.

SCHEDULE 2

- (1) Subject to paragraph (2), the licence holder may conduct fishing activities pursuant to this licence in all backwaters of the River Murray excluding the following areas during the corresponding period set out in the following table:

<i>Area Excluded</i>	<i>Period of Closure</i>
Lake Littra and outflow channel	Permanent—all year
Clover Lake	Permanent—all year
Coombool Swamp	Permanent—all year
Lake Limbra and outflow channel	Permanent—all year
Lake Woolpolool	Permanent—all year

<i>Area Excluded</i>	<i>Period of Closure</i>
Ral Ral Creek below Chaffey Pump and entrance waters to Lake Merreti	Permanent—all year
Katarapko Creek and Eckert Creek, including The Splash	Permanent—all year
Bulyong Creek	Permanent—all year
Pilby Creek	Permanent—all year
Hancock Creek	Permanent—all year
Mundic Creek	Permanent—all year
Pike Creek	Permanent—all year
Punkah Creek	Permanent—all year
Slaney Creek	Permanent—all year
Loch Luna	Permanent—all year
Cobdogla Swamp	1 August to 30 April (inclusive)
Loveday Swamp/Mussel lagoons	1 August to 30 April (inclusive)
Lake Merreti	1 August to 31 January (inclusive)

- (2) The licence holder may conduct fishing operations within the closure areas and periods listed above if given written approval by the Director of Fisheries to undertake specified carp eradication work in a specified area for a specified period.

SCHEDULE 3

1. The exemption holder must not use more than 30 carp nets at any one time in permitted backwaters of the River Murray.

2. The exemption holder must not have more than 30 carp nets in his possession at any time when he is deploying carp nets in the backwaters of the River Murray.

3. The exemption holder may only engage in the exempted activity when also fishing pursuant to River Fishery Licence No. R54, and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery Licence No. R27.

4. The exemption holder must not cause or permit a person to act as his agent when engaging in the exempted activity unless that person may lawfully act as an agent for the exemption holder in relation to River Fishery Licence No. R27.

5. All native fish (excluding bony bream and yabbies) taken in the course of the exempted activity must be immediately returned to the water.

6. Immediately prior to commencing the exempted activity, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and provide the following details:

- The licence number and person(s) conducting the activity.
- The exact location(s) of the fishing activities.
- The number of carp nets being used.
- Exemption No. 9902156.

7. The exemption holder must ensure that the carp nets are checked and all fish removed at least once during each 24 hour period.

8. When the exemption holder moves the carp nets more than 3 km from the reported location of the nets under condition 6, or removes the nets from the river completely, the exemption holder must again report to PIRSA Fisheries Compliance on 1800 065 522 and provide either details, as required under condition 6 of this exemption notice, or report that fishing with carp nets has ceased.

9. 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 as requested.

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

Dated 13 August 2008.

W. ZACHARIN, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Jim Rishworth of S.A. Water (the 'exemption holder') or a person acting as his agent, is exempt from the provision of section 70 of the Fisheries Management Act 2007 and Clauses 72 and 121 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as he may engage in acts preparatory to the collection of fish (the 'exempted activity') from the River Murray—Lock 1 (Blanchetown), using the gear specified in Schedule 1, subject to the conditions set out in Schedule 2, from 13 August 2008 until 31 July 2009, unless varied or revoked earlier.

SCHEDULE 1

- Carp separation cage.

SCHEDULE 2

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. 9902160.

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 Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 13 August 2008.

W. ZACHARIN, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Stephen Mayfield and employees of the South Australian Research and Development Institute (SARDI) and Specified Affiliates of SARDI (hereinafter referred to as the 'exemption holder'), are exempt from sections 70, 72, 73, 74 (1) (b), 79, 127, 128 and 129 of the Fisheries Management Act 2007 (the 'exempted activity'), but only insofar as the exemption holder may take abalone for research and survey purposes from the waters of the Southern Zone Abalone Fishery subject to the conditions specified in Schedule 1, from 15 August 2008 until 15 September 2008, unless varied or revoked earlier.

SCHEDULE 1

1. All abalone collected by the exemption holder must be used for research and survey purposes only and must not be sold.

2. This exemption will only apply to Specified Affiliates of SARDI (commercial fishers) provided that the affiliates are under the direction of Stephen Mayfield whilst undertaking the exempted activity.

3. At least one hour before conducting the exempted activity, the exemption holder must contact the Regional Manager—Limestone Coast on 0428 101 198. The exemption holder must have a copy of this notice in their possession at the time of making the call and be able to provide information about the area, time of the exempted activity, the vehicles and/or boats and names of the persons (Specified Affiliates) involved and other related issues.

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

Dated 15 August 2008.

W. ZACHARIN, Director of Fisheries

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an unencumbered estate in fee simple in that piece of land situated at Lot 3, Port Wakefield Road, Waterloo Corner, being the whole of allotment 3 in Filed Plan 114817 and being the whole of the land comprised in certificate of title volume 5358, folio 629.

This notice is given under section 16 of the Land Acquisition Act 1969.

Compensation

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

Inquiries

Inquiries should be directed to:

Jim Tuppin,
P.O. Box 1,
Walkerville, S.A. 5081
Telephone: (08) 8343 2760

Dated 19 August 2008.

The Common Seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of:

A. HARTLEY, Acting Manager, Property
Planning and Management Services,
Department for Transport, Energy and
Infrastructure

DTEI 2007/03366/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an unencumbered estate in fee simple in that piece of land situated at Lot 1, Norma Road, Waterloo Corner, being the whole of allotment 1 in Filed Plan 8884 and being the whole of the land comprised in certificate of title volume 5495, folio 476.

This notice is given under section 16 of the Land Acquisition Act 1969.

Compensation

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

Inquiries

Inquiries should be directed to:

Mary Rose Ward,
P.O. Box 1,
Walkerville, S.A. 5081
Telephone: (08) 8343 2706

Dated 19 August 2008.

The Common Seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of:

A. HARTLEY, Acting Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

DTEI 2008/02481/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an unencumbered estate in fee simple in that piece of land situated at Lot 7, Huxtable Road, Waterloo Corner, being portion of allotment 7 in Filed Plan 114821, comprised in certificate of title volume 5352, folio 453 and being the whole of the land numbered '50' on the plan numbered DP76455 that has been lodged at the Lands Titles Office.

This notice is given under section 16 of the Land Acquisition Act 1969.

Compensation

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

Inquiries

Inquiries should be directed to:

Jim Tuppin,
P.O. Box 1,
Walkerville, S.A. 5081
Telephone: (08) 8343 2760

Dated 19 August 2008.

The Common Seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of:

A. HARTLEY, Acting Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

DTEI 2007/04606/01

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 Nichrich Pty Ltd as trustee for the Nichrich Trust has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 80 Elder Terrace, Hawker, S.A. 5434 and known as Hawker Hotel Motel.

The applications have been set down for hearing on 23 September 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: 16 September 2008).

The applicant's address for service is c/o Piper Alderman, 167 Flinders Street, Adelaide, S.A. 5000 (Attention: Geoff Forbes or Jonathan Dodd).

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 15 August 2008.

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 Rob Par Pty Ltd as trustee for the Rap Family Trust, Lake Robe Pty Ltd as trustee for Enright Family Trust and Gleeson and Atherton Pty Ltd as trustee for the Atherton Family Trust have applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at Copper Cove Marina Resort, Wallaroo, S.A. 5556 and known as Copper Cove Marina Resort.

The applications have been set down for hearing on 8 September 2008 at 10 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, before the hearing date (viz: 7 September 2008).

The applicants' address for service is c/o Dmaw Lawyers, Level 3, 80 King William Street, Adelaide, S.A. 5000 (Attention: Craig Vozzo or Adrian Battiston).

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 14 August 2008.

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 Cab Media Australia Pty Ltd has applied to the Licensing Authority for an Entertainment Venue Licence with an Extended Trading Authorisation and Section 35 (1) (c) approval in respect of premises situated at 3 Halifax Street, Adelaide, S.A. 5000 and to be known as Kingdom KTV Lounge.

The application has been set down for callover on 19 September 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Approval under Section 35 (1) (c) to sell liquor for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- Extended Trading Authorisation is sought to include Section 35 (1) (c) approval for the following hours:
 - Friday to Saturday: Midnight to 5 a.m. the following day;
 - Sunday: 8 a.m. to 11 a.m. and 8 p.m. to 5 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;
 - Days preceding other Public Holidays: Midnight to 5 a.m. the following day;

Sundays preceding Public Holidays: 8 p.m. to 5 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: 12 September 2008).

The applicant's address for service is c/o Winters Solicitors, P.O. Box 7070, Hutt Street, Adelaide, S.A. 5000 (Attention: Lillian Lin).

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 13 August 2008.

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 Edenmae Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at Lot 75, Parkers Road, Mount Pleasant, S.A. 5235 and to be known as Edenmae.

The application has been set down for callover on 26 September 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: 19 September 2008).

The applicant's address for service is c/o Edenmae Pty Ltd, RSD 567, Mount Pleasant, S.A. 5235 (Attention: David Redhead).

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 19 August 2008.

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 Kooky Village Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 13 Murray Street, Eden Valley, S.A. 5235 and to be known as Kooky Village Wines.

The application has been set down for callover on 26 September 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: 19 September 2008).

The applicant's address for service is c/o Kooky Village Pty Ltd, P.O. Box 83, Eden Valley, S.A. 5235 (Attention: Nathan Burley).

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 18 August 2008.

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 Tony Stephen Hall has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 60 Henley Beach Road, Mile End, S.A. 5031 and to be known as Paris Wine Bar and Bistro.

The application has been set down for callover on 19 September 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

The licence authorises the sale of liquor for consumption on the licensed premises subject to the following conditions:

- At all times the business conducted in pursuance of the licence must operate as a genuine French/Parisian Wine Bar.
- All liquor sold must either be produced in France or produced in an authentic French style.
- Hours of trading will be:
 - Tuesday to Saturday: 11 a.m. to 1 a.m. the following day;
 - Sunday: 12 noon to 11 p.m.;
 - Maundy Thursday: 11 a.m. to 1 a.m. the following day;
 - Christmas Eve: 11 a.m. to 1 a.m. the following day;
 - Sunday Christmas Eve: 11 a.m. to 11 p.m.;
 - Days preceding Public Holidays: 11 a.m. to 1 a.m. the following day;
- Entertainment Consent to apply to the abovementioned times as per plans lodged.
- At all times when the licence is operating the licensee must offer for sale to patrons a range of genuine French style cheeses, pastries, breads, pates and food of a type generally available in a French/Parisian Bar and Bistro.

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: 12 September 2008).

The applicant's address for service is c/o Hunt and Hunt Lawyers, Level 12, 26 Flinders Street, Adelaide, S.A. 5000 (Attention: Rick Harley).

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 18 August 2008.

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 Potter & Hewitt Pty Ltd has applied to the Licensing Authority for a Retail Liquor Merchant's Licence in respect of premises situated at 17A High Street, Willunga, S.A. 5172 and to be known as Three Monkeys Fine Food.

The application has been set down for callover on 19 September 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- That the business be limited from stocking greater than three styles of beer and three styles of spirit and be limited from stocking South Australian wines in which the wine company has a cellar door. That the business also be limited to carrying no more than 18 styles of liquor in total.

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: 12 September 2008).

The applicant's address for service is c/o P.O. Box 481, McLaren Vale, S.A. 5171 (Attention: Mark or Heidi).

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 18 August 2008.

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 SATCO South Australian Trading Company Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 10 Albert Street, Prospect, S.A. 5082, to be situated at 32 Richmond Road, Keswick, S.A. 5035 and known as SATCO South Australian Trading Company.

The application has been set down for callover on 19 September 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: 12 September 2008).

The applicant's address for service is c/o SATCO South Australian Trading Company Pty Ltd, 32 Richmond Road, Keswick, S.A. 5035 (Attention: David Ridge).

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 15 August 2008.

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 TBS Australia Management Pty Ltd has applied to the Licensing Authority for the removal of a Direct Sales Licence in respect of premises situated at 53 Wright Street, Adelaide, S.A. 5000, to be situated at 417 South Road, Keswick, S.A. 5035 and known as Inscriptions Australia.

The application has been set down for callover on 19 September 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: 12 September 2008).

The applicant's address for service is c/o TBS Australia Management Pty Ltd, 417 South Road, Keswick, S.A. 5035 (Attention: Deborah Souris).

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 15 August 2008.

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 Kiet Vo and Bich Dang have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Findon Shopping Centre, 303 Grange Road, Findon, S.A. 5023 and known as Le Creme Cafe & Gourmet.

The application has been set down for hearing on 23 September 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: 16 September 2008).

The applicants' address for service is c/o Kiet Vo, 39 Hooking Terrace, Woodville Gardens, S.A. 5012.

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 14 August 2008.

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 Bedford Industries has applied to the Licensing Authority for a variation to Conditions in respect of premises situated at 46 Strathcona Avenue, Clapham, S.A. 5062 and known as Balyana Conference Centre.

The application has been set down for callover on 19 September 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

To add the following condition to the licence:

- The licence authorises the sale of liquor on the licensed premises at any time for consumption at a place other than the licensed premises, provided that such consumption is only by persons (other than a minor) attending a pre-booked function and liquor is consumed with or ancillary to food provided 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 applicant at the applicant's address, at least seven days before the callover date (viz: 12 September 2008).

The applicant's address for service is c/o Bedford Industries, 46 Strathcona Avenue, Clapham, S.A. 5062 (Attention: Derek Bond).

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 14 August 2008.

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 Gunter Walter Pohl has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 403 Goodwood Road, Westbourne Park, S.A. 5041 and to be known as Old School Beverages.

The application has been set down for callover on 19 September 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: 12 September 2008).

The applicant's address for service is c/o Gunter Pohl, 403 Goodwood Road, Westbourne Park, S.A. 5041.

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 13 August 2008.

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 Ryan John Edwards and Kim Ebor Littler have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Level 1/100 Carrington Street, Adelaide, S.A. 5000 and to be known as Bullock Track Wines.

The application has been set down for callover on 19 September 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 callover date (viz: 12 September 2008).

The applicants' address for service is c/o Bullock Track Wines, Level 1/100 Carrington Street, Adelaide, S.A. 5000 (Attention: Ryan Edwards).

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 13 August 2008.

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 Kayfabe Pty Ltd as trustee for Pancakes at the Port Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 1 McLaren Parade, Port Adelaide, S.A. 5015 and known as Pancakes at the Port.

The application has been set down for hearing on 22 September 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 hearing date (viz: 15 September 2008).

The applicant's address for service is c/o Kayfabe Pty Ltd, 40 Maughan Avenue, Redwood Park, S.A. 5097 (Attention: Justin Penman).

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 12 August 2008.

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 LV 888 Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at James Place, Adelaide, S.A. 5000, known as Choy Sin Restaurant and to be known as Dumpling Queen.

The application has been set down for hearing on 22 September 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 hearing date (viz: 15 September 2008).

The applicant's address for service is c/o LV 888 Pty Ltd, 7A Andrew Avenue, Marion, S.A. 5043 (Attention: Jie Hong Lin).

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 12 August 2008.

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 Fresh Cellars Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 151 Regency Road, Croydon Park, S.A. 5008 and to be known as Brewboys.

The application has been set down for callover on 12 September 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- The applicant seeks authorisation to sell liquor for consumption on or off the licensed premises, or through direct sales transactions, in accordance with the following conditions:

Monday to Thursday: Middy to 9 p.m.

Friday and Saturday: Middy to midnight.

Sunday: Middy to 9 p.m.

Days preceding Public Holidays: Middy to midnight.

- The liquor is to be beer only.
- The beer is brewed by or at the direction of the licensee, or a related body corporate and is uniquely the licensee's (or the related body corporate's) own product; or
- The beer is brewed by or at the direction of a Microbrewery, Brewpub or Craft Brewery.
- For the purposes of this clause, a Microbrewery, Brewpub and Craft Brewery are all defined as having a Brewhouse or brew length of capacity no greater than 30 hectolitres.

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: 5 September 2008).

The applicant's address for service is c/o Fresh Cellars Pty Ltd, P.O. Box 24, Norton Summit, S.A. 5136.

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 12 August 2008.

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: Eyre Energy Limited
 Location: Yantanabie area—Approximately 50 km north-east of Streaky Bay.
 Term: 1 year
 Area in km²: 226
 Ref.: 2008/00109

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. THOMAS, 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: Energy Exploration Ltd
 Location: Lock area—Approximately 130 km north-north-west of Port Lincoln.
 Term: 2 years
 Area in km²: 86
 Ref.: 2008/00274

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. THOMAS, 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: Range River Gold Ltd
 Location: Glenloth area—Approximately 45 km south-east of Tarcoola.
 Pastoral Lease: Wilgena Station
 Term: 2 years
 Area in km²: 803
 Ref.: 2008/00219

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. THOMAS, 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: Flinders Mines Ltd
 Location: Carrieton area—Approximately 60 km east of Port Augusta.
 Term: 1 year
 Area in km²: 1 425
 Ref.: 2008/00293

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. THOMAS, 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: Terramin Australia Limited
 Location: Currency Creek area—Approximately 45 km south-east of Adelaide.
 Term: 1 year
 Area in km²: 174
 Ref.: 2008/00231

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. THOMAS, 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: Flinders Mines Ltd
 Location: Willochra area—Approximately 40 km north-east of Port Augusta.
 Term: 1 year
 Area in km²: 141
 Ref.: 2008/00294

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. THOMAS, 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: Destiny Stone Australia Pty Ltd
 Location: Black Hill area—Approximately 80 km north-east of Adelaide.
 Term: 1 year
 Area in km²: 221
 Ref.: 2008/00242

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. THOMAS, 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: Exco Resources (SA) Limited
 Location: Macdonald Hill area—Approximately 10 km north-east of Olary.
 Term: 1 year
 Area in km²: 49
 Ref.: 2008/00304

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. THOMAS, 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: Exco Resources (SA) Limited
 Location: Mingary area—Approximately 42 km north-east of Olary.
 Term: 1 year
 Area in km²: 229
 Ref.: 2008/00314

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. THOMAS, 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: Flinders Power Partnership
 Location: Parachilna area—Approximately 70 km south-south-west of Leigh Creek.
 Term: 1 year
 Area in km²: 602
 Ref.: 2008/00316

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. THOMAS, 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: Minotaur Uranium Pty Ltd
 Location: Kottata Well area—Approximately 60 km east-south-east of Streaky Bay.
 Pastoral Lease: Courtabie Station
 Term: 1 year
 Area in km²: 466
 Ref.: 2008/00319

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. THOMAS, 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: Tasman Resources NL
 Location: Porter Hill area—Approximately 50 km north of Andamooka.
 Pastoral Lease: Stuarts Creek Station
 Term: 1 year
 Area in km²: 339
 Ref.: 2008/00346

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. THOMAS, 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: Olliver Geological Services Pty Ltd
 Claim Number: 3496
 Location: Section 101, Hundred of Ulipa—Approximately 18 km west-north-west of Cummins.
 Area: 5.2 hectares
 Purpose: For the recovery of gypsum.
 Reference: T02477

A copy of the proposal has been provided to the District Council of Lower Eyre Peninsula.

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 2 October 2008.

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

H. THOMAS, Mining Registrar

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 do hereby vary the Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse published in the *Government Gazette* of 19 June 2008, pages 2360 and 2361 ('the Notice'), 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, intensive farming, industrial or industrial-dairy purposes, as defined in the Act and the Water Allocation Plan for the River Murray Prescribed Watercourse adopted on 1 July 2002 (as amended on 12 January 2004), that person is entitled to take a quantity of water equivalent to 6% of the water (taking) allocation endorsed on the water licence, subject to the provisions of paragraphs 2-9 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 permanently convert a water (holding) allocation to a water (taking) allocation, that person is entitled to take a quantity of water equivalent to 6% of the resultant water (taking) allocation.

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

- (e) If, during the period of this Notice, a person receives approval under the Act to convert, for 2008-2009 only, a water (holding) allocation (that has been transferred to the licence from another South Australian water licence holder and the allocation transferred is identified on the prescribed transfer application form as an 'entitlement transfer' (as defined on the prescribed application form)) to a water (taking) allocation, that person is entitled to take a quantity of water equivalent to 6% of the resultant water (taking) allocation.

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

- (h) If a person holds a water licence endorsed with a water (taking) allocation for carry-over purposes to take water from the River Murray Prescribed Watercourse, that person is entitled to take a quantity of water equivalent to 100% of that water allocation in accordance with the carry-over arrangements adopted by the Minister for Environment and Conservation.

5. Clause 2 of Schedule 2 of the Notice is replaced with the following:

2. Where a South Australian water licence holder permanently or temporarily transfers a water (taking) allocation during the term of this Notice to another South Australian water licence holder (the transferee), and the allocation transferred is identified on the prescribed application form as an 'entitlement transfer' (as defined on the prescribed application form), the transferee is entitled to take a quantity of water equivalent to 6% of the water (taking) allocation transferred.

6. Clause 8 of Schedule 2 of the Notice is replaced with the following:

8. Where a water (taking) allocation for carry-over purposes is temporarily transferred within South Australia for 2008-2009 only, the transferee is entitled to take a quantity of water equivalent to 100% of volume transferred.

Dated 21 August 2008.

K. MAYWALD, Minister for the River Murray

THE DISTRICT COURT OF SOUTH AUSTRALIA
PORT AUGUSTA CIRCUIT COURT

Sheriff's Office, Adelaide, 14 August 2008

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

Monday, 1 September 2008, at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences.

Juries will be summoned for Wednesday, 3 September 2008, and persons will be tried on this and subsequent days of the sittings.

Prisoners in HM Gaol and on bail for sentence and for trial at the sittings of the Port Augusta Courthouse, commencing Monday, 1 September 2008.

Burkenhagen, Tahnee Niklee	Arson	On bail
Day, Bernard Anthony	Rape	In gaol
Edwards, Cameron James	Possess methylamphetamine for sale	On bail
Grantham, Darren James	Serious criminal trespass—residential; commit assault (2)	On bail
Harding, Andrew John	Unlawful sexual intercourse; have sexual intercourse with a person 14 to 17 years; have sexual intercourse with a person under 14 years	On bail
Harding, Andrew John	Unlawful sexual intercourse with a person under 17 years	On bail
Harding, Andrew John	Rape (2); unlawful sexual intercourse (4); indecent assault	On bail

H	Unlawful sexual intercourse; aggravated indecent assault (2)	On bail
Ingomar, Winkie Jenkins, Adam John	Unlawful sexual intercourse with person under 17 years; threaten to kill or endanger life (2)	In gaol On bail
Jordan, Danny	Attempted arson; aggravated creating risk of bodily harm (2)	On bail
Lebois, Jason Allen	Assaulting a family member (2); aggravated causing harm with intent to cause harm; aggravated threatening harm; attempting to dissuade a person from giving evidence	On bail
Lynch, Terry John	Attempted unlawful sexual intercourse	On bail
Lynch, Terry John	Unlawful sexual intercourse	On bail
Martin Smith, Sumara Kate	Unauthorised person drive motor vehicle on road; drive under disqualification; unlawfully causing harm with intent to cause harm; creating a risk of bodily harm; leaving an accident	On bail
Mattsson, Warren Avery	Unlawful sexual intercourse	On bail
Mills, Christopher Troy	Aggravated assault without weapon against a Police Officer (2); resist police; damage property (2)	On bail
Mitchell, Gary Francis	Unlawful sexual intercourse (3); indecent assault	On bail
Morgil, Julie Kate	Arson	In gaol
Morris, Kevin	Causing death by dangerous driving (2); causing serious harm by dangerous driving	In gaol
Peel, Berylina Rose	Fail to stop vehicle; due care; damage property (2); drive under the influence; duty to hold licence or learner's permit	On bail
Peel, Dean Erwin	Aggravated unlawfully causing harm with intent to cause harm (3); intentionally cause harm	On bail
Penny, Gary James	Possess a firearm without a licence	On bail
Prior, Clive Clinton James	Aggravated serious criminal trespass in a place of residence; unlawfully cause harm with intent	On bail
Reid, Joel Thomas	Escape from custody	In gaol
Parfitt, Justin Sean	Escape from custody	In gaol
Schilling, Noel Richard	Indecent assault (3)	On bail
S	Unlawful sexual intercourse (2); indecent assault (3)	On bail
Taylor, Barry Ian	Unlawful sexual intercourse with person under 17 years; produce child pornography (2)	In gaol
Taylor, Barry Ian	Make child amenable to sexual activity; attempt to obstruct or pervert the course of justice	In gaol
Taylor, Barry Ian	Unlawful sexual intercourse with person under 17 years; incite indecent act by child	In gaol
Tidbury, Simon James	Unlawful sexual intercourse (2)	On bail
Dempsey, Allan James	Unlawful sexual intercourse (2)	In gaol

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

By order of the Court,

M. A. STOKES, Sheriff

PETROLEUM ACT 2000

Grant of Geothermal Exploration Licences—GEL 297, 300, 301 and 302

NOTICE is hereby given that the undermentioned Geothermal Exploration Licences have 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
GEL 297				27/2/464
GEL 300	Inferus Resources Pty Ltd	Arrowie Basin, South Australia	11 August 2013	27/2/467
GEL 301				27/2/468
GEL 302				27/2/469

Description of Area—GEL 297

All that part of the State of South Australia, bounded as follows:

Commencing at a point being the intersection of latitude 30°41'30"S GDA94 and longitude 136°50'00"E GDA94, thence east to longitude 136°58'00"E GDA94, south to latitude 30°53'00"S GDA94, west to longitude 136°56'00"E GDA94, south to latitude 31°00'00"S GDA94, west to longitude 136°49'00"E GDA94, north to latitude 30°55'00"S GDA94, west to longitude 136°44'00"E GDA94, north to latitude 30°50'00"S GDA94, east to longitude 136°50'00"E GDA94 and north to the point of commencement.

Area: 498 km² approximately.

Description of Area—GEL 300

All that part of the State of South Australia, bounded as follows:

Commencing at a point being the intersection of latitude 31°27'00"S GDA94 and longitude 137°23'00"E GDA94, thence east to longitude 137°36'00"E GDA94, south to latitude 31°31'00"S GDA94, east to longitude 137°38'00"E GDA94, south to latitude 31°32'00"S GDA94, east to longitude 137°40'00"E GDA94, south to latitude 31°34'55"S GDA94, west to longitude 137°39'00"E GDA94, south to latitude 31°43'55"S GDA94, west to longitude 137°35'00"E GDA94, north to latitude 31°39'00"S GDA94, west to longitude 137°32'00"E GDA94, north to latitude 31°37'00"S GDA94, west to longitude 137°28'00"E GDA94, north to latitude 31°36'00"S GDA94, west to longitude 137°27'00"E GDA94, north to latitude 31°34'00"S GDA94, west to longitude 137°23'00"E GDA94 and north to the point of commencement.

Area: 499 km² approximately.

Description of Area—GEL 301

All that part of the State of South Australia, bounded as follows:

Commencing at a point being the intersection of latitude 31°32'00"S GDA94 and longitude 137°40'00"E GDA94, thence east to longitude 137°43'00"E GDA94, south to latitude 31°39'00"S GDA94, east to longitude 137°46'00"E GDA94, south to latitude 31°55'05"S GDA94, west to longitude 137°36'00"E GDA94, north to latitude 31°43'55"S GDA94, east to longitude 137°39'00"E GDA94, north to latitude 31°34'55"S GDA94, east to longitude 137°40'00"E GDA94 and north to the point of commencement but excluding GEL 233 and GEL 234.

Area: 498 km² approximately.

Description of Area—GEL 302

All that part of the State of South Australia, bounded as follows:

Commencing at a point being the intersection of latitude 31°55'05"S GDA94 and longitude 137°36'05"E GDA94, thence east to longitude 137°46'00"E GDA94, south to latitude 32°11'00"S GDA94, west to longitude 137°45'00"E GDA94, south to latitude 32°12'00"S GDA94, west to longitude 137°41'00"E GDA94, south to latitude 32°13'00"S GDA94, west to longitude 137°36'05"E GDA94 and north to the point of commencement but excluding Lake Torrens National Park.

Area: 499 km² approximately.

Dated 12 August 2008.

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) AND SECTION 90

Variation of Petroleum Exploration Licence—PEL 82

PURSUANT to section 25 (5) (b) of the Petroleum Act 2000, notice is hereby given that pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573, the conditions of the abovementioned Exploration Licence have been varied as follows:

Condition 2 of the licence is omitted and the following substituted:

'1. During the term of this 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	85 km Seismic Reprocessing; and Geological and Geophysical studies
Two	Geological and Geophysical studies
Three	Geological and Geophysical studies
Four	Geological and Geophysical studies
Five	Seismic Reprocessing; and Acquire 88 km ² of 3D seismic

This variation of the licence conditions substitutes the acquisition of 88 km² of 3D seismic data for the drilling of one well in year five of the licence term.

Suspension of Petroleum Exploration Licence—PEL 82

Pursuant to section 90 of the Petroleum Act 2000, notice is hereby given that the abovementioned Petroleum Exploration Licence has been suspended under the provisions of the Petroleum Act 2000, for the period from and including 1 November 2008 to 31 January 2009, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of Exploration Licence PEL 82 is now determined to be 5 August 2009.

Dated 15 August 2008.

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

PASTORAL LAND MANAGEMENT AND CONSERVATION
ACT 1989*Notice of Intent to Temporarily Close Public Access Route
Number 16*

NOTICE is hereby given of the intent to temporarily close the section of Walkers Crossing Public Access Route from the Birdsville Track to Cooper Creek crossing for the period from 0700 to 1300 hours central standard time on Wednesday, 17 September 2008, pursuant to section 45 of the Pastoral Land Management and Conservation Act 1989.

MICHAEL MCBRIDE, Presiding Member,
Pastoral Board of SA

PRICES ACT 1948, SECTION 24: DECLARATION OF
MAXIMUM PRICE FOR THE CARRIAGE OF FREIGHT
BY KANGAROO ISLAND SEALINK PTY LTD*Order by Delegate of the Minister for Consumer Affairs*

PURSUANT to section 24 of the Prices Act 1948, I, Mark Collett, being a person to whom the Minister for Consumer Affairs has delegated her powers under that section, make the following order:

Citation

1. This order may be cited as Prices Order No. 6730 (S.A.).

Commencement

2. This order will come into operation on 1 September 2008.

Order No. 6729 (S.A.) Superseded

3. This order supersedes Prices Order No. 6729 (S.A.) dated 19 March 2004.

Interpretation

4. (1) In this order:

'freight' includes a motor vehicle that is:

- (a) carrying freight;
- (b) travelling to a place to collect freight; or
- (c) on a return journey from a place to which it has carried freight;

'GST' means the tax payable under the GST law;

'GST law' means:

- (a) A New Tax System (Goods and Services Tax) Act 1999 (Commonwealth); and
- (b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods, services and other things;

'motor vehicle' means a motor vehicle as defined in section 5 of the Motor Vehicles Act 1959 (including a trailer as defined in that section).

Declaration of Maximum Price

5. I declare that the maximum price at which the carriage of freight may be supplied by Kangaroo Island Sealink Pty Ltd is \$36.22 per linear meter (inclusive of GST component).

Dated 15 August 2008.

M. COLLETT, Delegate of the Minister for
Consumer Affairs

PUBLIC SECTOR MANAGEMENT ACT 1995

*Delegation of Powers to the Chief Executive, Environment
Protection Authority*

I, MIKE RANN, the Premier hereby declare, pursuant to section 13 of the Public Sector Management Act 1995, that the person from time holding or acting in the office of Chief Executive of the Environment Protection Authority established under section 14A of the Environment Protection Act 1993, will have the powers and functions of Chief Executive in relation to the administrative unit entitled the Environment Protection Authority.

Dated 20 August 2008.

MIKE RANN, Premier

THE RENMARK IRRIGATION TRUST

WATER RATE ASSESSMENT

Notice of Assessment by Adoption of a Previous Assessment

THE Renmark Irrigation Trust has caused to be made an assessment of the rateable land within the District by adopting the previous assessment with, and subject to, certain alterations and additions.

Copies of the assessment are deposited at the office of the Trust and are open for inspection at all reasonable times.

Any person intending to appeal against the assessment may do so in the manner required by the Renmark Irrigation Trust Act 1936, within 21 days from the publication of this notice.

Dated 11 August 2008.

W. D. MORRIS, Chief Executive Officer/Secretary

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Road Opening and Closing
Marianna Street, Echunga*

BY Road Process Order made on 3 January 2008, The District Council of Mount Barker ordered that:

1. Portions of pieces 11 and 12 in Deposited Plan 60303 and portion of allotment 3 in Filed Plan 40264, more particularly delineated and numbered '1', '2', '3' and '4' in Preliminary Plan No. 07/0052 be opened as road, forming a realignment of Marianna Street.

2. Portions of Marianna Street adjoining pieces 11 and 12 in Deposited Plan 60303 more particularly delineated and lettered 'A' and 'B' in Preliminary Plan No. 07/0052 be closed.

3. The whole of the land subject to closure be transferred to Dean Anthony Hurrell in accordance with agreement for exchange dated 26 November 2007, entered into between The District Council of Mount Barker and D. A. Hurrell.

On 23 June 2008 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 77499 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 21 August 2008.

P. M. KENTISH, Surveyor-General

NOTICE TO MARINERS

NO. 42 OF 2008

*South Australia—Port Adelaide—Port River Expressway
Bridges—Opening Times*

THE Port River Expressway Bridges will open at the following scheduled times, but only if a prior booking has been made by a vessel operator with the duty bridge operator:

Weekdays: 0600-0615 and 1900-1915.

Weekends and Public Holidays: 1000-1015, 1500-1515 and 1800-1915 (with a 15 minute opening at 2200 hours during daylight savings).

The scheduled opening times for the bridges will be displayed on fixed and variable message signs in the vicinity of the bridges.

Charts affected: Aus 137.

Adelaide, 11 August 2008.

PATRICK CONLON, Minister for Transport

DTEI 2008/00787

TRAINING AND SKILLS DEVELOPMENT ACT 2003

Part 4 – Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2003, the Training and Skills Commission (TaSC) gives notice that determines the following:

Trades, Declared Vocations or Other Occupations

The following schedule is additional 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	62. 22 November 2007	63. 6 December 2007	64. 3 January 2008
65. 10 January 2008	66. 24 January 2008	67. 3 April 2008	68. 1 May 2008
69. 8 May 2008	70. 12 June 2008	71. 19 June 2008	72. 26 June 2008

which set out the Trades, Declared Vocations or Other Occupations and the terms and conditions applicable to the Trades, Declared Vocations or Other Occupations.

Trades, Declared Vocations or Other Occupations, required Qualifications and Contract of Training Conditions for the Transport & Logistics Training Package (TLI07)

*Trade/ #Declared Vocation/Other Occupation	Code	Title	Nominal Duration	Probationary Period
#Clerical Processing (Administration)	<i>TLI11107</i>	<i>Certificate I in Transport and Logistics (Logistics Operations)</i>	<i>Exit point of TLI21107</i>	—
	TLI21107	Certificate II in Transport and Logistics (Logistics Operations)	12 months	1 month
	TLI31107	Certificate III in Transport and Logistics (Logistics Operations)	24 months	2 months
	TLI41107	Certificate IV in Transport and Logistics (Logistics)	36 months	3 months
#Storeworker	<i>TLI10107</i>	<i>Certificate I in Transport and Logistics (Warehousing and Storage)</i>	<i>Exit point of TLI20107</i>	—
	TLI20107	Certificate II in Transport and Logistics (Warehousing and Storage)	12 months	1 month
	TLI30107	Certificate III in Transport and Logistics (Warehousing and Storage)	24 months	2 months
	TLI40107	Certificate IV in Transport and Logistics (Warehousing and Storage)	36 months	3 months

#Road Transport Operator	TLI10207	<i>Certificate I in Transport and Logistics (Road Transport)</i>	<i>Exit point of TLI20207</i>	—
	TLI20207	Certificate II in Transport and Logistics (Road Transport)	12 months	1 month
	TLI30207	Certificate III in Transport and Logistics (Road Transport)	24 months	2 months
	TLI30807	Certificate III in Transport and Logistics (Cash in Transit)	24 months	2 months
	TLI30907	Certificate III in Transport and Logistics (Mobile Cranes Operations)	24 months	2 months
	TLI40207	Certificate IV in Transport and Logistics (Road Transport)	36 months	3 months
	TLI40907	Certificate IV in Transport and Logistics (Mobile Cranes Operations)	36 months	3 months
#Stevedoring Employee	TLI10307	<i>Certificate I in Transport and Logistics (Stevedoring)</i>	<i>Exit point of TLI20307</i>	—
	TLI20307	Certificate II in Transport and Logistics (Stevedoring)	12 months	1 month
	TLI30307	Certificate III in Transport and Logistics (Stevedoring)	24 months	2 months
	TLI40307	Certificate IV in Transport and Logistics (Stevedoring)	36 months	3 months
#Rail Transport (Train Operations)	TLI10407	<i>Certificate I in Transport and Logistics (Rail Operations)</i>	<i>Exit point of TLI20407</i>	—
	TLI20407	Certificate II in Transport and Logistics (Rail Operations)	12 months	1 month
	TLI30407	Certificate III in Transport and Logistics (Rail Operations)	24 months	2 months
	TLI40407	Certificate IV in Transport and Logistics (Rail Operations)	36 months	3 months
#Rail Transport (Civil Infrastructure)	TLI10707	<i>Certificate I in Transport and Logistics (Rail Infrastructure)</i>	<i>Exit point of TLI20707</i>	—
	TLI20707	Certificate II in Transport and Logistics (Rail Infrastructure)	12 months	1 month
	TLI30707	Certificate III in Transport and Logistics (Rail Infrastructure)	24 months	2 months
	TLI40707	Certificate IV in Transport and Logistics (Rail Infrastructure)	36 months	3 months
#Logistics Manager	TLI50107	Diploma of Logistics	4 years	3 months

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 21 August 2008

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT**TOWN OF GAWLER**

Dyson Street, Evanston. p6
Easements in lot 52 in LTRO DP 63437, Railway Crescent, Evanston. p6
Across Sunnyside Drive, Evanston Park. p7
Sambell Court, Evanston Park. p7

CITY OF ONKAPARINGA

In and across Casuarina Avenue, Aldinga Beach. p1 and 2
Basin Street, Aldinga Beach. p2
Halcyon Circuit, Aldinga Beach. p2
In and across Aquamarine Avenue, Aldinga Beach. p3 and 4
Ochre Drive, Aldinga Beach. p4
Tangerine Court, Aldinga Beach. p3
Evergreen Court, Aldinga Beach. p3
Seagreen Way, Aldinga Beach. p4
Tangerine Court, Aldinga Beach. p5
Maritime Road, Seaford Meadows. p20
Merchant Court, Seaford Meadows. p20
Nautical Circuit, Seaford Meadows. p20
Mast Avenue, Seaford Meadows. p20
Channel Place, Seaford Meadows. p20

CITY OF PLAYFORD

Easements in lot 201 in LTRO DP 73016, Barossa Drive, Munno Para West. p16
Across Tatura Road, Munno Para West. p17
Easements in lot 900 in LTRO DP 48504, Tatura Road, Munno Para West. p17

CITY OF SALISBURY

In and across Euston Walk, Mawson Lakes. p8
Darby Lane, Mawson Lakes. p8
In and across Metro Parade, Mawson Lakes. p8 and 9
Easement in lot 1001 in LTRO DP 70824, Metro Parade, Mawson Lakes. p9
In and across Central Link, Mawson Lakes. p9
Capital Street, Mawson Lakes. p8 and 9
Garden Terrace, Mawson Lakes. p8
Bimini Crescent, Mawson Lakes. p10
Gomera Street, Mawson Lakes. p10
Bimini Crescent, Mawson Lakes. p11
Lucia Place, Mawson Lakes. p11
In and across Hindmarsh Circuit, Mawson Lakes. p12
Caswell Circuit, Mawson Lakes. p12
In and across Elder Drive, Mawson Lakes. p13
MacMillan Avenue, Mawson Lakes. p13
Palmer Street, Mawson Lakes. p13
Adeline Street, Mawson Lakes. p14

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

Challa Court, Moonta Bay. p15
Easement in lot 51 in LTRO DP 77202, Barbary Court, North Moonta. p18

NURIOOTPA WATER DISTRICT

THE BAROSSA COUNCIL
Old Mill Road, Nuriootpa. p19

WATER MAINS ABANDONED

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

ADELAIDE WATER DISTRICT**CITY OF ONKAPARINGA**

Aquamarine Avenue, Aldinga Beach. p3
Tangerine Court, Aldinga Beach. p5

SEWERS LAID

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

ADELAIDE DRAINAGE AREA**TOWN OF GAWLER**

Across Sturt Highway (Gawler Bypass), Evanston Gardens and Evanston. FB 1174 p4-6
Across and in Przibilla Drive, Evanston. FB 1174 p4-6
Dyson Street, Evanston. FB 1174 p4-6
Easements in lot 52 in LTRO DP 63437, Railway Crescent, Evanston. FB 1174 p4-6
Across Sunnyside Drive, Evanston Park. FB 1172 p60
Sambell Court, Evanston Park. FB 1172 p60

CITY OF ONKAPARINGA

Maritime Road, Seaford Meadows. FB 1174 p28-30
Merchant Court, Seaford Meadows. FB 1174 p28-30
Nautical Circuit, Seaford Meadows. FB 1174 p28-30
Mast Avenue, Seaford Meadows. FB 1174 p28-30
Channel Place, Seaford Meadows. FB 1174 p28-30

CITY OF PLAYFORD

In and across Tatura Road, Munno Para West. FB 1174 p23-25
Easements in lot 900 in LTRO DP 48504, Tatura Road, Munno Para West. FB 1174 p23-25
Easements in lot 201 in LTRO DP 73016, Barossa Drive, Munno Para West. FB 1174 p26 and 27

CITY OF SALISBURY

In and across Metro Parade, Mawson Lakes. FB 1174 p7-9
Euston Walk, Mawson Lakes. FB 1174 p7-9
Garden Terrace, Mawson Lakes. FB 1174 p7-9
Capital Street, Mawson Lakes. FB 1174 p7-9
Bimini Crescent, Mawson Lakes. FB 1174 p10 and 11
Gomera Street, Mawson Lakes. FB 1174 p10 and 11
Bimini Crescent, Mawson Lakes. FB 1174 p12 and 13
Lucia Place, Mawson Lakes. FB 1174 p12 and 13
Hindmarsh Circuit, Mawson Lakes. FB 1174 p14-16
Caswell Circuit, Mawson Lakes. FB 1174 p14-16
Across and in Franklin Avenue, Mawson Lakes. FB 1174 p17-20
Benton Street, Mawson Lakes. FB 1174 p17, 18 and 20
Havelock Lane, Mawson Lakes. FB 1174 p17, 18 and 20
Across and in Cascades Drive, Mawson Lakes. FB 1174 p17-20
St. Clair Avenue, Mawson Lakes. FB 1174 p17-20
Easements in lot 2014 in LTRO DP 76315, St. Clair Avenue, Mawson Lakes. FB 1174 p17-19
Easements in reserve (lot 800 in LTRO DP 73954), Franklin Avenue, Mawson Lakes. FB 1174 p17-19
Across and in Adeline Street, Mawson Lakes. FB 1174 p17-20
Benton Street, Mawson Lakes. FB 1174 p21 and 22
Herschel Place, Mawson Lakes. FB 1174 p21 and 22
Franklin Avenue, Mawson Lakes. FB 1174 p21 and 22

ALDINGA DRAINAGE AREA**CITY OF ONKAPARINGA**

In and across Casuarina Avenue, Aldinga Beach. FB 1172 p52-54
Easement in lot 2000 in LTRO DP 75623, Casuarina Avenue,
Aldinga Beach. FB 1172 p52-54
Basin Street, Aldinga Beach. FB 1172 p52-54
Aquamarine Avenue, Aldinga Beach. FB 1172 p55-58
Ochre Drive, Aldinga Beach. FB 1172 p55 and 57-59
Tangerine Court, Aldinga Beach. FB 1172 p55, 56 and 59
Seagreen Way, Aldinga Beach. FB 1172 p55, 56 and 58
Easement in lot 4501 in LTRO DP 76760, Seagreen Way, Aldinga
Beach. FB 1172 p55, 56 and 59
Tangerine Court, Aldinga Beach. FB 1174 p1-3

SEWERS ABANDONED

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

ADELAIDE DRAINAGE AREA**CITY OF PLAYFORD**

Peerless Road, Munno Para West—100 mm PVC pumping main.
FB 1174 p23 and 24
Tatura Road, Munno Para West—100 mm PVC pumping main.
FB 1174 p23 and 24

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

South Australia

Public Sector Management (Transfer of Employees to Attorney-General's Department) Proclamation 2008

under section 7 of the *Public Sector Management Act 1995*

1—Short title

This proclamation may be cited as the *Public Sector Management (Transfer of Employees to Attorney-General's Department) Proclamation 2008*.

2—Commencement

This proclamation will come into operation on 1 October 2008.

3—Transfer of employees to Attorney-General's Department

- (1) The employees referred to in Schedule 1 are transferred from the Department of the Premier and Cabinet to the Attorney-General's Department.
- (2) If an employee whose employment is subject to a contract under section 34 or 40 of the *Public Sector Management Act 1995* is transferred under this clause, the provisions of the contract continue to apply in relation to the employee's employment in the Attorney-General's Department as if the contract had been entered into between the employee and the Chief Executive of that Department, subject to any necessary modifications or further agreement between the employee and the Chief Executive.

Schedule 1—Employees being transferred from Department of the Premier and Cabinet to Attorney-General's Department

Employees in the Office for Racing

Employees in the Office for Recreation and Sport

Made by the Governor

with the advice and consent of the Executive Council
on 21 August 2008

DPC08/014CS

South Australia

Associations Incorporation Regulations 2008

under the *Associations Incorporation Act 1985*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Definition of prescribed association
- 5 Forms
- 6 Fees
- 7 Accounting records
- 8 Periodic returns (section 36)
- 9 Modifications of Commonwealth Act for the purposes of Part 5 and section 61 of Act
- 10 Prescribed particulars for application for deregistration (section 43A)
- 11 Prescribed commission (section 46)
- 12 Exception to requirement that name of association be printed etc on documents (section 54)
- 13 Commission may destroy documents (section 67(2)(d))
- 14 Copy of court order to be lodged with Commission
- 15 Offence to make false or misleading statement

Schedule 1—Forms

Schedule 2—Fees

Schedule 3—Revocation of *Associations Incorporation Regulations 1993*

1—Short title

These regulations may be cited as the *Associations Incorporation Regulations 2008*.

2—Commencement

These regulations will come into operation on 1 September 2008.

3—Interpretation

In these regulations—

Act means the *Associations Incorporation Act 1985*.

4—Definition of prescribed association

For the purposes of paragraph (a)(ii) of the definition of *prescribed association* in section 3(1) of the Act, the amount prescribed is \$500 000.

5—Forms

(1) The forms set out in Schedule 1 must—

- (a) be used for the purposes specified in the Schedule; and

- (b) contain the information required by and be presented and completed in accordance with the instructions contained in the forms.
- (2) If the space provided in a form is insufficient to contain all the required information—
- (a) the information must be set out in an annexure to the form; and
 - (b) the annexure must have a distinguishing mark such as a letter or numeral; and
 - (c) the space in the form must contain the statement "See Annexure" together with the distinguishing mark for the annexure, or words to similar effect.

6—Fees

The fees set out in Schedule 2 are payable as specified in that Schedule.

7—Accounting records

An association must retain the accounting records kept by it under section 35 or 39C of the Act (as the case requires) for 7 years after the completion of the transactions to which they relate.

Maximum penalty: \$1 250.

8—Periodic returns (section 36)

- (1) For the purposes of section 36 of the Act, a prescribed association must lodge with the Commission a periodic return (in the form set out in Schedule 1) within 6 months after the end of each of its financial years.
- (2) A periodic return must be signed and dated by the public officer of the association.

9—Modifications of Commonwealth Act for the purposes of Part 5 and section 61 of Act

- (1) The provisions of the *Corporations Act 2001* of the Commonwealth applied by Part 5 or section 61 of the Act apply with the following modifications, additions and exclusions (in addition to those contained in the Act):
 - (a) a reference to ASIC or the Commission is to be read as a reference to the Corporate Affairs Commission;
 - (b) a reference to the Court is to be read as a reference to the Supreme Court of South Australia;
 - (c) a reference to the Gazette is to be read as a reference to the South Australian Government Gazette;
 - (d) a reference to lodge is to be read as a reference to lodge with the Corporate Affairs Commission;
 - (e) in relation to an incorporated association—
 - (i) a reference to a constitution is to be read as a reference to the rules of the incorporated association;
 - (ii) a reference to a board of directors is to be read as a reference to the committee of the incorporated association;

- (iii) a reference to a director is to be read as a reference to—
 - (A) a person who occupies or acts in a position of a member of the committee of the incorporated association, by whatever name called and whether or not validly appointed to occupy or duly authorised to act in the position; or
 - (B) a person in accordance with whose directions or instructions the committee of the incorporated association is accustomed to act;
- (iv) a reference to an officer is to be read as including a reference to an officer within the meaning of the Act (in addition to the meaning given by paragraphs (c), (d), (e), (f) and (g) of the definition of *officer* of a corporation in section 9 of the *Corporations Act 2001* of the Commonwealth);
- (v) a reference to a registered office is to be read as a reference to an office of the incorporated association (if any);
- (f) in respect of Part 5.1 of the *Corporations Act 2001* of the Commonwealth—
 - section 411(13)—leave out from paragraph (b) "the registered office of the body" and insert "the office (or the main office if there is more than 1) of the incorporated association or, if the association does not have an office, the address of the public officer of the incorporated association"
- (g) in respect of Part 5.3A of the *Corporations Act 2001* of the Commonwealth—
 - (i) section 446A(2)—
 - (A) leave out from paragraph (a) "section 491" and insert "section 41 of the *Associations Incorporation Act 1985*"
 - (B) leave out from paragraph (b) "section 494" and insert "section 41C of the *Associations Incorporation Act 1985*"
 - (ii) section 446A(3)—leave out "is" and insert "and section 41D of the *Associations Incorporation Act 1985* are"
 - (iii) section 446B—after subsection (1) insert—
 - (1A) In applying the regulations to an incorporated association—
 - (a) the special resolution will be taken to have been passed under section 41(1)(b) of the *Associations Incorporation Act 1985*; and
 - (b) a reference to section 494 of the *Corporations Act 2001* of the Commonwealth will be taken to be a reference to section 41C of the *Associations Incorporation Act 1985*; and
 - (c) a reference to section 497 of the *Corporations Act 2001* of the Commonwealth will be taken to include a reference to section 41D of the *Associations Incorporation Act 1985*.

- (h) in respect of Part 5.4B of the *Corporations Act 2001* of the Commonwealth—
- (i) section 465A—leave out "under section 459P, 462 or 464" and insert "to the Court under section 41 of the *Associations Incorporation Act 1985*"
 - (ii) section 465B(1)—leave out "section 459P, 462 or 464" and insert "section 41 of the *Associations Incorporation Act 1985*"
 - (iii) section 465C—leave out "section 459P, 462 or 464" and insert "section 41 of the *Associations Incorporation Act 1985*"
 - (iv) section 467A—
 - (A) leave out "Part 5.4 or 5.4A" and insert "section 41 of the *Associations Incorporation Act 1985*"
 - (B) leave out paragraph (b) and insert:
 - (b) in the case of an application for the winding up of an incorporated association on the ground that it is unable to pay its debts—a defect in a demand of a kind referred to in section 41(4)(a) of the *Associations Incorporation Act 1985*;
 - (v) section 467B—leave out "section 233, 459A, 459B or 461" and insert "section 41 or 61 of the *Associations Incorporation Act 1985*"
 - (vi) section 472—after subsection (2) insert:
 - (2A) The Court may appoint a person who is not an official liquidator to be liquidator or provisional liquidator of an incorporated association in accordance with section 41(9) of the *Associations Incorporation Act 1985*.
 - (vii) section 473(5)—leave out paragraph (a) and insert:
 - (a) a member who is, or members who together are, able to cast at least 10% of the total number of votes that could be cast at a meeting of the association if all members were present;
 - (viii) section 475—leave out
 - (ix) section 476—leave out "subsection 475(1) or (2)" and insert "section 41B of the *Associations Incorporation Act 1985*"
- (i) in respect of Part 5.5 of the *Corporations Act 2001* of the Commonwealth—
- (i) section 490—leave out
 - (ii) section 491—leave out subsection (1)
 - (iii) section 494—leave out
 - (iv) section 496(1)—
 - (A) leave out "section 494" and insert "section 41C of the *Associations Incorporation Act 1985*"

- (B) leave out paragraph (a) and insert—
- (a) apply to the Supreme Court for the association to be wound up under section 41 of the *Associations Incorporation Act 1985* on the ground that the association is unable to pay its debts;
 - (v) section 497—leave out subsection (5)
 - (vi) section 501—leave out
 - (vii) section 507—leave out
- (j) in respect of Part 5.6 of the *Corporations Act 2001* of the Commonwealth—
- (i) section 513A—Leave out "section 233, 459A, 459B or 461" and insert "section 41 or 61 of the *Associations Incorporation Act 1985*"
 - (ii) section 513D—Leave out "section 233, 459A, 459B or 461" and insert "section 41 or 61 of the *Associations Incorporation Act 1985*"
 - (iii) section 532(1)—leave out "is" and paragraphs (a) and (b) and insert:
 - (a) is a registered liquidator; or
 - (b) is or is to be appointed or nominated for appointment as the liquidator of an incorporated association by the Corporate Affairs Commission under section 41 of the *Associations Incorporation Act 1985*;
 - (iv) section 532(8)—after "official liquidator" insert "or is or is to be appointed or nominated for appointment as the liquidator of an incorporated association by the Corporate Affairs Commission under section 41 of the *Associations Incorporation Act 1985*"
 - (v) section 533(1)(d)—leave out "for an examination or order under section 597" and insert "to the Supreme Court under section 62 of the *Associations Incorporation Act 1985*"
 - (vi) section 534(1)—after "the liquidator may" insert "(if he or she has the consent of the Minister under section 62E(6) of the *Associations Incorporation Act 1985*)"
 - (vii) section 539(4)—leave out paragraph (b) and insert:
 - (b) the auditor has qualified privilege in respect of the report.
 - (viii) section 544(1)—leave out "to be dealt with under Part 9.7"
 - (ix) section 544—leave out subsection (1A)
 - (x) section 544(2)—leave out "to be dealt with under Part 9.7"
 - (xi) section 544—after subsection (4) insert:
 - (4A) If money paid to the Corporate Affairs Commission under this section remains unclaimed or undistributed, the Commission may pay it to the Treasurer for payment into the Consolidated Account.

- (4B) A person making a claim in respect of any money paid to the Treasurer under subsection (4A) may apply to the Supreme Court for an order of payment of an amount to the person and the Court, if satisfied that an amount should be paid to the person, must make an order for the payment accordingly.
- (4C) On the making of an order under subsection (4B) for payment of an amount to a person, or where the Treasurer is otherwise of the opinion that an amount should be paid to a person out of the money paid to the Treasurer under this section, the Treasurer must pay that amount to the person out of money lawfully available for that purpose.
- (k) in respect of Part 5.7B of the *Corporations Act 2001* of the Commonwealth—
- (i) section 588E(1)—leave out paragraphs (e) and (f) of the definition of "recovery proceeding"
 - (ii) section 588E(4)—leave out paragraphs (a) and (b) and insert:
 - (a) has failed to keep accounting records in relation to a period as required by section 35(1) or 39C(1) of the *Associations Incorporation Act 1985*; or
 - (b) has failed to retain accounting records in relation to a period for the 7 years required by regulation 8 of the *Associations Incorporation Regulations 1993*;
 - (iii) section 588E(5)—leave out "subsection 286(1)" and insert "section 35(1) or 39C(1) of the *Associations Incorporation Act 1985*"
 - (iv) section 588E(6)—
 - (A) leave out "subsection 286(2)" and insert "regulation 8 of the *Associations Incorporation Regulations 1993*"
 - (B) leave out "financial", wherever it occurs, and insert, in each case, "accounting"
 - (v) section 588E(8)—leave out paragraphs (d) and (e)
- (l) in respect of Part 5A.1 of the *Corporations Act 2001* of the Commonwealth—
- (i) section 601AA—leave out
 - (ii) section 601AB—leave out
 - (iii) section 601AC—after subsection (2) insert:
 - (3) An incorporated association is dissolved on deregistration under this section.

- (iv) section 601AD—leave out and insert:

601AD—Requirement to keep books following deregistration

The persons who were members of the committee of an incorporated association immediately before deregistration or cancellation of incorporation of the association must keep the association's books (other than books kept by a liquidator under subsection 542(2)) for 3 years after the deregistration or cancellation.

- (v) section 601AE—leave out

- (vi) section 601AF—leave out

- (2) When provisions of the *Corporations Act 2001* of the Commonwealth are applied in relation to an incorporated association, the provisions (together with the provisions of any regulation or rule for the time being in force under the provisions) are to be interpreted according to the definitions of words and expressions and other interpretative provisions contained in the *Corporations Act 2001* of the Commonwealth, except where a contrary intention is expressed in the Act or these regulations.

10—Prescribed particulars for application for deregistration (section 43A)

For the purposes of section 43A(7) of the Act, the following particulars are prescribed:

- (a) the name of the incorporated association;
- (b) the date of the application for deregistration of the incorporated association.

11—Prescribed commission (section 46)

For the purposes of section 46(3) of the Act, the prescribed commission is 5%.

12—Exception to requirement that name of association be printed etc on documents (section 54)

For the purposes of section 54 of the Act, a chit or ticket evidencing the receipt by an association of an amount not exceeding \$10 is prescribed as a receipt or document to which that section does not apply.

13—Commission may destroy documents (section 67(2)(d))

- (1) The Commission is authorised to destroy any of the following documents lodged with the Commission:
- (a) any periodic return, and any annexure to that return, that has been lodged for not less than 7 years;
 - (b) any document (other than rules and any amendment to rules) that has been lodged or registered not less than 10 years;
 - (c) any document in the custody of the Commission relating to an association, or to an association that is to be taken to have been, incorporated under the repealed Act where the association has been dissolved or had its incorporation cancelled for not less than 10 years.

(2) In this regulation—

document includes a reference to a transparency of a document produced by photographic or electronic means.

14—Copy of court order to be lodged with Commission

An incorporated association must, within 7 days of becoming aware of the making by a court of an order under the Act in relation to the association, lodge a copy of the order with the Commission.

Maximum penalty: \$1 250.

15—Offence to make false or misleading statement

A person must not, in a document lodged with the Commission for the purposes of the Act—

- (a) make a statement that is, to his or her knowledge, false or misleading; or
- (b) omit or authorise the omission from any such document a particular which is, to his or her knowledge, a material particular.

Maximum penalty: \$1 250.

Schedule 1—Forms

Application for incorporation of an association—Associations Incorporation Act 1985 section 19

The application must be on international size A4 white paper and all information must be legible. If the application consists of 2 or more sheets, the sheets must be fastened together securely.

1—Details of applicant

Full name:
Residential address:
Phone:
Email (optional):

2—Name of association to be incorporated

Full name of association:

3—Purpose of association

The purpose of the association is [*insert brief description, eg, educational, for conserving resources*].

The association is considered to be eligible for incorporation under section 18(1) [*specify paragraph*] of the *Associations Incorporation Act 1995*.

4—Financial year of association

The financial year of the association ends on [*insert end date of financial year as set out in proposed rules*].

5—Place at which books of association to be kept

The books of the association will be kept at [*insert details of location*].

6—Details of public officer of association

The following person has attained 18 years of age, is a resident of South Australia and has consented to be the public officer of the association:

Full name:
Occupation:
Residential address:
Postal address:
Phone:
Email:

7—Rules of association

Information about how the matters required by section 23A of the *Associations Incorporation Act 1985* are provided for in the proposed rules of the association must be included by way of an attachment in the form required by the regulations under the Act.

The application must be signed and dated by the applicant and, if the applicant is not the person who has consented to be the public officer of the association, by that person. The name of a person signing must be written legibly under or alongside the signature of that person.

Additional requirements

The documents required to accompany this form must be marked as follows:

"A"—copy of the rules of the association

"B"—copy of any instrument creating or establishing a trust—

- which is referred to in the rules of the association; or
- on which any rule of the association relies for its operation

or copy of the settled draft of any instrument prepared for the creation or establishment of a trust of which the association is intended to be the trustee—

- where the contemplated trust is referred to in the rules of the association; or
- where any rule of the association relies on the contemplated trust for its operation.

If there is more than 1 such instrument, the instruments must be marked "B1", "B2" and so on.

The following statement must be written on the copy of the rules of the association required to accompany this application and signed by the person who takes the declaration:

This is the annexure marked "A" referred to in the statutory declaration of [*name of applicant*] made on [*date*] before me.

Each of the marked documents must comply with the following:

- the document must be clearly printed or typed on international size A4 white paper;
- if the document consists of 2 or more sheets, the sheets must be fastened together securely;
- the document must be marked with—
 - the name and registered number of the incorporated association to which it relates; and
 - a title that describes its contents; and
 - the name, address and telephone number of the person to be contacted about the application.

**Statutory declaration to accompany application for incorporation of association—
Associations Incorporation Act 1985 section 19**

I [*insert full name of applicant*] of [*insert full residential address of applicant*], [*insert occupation*], do solemnly and sincerely declare that:

- I am the person authorised to apply for the incorporation of an association under the name [*insert full name of association*]; and
- the particulars set out in the application for incorporation dated [*insert date*] are true; and
- the copy of the association's rules marked "A" is a true copy of the association's rules.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1936*.

Signature of applicant:

Declared before me at [*insert location*] this [*insert date*].

Signature of person taking declaration:

Application for amalgamation of incorporated associations—Associations Incorporation Act 1985 section 22

The application must be on international size A4 white paper and all information must be legible. If the application consists of 2 or more sheets, the sheets must be fastened together securely.

1—Details of associations and public officers

Association 1:

Full name of association:

Registration number of association:

Public officer of association

Full name:

Residential address:

Phone:

Email:

Association 2:

Full name of association:

Registration number of association:

Public officer of association

Full name:

Residential address:

Phone:

Email:

2—Name of association to be formed on amalgamation

Full name of association to be formed on amalgamation:

3—Purpose of association to be formed on amalgamation

The purpose of the association to be formed on amalgamation is [*insert brief description, eg, educational, for conserving resources*].

The association is considered to be eligible for incorporation under section 18(1) [*specify paragraph*] of the *Associations Incorporation Act 1995*.

4—Financial year of association to be formed on amalgamation

The financial year of the association to be formed on amalgamation ends on [*insert end date of financial year as set out in proposed rules*].

5—Place at which books of association to be formed on amalgamation will be kept

The books of the association to be formed on amalgamation will be kept at [*insert details of location*].

6—Details of public officer of association to be formed on amalgamation

The following person has attained 18 years of age, is a resident of South Australia and has consented to be the public officer of the association to be formed on amalgamation:

Full name:
Occupation:
Residential address:
Postal address:
Phone number:
Email:

7—Rules of association to be formed on amalgamation

Information about how the matters required by section 23A of the *Associations Incorporation Act 1985* are provided for in the proposed rules of the association to be formed on amalgamation must be included by way of an attachment in the form required by the regulations under the Act.

The application must be dated and signed on behalf of each of the associations and by the public officer of the association to be formed on amalgamation. The name of a person signing must be written legibly under or alongside the signature of that person.

Additional requirements

The certificates of incorporation of each of the associations proposed to be amalgamated must accompany this application.

Other documents required to accompany this application must be marked as follows:

"A"—copy of the special resolution passed by association 1 supporting the amalgamation

"B"—copy of the special resolution passed by association 2 supporting the amalgamation

"C"—copy of the rules of the association proposed to be formed by the amalgamation

"D"—copy of any instrument creating or establishing a trust—

- which is referred to in the rules of the association proposed to be formed by the amalgamation; or
- on which any rule of the association proposed to be formed by the amalgamation relies for its operation

or copy of the settled draft of any instrument prepared for the creation or establishment of a trust of which the association proposed to be formed by the amalgamation is intended to be the trustee—

- where the contemplated trust is referred to in the rules of the association proposed to be formed by the amalgamation; or
- where any rule of the association proposed to be formed by the amalgamation relies on the contemplated trust for its operation.

If there is more than 1 such instrument, the instruments must be marked "D1", "D2" and so on.

Each of the marked documents must comply with the following:

- the document must be clearly printed or typed on A4 white paper;
- if the document consists of 2 or more sheets, the sheets must be fastened together securely;
- the document must be marked with—
 - the name and registered number of the incorporated association to which it relates; and
 - a title that describes its contents; and
 - the name, address and telephone number of the person to be contacted about the application.

Application for registration of alteration to rules—Associations Incorporation Act 1985 section 24

The application must be on international size A4 white paper and all information must be legible. If the application consists of 2 or more sheets, the sheets must be fastened together securely.

1—Details of association

Full name of association:

Registration number of association:

2—Details of public officer

Full name:

Residential address:

Postal address:

Phone:

Email:

3—Making of alteration to rules

The association has altered its rules in accordance with those rules by [*insert "special resolution on [date]" or provide details of other mechanism for alteration as required or allowed by the rules, and provide details of any approvals or confirmations required by the rules*].

4—Alteration to rules

The nature of the alteration is—

*alteration to the name of the association

*substitution of new set of rules

*alteration to rules numbered [*specify numbers*]

* *Delete the inapplicable*

The rules of the association have been altered as follows:

[*include exact terms of resolution etc*]

5—Rules of association as altered

Information about how the matters required by section 23A of the *Associations Incorporation Act 1985* are provided for in the rules of the association as altered must be included by way of an attachment in the form required by the regulations under the Act.

The application must be dated and signed on behalf of the association. The name of a person signing must be written legibly under or alongside the signature of that person.

Additional requirements

A copy of the rules of the association as altered should accompany this application.

The copy must comply with the following:

- the document must be clearly printed or typed on A4 white paper;

- if the document consists of 2 or more sheets, the sheets must be fastened together securely;
- the document must be marked with—
 - the name and registered number of the incorporated association to which it relates; and
 - a title that describes its contents; and
 - the name, address and telephone number of the person to be contacted about the application.

Statutory declaration to accompany application for registration of alteration of rules of association—Associations Incorporation Act 1985 section 24

I [*insert full name of public officer of association*] of [*insert residential address*] do solemnly and sincerely declare that:

- I am the public officer of [*insert full name of association*]; and
- the particulars set out in the application for registration of alteration of the rules of the association dated [*insert date*] are true.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1936*.

Signature of public officer:

Declared before me at [*insert location*] this [*insert date*].

Signature of person taking declaration:

Rules of association—Associations Incorporation Act 1985 section 23A**Matter required by section 23A****Rule number**

- name of association
- objects of association
- membership in the case of an association that has members
- the powers, duties and manner of appointment of the committee of the association
- the appointment of an auditor in the case of an association that is a prescribed association
- the calling of and procedure at general meetings
- who has the management and control of the funds and other property of the association
- the powers of the association and by whom and in what manner they may be exercised
- the manner in which the rules of the association may be altered

Periodic return of prescribed association—Associations Incorporation Act 1985 section 36(1)

The return and attachments must be on international size A4 white paper and all information must be legible. The return and attachments must be fastened together securely.

1—Details of association

Full name of association:

Registration number of association:

2—Financial year to which return relates

Year:

3—Details of books and accounts for financial year

Place where books of the association kept:

Gross receipts of the association for the financial year:

If the association has members—

- date on which audited accounts for financial year laid before members:
- the members *did/*did not accept the accounts
* *Delete the inapplicable*

4—Details of auditor of accounts for financial year

Full name:

Address:

5—Information about association as at date of return

Details of public officer—

Full name:

Occupation:

Residential address:

Postal address:

Phone:

Email:

Any business names under which the association conducts its activities:

The principal object of the association:

The number of members of the association:

*Details of any alterations to the rules of the association that have not been lodged for registration with the Commission:

Details of any variations or revocation of trusts referred to in the rules of the association or on which any rule of the association relies for its operation that have not been notified to the Commission:

Details of any exemptions granted by the Commission to the association under the Act and then in force:

The full name, residential address and occupation of each member of the committee of the association and the office (if any) held by that member:

** A separate application for registration of the alteration of the rules is required.*

Certification

I certify that the particulars contained in this return are true to the best of my knowledge and belief.

Signature of public officer:

Date:

Attachments

The following must be included:

- a copy of the accounts of the association for the financial year prepared under section 35(2)(a) of the Act;
- a copy of the signed statement made under section 35(2)(c) of the Act relating to those accounts;
- a copy of the auditor's report given under section 37(3) of the Act relating to those accounts.

Each of the documents must comply with the following:

- the document must be clearly printed or typed on A4 white paper;
- if the document consists of 2 or more sheets, the sheets must be fastened together securely;
- the document must be marked with—
 - the name and registered number of the incorporated association to which it relates; and
 - a title that describes its contents; and
 - the name, address and telephone number of the person to be contacted about the application.

Winding up report—Associations Incorporation Act 1985 section 41B and section 41D

The report and attachments must be on international size A4 white paper and all information must be legible. The report and attachments must be fastened together securely.

1—Details of association

Full name of association:

Registration number of association:

2—Details of person lodging report

Full name:

Address:

Phone:

Email:

Facsimile:

3—Purpose of lodging report

This report as to the affairs of the association—

- * has been prepared for the purposes of section 41B of the *Associations Incorporation Act 1985* (Reports to be submitted to liquidator) and is made up to the date the order for winding up of the association was made by the Supreme Court or an earlier date specified by the liquidator;
- * has been prepared for the purposes of section 41D of the *Associations Incorporation Act 1985* (Disclosure to creditors on voluntary winding up) and is made up to the latest practicable date before the notices of the meeting were sent.

**Delete the inapplicable*

4—Report on affairs of association

This report details assets and liabilities as at [*insert date*].

	Valuation* \$	Estimated realisable value \$
1 Assets not specifically charged		
(a) interests in land (see Attachment A)		
(b) sundry debtors (see Attachment B)		
(c) cash on hand		
(d) cash at bank		
(e) stock (see Attachment C)		
(f) work in progress (see Attachment C)		
(g) plant and equipment (see Attachment C)		
(h) other assets (see Attachment D)		
Subtotals		

2	Assets subject to specific charges less amounts owing (see Attachment E)	
Totals		
3	Less amounts payable to priority creditors	
	(a) tax instalment deductions and prescribed payments tax	
	(b) employee entitlements (see Attachment F)	
	(c) other priority creditors (see Attachment G)	
4	Less amounts owing to unsecured creditors (see Attachment H)	
5	Contingent assets Estimated to produce (see Attachment I)	\$
6	Contingent liabilities Estimated to rank (see Attachment J)	\$
	This is an estimated deficiency:	Y or N
	This is an estimated surplus:	Y or N
	The estimate is subject to the cost of administration:	Y or N
	The estimate is subject to costs of liquidation:	Y or N
	Liability of members to contribute (as set out in rules)	\$

* For each valuation amount show whether the amount is the cost of the asset or liability or the net book amount assigned to the asset or liability.

The attachments must include information as follows:

Attachment A—for each interest in land:

- address of land and description of interest
- valuation (\$)
- estimated realisable value (\$)
- valuation for rating purpose
- particulars of tenancy
- where possession of deeds may be obtained
- short particulars of title

Attachment B—for each sundry debtor (including loan debtors):

- name and address of debtor
- amount owing (\$)
- amount realisable (\$)
- deficiency (\$)
- particulars of security (if any) held
- explanation of deficiency

Attachment C—for each item or class of stock, work in progress, plant or equipment:

detailed description

value (\$)

Attachment D—for other assets:

brief description (for example, deposit or investment)

cost (\$)

amount realisable (\$)

Attachment E—for each asset subject to a specific charge:

description of asset

date charge given

description of charge

holder of charge

terms of repayment

valuation (\$)

estimated realisable value (\$)

amount owing under charge (\$)

Attachment F—for each employee claim:

name and address of employee

wages (\$)

holiday pay (\$)

long service leave (\$)

estimated liability

Attachment G—for each priority creditor other than those detailed in Attachment F:

name and address of creditor

statement of whether the creditor is or is not an officer of the association

description of nature of debt

amount owing (\$)

Attachment H—for each unsecured creditor:

name and address of creditor

statement of whether the creditor is or is not an officer of the association

amount claimed by creditor (\$)

amount admitted as owing (\$)

reasons for difference (if any) between amount claimed and admitted

Attachment I—for each contingent asset:

description of asset
gross assets (\$)
estimated to produce (\$)

Attachment J—for each contingent liability:

name of address of creditor
nature of liability
gross liability (\$)
estimated rank for (\$)

If the report is prepared for the purposes of section 41D of the Associations Incorporation Act 1985, Attachments A, B, D and E must show the method and manner of arriving at the valuation of the asset.

Certification

I certify that the particulars contained in this report are true to the best of my knowledge and belief.

[Insert name of each committee member and each member must sign and date the report against his or her name.]

Declaration of solvency for voluntary winding up—Associations Incorporation Act 1985 section 41C

The declaration and accompanying statement must be on international size A4 white paper and all information must be legible. If the declaration or statement consists of 2 or more sheets, the sheets must be fastened together securely.

1—Details of association

Full name of association:

Registration number of association:

2—Details of person lodging declaration

Full name:

Address:

Phone:

Email (optional):

Facsimile (optional):

3—Declaration

We declare that—

- it is proposed to wind up the association voluntarily; and
- we constitute a majority of the members of the committee of the association; and
- we have made an inquiry into the affairs of the association; and
- at a meeting of the committee, we formed the opinion that the association will be able to pay its debts in full within a period not exceeding 12 months after the commencement of the winding up; and
- the statement showing the affairs of the association attached to this declaration is correct as at the latest practicable date before the making of this declaration.

[Insert name of each committee member making declaration and each member must sign and date the declaration against his or her name.]

Statement showing affairs of association

This statement details assets and liabilities as at *[insert date]*.

	Estimated realisable value
	\$
Assets	
cash at bank	
cash on hand	
marketable securities	
bills receivable	
trade debtors	
loans and advances	

stock in trade
work in progress (as detailed in inventory)
freehold property
leasehold property
plant and machinery
furniture, fittings, utensils, etc
patents, trademarks, etc
investments other than marketable securities
other property (as detailed in inventory)

Total estimated realisable value of assets

Liabilities secured on specific assets

Rank for payment

estimated expenses of winding up
other estimated expenses (including interest accruing until payment of debts in full)
unsecured creditors (amounts estimated to rank for payment)

- trade accounts
- bills payable
- accrued expenses
- other liabilities

contingent liabilities

Total of liabilities

Estimated surplus after paying debts in full

Application for deregistration of incorporated association with surplus assets not exceeding \$5000—Associations Incorporation Act 1985 section 43A

The application and attachments must be on international size A4 white paper and all information must be legible. The application and attachments must be fastened together securely.

1—Details of association

Full name of association:

Registration number of association:

2—Details of person lodging application

Full name:

Address:

Phone:

Email (optional):

Facsimile (optional):

3—Details of applicant authorised by special resolution to apply for deregistration of association

Fill in this section if the applicant is authorised by special resolution of the association to apply for deregistration of the association.

Full name:

Residential address:

Date of meeting at which special resolution passed:

Type of meeting at which special resolution passed:

- * annual general meeting
- * special general meeting
- * other (please specify)

**Delete the inapplicable*

Additional requirements—The application must be accompanied by a copy of the resolution and the minutes of the meeting at which it was passed.

4—Details of applicants if association no longer has an active membership

Fill in this section if the association no longer has an active membership

Applicant 1

Full name:

Residential address:

Phone (optional):

Email (optional):

Facsimile (optional):

The applicant is—

- * an officer of the association
- * a member of the association

- * a person who claims proper interest in the application on the following grounds:

** Delete the inapplicable*

Applicant 2

Full name:

Residential address:

Phone (optional):

Email (optional):

Facsimile (optional):

The applicant is—

- * an officer of the association
- * a member of the association
- * a person who claims proper interest in the application on the following grounds:

** Delete the inapplicable*

Attach details separately if there are further applicants.

Certification

I certify that—

- (a) the association has no liabilities and is not a party to any legal proceedings; and
- (b) none of the assets available for distribution have been, or are proposed to be, distributed to members or former members or associates of members or former members of the association; and
- (c) the information contained in the attachments is, to the best of my knowledge and belief, true and complete.

[insert name of each applicant and each applicant must sign and date the form against his or her name]

Attachments

Attachment 1—Surplus assets: details and manner in which distributed or proposed to be distributed

For each asset:

description of asset

name of body to whom asset has been or is to be distributed

value (\$)

Attachment 2—Rules governing distribution of assets

The association **has/**does not have rules governing the distribution of surplus assets on deregistration.

** Delete the inapplicable*

If the association has such rules, a copy of the rules must accompany the application.

If the association has no such rules, the applicants request that the Commission approve the manner or proposed manner of distribution.

Attachment 3—Committee of association

Insert name and residential address of each member of the committee of the association

Additional requirements

Any document required to accompany the application must comply with the following:

- the document must be clearly printed or typed on international size A4 white paper;
- if the document consists of 2 or more sheets, the sheets must be fastened together securely;
- the document must be marked with—
 - the name and registered number of the incorporated association to which it relates; and
 - a title that describes its contents; and
 - the name, address and telephone number of the person to be contacted about the application.

**Application for reservation of name—Associations Incorporation Act 1985
section 53A**

The application must be on international size A4 white paper and all information must be legible. If the application consists of 2 or more sheets, the sheets must be fastened together securely.

1—Details of applicant

Full name:

Address:

Phone:

Email (optional):

Facsimile (optional):

2—Name to be reserved

Name:

If the name is the same as a business name, provide details:

If the name is the same as the name of a body corporate, provide details:

3—Purpose of association

The purpose of the proposed incorporated association is [*insert brief description, eg, educational, for conserving resources*].

The association is considered to be eligible for incorporation under section 18(1) [*specify paragraph*] of the *Associations Incorporation Act 1995*.

Signature of applicant:

Date:

**Notice of change of public officer or change of address of public officer—
Associations Incorporation Act 1985 section 56**

The notice must be on international size A4 white paper and all information must be legible. If the notice consists of 2 or more sheets, the sheets must be fastened together securely.

1—Association details

Full name of association:

Registration number of association:

2—Change of public officer*

Details of new public officer

Full name:

Occupation:

Residential address:

Postal address:

Phone:

Email:

Date of appointment as public officer:

Details of former public officer

Full name:

Date ceased to be public officer:

3—Change of address of public officer*

Details of public officer

Full name:

Phone:

Email:

New residential address:

New postal address:

Date changed:

* *Delete the inapplicable*

Signature of public officer:

Date:

**Notice of variation or revocation of trust affecting rules—Associations
Incorporation Act 1985 section 59**

The notice must be on international size A4 white paper and all information must be legible. If the notice consists of 2 or more sheets, the sheets must be fastened together securely.

1—Details of association

Full name of association:

Registration number of association:

**2—Notice of variation or revocation of trust referred to in rules of association or on
which any rule of association relies for its operation**

Details of trust

Name:

Date of instrument of trust:

Date of variation or revocation:

Full particulars of the variation or revocation:

Name of trustee:

Signature of trustee:

Date:

Schedule 2—Fees

1	For inspection under section 6(2) of the Act of documents lodged by or in relation to an association	\$20.00
2	For the supply of an uncertified copy, or the supply of a copy of an extract from, a document held by the Commission in relation to an association (in addition to the fee payable under clause 1)—	
	(a) for 1 page	\$4.35
	(b) for each additional page or part of a page	\$1.10
3	For the supply of a certified copy of, or the supply of a certified copy of an extract from, a document held by the Commission in relation to an association (in addition to the fee payable under clause 1)—	
	(a) for 1 page	\$20.00
	(b) for each additional page or part of a page	\$1.10
4	On lodging an application to the Commission (not being an application for which a fee is specified elsewhere in the Schedule) to exercise any of the powers conferred on the Commission by the Act, or by those provisions of the <i>Corporations Act 2001</i> of the Commonwealth applied by the Act to an association	\$49.25
5	On lodging an application to the Minister to exercise any powers conferred on the Minister by the Act	\$49.25
6	On lodging an application for incorporation under section 19 of the Act	\$145.00
7	On lodging an application for amalgamation under section 22 of the Act	\$145.00
8	On lodging an application to register an alteration to rules under section 24 of the Act (including an application to alter the name of an association)	\$49.25
9	For the approval of the Commission of an auditor under section 35(2)(b) of the Act	\$68.50
10	On lodging a periodic return under section 36 of the Act	\$68.50
11	On submitting to the Commission for examination a draft explanatory statement prior to its registration under the provisions of the <i>Corporations Act 2001</i> of the Commonwealth applied under section 40A of the Act	\$145.00
12	On lodging an application for the approval of the Commission for extension of period under section 41C(4)(a) of the Act	\$51.00
13	For consent of the Commission under section 43(1a) of the Act to distribute surplus assets of an association on winding up among members of the association	\$68.50
14	On lodging an application to deregister an association under section 43A(1) of the Act	\$101.00
15	On making a request of the Commission under section 43A(5) of the Act (in addition to the fee payable under clause 14)	\$68.50
16	On lodging an application to the Commission to exercise the powers conferred by section 44A or 46 of the Act	\$68.50
17	For an act done by the Commission—	
	(a) representing a defunct association or its liquidator under section 44A of the Act	\$68.50
	(b) under section 46 of the Act	\$68.50
18	On lodging an application to the Commission to exercise the power conferred by section 53 of the Act	\$68.50

19	On lodging an application to reserve a name under section 53A(1) of the Act	\$101.00
20	On the late lodgment of a document (in addition to any lodgment fee provided by any other clause for the lodging of that document)—	
	(a) if lodged within 1 month after the prescribed time	\$26.75
	(b) if lodged more than 1 month but within 3 months after the prescribed time	\$55.00
	(c) if lodged more than 3 months after the prescribed time	\$117.00
21	For the production by the Commission, pursuant to a subpoena, of a document held by it in relation to an association—	\$37.75
	(a) for the first 2 pages or part of 2 pages	\$20.00
	(b) for each additional 2 pages or part of 2 pages	\$1.10
22	For any act that the Commission is required or authorised to do on the request of a person and for which a fee is not prescribed by any other clause	\$27.00

Schedule 3—Revocation of *Associations Incorporation Regulations 1993*

The *Associations Incorporation Regulations 1993* are revoked.

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 21 August 2008

No 226 of 2008

OCBACS08-00001

South Australia

Courts Administration Regulations 2008

under the *Courts Administration Act 1993*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Participating courts
- 5 Prescribed position
- 6 Council not to incur contractual liabilities exceeding limit
- 7 Prescribed court

Schedule 1—Participating courts

Schedule 2—Prescribed position

Schedule 3—Prescribed court

Schedule 4—Revocation of *Courts Administration Regulations 1993*

1—Short title

These regulations may be cited as the *Courts Administration Regulations 2008*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Courts Administration Act 1993*.

4—Participating courts

For the purposes of the definition of *participating courts* in section 4 of the Act, each of the courts and tribunals specified in Schedule 1 is declared to be a participating court.

5—Prescribed position

For the purposes of the definition of *prescribed position* in section 4 of the Act, each of the positions specified in Schedule 2 is designated as a prescribed position.

6—Council not to incur contractual liabilities exceeding limit

For the purposes of section 11(2)(a) of the Act, the limit is \$1 000 000.

7—Prescribed court

For the purposes of the definition of *prescribed court* in section 28A(3) of the Act, the courts specified in Schedule 3 are prescribed.

Schedule 1—Participating courts

Courts

Court of Disputed Returns constituted under the *Local Government (Elections) Act 1999*

Warden's Court

Tribunals

Dental Professional Conduct Tribunal

Equal Opportunity Tribunal

Legal Practitioners Disciplinary Tribunal

Medical Professional Conduct Tribunal

Pastoral Land Appeal Tribunal

Police Disciplinary Tribunal

Protective Security Officers Disciplinary Tribunal

Schedule 2—Prescribed position

Deputy State Courts Administrator

Director, Corporate Services

Director, Higher Courts

Registrar of Probates

Registrar of the District Court

Registrar of the Magistrates Court

Registrar of the Supreme Court

Sheriff

Schedule 3—Prescribed court

Environment, Resources and Development Court

Magistrates Court

Warden's Court

Schedule 4—Revocation of *Courts Administration Regulations 1993*

The *Courts Administration Regulations 1993* are revoked.

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 recommendation of the State Courts Administration Council (apart from regulations 5 and 6 on which the Council has been allowed a reasonable opportunity to comment) and with the advice and consent of the Executive Council
on 21 August 2008

No 227 of 2008

AGO0046/08CS

South Australia

Taxation Administration Regulations 2008

under the *Taxation Administration Act 1996*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Permitted disclosure of information

Schedule 1—Revocation of *Taxation Administration Regulations 1997*

1—Short title

These regulations may be cited as the *Taxation Administration Regulations 2008*.

2—Commencement

These regulations will come into operation on 1 September 2008.

3—Interpretation

In these regulations—

Act means the *Taxation Administration Act 1996*.

4—Permitted disclosure of information

(1) For the purposes of section 78(d) of the Act, the following offices are prescribed:

- (a) Attorney-General;
- (b) Auditor-General;
- (c) Australian Statistician;
- (d) Chairperson of the Australian Securities and Investments Commission;
- (e) Chief Executive Officer of the Australian Crime Commission;
- (f) Chief Executive Officer of WorkCover Corporation of South Australia;
- (g) Commissioner for Consumer Affairs;
- (h) Commissioner of Police of the Australian Federal Police;
- (i) Director of Public Prosecutions;
- (j) offices in the Attorney-General's Department;
- (k) offices in the police force of or above the rank of inspector;
- (l) offices of another State, or of a Territory, or of the Commonwealth, the holders of which are employed in the administration of laws relating to taxation or customs;
- (m) Ombudsman;

- (n) Registrar of Motor Vehicles;
 - (o) Solicitor-General;
- (2) In accordance with section 78(e) of the Act, a tax officer may disclose information obtained under or in relation to the administration or enforcement of a taxation law in connection with the administration or enforcement of any of the following:
- (a) the *First Home Owner Grant Act 2000*;
 - (b) the *Emergency Services Funding Act 1998*.

Schedule 1—Revocation of *Taxation Administration Regulations 1997*

The *Taxation Administration Regulations 1997* are revoked.

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 21 August 2008

No 228 of 2008

T&F08/041CS

South Australia

Electricity (General) Variation Regulations 2008

under the *Electricity Act 1996*

Contents

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- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Electricity (General) Regulations 1997*

- 4 Insertion of Part 2AA
 - Part 2AA—Residential Energy Efficiency Scheme
 - 7AD Application
 - 7AE Interpretation
 - 7AF Minister to set greenhouse gas reduction targets
 - 7AG Minister to determine percentage of greenhouse gas reduction target to be delivered to priority group households
 - 7AH Minister to set energy audit targets
 - 7AI Administration
 - 7AJ Notification and adjustment of targets
 - 7AK Energy audits
 - 7AL Energy efficiency activities
 - 7AM Energy efficiency activities for priority group households
 - 7AN Determination of energy efficiency activities
 - 7AO Retailers may enter into arrangements
 - 7AP Compliance and reporting
 - 7AQ Review
 - 7AR Expiry
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Electricity (General) Variation Regulations 2008*.

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 *Electricity (General) Regulations 1997*

4—Insertion of Part 2AA

After Part 2 insert:

Part 2AA—Residential Energy Efficiency Scheme

7AD—Application

- (1) This Part applies to any electricity entity that holds a licence authorising the retailing of electricity within the State.
- (2) However, this Part will not apply in a particular calendar year to an electricity entity that retails electricity as a retailer to fewer than the threshold number of residential customers within South Australia as at 30 June in the preceding year.
- (3) For the purposes of subregulation (2), the Minister must, by notice in the Gazette, set the threshold number for a 3-year period at the time of setting the annual greenhouse gas reduction targets and the annual energy audit targets for the purposes of this Part.
- (4) This regulation applies subject to the operation of regulations 7AK(4), 7AL(5) and 7AM(4).

7AE—Interpretation

- (1) In this Part, unless the contrary intention appears—

energy audit means an audit of a priority group household undertaken by a retailer in accordance with the minimum specification published by the Minister by notice in the Gazette;

energy credit means the following (if the relevant differences are positive):

- (a) in relation to energy audits, the difference (expressed as an amount of energy audits) between the number of energy audits actually undertaken by a retailer in a year and the ELEAT that applies to the retailer for that year;
- (b) in relation to energy efficiency activities, the difference (expressed in tonnes of carbon dioxide equivalent) between the actual tonnes of carbon dioxide equivalent taken to have been saved by a retailer in a year through the conduct of energy efficiency activities and the EGRT that applies to the retailer for that year;
- (c) in relation to energy efficiency activities for priority group households, the difference (expressed in tonnes of carbon dioxide equivalent) between the actual tonnes of carbon dioxide equivalent taken to have been saved by a retailer in a year through the conduct of energy efficiency activities for priority group households and a PGGRT that applies to the retailer for that year;

energy efficiency activity means an activity relating to residential premises determined by the Minister or the Commission pursuant to regulation 7AN to be an energy efficiency activity;

EGRT—means an electricity licence greenhouse gas reduction target calculated in accordance with subregulation (2);

ELEAT—means an electricity licence energy audit target calculated in accordance with subregulation (3);

PGGGRT—see regulation 7AG;

priority group household means residential premises in which a person resides who—

- (a) is the holder of a current pensioner concession card issued by the Commonwealth Government; or
- (b) is the holder of a current TPI Gold Repatriation Health Card issued by the Commonwealth Government; or
- (c) is the holder of a current War Widows Gold Repatriation Health Card issued by the Commonwealth Government; or
- (d) is the holder of a current Gold Repatriation Health Card (EDA) issued by the Commonwealth Government; or
- (e) is the holder of a current Health Care Card (including a Low Income Health Care Card) issued by the Commonwealth Government; or
- (f) is a recipient of the *South Australian Government Energy Concession*; or
- (g) falls within a class of persons who are experiencing hardship determined or approved by the Commission for the purposes of these regulations;

relevant electricity retailer means an electricity entity to which this Part applies;

relevant gas retailer means the holder of a licence under the *Gas Act 1997* authorising the retailing of gas to which Part 2AA of the *Gas Regulations 1997* applies;

residential customer means a small customer—

- (a) who acquires electricity primarily for domestic use; and
- (b) who satisfies other criteria (if any) determined by the Commission for the purposes of this definition;

retailer means a relevant electricity retailer or a relevant gas retailer;

threshold number—see regulation 7AD(3).

- (2) The EGRT for a relevant electricity retailer in any calendar year is calculated in accordance with the following formula:

$$EGRT_t = \frac{(ES_{f-1} - GP_{f-1}) \times F_{e_t}}{\sum_{i=1}^M ((ES_{i_{f-1}} - GP_{i_{f-1}}) \times F_{e_t}) + \sum_{j=1}^N (GS_{j_{f-1}} \times F_{g_t})} \times GRT_t$$

where—

- $EGRT_t$ is the annual greenhouse gas reduction target for calendar year t that applies to this retailer expressed in tonnes of carbon dioxide equivalent ($tCO_2 - e$)
- ES_{f-1} is total electricity sales for this retailer to residential customers within South Australia during the financial year preceding calendar year t expressed in gigajoules (GJ)
- $ES_{i,f-1}$ is total electricity sales to residential customers within South Australia during the financial year preceding calendar year t by relevant electricity retailer i, expressed in gigajoules (GJ)
- F_{e_t} is the current full fuel cycle emission factor for end users of purchased electricity in South Australia as specified in the *National Greenhouse Accounts (NGA) Factors*, published by the Commonwealth, expressed in tonnes of carbon dioxide equivalent per gigajoule ($tCO_2 - e/GJ$)
- F_{g_t} is the current full fuel cycle emission factor for small users of natural gas in South Australia as specified in the *National Greenhouse Accounts (NGA) Factors*, published by the Commonwealth, expressed in tonnes of carbon dioxide equivalent per gigajoule ($tCO_2 - e/GJ$)
- GP_{f-1} is total GreenPower electricity sales for this retailer to residential customers within South Australia, accredited under the National GreenPower Accreditation Program, during the financial year preceding calendar year t, expressed in gigajoules (GJ)
- $GP_{i,f-1}$ is the total GreenPower electricity sales to residential customers within South Australia, accredited under the National GreenPower Accreditation Program, during the financial year preceding calendar year t by relevant electricity retailer i, expressed in gigajoules (GJ)
- GRT_t is the annual greenhouse gas reduction target fixed by the Minister under regulation 7AF for calendar year t, expressed in tonnes of carbon dioxide equivalent ($tCO_2 - e$)
- $GS_{j,f-1}$ is the total gas sales to residential customers within South Australia during the financial year preceding calendar year t by relevant gas retailer j under the *Gas Act 1997*, expressed in gigajoules (GJ)
- M is the total number of relevant electricity retailers for year t
- N is the total number of relevant gas retailers for year t.

- (3) The ELEAT for a relevant electricity retailer in any calendar year is calculated in accordance with the following formula:

$$ELEAT_t = \frac{EC_{f-1}}{\sum_{i=1}^M EC_{i,f-1} + \sum_{j=1}^N GC_{j,f-1}} \times EAT_t$$

where—

- $ELEAT_t$ is the annual energy audit target for calendar year t that applies to this retailer expressed as the number of energy audits to be delivered

EAT_t	is the annual energy audit target fixed by the Minister under regulation 7AH for calendar year t, expressed as the number of energy audits to be delivered
EC_{fy-1}	is the total number of residential customers within South Australia to whom this retailer sold electricity as at the final day of the financial year preceding calendar year t
$EC_{i,fy-1}$	is the total number of residential customers within South Australia to whom relevant electricity retailer i sold electricity as at the final day of the financial year preceding calendar year t
$GC_{j,fy-1}$	is the total number of residential customers within South Australia to whom relevant gas retailer j sold gas under the <i>Gas Act 1997</i> as at the final day of the financial year preceding calendar year t
M	is the total number of relevant electricity retailers for year t
N	is the total number of relevant gas retailers for year t.

7AF—Minister to set greenhouse gas reduction targets

- (1) The Minister must, by notice in the Gazette, fix the annual greenhouse gas reduction targets for the purposes of this Part.
- (2) The targets are to be expressed as the annual amount of greenhouse gas savings (in terms of tonnes of carbon dioxide equivalent) that must be achieved by retailers through the carrying out of energy efficiency activities in accordance with this Part and Part 2AA of the *Gas Regulations 1997*.
- (3) The Minister must, for the purposes of subregulation (1)—
 - (a) fix annual greenhouse gas reduction targets for 2009, 2010 and 2011 before 1 January 2009; and
 - (b) fix annual greenhouse gas reduction targets for 2012, 2013 and 2014 before 1 January 2012.

7AG—Minister to determine percentage of greenhouse gas reduction target to be delivered to priority group households

- (1) The Minister must, by notice in the Gazette, determine that a percentage of an annual greenhouse gas reduction target is to be achieved by the provision of energy efficiency activities to priority group households.
- (2) The priority group greenhouse gas reduction target (*PGGGRT*) for a retailer is determined by multiplying the EGRT for that retailer by the percentage fixed by the Minister under subregulation (1).
- (3) In addition, the Minister may, by notice in the Gazette, determine that certain percentages of the PGGGRT are to be achieved by the provision of energy efficiency activities to particular classes of priority group households and each determination will constitute a separate PGGGRT for the purposes of this Part.

7AH—Minister to set energy audit targets

- (1) The Minister must, by notice in the Gazette, fix the annual energy audit targets for the purposes of this Part.

- (2) The targets are to be expressed as the annual number of energy audits required to be undertaken by retailers in accordance with this Part and Part 2AA of the *Gas Regulations 1997*.
- (3) Energy audits will relate to priority group households.
- (4) The Minister must, for the purposes of subregulation (1)—
 - (a) fix annual energy audit targets for 2009, 2010 and 2011 before 1 January 2009; and
 - (b) fix annual energy audit targets for 2012, 2013 and 2014 before 1 January 2012.

7AI—Administration

- (1) The Commission has such functions and powers as are necessary or expedient to give effect to the residential energy efficiency scheme including the following functions:
 - (a) to administer the scheme;
 - (b) to ensure that retailers comply with the requirements of this Part;
 - (c) to report to the Minister—
 - (i) at the end of each year as to the administration of the scheme and the progress of retailers in achieving the targets set by this Part; and
 - (ii) from time to time on any other matter relating to this Part as required by the Minister.
- (2) The Commission—
 - (a) is required to impose a condition on the licence of a retailer under the Act that the retailer comply with this Part, pursuant to section 21(2) of the Act; and
 - (b) is to vary conditions of the licence of a retailer under the Act to ensure that the retailer complies with this Part as required from time to time, pursuant to section 27(1) of the Act.

7AJ—Notification and adjustment of targets

- (1) The Commission must, in relation to each calendar year in which the residential energy efficiency scheme is to apply, notify in writing each retailer to which this Part applies of any annual—
 - (a) ELEAT; and
 - (b) EGRT; and
 - (c) PGGRT,that applies to the retailer for that year.
- (2) The Commission may adjust a target that would otherwise apply to a retailer after taking into account any—
 - (a) energy audit shortfall; and
 - (b) greenhouse gas reduction shortfall; and

- (c) greenhouse gas reduction shortfall for priority group households, from a previous year that must be added to the target in accordance with regulation 7AK, 7AL or 7AM, respectively.
- (3) If the customers of 1 retailer (in this regulation referred to as the *first retailer*) are transferred during a year to another retailer (in this regulation referred to as the *acquiring retailer*) by the sale, transmission or assignment of the whole or part of the business or undertaking of the first retailer, the Commission may adjust the targets of both the first retailer and the acquiring retailer for that year on a pro rata basis taking into account the date on which the customers were transferred.
- (4) If—
- (a) this Part or Part 2AA of the *Gas Regulations 1997* did not apply to the acquiring retailer before the transfer of customers to the acquiring retailer because the acquiring retailer did not have the threshold number of customers for the purposes of regulation 7AD; and
- (b) as a result of the transfer of customers the acquiring retailer has at least the threshold number of customers,
- this Part and Part 2AA of the *Gas Regulations 1997* apply with immediate effect to the acquiring retailer and the Commission must—
- (c) in accordance with subregulation (1), notify the acquiring retailer of its targets under this Part; and
- (d) adjust the targets that apply to both the first retailer and the acquiring retailer for that year on a *pro-rata* basis taking into account the date on which the transfer of customers occurred.
- (5) If a retailer accrues an energy credit in a year and does not transfer the credit under regulation 7AO(1), the Commission must, on application by the relevant retailer, take the credit into account in determining whether the retailer has met a target that applies to the retailer in any subsequent year.

7AK—Energy audits

- (1) A retailer to which this Part applies must, subject to subregulation (2), undertake the annual number of energy audits in accordance with the ELEAT that applies to the retailer for that year (as adjusted to take into account any shortfall added under subregulation (3)).
- (2) It is not a breach of subregulation (1) if a retailer undertakes in a year at least 90% of the energy audits required to be undertaken in that year in accordance with the ELEAT that applies to the retailer for that year.
- (3) Despite subregulation (2), if a retailer fails to achieve its ELEAT in a year, the energy audit shortfall must be added to an ELEAT that applies to the retailer in a subsequent year.
- (4) If—
- (a) a retailer undertakes energy audits in a year sufficient to achieve at least 90% of its ELEAT for that year but does not achieve its ELEAT; and

- (b) in the subsequent calendar year this Part no longer applies to the retailer because the retailer retails electricity to fewer than the threshold number of residential customers set by the Minister under regulation 7AD(3),

the retailer must undertake energy audits in the subsequent year to account for its energy audit shortfall for priority group households from the previous year.

- (5) In this regulation—

energy audit shortfall means the difference (expressed as an amount of energy audits) between the ELEAT that applies to the retailer for a year and the number of energy audits actually provided by that retailer in that year.

7AL—Energy efficiency activities

- (1) A retailer to which this Part applies must, subject to subregulation (2), undertake energy efficiency activities sufficient to achieve the EGRT that applies to the retailer for that year (as adjusted to take into account any shortfall added under subregulation (3)).
- (2) It is not a breach of subregulation (1) if a retailer undertakes energy efficiency activities in a year sufficient to achieve at least 90% of the EGRT that applies to the retailer for that year.
- (3) Despite subregulation (2), where a retailer fails to achieve its EGRT in a year, the greenhouse gas reduction shortfall must be added to an EGRT that applies to the retailer in a subsequent year.
- (4) An energy efficiency activity undertaken by a retailer for the purposes of achieving a PGGRT under regulation 7AM is taken to be included as an energy efficiency activity undertaken by a retailer for the purpose of achieving its EGRT under this regulation.
- (5) If—
 - (a) a retailer undertakes energy efficiency activities in a year sufficient to achieve at least 90% of its EGRT for that year but does not achieve its EGRT; and
 - (b) in the subsequent calendar year this Part no longer applies to the retailer because the retailer retails electricity to fewer than the threshold number of residential customers set by the Minister under regulation 7AD(3),

the retailer must undertake energy efficiency activities in the subsequent year to account for its greenhouse gas reduction shortfall from the previous year.

- (6) In this regulation—

greenhouse gas reduction shortfall means the difference (expressed in tonnes of carbon dioxide equivalent) between the EGRT that applies to the retailer for a year and the actual tonnes of carbon dioxide equivalent taken to have been saved by that retailer in that year through the conduct of energy efficiency activities.

7AM—Energy efficiency activities for priority group households

- (1) A retailer to which this Part applies must, subject to subregulation (2), undertake energy efficiency activities sufficient to achieve any PGGRT that applies to the retailer for a year (as adjusted to take into account any shortfall added under subregulation (3)).
- (2) It is not a breach of subregulation (1) if a retailer undertakes energy efficiency activities in a year sufficient to achieve at least 90% of a PGGRT that applies to the retailer for that year.
- (3) Despite subregulation (2), where a retailer fails to achieve a PGGRT in a year the greenhouse gas reduction shortfall for priority group households must be added to a PGGRT that applies to the retailer a subsequent year.
- (4) If—
 - (a) a retailer undertakes energy efficiency activities in a year sufficient to achieve at least 90% of a PGGRT for that year but does not achieve the PGGRT; and
 - (b) in the subsequent calendar year this Part no longer applies to the retailer because the retailer retails electricity to fewer than the threshold number of residential customers set by the Minister under regulation 7AD(3),

the retailer must undertake energy efficiency activities in the subsequent year to account for its greenhouse gas reduction shortfall for priority group households from the previous year.

- (5) In this regulation—

greenhouse gas reduction shortfall for priority group households means the difference (expressed in tonnes of carbon dioxide equivalent) between a PGGRT that applies to the retailer for a year and the actual tonnes of carbon dioxide equivalent taken to have been saved by that retailer in that year through the conduct of energy efficiency activities for priority group households.

7AN—Determination of energy efficiency activities

- (1) Before 1 January 2009, the Minister must, by notice in the Gazette, determine 1 or more activities to be energy efficiency activities for the purposes of this Part.
- (2) On or after 1 January 2009, the Commission may, by notice in the Gazette, on its own initiative or by application, determine, in accordance with any requirements set by the Minister, that an activity is an energy efficiency activity.
- (3) An application under subregulation (2) must be made in a manner and form determined by the Commission.
- (4) A determination may be of general application or limited (according to criteria determined by the Commission) in its application to a particular retailer or particular retailers.
- (5) A notice published under this regulation must—
 - (a) describe the energy efficiency activity; and

- (b) set out the minimum specification in accordance with which the activity must be performed; and
 - (c) specify the amount of greenhouse gases (expressed in tonnes of carbon dioxide equivalent) taken to be saved if the activity is undertaken; and
 - (d) set out the fact that the amount of greenhouse gases deemed to be saved for the purpose of meeting a target under these regulations is the amount specified under paragraph (c) at the time at which the energy efficiency activity was undertaken; and
 - (e) specify such other matters (whether similar or dissimilar to those referred to above) as the Minister or the Commission considers relevant.
- (6) The Commission may, by notice in the Gazette, vary or revoke a determination made under this regulation after taking into account any requirements set by the Minister.

7AO—Retailers may enter into arrangements

- (1) If a retailer accrues an energy credit, the retailer may, at any time, transfer the credit to another retailer.
- (2) A retailer may enter into an arrangement with another person (including another retailer) for that person to undertake either or both of the following:
 - (a) energy audits;
 - (b) energy efficiency activities.
- (3) Despite any arrangement entered into under subregulation (2), a retailer remains liable for any offence or penalty arising from a failure to meet its ELEAT, EGRT or a PGGGRT under this Part.

7AP—Compliance and reporting

- (1) A retailer must, as required from time to time by the Commission, submit to the Commission a compliance plan for the purposes of this Part in accordance with a code published by the Commission under Part 4 of the *Essential Services Commission Act 2002*.
- (2) A retailer must, as required from time to time by the Commission, report on compliance with this Part in accordance with a code published by the Commission under Part 4 of the *Essential Services Commission Act 2002*.
- (3) A code published under this regulation must comply with any requirements set by the Minister.

7AQ—Review

- (1) The Minister must cause a review of the operation of this Part to be conducted and a report on the results of the review to be submitted to the Minister before 31 December 2013.
- (2) The review must consider whether the scheme should continue and any other matter the Minister considers should be considered in the review.
- (3) The Minister must, within 12 sitting days after receiving the report, cause copies of the report to be laid before both Houses of Parliament.

7AR—Expiry

This Part will expire on 31 December 2014.

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 21 August 2008

No 229 of 2008

MEN08/001CS

South Australia

Gas Variation Regulations 2008

under the *Gas Act 1997*

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 - 8DN Review
 - 8DO Expiry
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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Gas Variation Regulations 2008*.

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 *Gas Regulations 1997*

4—Insertion of Part 2AA

After Part 2 insert:

Part 2AA—Residential Energy Efficiency Scheme

8DA—Application

- (1) This Part applies to any gas entity that holds a licence authorising the retailing of gas within the State.
- (2) However, this Part will not apply in a particular calendar year to a gas entity that retails gas as a retailer to fewer than the threshold number of residential customers within South Australia as at 30 June in the preceding year.
- (3) For the purposes of subregulation (2), the Minister must, by notice in the Gazette, set the threshold number for a 3-year period at the time of setting the annual greenhouse gas reduction targets and the annual energy audit targets for the purposes of this Part.
- (4) This regulation applies subject to the operation of regulations 8DH(4), 8DI(5) and 8DJ(4).

8DB—Interpretation

- (1) In this Part, unless the contrary intention appears—

energy audit means an audit of a priority group household undertaken by a retailer in accordance with the minimum specification published by the Minister by notice in the Gazette;

energy credit means the following (if the relevant differences are positive):

- (a) in relation to energy audits, the difference (expressed as an amount of energy audits) between the number of energy audits actually undertaken by a retailer in a year and the GLEAT that applies to the retailer for that year;
- (b) in relation to energy efficiency activities, the difference (expressed in tonnes of carbon dioxide equivalent) between the actual tonnes of carbon dioxide equivalent taken to have been saved by a retailer in a year through the conduct of energy efficiency activities and the GGRT that applies to the retailer for that year;
- (c) in relation to energy efficiency activities for priority group households, the difference (expressed in tonnes of carbon dioxide equivalent) between the actual tonnes of carbon dioxide equivalent taken to have been saved by a retailer in a year through the conduct of energy efficiency activities for priority group households and a PGGRT that applies to the retailer for that year;

energy efficiency activity means an activity relating to residential premises determined by the Minister or the Commission pursuant to regulation 8DK to be an energy efficiency activity;

GGRT—means a gas licence greenhouse gas reduction target calculated in accordance with subregulation (2);

GLEAT—means a gas licence energy audit target calculated in accordance with subregulation (3);

PGGGRT—see regulation 8DD;

priority group household means residential premises in which a person resides who—

- (a) is the holder of a current pensioner concession card issued by the Commonwealth Government; or
- (b) is the holder of a current TPI Gold Repatriation Health Card issued by the Commonwealth Government; or
- (c) is the holder of a current War Widows Gold Repatriation Health Card issued by the Commonwealth Government; or
- (d) is the holder of a current Gold Repatriation Health Card (EDA) issued by the Commonwealth Government; or
- (e) is the holder of a current Health Care Card (including a Low Income Health Care Card) issued by the Commonwealth Government; or
- (f) is a recipient of the *South Australian Government Energy Concession*; or
- (g) falls within a class of persons who are experiencing hardship determined or approved by the Commission for the purposes of these regulations;

relevant electricity retailer means the holder of a licence under the *Electricity Act 1996* authorising the retailing of electricity to which Part 2AA of the *Electricity (General) Regulations 1997* applies;

relevant gas retailer means a gas entity to which this Part applies;

residential customer means a small customer—

- (a) who acquires gas primarily for domestic use; and
- (b) who satisfies other criteria (if any) determined by the Commission for the purposes of this definition;

retailer means a relevant electricity retailer or a relevant gas retailer;

threshold number—see regulation 8DA(3).

- (2) The GGRT for a relevant gas retailer in any calendar year is calculated in accordance with the following formula:

$$GGRT_t = \frac{GS_{j_{y-1}} \times F_{g_t}}{\sum_{i=1}^M \left((ES_{i_{y-1}} - GP_{i_{y-1}}) \times F_{e_i} \right) + \sum_{j=1}^N \left(GS_{j_{y-1}} \times F_{g_j} \right)} \times GRT_t$$

where—

- $GGRT_t$ is the annual greenhouse gas reduction target for calendar year t that applies to this retailer expressed in tonnes of carbon dioxide equivalent (tCO₂e)
- $ES_{i,f_{t-1}}$ is total electricity sales to residential customers within South Australia during the financial year preceding calendar year t by relevant electricity retailer i under the *Electricity Act 1996*, expressed in gigajoules (GJ)
- F_{e_t} is the current full fuel cycle emission factor for end users of purchased electricity in South Australia as specified in the *National Greenhouse Accounts (NGA) Factors*, published by the Commonwealth, expressed in tonnes of carbon dioxide equivalent per gigajoule (tCO₂e/GJ)
- F_{g_t} is the current full fuel cycle emission factor for small users of natural gas in South Australia as specified in the *National Greenhouse Accounts (NGA) Factors*, published by the Commonwealth, expressed in tonnes of carbon dioxide equivalent per gigajoule (tCO₂e/GJ)
- $GP_{i,f_{t-1}}$ is the total GreenPower electricity sales to residential customers within South Australia, accredited under the National GreenPower Accreditation Program, during the financial year preceding calendar year t by relevant electricity retailer i under the *Electricity Act 1996*, expressed in gigajoules (GJ)
- GRT_t is the annual greenhouse gas reduction target fixed by the Minister under regulation 8DC for calendar year t, expressed in tonnes of carbon dioxide equivalent (tCO₂e)
- $GS_{f_{t-1}}$ is the total gas sales for this retailer to residential customers within South Australia during the financial year preceding calendar year t, expressed in gigajoules (GJ)
- $GS_{j,f_{t-1}}$ is the total gas sales to residential customers within South Australia during the financial year preceding calendar year t by relevant gas retailer j, expressed in gigajoules (GJ)
- M is the total number of relevant electricity retailers for year t
- N is the total number of relevant gas retailers for year t.

- (3) The GLEAT for a relevant gas retailer in any calendar year is calculated in accordance with the following formula:

$$GLEAT_t = \frac{GC_{f_{t-1}}}{\sum_{i=1}^M EC_{i,f_{t-1}} + \sum_{j=1}^N GC_{j,f_{t-1}}} \times EAT_t$$

where—

- $GLEAT_t$ is the annual energy audit target for calendar year t that applies to this retailer expressed as the number of energy audits to be delivered
- EAT_t is the annual energy audit target fixed by the Minister under regulation 8DE for calendar year t, expressed as the number of energy audits to be delivered

- $EC_{i_{j_{t-1}}}$ is the total number of residential customers within South Australia to whom relevant electricity retailer i sold electricity under the *Electricity Act 1996* as at the final day of the financial year preceding calendar year t
- $GC_{j_{t-1}}$ is the total number of residential customers within South Australia to whom this retailer sold gas as at the final day of the financial year preceding calendar year t
- $GC_{j_{j_{t-1}}}$ is the total number of residential customers within South Australia to whom relevant gas retailer j sold gas as at the final day of the financial year preceding calendar year t
- M is the total number of relevant electricity retailers for year t
- N is the total number of relevant gas retailers for year t .

8DC—Minister to set greenhouse gas reduction targets

- (1) The Minister must, by notice in the Gazette, fix the annual greenhouse gas reduction targets for the purposes of this Part.
- (2) The targets are to be expressed as the annual amount of greenhouse gas savings (in terms of tonnes of carbon dioxide equivalent) that must be achieved by retailers through the carrying out of energy efficiency activities in accordance with this Part and Part 2AA of the *Electricity (General) Regulations 1997*.
- (3) The Minister must, for the purposes of subregulation (1)—
 - (a) fix annual greenhouse gas reduction targets for 2009, 2010 and 2011 before 1 January 2009; and
 - (b) fix annual greenhouse gas reduction targets for 2012, 2013 and 2014 before 1 January 2012.

8DD—Minister to determine percentage of greenhouse gas reduction target to be delivered to priority group households

- (1) The Minister must, by notice in the Gazette, determine that a percentage of an annual greenhouse gas reduction target is to be achieved by the provision of energy efficiency activities to priority group households.
- (2) The priority group greenhouse gas reduction target (*PGGGRT*) for a retailer is determined by multiplying the GGRT for that retailer by the percentage fixed by the Minister under subregulation (1).
- (3) In addition, the Minister may, by notice in the Gazette, determine that certain percentages of the PGGGRT are to be achieved by the provision of energy efficiency activities to particular classes of priority group households and each determination will constitute a separate PGGGRT for the purposes of this Part.

8DE—Minister to set energy audit targets

- (1) The Minister must, by notice in the Gazette, fix the annual energy audit targets for the purposes of this Part.
- (2) The targets are to be expressed as the annual number of energy audits required to be undertaken by retailers in accordance with this Part and Part 2AA of the *Electricity (General) Regulations 1997*.

- (3) Energy audits will relate to priority group households.
- (4) The Minister must, for the purposes of subregulation (1)—
 - (a) fix annual energy audit targets for 2009, 2010 and 2011 before 1 January 2009; and
 - (b) fix annual energy audit targets for 2012, 2013 and 2014 before 1 January 2012.

8DF—Administration

- (1) The Commission has such functions and powers as are necessary or expedient to give effect to the residential energy efficiency scheme including the following functions:
 - (a) to administer the scheme;
 - (b) to ensure that retailers comply with the requirements of this Part;
 - (c) to report to the Minister—
 - (i) at the end of each year as to the administration of the scheme and the progress of retailers in achieving the targets set by this Part; and
 - (ii) from time to time on any other matter relating to this Part as required by the Minister.
- (2) The Commission—
 - (a) is required to impose a condition on the licence of a retailer under the Act that the retailer comply with this Part, pursuant to section 25(2) of the Act; and
 - (b) is to vary conditions of the licence of a retailer under the Act to ensure that the retailer complies with this Part as required from time to time, pursuant to section 29(1) of the Act.

8DG—Notification and adjustment of targets

- (1) The Commission must, in relation to each calendar year in which the residential energy efficiency scheme is to apply, notify in writing each retailer to which this Part applies of any annual—
 - (a) GLEAT; and
 - (b) GGRT; and
 - (c) PGGGRT,that applies to the retailer for that year.
- (2) The Commission may adjust a target that would otherwise apply to a retailer after taking into account any—
 - (a) energy audit shortfall; and
 - (b) energy efficiency shortfall; and
 - (c) energy efficiency shortfall for priority group households,from a previous year that must be added to the target in accordance with regulation 8DH, 8DI or 8DJ, respectively.

- (3) If the customers of 1 retailer (in this regulation referred to as the *first retailer*) are transferred during a year to another retailer (in this regulation referred to as the *acquiring retailer*) by the sale, transmission or assignment of the whole or part of the business or undertaking of the first retailer, the Commission may adjust the targets of both the first retailer and the acquiring retailer for that year on a pro rata basis taking into account the date on which the customers were transferred.
- (4) If—
 - (a) this Part and Part 2AA of the *Electricity (General) Regulations 1997* did not apply to the acquiring retailer before the transfer of customers to the acquiring retailer because the acquiring retailer did not have the threshold number of customers for the purposes of regulation 8DA; and
 - (b) as a result of the transfer of customers the acquiring retailer has at least the threshold number of customers,this Part and Part 2AA of the *Electricity (General) Regulations 1997* apply with immediate effect to the acquiring retailer and the Commission must—
 - (c) in accordance with subregulation (1), notify the acquiring retailer of its targets under this Part; and
 - (d) adjust the targets that apply to both the first retailer and the acquiring retailer for that year on a pro rata basis taking into account the date on which the transfer of customers occurred.
- (5) If a retailer accrues an energy credit in a year and does not transfer the credit under regulation 8DL(1), the Commission must, on application by the relevant retailer, take the credit into account in determining whether the retailer has met a target that applies to the retailer in any subsequent year.

8DH—Energy audits

- (1) A retailer to which this Part applies must, subject to subregulation (2), undertake the annual number of energy audits in accordance with the GLEAT that applies to the retailer for that year (as adjusted to take into account any shortfall added under subregulation (3)).
- (2) It is not a breach of subregulation (1) if a retailer undertakes in a year at least 90% of the energy audits required to be undertaken in that year in accordance with the GLEAT that applies to the retailer for that year.
- (3) Despite subregulation (2), if a retailer fails to achieve its GLEAT in a year, the energy audit shortfall must be added to a GLEAT that applies to the retailer in a subsequent year.
- (4) If—
 - (a) a retailer undertakes energy audits in a year sufficient to achieve at least 90% of its GLEAT for that year but does not achieve its GLEAT; and
 - (b) in the subsequent calendar year this Part no longer applies to the retailer because the retailer retails gas to fewer than the threshold number of residential customers set by the Minister under regulation 8DA(3),

the retailer must undertake energy audits in the subsequent year to account for its energy audit shortfall for priority group households from the previous year.

- (5) In this regulation—

energy audit shortfall means the difference (expressed as an amount of energy audits) between the GLEAT that applies to the retailer for a year and the number of energy audits actually provided by that retailer in that year.

8DI—Energy efficiency activities

- (1) A retailer to which this Part applies must, subject to subregulation (2), undertake energy efficiency activities sufficient to achieve the GGRT that applies to the retailer for that year (as adjusted to take into account any shortfall added under subregulation (3)).
- (2) It is not a breach of subregulation (1) if a retailer undertakes energy efficiency activities in a year sufficient to achieve at least 90% of the GGRT that applies to the retailer for that year.
- (3) Despite subregulation (2), where a retailer fails to achieve its GGRT in a year, the greenhouse gas reduction shortfall must be added to a GGRT that applies to the retailer in a subsequent year.
- (4) An energy efficiency activity undertaken by a retailer for the purposes of achieving a PGGRT under regulation 8DJ is taken to be included as an energy efficiency activity undertaken by a retailer for the purpose of achieving its GGRT under this regulation.
- (5) If—
 - (a) a retailer undertakes energy efficiency activities in a year sufficient to achieve at least 90% of its GGRT for that year but does not achieve its GGRT; and
 - (b) in the subsequent calendar year this Part no longer applies to the retailer because the retailer retails gas to fewer than the threshold number of residential customers set by the Minister under regulation 8DA(3),

the retailer must undertake energy efficiency activities in the subsequent year to account for its greenhouse gas reduction shortfall from the previous year.

- (6) In this regulation—

greenhouse gas reduction shortfall means the difference (expressed in tonnes of carbon dioxide equivalent) between the GGRT that applies to the retailer for a year and the actual tonnes of carbon dioxide equivalent taken to have been saved by that retailer in that year through the conduct of energy efficiency activities.

8DJ—Energy efficiency activities for priority group households

- (1) A retailer to which this Part applies must, subject to subregulation (2), undertake energy efficiency activities sufficient to achieve any PGGRT that applies to the retailer for a year (as adjusted to take into account any shortfall added under subregulation (3)).

- (2) It is not a breach of subregulation (1) if a retailer undertakes energy efficiency activities in a year sufficient to achieve at least 90% of a PGGGRT that applies to the retailer for that year.
- (3) Despite subregulation (2), where a retailer fails to achieve a PGGGRT in a year the greenhouse gas reduction shortfall for priority group households must be added to a PGGGRT that applies to the retailer in a subsequent year.
- (4) If—
 - (a) a retailer undertakes energy efficiency activities in a year sufficient to achieve at least 90% of a PGGGRT for that year but does not achieve the PGGGRT; and
 - (b) in the subsequent calendar year this Part no longer applies to the retailer because the retailer retails gas to fewer than the threshold number of residential customers set by the Minister under regulation 8DA(3),

the retailer must undertake energy efficiency activities in the subsequent year to account for its greenhouse gas reduction shortfall for priority group households from the previous year.

- (5) In this regulation—

greenhouse gas reduction shortfall for priority group households means the difference (expressed in tonnes of carbon dioxide equivalent) between a PGGGRT that applies to the retailer for a year and the actual tonnes of carbon dioxide equivalent taken to have been saved by that retailer in that year through the conduct of energy efficiency activities for priority group households.

8DK—Determination of energy efficiency activities

- (1) Before 1 January 2009, the Minister must, by notice in the Gazette, determine 1 or more activities to be energy efficiency activities for the purposes of this Part.
- (2) On or after 1 January 2009, the Commission may, by notice in the Gazette, on its own initiative or by application, determine, in accordance with any requirements set by the Minister, that an activity is an energy efficiency activity.
- (3) An application under subregulation (2) must be made in a manner and form determined by the Commission.
- (4) A determination may be of general application or limited (according to criteria determined by the Commission) in its application to a particular retailer or particular retailers.
- (5) A notice published under this regulation must—
 - (a) describe the energy efficiency activity; and
 - (b) set out the minimum specification in accordance with which the activity must be performed; and

- (c) specify the amount of greenhouse gases (expressed in tonnes of carbon dioxide equivalent) taken to be saved if the activity is undertaken; and
 - (d) set out the fact that the amount of greenhouse gases deemed to be saved for the purpose of meeting a target under these regulations is the amount specified under paragraph (c) at the time at which the energy efficiency activity was undertaken; and
 - (e) specify such other matters (whether similar or dissimilar to those referred to above) as the Minister or the Commission considers relevant.
- (6) The Commission may, by notice in the Gazette, vary or revoke a determination made under this regulation after taking into account any requirements set by the Minister.

8DL—Retailers may enter into arrangements

- (1) If a retailer accrues an energy credit, the retailer may, at any time, transfer the credit to another retailer.
- (2) A retailer may enter into an arrangement with another person (including another retailer) for that person to undertake on its behalf either or both of the following:
 - (a) energy audits;
 - (b) energy efficiency activities.
- (3) Despite any arrangement entered into under subregulation (2), a retailer remains liable for any offence or penalty arising from a failure to meet its GLEAT, GGRT or a PGGRT under this Part.

8DM—Compliance and reporting

- (1) A retailer must, as required from time to time by the Commission, submit to the Commission a compliance plan for the purposes of this Part in accordance with a code published by the Commission under Part 4 of the *Essential Services Commission Act 2002*.
- (2) A retailer must, as required from time to time by the Commission, report on compliance with this Part in accordance with a code published by the Commission under Part 4 of the *Essential Services Commission Act 2002*.
- (3) A code published under this regulation must comply with any requirements set by the Minister.

8DN—Review

- (1) The Commission must cause a review of the operation of this Part to be conducted and a report on the results of the review to be submitted to the Minister before 31 December 2013.
- (2) The review must consider whether the scheme should continue and any other matter the Commission considers should be considered in the review.
- (3) The Minister must, within 12 sitting days after receiving the report, cause copies of the report to be laid before both Houses of Parliament.

8DO—Expiry

This Part will expire on 31 December 2014.

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 21 August 2008

No 230 of 2008

MEN08/001CS

South Australia

Teachers Registration and Standards Variation Regulations 2008

under the *Teachers Registration and Standards Act 2004*

Contents

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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Teachers Registration and Standards Variation Regulations 2008*.

2—Commencement

These regulations will come into operation on 1 September 2008.

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 *Teachers Registration and Standards Regulations 2005*

4—Variation of regulation 5—Fees for registration

- (1) Regulation 5(1)(a)—delete "\$180" and substitute:
\$270
- (2) Regulation 5(1)(b)—delete "\$75" and substitute:
\$100
- (3) Regulation 5(1)(c)—delete "\$60" and substitute:
\$90

- (4) Regulation 5(2)—delete "\$180" and substitute:

\$270

5—Variation of regulation 6—Assessment by Teachers Registration Board of qualifications

- Regulation 6(2)(b)—delete "\$75" and substitute:

\$100

6—Variation of regulation 8—Fee to accompany application for special authority for unregistered person to teach

- Regulation 8(a)—delete paragraph (a) and substitute:

(a) —

- (i) if the special authority is to be in force for a period of not more than 12 months—\$90; or
- (ii) if the special authority is to be in force for a period of more than 12 months—an amount of \$90 for each 12 month period, or part of such period, during which the special authority is to be in force; plus

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 21 August 2008

No 231 of 2008

MECS08/012

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CITY OF ONKAPARINGA

Exclusion of Land from Classification as Community Land

NOTICE is hereby given that pursuant to section 193 (6) of the Local Government Act 1999, the Council of the City of Onkaparinga resolved pursuant to section 193 (4) of the Local Government Act 1999, at its meeting held on 6 November 2007, that the following land be excluded from the classification as Community Land:

Portion of the public road (un-named) and portion of Weatherald Terrace situate adjacent to the intersection of Commercial Road and Section 817, Hundred of Willunga, more particularly delineated and lettered 'A' and 'B' (respectively) in Preliminary Plan No. 08/0042.

J. TATE, Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits, Offences, Penalties and Repeal

TO repeal by-laws, to provide for a permit system and penalties in Council by-laws.

1. *Repeal of by-laws*

All previous by-laws made or adopted by the Council, prior to the date this by-law is made, are hereby repealed.

2. *Interpretation*

In any by-law of the Council, unless the contrary intention appears:

'Council' means The City of Port Adelaide Enfield;

'person' includes a body corporate.

3. *Permits*

- (1) In any by-law of the Council unless the contrary intention is clearly indicated the word 'permission' means the permission of the Council granted in writing prior to the act, event or activity to which it relates.
- (2) Where a by-law requires that permission be obtained any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee prescribed by Council.
- (3) The Council may attach such conditions (including time limits) to a grant of permission as it thinks fit and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.
- (4) Any person granted permission must comply with every such condition.
- (5) The Council may revoke a grant of permission at any time by notice in writing to the person granted permission.

4. *Offences and penalties*

- (1) Any person who commits a breach of any by-law of the Council will be guilty of an offence and will be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999, which may be fixed by by-law for any breach of a by-law.
- (2) Any person who commits a breach of any by-law of the Council of a continuing nature will be guilty of an offence and, in addition to any other penalty that may be imposed, will be liable to a further penalty for every day on which the offence or breach continues fixed at the maximum amount prescribed in the Local Government Act 1999, which may be fixed by by-law for a continuing offence against any by-law.

5. *Construction*

Every by-law of the Council is subject to any Act of Parliament and Regulations made under any Act of Parliament.

This by-law was duly made and passed at a meeting of the Council of the City of Port Adelaide Enfield held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

H. J. WIERDA, City Manager

CITY OF PORT ADELAIDE ENFIELD

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO set standards for moveable signs on roads and to set conditions for the placement of such signs.

1. *Definitions*

1.1 In this by-law:

1.1.1 'footpath area' means:

- (a) that part of a road between the boundary of the road and the edge of the shoulder of the road on the same side as that boundary; and
- (b) a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;

1.1.2 'moveable sign' has the same meaning as defined in the Local Government Act 1999;

1.1.3 'road' has the same meaning as defined in the Local Government Act 1999 and includes the footpath area;

1.1.4 'shoulder' includes any part of the road that is not designed to be used by motor vehicles in travelling along the road and includes:

- (a) for a kerbed road—any part of the kerb; and
- (b) or a sealed road—any unsealed part of the road and any sealed part of the road outside an edge line on the road,

but does not include the footpath area.

2. *Construction*

2.1 A moveable sign must:

- 2.1.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an 'inverted "T"' sign, or a flat sign or, with the permission of the Council, of some other kind;
- 2.1.2 be constructed and maintained in good quality and condition;
- 2.1.3 be of strong construction with no sharp or jagged edges or corners;
- 2.1.4 not be unsightly or offensive in appearance;
- 2.1.5 be constructed so as to not be or become a hazard to any person;
- 2.1.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 2.1.7 not exceed 900 mm in height, 600 mm in width and 600 mm in depth;
- 2.1.8 be stable when in position including in adverse weather conditions;
- 2.1.9 in the case of an 'A' Frame or Sandwich Board sign:
 - (a) be hinged or joined at the top;
 - (b) be of such construction that it is securely fixed or locked in position when erected;
- 2.1.10 in the case of an 'inverted "T"' sign, contain no struts or members that run between the display area and the base of the sign.

3. Position

- 3.1 A moveable sign must:
- 3.1.1 only be placed on a footpath area;
 - 3.1.2 only be placed at least 400 mm from the kerb, or if there is no kerb, from the edge of the shoulder of the road;
 - 3.1.3 not be positioned on a footpath area that is narrower than 2.5 m;
 - 3.1.4 not be positioned on a footpath area within 10 m of an intersection;
 - 3.1.5 not be positioned on the sealed part of any footpath area, if there is any unsealed part of that area on which the sign can be placed in accordance with this by-law;
 - 3.1.6 not be placed on a footpath area if the footpath area is not wide enough to contain the sign and still leave a clear thoroughfare of at least 1.2 m wide;
 - 3.1.7 not be placed on a median strip or traffic island.

4. Restrictions

- 4.1 Business premises are limited to the display of one moveable sign;
- 4.2 A moveable sign must not be placed on a footpath area:
- 4.2.1 unless it only displays material which advertises a business being conducted on premises adjacent to the sign, or the products available from that business;
 - 4.2.2 unless the business to which it relates is open for public trading;
 - 4.2.3 in windy conditions unless it is sufficiently stable such that it cannot be blown over or swept away;
 - 4.2.4 must not be tied, fixed or attached to any structure or thing (including another moveable sign);
 - 4.2.5 in such a position or in such circumstances, where the view of any user of the road or footpath area is obstructed, or that the safety of any user of the road is at risk;
 - 4.2.6 during the hours of darkness unless it is clearly lit.

5. Exemptions

- 5.1 Subparagraphs 4.2.1, 4.2.2 and 4.2.4 of this by-law do not apply to a moveable sign which:
- 5.1.1 advertises a garage sale taking place from residential premises; or
 - 5.1.2 is a directional sign to an event run by a charitable body.
- 5.2 Subparagraph 4.1 of this by-law does not apply to a flat sign which only contains newspaper headlines and the name of a newspaper.
- 5.3 This by-law does not apply to a moveable sign:
- 5.3.1 designed to direct people to the open inspection of any land or building that is available for purchase or lease;
 - 5.3.2 which is related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
 - 5.3.3 which is related to an election held under the Local Government Act 1999 or Local Government (Elections) Act 1999 and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day.

This by-law was duly made and passed at a meeting of the Council of the City of Port Adelaide Enfield held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

H. J. WIERDA, City Manager

CITY OF PORT ADELAIDE ENFIELD

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Local Government Land

FOR the management and regulation of the use of and access to Local Government land (other than roads), including the prohibition and regulation of particular activities on Local Government land and public places.

1. Definitions

1.1 In this by-law:

- 1.1.1 'Authorised Person' means a person appointed by Council as an authorised person under Chapter 12, Part 3 of the Local Government Act 1999;
- 1.1.2 'inland waters' includes any pond, lake, river, wetland or other body of water under the care, control and management of the Council, but does not include any waters within adjacent land, subjacent land or the port and harbour of Port Adelaide as defined in the Harbors and Navigation Act 1993 and Harbors and Navigation Regulations 1994;
- 1.1.3 'Local Government land' means all land owned by the Council or under the Council's care, control and management (except roads);
- 1.1.4 'park' has the same meaning as defined in the Local Government Act 1999;
- 1.1.5 'public place' means a place (including a place on private land) to which the public has access, but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996;
- 1.1.6 'reserve' has the same meaning as defined in the Local Government Act 1999;
- 1.1.7 'road' has the same meaning as in the Local Government Act 1999;
- 1.1.8 'tobacco product' has the same meaning as in the Tobacco Products Regulation Act 1997;
- 1.1.9 'vehicle' has the same meaning as in the Local Government Act 1999.

2. Activities Requiring Permission¹

A person must not without permission on any Local Government land:

2.1 Animals

- 2.1.1 subject to subparagraph 2.1.3, allow any grazing animal or stock to be or remain on any land except land which the Council has set aside for that purpose;
- 2.1.2 allow any animal to damage any flower bed, garden, tree, lawn or other object or place;
- 2.1.3 ride, take or allow any horse to be or remain on any part of the foreshore to which this paragraph applies, or to bathe in any water under the care, control and management of the Council to which this paragraph applies, except between the hours of 5 a.m. and 8 a.m. on any day;

¹ Nothing in this by-law derogates from the prohibition in section 221 of the Local Government Act 1999 against persons (other than the Council or a person acting under some other statutory authority) making an alteration to a public road unless authorised to do so by the Council.

2.2 *Vehicles on Local Government Land*

2.2.1 drive or propel a motor vehicle on any park, reserve or the foreshore unless on an area or road constructed or set aside by the Council for the travelling or parking of motor vehicles;

2.2.2 except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which any vehicle takes part;

2.3 *Boating*

Subject to the Harbors and Navigation Act 1993:

2.3.1 launch or retrieve a boat other than from a boat ramp constructed for that purpose;

2.3.2 moor a boat, canoe or watercraft on any land or pontoon attached to any land to which this subparagraph applies;

2.3.3 propel, sail or otherwise use any boat, canoe or watercraft or other object on any inland waters;

2.4 *Repairs to Vehicles*

2.4.1 repair, wash, paint, panel-beat or perform any other work on or to any vehicle except for running repairs in the case of accidental breakdown;

2.5 *Trading*

2.5.1 carry on the business of buying or selling or offering or exposing for sale any goods, merchandise, commodity, article or thing; or

2.5.2 set up or use a van or other vehicle or stall or other structure, tray, carpet or device for the purpose of buying or selling or offering or exposing for sale any goods, merchandise, commodity, article or thing;

2.6 *Busking*

2.6.1 sing, busk or play any recording or musical instrument so as to have the appearance of entertaining other persons;

2.7 *Preaching*

2.7.1 preach or harangue; provided that this restriction does not apply to a person legitimately canvassing public opinion during the course of a Local, State or Federal Government election or during a Referendum;

2.8 *Donations*

2.8.1 ask for or receive or indicate that he or she desires a donation of money or any other thing;

2.9 *Amplification*

2.9.1 use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

2.10 *Canvassing*

2.10.1 convey any advertising, religious or other message to any bystander, passerby or other person, provided that this restriction does not apply to a person legitimately canvassing public opinion during the course of a Local, State or Federal Government election or during a Referendum;

2.11 *Posting of Bills*

2.11.1 post any bills, advertisements or other papers or items on a building or structure on Local Government land or other public place, provided that this restriction shall not apply to any electoral matter posted by or with the authority of a candidate during the course of a Local, State or Federal Government election or posted during the course and for the purposes of a Referendum;

2.12 *Distribution of Printed Material*

2.12.1 place on any vehicle (without the owner's consent) or give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter, provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with the authority of a candidate during the course of a Federal, State or Local Government Election or to a handbill or leaflet given out or distributed during the course and for the purposes of a Referendum;

2.13 *Removing Soil*

2.13.1 carry away or remove any soil, sand, timber, seaweed, stones, pebbles or any part of the land;

2.14 *Picking Fruit and Flowers*

2.14.1 pick fruit, nuts, berries or flowers from any tree, bush or other plant thereon;

2.15 *Digging Soil*

2.15.1 to which this subparagraph applies, dig the soil for or collect worms, shellfish, grubs or insects;

2.16 *Camping*

2.16.1 camp and remain overnight;

2.17 *Tents*

2.17.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;

2.18 *Games*

2.18.1 to which this subparagraph applies, practice or participate in any game, recreation or amusement which involves the use of a ball, missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land;

2.18.2 play any organised competition sport;

2.19 *Kite Surfing and Kite Buggies*

2.19.1 launch or fly a kite designed or used for the purpose of pulling or carrying a person;

2.20 *Fires*

2.20.1 light or maintain any fire except in a place provided by the Council for that purpose; or in a portable barbecue;

2.21 *Closed Lands*

2.21.1 enter or remain on any part of Local Government land at any time during which the Council has declared that the part is closed to the public and which is indicated by a sign adjacent to the entrance to that part;

2.21.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked; or

2.21.3 where admission charges are payable for that person to enter that part, without paying those charges;

2.22 *Use of Toilets*

2.22.1 enter any toilet that is set aside for use of the other sex, provided however that:

(a) a child under the age of five years may enter a public convenience set apart for the use of the other sex if the child is accompanied by an adult person of that other sex; and

(b) a person may enter any public convenience for the purpose of providing assistance to a disabled person;

2.23 *Weddings, Functions and Events*

2.23.1 erect any marquee, stage or structure for the purpose of holding or conducting any wedding, function or event or similar activity;

2.23.2 hold or conduct any filming where the filming is for a commercial purpose;

2.24 *Swimming, Fishing, Snorkelling and Diving*

2.24.1 subject to the Harbors and Navigation Act 1993, swim, fish, snorkel or scuba dive in any inland waters;

2.25 *Marine Life*

2.25.1 introduce any fish or other marine life into any water or wetlands under the care, control and management of the Council;

2.25.2 remove or otherwise interfere with any fish or other marine life in any water or wetlands under the care, control and management of the Council;

2.26 *Defacing Property*

2.26.1 deface, paint, write, cut names or marks on any tree, building, or other structure or property of the Council;

2.27 *Litter*

2.27.1 Deposit or leave any rubbish, dirt or refuse except in a garbage container provided for that purpose.

3. *Prohibited Activities*

A person must not on any Local Government land:

3.1 *Use of Building and Equipment*

3.1.1 use any building, structure or item of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed or set aside and intended for such person to use;

3.2 *Annoyances*

3.2.1 annoy or unreasonably interfere with any other person's use of the land by making a noise or creating a disturbance that has not been authorised by the Council;

3.3 *Directions*

3.3.1 fail to comply with any reasonable direction or request from a General Inspector, being an Authorised Person, relating to:

- (a) that person's use of the land;
- (b) that person's conduct and behaviour on the land;
- (c) that person's safety on the land; or
- (d) the safety and enjoyment of the land by other persons;

3.4 *Smoking*

3.4.1 to which this subparagraph applies, smoke, hold or otherwise have control over an ignited tobacco product.

4. *Direction of Persons*

4.1 An Authorised Person may direct a person to cease committing a breach of a by-law.

5. *Exemptions*

5.1 This by-law does not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to the driver of an emergency vehicle (as defined in the Road Traffic (Road Rules-Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules).

6. *Application of Paragraphs*

6.1 Any of subparagraphs 2.1.1, 2.1.3, 2.3.2, 2.15.1, 2.18.1 and 3.4.1 of this by-law will apply only in such portion or portions of the area as the Council may determine from time to time (in accordance with section 246 (3) (e) of the Local Government Act 1999).

This by-law was duly made and passed at a meeting of the Council of the City of Port Adelaide Enfield held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

H. J. WIERDA, City Manager

CITY OF PORT ADELAIDE ENFIELD

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Roads

FOR the management, control and regulation of activities on Council roads.

1. *Definitions*

In this by-law:

1.1 'Authorised Person' means a person appointed as an Authorised Person pursuant to section 260 of the Local Government Act 1999;

1.2 'road' has the same meaning as in the Local Government Act 1999.

2. *Activities Requiring Permission*

A person must not without permission on any road:

2.1 *Working on Vehicles*

2.1.1 repair, wash, paint, panel beat or perform any other work on or to any vehicle, except for running repairs in the case of breakdown;

2.2 *Movement of Animals*

2.2.1 to which this subparagraph applies, drive or lead any horse, cattle, sheep or goats on to a road;

2.3 *Preaching*

2.3.1 preach or harangue; provided that this restriction does not apply to a person legitimately canvassing public opinion during the course of a Local, State or Federal Government election or during a Referendum;

2.4 *Donations*

2.4.1 ask for or receive or indicate that he or she desires a donation of money or any other thing or otherwise solicit for religious or charitable purposes;

2.5 *Amplification*

2.5.1 use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

2.6 *Posting of Bills*

2.6.1 post any bills, advertisements or other papers or items on a building or structure on a road;

2.7 *Camping*

2.7.1 camp or remain overnight;

2.8 *Public Exhibitions or Displays*

2.8.1 sing, busk or play any recording or instrument for the purpose of, or so as to have the appearance of, entertaining other persons;

2.8.2 hold or conduct any public exhibition or display.

3. Exemptions

- 3.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or the driver of an emergency vehicle as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules.

4. Application of Paragraphs

- 4.1 Subparagraph 2.2.1 of this by-law only applies in such portion or portions of the area as the Council may determine from time to time in accordance with section 246 (3) (e) of the Local Government Act 1999.

This by-law was duly made and passed at a meeting of the Council of the City of Port Adelaide Enfield held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

H. J. WIERDA, City Manager

CITY OF PORT ADELAIDE ENFIELD

BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT 1995 AND THE LOCAL GOVERNMENT ACT 1999

By-law No. 5—Dogs

TO limit the number of dogs kept in premises and to provide for control of dogs on Local Government land.

1. Definitions

In this by-law, unless the contrary intention appears:

- 1.1 'approved kennel establishment' means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis;
- 1.2 'day light saving' means that period as specified in the *Government Gazette* for the ensuing year;
- 1.3 'disability dog' has the same meaning as defined in the Dog and Cat Management Act 1995;
- 1.4 'effective control' means exercising effective control of a dog either:
- 1.4.1 by means of a physical restraint; or
- 1.4.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 1.5 'guide dog' has the same meaning as defined in the Dog and Cat Management Act 1995;
- 1.6 'hearing dog' has the same meaning as defined in the Dog and Cat Management Act 1995;
- 1.7 'Local Government land' means all land owned by the Council or under the Council's care, control and management.

2. Limit on Dog Numbers

- 2.1 A person must not without Council permission keep more than two dogs on any premises unless:
- 2.1.1 the premises are an approved kennel establishment and any kennel business operating from those premises is registered in accordance with the Dog and Cat Management Act 1995.
- 2.2 Where an application has been made to Council for permissions to keep more than two dogs on any premises, the Council may require that the premises are inspected by a General Inspector, being a Dog Management Officer appointed under the Dog and Cat Management Act 1995.

3. Dog Prohibited Areas and Dog on Leash Areas

A person must not without permission on any Local Government land:

3.1 Dog Prohibited Areas

- 3.1.1 to which this subparagraph applies, cause, suffer or permit any dog, except a guide dog, hearing dog or disability dog, under that person's control, charge or authority to be or remain in that place;

3.2 Dog on Leash Areas

- 3.2.1 to which this subparagraph applies, cause, suffer or permit any dog under that person's control, charge or authority to be or remain in that place unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons;

3.3 Dogs on Foreshore

- 3.3.1 to which this subparagraph applies between the hours of 10 a.m. and 8 p.m. on any day during the period of daylight saving, cause, suffer or permit any dog under that person's control, charge or authority to be or remain on the foreshore unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

3.4 Signs

- 3.4.1 Signs will be erected to denote the land to which this Clause 3 applies, and information will be provided to the public in a manner determined by the Council's Chief Executive Officer to inform the public about such land.

4. Dog Faeces

- 4.1 No person will on Local Government land, while walking or being in charge of a dog, fail to carry a bag or other suitable object for the purpose of picking up and lawfully disposing of any faeces that the dog deposits on Local Government land.

5. Application of Paragraphs

- 5.1 Subparagraphs 3.1.1, 3.2.1, and 3.3.1 of this by-law apply only in such portion or portions of the Council area as the Council may determine from time to time (in accordance with section 246 (3) (e) of the Local Government Act 1999).

This by-law was made and passed at a meeting of the Council of the City of Port Adelaide Enfield held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

H. J. WIERDA, City Manager

CITY OF PORT ADELAIDE ENFIELD

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6—Lodging Houses

FOR the controlling, licensing, inspecting and regulating of lodging houses.

1. Definitions

- 1.1 In this by-law:
- 1.1.1 'appropriate authority' has the same meaning as defined in section 71 (18) of the Development Act 1993;

- 1.1.2 'authorised person' means a person appointed by the Council under Chapter 12, Part 3 of the Local Government Act 1999;
- 1.1.3 'building' includes part of a building;
- 1.1.4 'fire safety report' means a report prepared by the South Australian Metropolitan Fire Service stating the current fire safety standard of a lodging house (or proposed lodging house);
- 1.1.5 'flat' includes any self-contained suite of rooms designed, intended or adopted, for separate occupation including bathroom and sanitary conveniences provided for that occupation;
- 1.1.6 'licence' means a licence issued pursuant to paragraph 2 of this by-law;
- 1.1.7 'lodging house' means residential premises in which:
- (a) rooms are available, on a commercial basis, for residential occupation; and
- (b) accommodation is available for at least five or more persons on a commercial basis,
- but does not include any building which comes within the definition of flat, nor any motel, hotel, healthcare facility or any premises licenced under the Supported Residential Facilities Act 1992.
- 1.1.8 'lodging house agreement' means an agreement under which accommodation is provided in a lodging house;
- 1.1.9 'long term accommodation' means where lodgings are provided for 10 or greater consecutive days;
- 1.1.10 'short term accommodation' means where lodgings are provided for less than 10 consecutive days;
- 1.1.11 'person' includes any natural person or incorporated or unincorporated entity;
- 1.1.12 'proprietor' means the owner of the business carried on at the lodging house.

2. Licences

- 2.1 A person must not let any building as a lodging house without a licence.
- 2.2 A licence may be issued at the discretion of the Council, and entitles the holder to conduct the business of a lodging house at the building specified in the licence and on the conditions set out in the licence.

3. Licence Application Requirements

- 3.1 Any person who applies for a licence or to renew a licence must apply to the Council.
- 3.2 A person who applies for a licence must, if required by the Council, supply the Council with a sketch plan of the proposed lodging house.
- 3.3 The sketch plan:
- 3.3.1 must be drawn to a scale of not less than 1:100;
- 3.3.2 must show the position, dimensions and intended use of each room or compartment; and
- 3.3.3 must show any other details required by the Council.
- 3.4 A person who applies for a licence must:
- 3.4.1 ensure that a fire safety survey of the proposed lodging house is carried out by the South Australian Metropolitan Fire Service; and
- 3.4.2 supply the Council with a fire safety report prepared by the South Australian Metropolitan Fire Service in respect of the proposed lodging house.
- 3.5 A licence holder must ensure that a fire safety survey is carried out, and a fire safety report is supplied to Council, on a triennial basis.

- 3.6 The Council may require any deficiencies identified in a fire safety report to be rectified before a licence is issued or renewed.
- 3.7 When an application is made for a licence or to renew a licence, the Council may require that:
- 3.7.1 the lodging house is inspected by an authorised person or a member of an appropriate authority for the purpose of determining the fire safety of the premises.
- 3.8 For the purposes of conducting a fire safety inspection in accordance with paragraph 3.7, a lodging house will be considered to be:
- 3.8.1 a residential premises; and
- 3.8.2 a common place of accommodation for unrelated persons,
- as those terms are used in the Building Code of Australia.
- 3.9 Every application for renewal of a licence must be deposited in the office of the Council on or before 31 May in each year.
- 3.10 A licence expires on 30 June in each year.

4. Fees

- 4.1 A person licensed under this by-law must pay to the Council an annual licence fee fixed by the Council, payable upon lodgement of an application for licence or renewal of existing licence.
- 4.2 If there are less than 12 months remaining from the date of issue of a lodging house licence until its expiry, then the fee payable for the licence will be reduced in proportion to the number of calendar months (including part of a month) remaining until the expiry of the licence, divided by 12.

5. Licence Conditions, Revocation and Suspension

- 5.1 A lodging house licence is subject to the conditions set out in the licence and as the Council deems appropriate.
- 5.2 Conditions may be imposed, varied or deleted from a licence by the Council at any time by notice in writing to the licence holder.
- 5.3 A licence holder must at all times comply with licence conditions.
- 5.4 The Council may at any time, by notice in writing, revoke or suspend a licence:
- 5.4.1 if the Council considers that the building in respect of which the licence holder is licensed is, by reason of its condition, unsuitable to continue to be used as a lodging house;
- 5.4.2 if the Council has reasonable cause to believe that the licence holder has committed an offence against this by-law, the Local Government Act 1999; the Public and Environmental Health Act 1987; the Food Act 2001; the Development Act 1993 or the Supported Residential Facilities Act 1992;
- 5.4.3 if the Council considers that the licence holder is unsuitable to continue as the proprietor of the lodging house;
- 5.4.4 if the licence holder fails to comply with the requirements in a fire safety notice issued in respect of the lodging house pursuant to section 71 (2) of the Development Act 1993;
- 5.4.5 if the licence holder breaches a condition of the licence; or
- 5.4.6 for any other reason the Council considers necessary.

6. Alterations

- 6.1 A person must not, without the permission of the Council or an authorised person:
- 6.1.1 add to or alter any lodging house; or

- 6.1.2 use any part of a lodging house other than for the purpose indicated on a sketch plan submitted under paragraph 3 or otherwise specified by the Council.

7. Inspections

- 7.1 A person must not hinder or obstruct any authorised person either alone or in the company of another person from entering or inspecting a lodging house.
- 7.2 Every lodger must allow access to his or her room to any authorised person for the purposes of inspecting the room.
- 7.3 The proprietor of a lodging house must retain a key to the door of every room in the lodging house and must make the key or keys available to an authorised person upon request.

8. Records

- 8.1 The proprietor of a lodging house must keep a register of all persons who are accommodated at the lodging house.
- 8.2 The Council may determine what kind of information must be kept on the register.
- 8.3 The proprietor of a lodging house must make the register available to any authorised person upon request.

9. Agreements

- 9.1 The proprietor of a lodging house must enter into a lodging house agreement with each lodger at a lodging house.
- 9.2 A lodging house agreement must be in writing.
- 9.3 The Council may determine the form of a lodging house agreement and terms or conditions that must be included in lodging house agreements.
- 9.4 The proprietor of a lodging house must make all lodging house agreements with current lodgers available to any authorised person upon request.

This by-law was duly made and passed at a meeting of the Council of the City of Port Adelaide Enfield held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

H. J. WIERDA, City Manager

CITY OF PORT LINCOLN

DEVELOPMENT ACT 1993

Building Height and Design Development Plan Amendment— Draft for Public Consultation

NOTICE is hereby given that the City of Port Lincoln has prepared a draft Building Height and Design Development Plan Amendment (DPA) to amend the Port Lincoln (City) Development Plan.

The draft DPA proposes to review and update the policy provisions of the City Centre Zone and the relevant provisions within the Council Wide section of the Development Plan. Primarily, the DPA proposes to:

- replace the existing City Centre Zone with the relevant Planning SA Better Development Plan (BDP) policy module; and
- introduce new policy areas within the City Centre Zone and associated desired future character statements and policy provisions in regard to land use, building height, building form and building appearance.

The area affected by the DPA is primarily land within the City Centre Zone. However, the proposed changes also affect the entire Council as the DPA proposes to amend policy provisions within the Council Wide section of the Development Plan.

In order to prevent inappropriate development and promote orderly planning, the DPA has been granted 'Interim Development Control' by the Minister, giving the amendment immediate effect.

The draft DPA will be on public consultation from Thursday, 21 August 2008 to Thursday, 23 October 2008.

The draft Development Plan Amendment Report will be available during normal office hours at the City of Port Lincoln, Level 1, Civic Centre, 60 Tasman Terrace, Port Lincoln or may be viewed on the Internet at www.portlincoln.sa.gov.au.

Written submissions regarding the draft DPA should be submitted no later than 5 p.m. on Thursday, 23 October 2008. All submissions should be addressed to the Chief Executive Officer, City of Port Lincoln, P.O. Box 1787, Port Lincoln, S.A. 5607 and should clearly indicate whether you wish to be heard in support of your submission at the public meeting. If you wish to lodge your submission electronically, please email the submission to chiefexec@plcc.sa.gov.au.

Copies of all public submissions received will be available for inspection by interested persons at the Council Office, Level 1, Civic Centre, 60 Tasman Terrace, Port Lincoln or may be viewed on the Internet at www.portlincoln.sa.gov.au from Tuesday, 28 October 2008, until the date of the public meeting.

A public meeting will be held at 7.30 p.m. on Wednesday, 5 November 2008 in the Council Chambers, Level 1, Civic Centre, 60 Tasman Terrace, Port Lincoln at which time interested persons may appear to be heard in relation to the draft DPA and the submissions. The public meeting will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the draft DPA, contact Bob Milic, Manager of Development and Environmental Services of the City of Port Lincoln on telephone 8682 3033 or via email at developmgr@plcc.sa.gov.au.

Dated 21 August 2008.

G. DODD, Chief Executive Officer

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

TO create a permit system for Council By-laws, to fix maximum and continuing penalties for breaches of Council By-laws, to clarify the construction of such by-laws and to repeal by-laws.

1. Repeal of By-laws

- 1.1 All previous by-laws made or adopted by the Council, prior to the date this by-law is made are repealed from the day on which this by-law comes into operation.

2. Definition

- 2.1 In this by-law 'person' includes a natural person, a body corporate, an incorporated association and an unincorporated association.

3. Permits

- 3.1 In any by-law of the Council unless the contrary intention is clearly indicated, the word 'permission' means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, granted in writing prior to the act, event or activity to which it relates.
- 3.2 Where a by-law requires that permission be obtained, any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.
- 3.3 The Council, or such other person as the Council may by resolution authorise for that purpose, may attach such conditions (including time limits, renewal and transfer requirements as it thinks fit) to a grant of permission and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.
- 3.4 Any person granted permission shall comply with every such condition.
- 3.5 The Council or such other person as the Council may by resolution authorise for that purpose, may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

4. *Offences and Penalties*

- 4.1 Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a minimum penalty of \$300 and a maximum penalty being the maximum penalty referred to in the Local Government Act 1999, that may be fixed by by-law for any breach of a by-law.
- 4.2 Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and in addition to any other penalty that may be imposed, shall be liable to a further penalty for every day on which the offence or breach of the by-law continues, such penalty being the maximum penalty referred to in the Local Government Act 1999, which may be fixed by by-law for a breach of any by-law of a continuing matter.

5. *Construction*

- 5.1 Every by-law of the Council shall be subject to any Act of Parliament and regulations made thereunder.
- 5.2 In any by-law of the Council, 'the Council' means City of Tea Tree Gully.

The foregoing by-law was duly made and passed at a meeting of the Council of City of Tea Tree Gully held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. PERKIN, Chief Executive Officer

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Roads

FOR the management of the use of roads in the Council's area.

1. *Definitions*

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Animal' includes birds and poultry but does not include a dog.
- 1.3 'Effective Control' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.4 'Emergency Vehicle' has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999.
- 1.5 'Road' has the same meaning as in the Local Government Act 1999 and includes a footpath.

2. *Activities Requiring Permission*

A person must not, without permission, undertake any of the following activities on any road:

- 2.1 *Advertising*
display any sign other than a moveable sign which is displayed on a road in accordance with the Council's Moveable Signs By-law;
- 2.2 *Amplification*
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound in connection with the broadcasting of an announcement or advertisement;
- 2.3 *Animals on Roads*
2.3.1 cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and then only if under the effective control of a person;

- 2.3.2 lead, drive or exercise any animal in such a manner as to endanger the safety of any person;

2.4 *Donations*

ask for or receive or indicate that he or she desires a donation of money or any other thing, or otherwise solicit for charitable purposes;

2.5 *Posting of Bills*

post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on a road except for any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State election and is posted during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election held under the Local Government Act 1999, or the Local Government (Elections) Act 1999 and is posted during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or is posted during the course of and for the purpose of a Referendum;

2.6 *Preaching*

preach or harangue, or otherwise solicit for religious purposes;

2.7 *Public Exhibitions and Displays*

- 2.7.1 sing, busk or play any recording or use any musical instrument;
- 2.7.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;
- 2.7.3 cause any public exhibitions or displays;

2.8 *Tents and Camping*

- 2.8.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
- 2.8.2 camp or sleep overnight;

2.9 *Working on Vehicles*

perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle except for running repairs in the case of a breakdown.

3. *Directions*

A person must comply with any reasonable direction or request from an Authorised Person relating to:

- 3.1 that person's use of the road;
- 3.2 that person's conduct and behaviour on the road;
- 3.3 that person's safety on the road;
- 3.4 the safety and enjoyment of the road by other persons.

4. *Removal of Animals and Persons*

- 4.1 If any animal is found on any part of a road in breach of a by-law:
- 4.1.1 any person in charge of the animal must immediately remove it from that part of the road on the request of an Authorised Person; and
- 4.1.2 an Authorised Person of the Council may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.
- 4.2 A person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the road.
- 4.3 Any Authorised Person may remove any person from a road who is found committing a breach of a by-law but must not use force in doing so.

5. Exemptions

The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to the driver of an emergency vehicle when driving an emergency vehicle as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations and the Australian Road Rules 1999.

The foregoing by-law was duly made and passed at a meeting of the Council of City of Tea Tree Gully held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. PERKIN, Chief Executive Officer

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Local Government Land

FOR the management and regulation of the use of and access to Local Government Land owned by or under the care, control and management of the Council (other than streets and roads), including the prohibition and regulation of particular activities on such Local Government Land.

1. Definitions

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Building' includes any structure and/or fixture of any kind whether for human habitation or not.
- 1.3 'Liquor' has the same meaning as in the Liquor Licensing Act 1997.
- 1.4 'Local Government Land' means all land owned by the Council or under the Council's care, control and management except roads.
- 1.5 'Offensive' includes threatening, abusive, insulting or annoying behaviour and 'offend' has a complementary meaning.
- 1.6 'Park' has the same meaning as in the Local Government Act 1999.
- 1.7 'Public Place' has the same meaning as in the Local Government Act 1999.
- 1.8 'Reserve' has the same meaning as in the Local Government Act 1999.
- 1.9 'Road' has the same meaning as in the Local Government Act 1999 and includes a footpath.
- 1.10 'Vehicle' has the same meaning as in the Road Traffic Act 1961.
- 1.11 'Waters' includes any body of water including a pond, lake, river, creek or wetland under the care, control and management of the Council.

2. Activities Requiring Permission

A person must not, without permission, undertake any of the following activities on any Local Government Land:

2.1 Access to Water

- 2.1.1 Subject to the provisions of the Harbors and Navigation Act 1993, swim in any waters except:
 - 2.1.1.1 in an area which the Council has by resolution determined may be used for such purpose; and
 - 2.1.1.2 in accordance with any conditions that the Council may have determined by resolution apply to such use;

2.2 Advertising

display or erect any sign or hoarding for the purpose of commercial advertising or any other purpose;

2.3 Aircraft

subject to the Civil Aviation Act 1988, land or take off any aircraft on or from the land;

2.4 Amplification

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;

2.5 Animals

- 2.5.1 cause or allow any animal to stray onto, move over, graze or be left unattended on any Local Government Land;
- 2.5.2 cause or allow any animal to enter, swim, bathe or remain in any waters located on Local Government Land to which the Council has resolved this sub paragraph shall apply;
- 2.5.3 lead or drive a horse, cattle or sheep, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind;

2.6 Annoyance

- 2.6.1 do anything likely to offend or unreasonably interfere with any other person:
 - 2.6.1.1 using that land; or
 - 2.6.1.2 occupying nearby premises, by making a noise or creating a disturbance;

2.7 Aquatic Life

introduce any aquatic life in any waters located on Local Government Land;

2.8 Attachments

attach anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government Land except for any electoral matter attached to a tree, plant, equipment, fence, post, structure or fixture by or with the authority of a candidate which is related to a Commonwealth or State election and is attached during the period commencing on the issue of the writ or writs for the election and ending at close of polls on polling day or is related to an election held under the Local Government Act 1999, or the Local Government (Elections) Act 1999 and is attached during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or is posted during the course of and for the purposes of a Referendum;

2.9 Bees

place any hive of bees on such land, or allow it to remain thereon;

2.10 Boats

2.10.1 subject to the provisions of the Harbors and Navigation Act 1993:

- 2.10.1.1 launch, propel, float or otherwise use any boat, raft, pontoon, watercraft or other object or device on or in any waters located on Local Government Land;
- 2.10.1.2 launch or retrieve a boat to or from any waters on Local Government Land;
- 2.10.1.3 hire out a boat, raft, pontoon or watercraft or similar device or otherwise use such device for commercial purposes;

2.11 Bridge Jumping

jump or dive from any bridge on Local Government Land;

2.12 Buoys, etc.

place a buoy, cable, chain, hawser, rope or net in or across any waters on Local Government Land;

2.13 *Buildings*

use any building, or structure on Local Government Land for any purpose other than its intended purpose;

2.14 *Burials and Memorials*

2.14.1 bury, inter or spread the ashes of any human or animal remains;

2.14.2 erect any memorial;

2.15 *Camping and Tents*

2.15.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;

2.15.2 camp or sleep overnight except where a person is in a caravan park on Local Government Land, the proprietor of which has been given permission to operate the caravan park on that land;

2.16 *Canvassing*

convey any advertising, religious or other message to any bystander, passer by or other person except for any message or material that is related to a Commonwealth or State election and is conveyed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election under the Local Government Act 1999, or the Local Government (Elections) Act 1999 and is conveyed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or that is related to and conveyed during the course of and for the purpose of a Referendum;

2.17 *Closed Lands*

2.17.1 enter or remain on any part of Local Government Land:

2.17.1.1 at any time during which the Council has declared that part to be closed to the public and which is indicated by a sign adjacent to the entrance to that effect on or adjacent to the land;

2.17.1.2 where the land is enclosed with fences and/or walls and gates, that have been closed and locked;

2.17.1.3 where admission charges are payable, for a person to enter that part, without paying those charges;

2.18 *Defacing Property*

deface, paint, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign or property of the Council on Local Government Land;

2.19 *Distribution*

place on any vehicle (without the consent of the owner of the vehicle), or give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter that is related to a Commonwealth or State election and is placed, given out or distributed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election under the Local Government Act 1999, or the Local Government (Elections) Act 1999 and is placed, given out or distributed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum;

2.20 *Donations*

ask for or receive or indicate that he or she desires a donation of money or any other thing or otherwise solicit for charitable purposes;

2.21 *Entertainment and Busking*

2.21.1 sing, busk or play any recording or use any musical instrument for the apparent purpose of either entertaining others or receiving money;

2.21.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;

2.22 *Fires*

2.22.1 subject to the Fire and Emergency Services Act 2005, light any fire except:

2.22.1.1 in a place provided by the Council for that purpose;

2.22.1.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 m;

2.23 *Fireworks*

discharge any fireworks;

2.24 *Flora and Fauna*

2.24.1 subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:

2.24.1.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;

2.24.1.2 lead or drive any animal or stand or walk on any flower bed or garden plot;

2.24.1.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;

2.24.1.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;

2.24.1.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;

2.24.1.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;

2.24.1.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature;

2.24.1.8 burn any timber or dead wood;

2.25 *Games*

2.25.1 participate in, promote or organise any organised competition or sport, as distinct from organised social play, which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land;

2.25.2 play or practice any game which involves kicking, hitting or throwing a ball or other object on Local Government Land which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land;

2.25.3 play or practice the game of golf on Local Government Land to which the Council has resolved this subparagraph shall apply;

2.26 *Litter*

2.26.1 throw, cast, place, deposit or leave any rubbish, dirt or refuse of any kind whatsoever except in a garbage container provided for that purpose;

- 2.26.2 deposit any soil, clay, stone, gravel, green waste or other putrescible waste or any other matter;
- 2.27 *Liquor*
consume, carry or be in possession or in charge of any liquor on any Local Government Land comprising Parks or Reserves to which the Council has resolved this subparagraph shall apply;
- 2.28 *Model Aircraft, Boats and Cars*
fly or operate a model aircraft, boat or model/remote control car which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of the land or detract from or be likely to detract from another person's lawful use of and enjoyment of the land;
- 2.29 *Overhanging Articles or Displaying Personal Items*
suspend or hang any article or object from any building, verandah, pergola, post or other structure on Local Government Land where it might present a nuisance or danger to any person using the land or be of an unsightly nature;
- 2.30 *Playing Area*
2.30.1 use or occupy any playing area:
2.30.1.1 in such a manner as to damage or be likely to damage the surface of the playing area;
2.30.1.2 in any manner contrary to the purpose for which the playing area was intended to be used or occupied;
2.30.1.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;
- 2.31 *Preaching*
preach, harangue or solicit for religious purposes;
- 2.32 *Smoking*
smoke tobacco or any other substance on Local Government Land including within a building on such land to which the Council has resolved this subparagraph shall apply;
- 2.33 *Toilets*
2.33.1 in any public convenience on Local Government Land:
2.33.1.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
2.33.1.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
2.33.1.3 use it for a purpose for which it was not designed or constructed;
2.33.1.4 enter any toilet that is set aside for use of the opposite sex except:
(a) where a child under the age of eight years is accompanied by an adult parent or guardian of that sex; and/or
(b) to provide assistance to a disabled person;
- 2.34 *Trading*
sell, buy, offer or display anything for sale;
- 2.35 *Use of Areas*
2.35.1 use the land in a manner:
2.35.1.1 likely to damage its surface and or infrastructure (above and underground);
2.35.1.2 inconsistent with its intended purpose, as indicated by a nearby sign;
- 2.36 *Weddings*
conduct or participate in a marriage ceremony on any Local Government Land constituting a Parkland or Reserve;
- 2.37 *Working on Vehicles*
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of a breakdown.
3. *Prohibited Activities*
A person must not undertake any of the following activities on any Local Government Land:
- 3.1 *Animals*
3.1.1 cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming;
3.1.2 cause or allow any animal to damage any flower bed, garden, pot, tree, lawn or other item located thereon;
3.1.3 lead, drive or exercise any horse in such manner as to endanger the safety of any other person;
- 3.2 *Damaging Property*
damage or remove a building, structure or fixture located on the land;
- 3.3 *Fishing*
3.3.1 fish in any waters on Local Government Land to which the Council has resolved this subparagraph shall apply;
3.3.2 fish from any bridge or other structure on Local Government Land to which the Council has resolved this subparagraph shall apply;
- 3.4 *Interference with Permitted Use*
interrupt, disrupt or interfere with any other person's use of Local Government Land which is permitted or for which permission has been granted;
- 3.5 *Playing Games*
3.5.1 play or practice a game:
3.5.1.1 which is likely to cause damage to the land or anything in it;
3.5.1.2 which endangers the safety or interferes with the comfort of any person;
3.5.1.3 in any area where a sign indicates that the game is prohibited;
- 3.6 *Throwing Objects*
throw, roll, project or discharge any stone, substance or other missile;
- 3.7 *Use of Equipment*
use of any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it;
- 3.8 *Waste*
3.8.1 deposit or leave thereon:
3.8.1.1 anything obnoxious or offensive;
3.8.1.2 any offal, dead animal, dung or filth;
3.8.1.3 any mineral, mineral waste, industrial waste or bi-products;
3.8.2 foul or pollute any waters situated thereon;
3.8.3 deposit any rubbish other than in receptacles provided by the Council for that purpose;
3.8.4 deposit in any receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

4. Directions

A person must comply with any reasonable direction or request from an Authorised Person relating to:

- 4.1 that person's use of the land;
- 4.2 that person's conduct and behaviour on the land;
- 4.3 that person's safety on the land;
- 4.4 the safety and enjoyment of the land by other persons.

5. Removal of Animals and Persons

5.1 If any animal, person or object is found on any part of Local Government Land in breach of a by-law:

- 5.1.1 any person in charge of the animal, person or object shall forthwith remove it from that part of the land on the request of an Authorised Person; and
- 5.1.2 an Authorised Person may remove the animal or object from the land if the person in charge of it fails to comply with the request, or if no person is in charge of it.

5.2 A person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the Local Government Land.

5.3 An Authorised Person may remove any person from Local Government Land who is committing a breach of a by-law but may not use force in doing so.

6. Application of this by-law

Any of subparagraphs 2.1.1, 2.5.2, 2.25.3, 2.27.1, 2.32, 3.3.1 and 3.3.2 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct (in accordance with section 246 (3) (e) of the Local Government Act 1999).

7. Exemptions

The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to the driver of an emergency vehicle when driving an emergency vehicle as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations and the Australian Road Rules 1999.

The foregoing by-law was duly made and passed at a meeting of the Council of City of Tea Tree Gully held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. PERKIN, Chief Executive Officer

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 5—Moveable Signs

TO protect visual amenity and public safety on roads and footpaths by setting standards for moveable signs and regulating their placement in a manner which recognises the advertising needs of businesses to maximise economic viability.

1. Definitions

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Business' means the business to which a moveable sign relates.
- 1.3 'Footpath' means that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary.
- 1.4 'Moveable Sign' has the same meaning as in the Local Government Act 1999.

1.5 'Premises' means the premises from which a business is conducted.

1.6 'Road' has the same meaning as in the Local Government Act 1999.

1.7 'Road Related Area' has the same meaning as in the Road Traffic Act 1961.

2. Design and Construction

A Moveable Sign must:

- 2.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an 'inverted "T"' sign or a flat sign, or, with the permission of the Council, a sign of some other kind;
- 2.2 be designed, constructed and maintained in good quality and condition so as not to present a hazard to any member of the public;
- 2.3 be of strong construction so as to be stable when in position and be able to keep its position in adverse weather conditions;
- 2.4 not contain sharp or jagged edges or corners;
- 2.5 not be unsightly or offensive in appearance or content;
- 2.6 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 2.7 not contain flashing or moving parts;
- 2.8 not have balloons, flags, streamers or other material attached to it;
- 2.9 not be more than 1 200 mm high, 800 mm wide and 800 mm deep; and
- 2.10 in the case of an 'A' Frame or Sandwich Board sign:
 - 2.10.1 be hinged or joined at the top;
 - 2.10.2 be of such construction that its sides shall be securely fixed or locked in position when erected;
 - 2.10.3 not have a base area in excess of 0.6 m²; and
- 2.11 in the case of an 'inverted "T"' sign, not contain any struts or members that run between the display area and the base of the sign; and
- 2.12 have a display area not exceeding 1 m² in total or, if the sign is two-sided, 1 m² on each side.

3. Appearance

A Moveable Sign on a road must, in the opinion of an Authorised Person:

- 3.1 be painted or otherwise detailed in a competent and professional manner;
- 3.2 be aesthetically appealing, legible and simply worded to convey a precise message;
- 3.3 be of such design and contain such colours as are compatible with the architectural design of the premises adjacent to the sign, and which relate well to the townscape and overall amenity of the locality in which it is situated; and
- 3.4 contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

4. Banners

A banner must:

- 4.1 only be displayed on a road, footpath or road related area;
- 4.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 4.3 not, without the Council's permission be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, footpath or road related area or other improvement owned by the Council on a road, footpath or road related area;

- 4.4 only advertise an event to which the public are invited;
- 4.5 not be displayed more than one month before and two days after the event it advertises;
- 4.6 must not be displayed for a continuous period of more than one month and two days in any 12 month period; and
- 4.7 must not exceed 3 m² in size.

5. Placement

A Moveable Sign must:

- 5.1 only be placed on the footpath of a road;
- 5.2 not be placed on a footpath that is less than 2.5 m wide;
- 5.3 not be placed on sealed part of a footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 m wide;
- 5.4 be placed at least 1 500 mm from the kerb (or, if there is no kerb, from the edge of the carriageway of a road);
- 5.5 not be placed on a landscaped area, other than on landscaping that comprises only lawn;
- 5.6 not be placed within 10 m of the corner of a road;
- 5.7 not be placed on a footpath with a minimum height clearance, of a structure above it of less than 2 m;
- 5.8 must not be placed on a designated parking area or within 1 m of an entrance to premises;
- 5.9 not be placed so as to interfere with the reasonable movement of persons using the footpath in the vicinity of or adjacent to where the Moveable Sign is positioned;
- 5.10 not be fixed, tied or chained to, leaned against or placed closer than 2 m to any other structure, object or plant (including another Moveable Sign);
- 5.11 in the case of a flat sign, the message of which only contains newspaper headlines and the name of the newspaper, be placed resting against the premises of the business to which the Moveable Sign relates;
- 5.12 be adjacent to the person's premises or business to which it relates; and
- 5.13 not be placed so as to obstruct or impede a vehicle door when opened, provided that the vehicle is parked lawfully on the carriageway.

6. Restrictions

6.1 A Moveable Sign must:

- 6.1.1 only contain material which advertises a business being conducted on premises adjacent to the Moveable Sign or the goods and services available from that business;
 - 6.1.2 be limited to one Moveable Sign per business;
 - 6.1.3 only be displayed when the business to which it relates is open to the public;
 - 6.1.4 not be tied, fixed or attached to anything;
 - 6.1.5 not be displayed during the hours of darkness unless it is in a clearly lit area and is clearly visible; and
 - 6.1.6 not be displayed on a median strip, traffic island or on the carriageway of a road.
- 6.2 If in the opinion of the Council a footpath or other area forming the boundary of any road is unsafe for any Moveable Sign to be displayed or placed the Council may by resolution prohibit or restrict the display or placement of a Moveable Sign or the times a Moveable Sign may be displayed or placed in that area.

7. Exemptions

- 7.1 Subparagraphs 6.1.1, 6.1.2 and 6.1.4 of this by-law do not apply to a Moveable Sign which is displayed and used:

7.1.1 to advertise a garage sale taking place from residential premises provided that no more than four Moveable Signs per residential premises may be displayed at any one time in relation to a garage sale taking place at that residential premises; or

7.1.2 as a directional sign to a short term (less than three days) event run by a community/charitable body or an unincorporated association.

7.2 Subparagraphs 6.1.1, 6.1.2 and 6.1.3 of this by-law do not apply to a flat sign the message of which only contains a newspaper or magazine headlines and the name of the newspaper or magazine.

7.3 A requirement of this by-law will not apply where the Council has granted permission for the Moveable Sign to be displayed contrary to the requirement.

7.4 This by-law will not apply to a Moveable Sign which is:

7.4.1 placed on a road pursuant to an authorisation under the Local Government Act 1999, or another Act;

7.4.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease;

7.4.3 related to a State or Commonwealth election and is displayed during the period commencing on the issue of writ or writs for the election and ending at the close of polls on polling day; or

7.4.4 related to an election held under the Local Government Act 1999, or the Local Government (Elections) Act 1999 and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day.

8. Removal of Unauthorised Moveable Signs

8.1 If:

8.1.1 the design or construction of a Moveable Sign that has been placed on a road does not comply with a requirement of this by-law;

8.1.2 the positioning of a Moveable Sign does not comply with a requirement of this by-law;

8.1.3 any other relevant requirement of this by-law is not complied with; or

8.1.4 the Moveable Sign unreasonably:

8.1.4.1 restricts the use of the road; or

8.1.4.2 endangers the safety of members of the public,

an Authorised Person may order the owner of the sign to remove the sign from the road.

8.2 A person must comply with an order of an Authorised Person made pursuant to subparagraph 8.1 of this by-law.

8.3 If the Authorised Person cannot find the owner, or the owner fails to comply immediately with the order of an Authorised Person, the Authorised Person may remove and dispose of the Moveable Sign.

8.4 The owner or other person entitled to recover a Moveable Sign removed pursuant to subparagraph 8.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the Moveable Sign before being entitled to recover the Moveable Sign.

9. Removal of Authorised Moveable Signs

9.1 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person if, in the reasonable opinion of that Authorised Person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the Moveable Sign.

- 9.2 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person for the purpose of special events, parades, road works or in any other circumstances which, in the reasonable opinion of the Authorised Person, requires relocation or removal of the Moveable Sign to protect public safety or to protect or enhance the amenity of a particular locality.

The foregoing by-law was duly made and passed at a meeting of the Council of City of Tea Tree Gully held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. PERKIN, Chief Executive Officer

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6—Waste Management

TO regulate and control the removal of domestic, recyclable and green organic waste from premises, for the prevention and suppression of nuisances, and for regulating the management of property of the Council.

1. Definitions

In this by-law:

- 1.1 'Household Waste' means any kind of domestic and kitchen waste generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead, acid batteries and any dangerous or toxic waste.
- 1.2 'Household Waste Container' means a container for the reception of Household Waste.
- 1.3 'Recyclables' means newspapers, magazines, paper, cardboard, plastic containers of a type specified by the Council, tins, cans, glass, milk and juice containers, solid plastic material and other materials as specified by the Council.
- 1.4 'Recyclables Container' means a container for the reception of Recyclables.
- 1.5 'Green Organics' means any clean organic matter consisting of lawn clippings, plants, vegetables, leaves, prunings, horse manure or other materials as specified by the Council but no item larger than 15 cm in diameter.
- 1.6 'Green Organics Container' means a container for the reception of Green Organics.
- 1.7 'Hard Rubbish' means any internal and external household items such as fridges, television sets and mattresses able to be lifted and carried by two persons but excludes any Household Waste.

2. Provide Containers

- 2.1 Every occupier of domestic premises must keep on his or her premises a Household Waste Container and a Recyclables Container as approved by the Council.
- 2.2 An occupier of domestic premises may keep on his or her premises a Green Organics Container as approved by the Council.

3. Management of Waste Collection Service

An occupier of premises must:

- 3.1 *Household Waste*
 - 3.1.1 ensure that the Household Waste Container kept on his or her premises is approved by the Council; and
 - 3.1.2 ensure that the Household Waste Container only contains Household Waste; and
- 3.2 *Recyclables*
 - 3.2.1 ensure that the Recyclables Container kept on his or her premises is approved by the Council; and

- 3.2.2 ensure that the Recyclables Container only contains Recyclables; and

3.3 *Green Organics*

- 3.3.1 ensure the Green Organics Container be a container of rigid plastic as approved by the Council; and
- 3.3.2 ensure that the Green Organics Container only contains Green Organics; and

3.4 *Keep Container Clean*

cause each container to be kept in a clean and sanitary condition, maintained in good order and repair and kept watertight at all times; and

3.5 *Sealing of Container*

cause each container to be continuously and securely covered or sealed except when waste is being deposited in or removed from the container; and

3.6 *Damage*

ensure that each container is maintained so that it is not damaged or worn to the extent that:

- 3.6.1 it is not robust or water tight;
- 3.6.2 it is unable to be moved on its wheels (if any) efficiently;
- 3.6.3 the lid does not seal on the container when closed;
- 3.6.4 its efficiency or use is otherwise impaired; and

3.7 *Collection Services*

3.7.1 facilitate the collection and removal of Household Waste, Recyclables and Green Organics from his or her premises on the day before collection and removal of the Household Waste, Recyclables and Green Organics (and not before this day); and

3.7.2 ensure that prior to the time appointed by the Council for the collection and removal of the Household Waste, Recyclables and Green Organics from his or her premises, place the container containing that kind of waste out for collection:

- 3.7.2.1 on the street in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway and positioned so that the side of the container on which the hinges of the lid are situated faces the premises; or
- 3.7.2.2 in a position as approved or directed by the Council or its contractor; and
- 3.7.2.3 not under the overhanging branches of street trees; and

3.7.3 remove the container from its position on the same day after the collection has taken place.

4. *Interference with Recyclables/Hard Rubbish*

A person must not remove, disburse or interfere with any Recyclables or Hard Rubbish (including bottles, newspapers, cans, containers or packaging) that has been placed:

- 4.1 for disposal in or near a container; or
- 4.2 on a public street or road for collection by the Council, its agents or contractors, except with the permission of the Council or with the authority of the owner.

The foregoing by-law was duly made and passed at a meeting of the Council of City of Tea Tree Gully held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. PERKIN, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

ROADS (OPENING AND CLOSING) ACT 1991

Road Re-alignment adjacent Martin Road, Bute

NOTICE is hereby given pursuant to section 10 of the said Act, that the District Council of Barunga West proposes to open a road portion of allotment 96 in Deposited Plan 39125 and portion of allotment 441 in Filed Plan 190193, shown as '10' and '11' (respectively) on Preliminary Plan No. 08/0047 and to close and vest portion in the Minister of Transport and transfer the remainder to AusBulk Ltd, of the old level crossing rendered superfluous by the re-alignment of the western end of Martin Road shown as 'C' and 'A' and 'B' on Preliminary Plan No. 08/0047.

A copy of the plan and statement of persons affected are available for public inspection at Council's Office, Port Broughton, and the office of the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000 during normal office hours.

Any application for easement or objections must be made in writing within 28 days from 21 August 2008, to the Council, Box 3, Port Broughton, S.A. 5522 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details.

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

N. HAND, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

Appointment of Acting District Manager

NOTICE is hereby given that the Council has appointed Lawrence Milton (Blue) Jolly as Acting District Manager for the period from 25 August 2008 until 29 August 2008, both dates inclusive, during the absence of the District Manager on Annual Leave.

N. HAND, District Manager

CLARE & GILBERT VALLEYS COUNCIL

Erratum

NOTICE published in the *Government Gazette* on Thursday, 21 February 2008 at page 639, under the heading 'CLARE & GILBERT VALLEYS COUNCIL—Declaration of Public Streets and Roads' should include G.R.O. Plan 14/1871 before G.R.O. Plan 50/1872.

Dated 15 August 2008.

R. D. BLIGHT, Chief Executive Officer

DISTRICT COUNCIL OF COOBER PEDY

Adoption of Valuation

NOTICE is hereby given that at its meeting held on 13 August 2008, the District Council of Coober Pedy resolved as follows:

Pursuant to section 167 (2) (a) of the Local Government Act 1999, Council adopted for the year ending 30 June 2009, the Valuer-General's valuation of capital values relating to property within the Council district totalling \$132 000 280.

Declaration of Rates

Pursuant to sections 153 (1) (b) and 156 (1) (a) of the Local Government Act 1999, the Council declared differential general rates on land within its area for the year ending 30 June 2009, varying according to the use of the land as follows:

	Cents in the dollar
Land Use 1 Residential	0.2649
Land Use 2 Commercial—Shop	0.8123
Land Use 3 Commercial—Office	0.8123
Land Use 4 Commercial—Other	0.8395
Land Use 5 Industry—Light	0.8395
Land Use 6 Industry—Other	0.8395
Land Use 8 Vacant Land	0.1632
Land Use 9 Other	0.8395

Pursuant to section 152 (1) (c) (ii) of the Local Government Act 1999, the Council declared that a fixed charge of \$302 to apply to all rateable land within the Council's area for the year ending 30 June 2009.

Sewerage Separate Rate

Pursuant to and in accordance with section 154 of the Local Government Act 1999, the Council declared a separate rate in respect of all rateable land within the area of the Council and within the Sewerage Scheme Area for the year ending 30 June 2009, for the purposes of making available, supporting and maintaining the Coober Pedy Sewerage Scheme, being a rate of 0.4161 cents in the dollar based on the capital value of the rateable land, with the exception of those properties that cannot be connected.

Water Annual Service Charge

Pursuant to section 155 of the Local Government Act 1999, the Council declared an annual service charge for the year ending 30 June 2009, on land within the Council's area to which it provides or makes available the prescribed service of the provision of water based on the level of usage of the service and varying according to whether the land is vacant or occupied and to land use category as follows:

<i>Access Charges</i>	\$
• Vacant Land	110
• Residential	140
• Business with usage last year less than 300 kL	275
• Commercial with usage last year over 300 kL	535
<i>Usage Charges</i>	\$
• Up to 50 kL	3.50 per kL
• 50 kL to 300 kL	4.37 per kL
• 300 kL and over	5.33 per kL

Payment of Rates

Pursuant to section 181 of the Local Government Act 1999, rates will be payable in four equal or approximately equal instalments to be received on or before 12 September 2008, 12 December 2008, 13 March 2009 and 6 June 2009.

T. MCLEOD, Chief Executive Officer

DISTRICT COUNCIL OF THE COPPER COAST

DEVELOPMENT ACT 1993

*Walleroo Ferry Terminal Development Plan Amendment—
Prepared by the Council for Public Consultation*

NOTICE is hereby given that the District Council of the Copper Coast has prepared a Development Plan Amendment (DPA) report to amend its current Development Plan to address site specific planning and development issues within the Urban Coastal Zone.

Matters addressed in the DPA Report include:

- Addressing the need for suitable land to accommodate a new Wallaroo Ferry Terminal as part of the Sea SA Pty Ltd ferry service between Wallaroo and Lucky Bay.
- Introducing new site specific provisions within the current Urban Coastal Zone to enable the establishment of a new ferry terminal at the existing Sea SA site on the Wallaroo foreshore.
- The land is identified as Crown allotments 14 and 16, Crown record volume 5981, folio 51; allotment 15, certificate of title volume 5981, folio 50; Crown allotments 50 and 51, Crown record volume 5753, folio 671; allotment 101, certificate of title volume 5152, folio 373.

The DPA Report and statement will be available for public inspection and purchase during normal office hours at the Council Office, 51 Taylor Street, Kadina or is available on Council's website at www.coppercoast.sa.gov.au from 21 August 2008 until 24 October 2008.

Written submissions regarding the draft amendment should be lodged no later than 5 p.m. on 24 October 2008. All submissions should be addressed to the Chief Executive Officer, District Council of the Copper Coast, 51 Taylor Street, Kadina, S.A. 5554, and should clearly indicate whether you wish to be heard in support of your submission.

Copies of all submissions will be available for inspection by interested persons at the Council Offices from 27 October 2008 until the Council meeting on 4 November 2008.

Persons wishing to be heard in support of their submissions can do so at the ordinary meeting of Council to be held at 5 p.m. on 4 November 2008 in the Council Function Room, 51 Taylor Street, Kadina.

Dated 19 August 2008.

P. DINNING, Chief Executive Officer

THE FLINDERS RANGES COUNCIL

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that at a meeting of the Council held on Tuesday, 12 August 2008 and for the year ending 30 June 2009, it resolved:

Adoption of Capital Valuations

In accordance with section 167 (2) (a) of the Local Government Act 1999 (the Act), adopts for rating purposes for the year ending 30 June 2009, the valuations made by the Valuer-General of capital values in relation to all land in the area of the Council and hereby specifies 8 August 2008 as the day as and from which such valuations shall become and be the valuations of the Council with the total of the valuations being \$198 116 120 comprising \$189 161 500 in respect of rateable land and \$8 954 620 in respect of non-rateable land before alteration.

Declaration of Differential General Rates

Declares, having taken into account the general principles of rating contained in section 150 of the Act and the requirements of section 153 (2) of the Act, that pursuant to sections 152 (1) (a), 153 (1) (b) and 156 (1) (a) of the Act, and Regulation 10 (2) of the Local Government (General) Regulations 1999 (the Regulations), the following differential general rates based on the assessed capital values of all rateable land within the Council area for the year ending 30 June 2009, the said differential general rates to vary by reference to the predominant land use of the rateable land.

The said differential general rates declared are as follows:

- (1) A differential general rate of 0.4500 cents in the dollar on rateable land in the Council's area of Category 1 (Residential) land use.
- (2) A differential general rate of 0.5900 cents in the dollar on rateable land in the Council's area of Category 2 (Commercial—Shop) land use.
- (3) A differential general rate of 0.6000 cents in the dollar on rateable land in the Council's area of Category 3 (Commercial—Office) land use.
- (4) A differential general rate of 0.5825 cents in the dollar on rateable land in the Council's area of Category 4 (Commercial—Other) land use.
- (5) A differential general rate of 0.6375 cents in the dollar on rateable land in the Council's area of Category 5 (Industry—Light) land use.
- (6) A differential general rate of 0.6125 cents in the dollar on rateable land in the Council's area of Category 6 (Industry—Other) land use.
- (7) A differential general rate of 0.5075 cents in the dollar on rateable land in the Council's area of Category 7 (Primary Production) land use.
- (8) A differential general rate of 0.4500 cents in the dollar on rateable land in the Council's area of Category 8 (Vacant Land) land use.
- (9) A differential general rate of 0.4375 cents in the dollar on rateable land in the Council's area of Category 9 (Other) land use.

Residential General Rates Cap

Pursuant to section 153 (3) of the Act, that it is determined not to fix a maximum increase in the general rate to be charged on the principal place of residence of a principal ratepayer for

the year ending 30 June 2009, because relief in the nature of a general maximum increase for all rateable land is provided by the Council pursuant to section 166 (1) (f) of the Act.

Declaration of Minimum Rate

Pursuant to section 158 (1) (a) of the Act, to fix a minimum amount of \$400 payable by way of rates for the year ending 30 June 2009.

Declaration of Garbage Annual Service Charge

Pursuant to and in accordance with section 155 of the Act, declares Annual Service Charges for the year ending 30 June 2009, based on the level of usage of the service upon the land to which it provides the prescribed service of the collection and disposal of domestic and commercial waste. The said Annual Service Charges declared are as follows:

- (1) \$105 for occupied residential properties in Quorn.
- (2) \$105 for occupied residential properties in Hawker.
- (3) \$145 for occupied commercial properties in Quorn.
- (4) \$145 for occupied commercial properties in Hawker.
- (5) \$660 for the Hawker Memorial Hospital.
- (6) \$660 for the Minister for Education and Children's Services (Hawker Area School).
- (7) \$980 for the Quorn and District Memorial Hospital.
- (8) \$980 for the Minister for Education and Children's Services (Quorn Area School).

Declaration of Community Wastewater Management Systems Annual Service Charges

Pursuant to and in accordance with section 155 of the Act, and in accordance with the Community Wastewater Management Systems Property Unit Code as provided at Regulation 9A of the Regulations declares an Annual Service Charge for the year ending 30 June 2009, based on the nature of the service and varying according to whether the land is vacant or occupied upon the land to which it provides or makes available the prescribed service of a Community Wastewater Management System, of:

- (a) \$390 per unit in respect of each piece of occupied land serviced by the Quorn Community Wastewater Management Systems;
- (b) \$360 per unit in respect of each piece of vacant land serviced by the Quorn Community Wastewater Management Systems;
- (c) \$220 per unit in respect of each piece of occupied land serviced by the Hawker Community Wastewater Management Systems; and
- (d) \$190 per unit in respect of each piece of vacant land serviced by the Hawker Community Wastewater Management Systems.

Declaration of Separate Rates (Regional Natural Resources Management Levy)

Pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Act and in order to reimburse the Council for amounts contributed to the Northern and Yorke Natural Resources Management Board, being \$23 591, declares a separate rate of 0.0125 cents in the dollar, based on the capital value of all rateable properties in the area of the Council and of the Northern and Yorke Natural Resources Management Board.

Declaration of Payment of Rates

Pursuant to section 181 (1) and (2) of the Act, declares that all rates for the year ending 30 June 2009, be payable by four equal or approximately equal instalments, with the:

- first instalment payable on 19 September 2008;
- second instalment payable on 19 December 2008;
- third instalment payable on 20 March 2009; and
- fourth instalment payable on 19 June 2009.

L. E. CONNORS, Chief Executive Officer

DISTRICT COUNCIL OF KAROONDA EAST MURRAY

Elector Representation Review

NOTICE is hereby given that, pursuant to the provisions of section 12 (7) of the Local Government Act 1999, the District Council of Karoonda East Murray is to carry out a review to determine whether a change of arrangements in respect to elector representation, including ward boundaries and the composition of Council, will result in the electors of the area being more adequately and fairly represented.

Information regarding the nature of the review including a Representation Review Options Paper is available from the Council Offices, Railway Terrace, Karoonda and at Council's website at www.dckem.sa.gov.au or contacting Peter Smithson by telephone 8578 1004.

Interested persons are invited to make a written submission to the District Council of Karoonda East Murray, P.O. Box 58, Karoonda, S.A. 5307, fax.: 8578 1246 or email: council@dckem.sa.gov.au by close of business on 10 October 2008.

P. SMITHSON, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the District Council of Mount Remarkable at a special meeting held on 12 August 2008, adopted for rating purposes for the financial year ending 30 June 2009, pursuant to section 167 (2) (a) of the Local Government Act 1999, the Valuer-General's most recent valuations of land available to the Council, being the site valuations of land totalling \$279 216 840 and specified that 12 August 2008, shall be the day as and from when the Valuer-General's valuation shall become the valuation of the Council.

Declaration of Rates

In order to raise the amount of \$1 710 000 that is required to be raised in rates, the Council declared:

1. Differential general rates pursuant to section 156 (1) (c) of the Local Government Act 1999 as follows:

- (a) in respect of land situated outside of townships as follows:
- (i) 0.394 cents in the dollar on rateable land of Category 1 use;
 - (ii) 4.219 cents in the dollar on rateable land of Categories 2 and 3 uses;
 - (iii) 6.837 cents in the dollar on rateable land of Category 4 use;
 - (iv) 7.585 cents in the dollar on rateable land of Categories 5 and 6 uses;
 - (v) 0.3421 cents in the dollar on rateable land of Categories 7 and 8 uses; and
 - (vi) 9.518 cents in the dollar on rateable land of Category 9 use;
- (b) in respect of land situated within townships as follows:
- (i) in the township of Appila:
 - 2.14 cents in the dollar on rateable land of Categories 1, 7 and 8 uses;
 - 3.01 cents in the dollar on rateable land of Categories 2, 3, 4, 5 and 6 uses; and
 - 3.5 cents in the dollar on rateable land of Category 9 use;
 - (ii) in the township of Booleroo Centre:
 - 2.415 cents in the dollar on rateable land of Categories 1, 7 and 8 uses;
 - 2.97 cents in the dollar on rateable land of Category 2 use;
 - 2.92 cents in the dollar on rateable land of Category 3 use;
 - 3.49 cents in the dollar on rateable land of Category 4 use;

- 3.76 cents in the dollar on rateable land of Categories 5 and 6 uses; and
 - 4.41 cents in the dollar on rateable land of Category 9 use;
- (iii) in the townships of Bruce, Hammond, Mookkra and Willowie:
- 0.412 cents in the dollar on rateable land of Category 1 use;
 - 6.27 cents in the dollar on rateable land of Categories 2 and 3 uses;
 - 7.889 cents in the dollar on rateable land of Category 4 use;
 - 8.514 cents in the dollar on rateable land of Categories 5 and 6 uses;
 - 0.412 cents in the dollar on rateable land of Categories 7 and 8 uses; and
 - 12.305 cents in the dollar on rateable land of Category 9 use;
- (iv) in the township of Melrose:
- 1.037 cents in the dollar on rateable land of Categories 1, 7 and 8 uses;
 - 1.36 cents in the dollar on rateable land of Categories 2 and 3 uses;
 - 2.5 cents in the dollar on rateable land of Categories 4, 5 and 6 uses; and
 - 3.11 cents in the dollar on rateable land of Category 9 use;
- (v) in the township of Murray Town:
- 2.57 cents in the dollar on rateable land of Categories 1, 5, 6, 7 and 8 uses;
 - 5.900 cents in the dollar on rateable land of Categories 2, 3 and 4 uses; and
 - 5.71 cents in the dollar on rateable land of Category 9 use;
- (vi) in the township of Port Flinders—0.505 cents in the dollar on all rateable land;
- (vii) in the township of Port Germein:
- 0.542 cents in the dollar on rateable land of Categories 1, 7 and 8 uses;
 - 0.83 cents in the dollar on rateable land of Categories 2 and 3 uses;
 - 1.95 cents in the dollar on rateable land of Categories 4, 5 and 6 uses; and
 - 1.69 cents in the dollar on rateable land of Category 9 use;
- (viii) in the township of Wirrabara:
- 2.37 cents in the dollar on rateable land of Categories 1, 7 and 8 uses;
 - 2.69 cents in the dollar on rateable land of Categories 2 and 3 uses;
 - 3.04 cents in the dollar on rateable land of Category 4 use;
 - 4.08 cents in the dollar on rateable land of Categories 5 and 6 uses; and
 - 4.65 cents in the dollar on rateable land of Category 9 use;
- (ix) in the township of Wilmington:
- 1.81 cents in the dollar on rateable land of Categories 1, 7 and 8 uses;
 - 2.55 cents in the dollar on rateable land of Categories 2 and 3 uses;
 - 4.35 cents in the dollar on rateable land of Categories 4, 5 and 6 uses; and
 - 3.95 cents in the dollar on rateable land of Category 9 use.

2. A fixed charge component of the general rate of \$225 be imposed upon each assessment in accordance with section 152 (1) (c) of the Local Government Act 1999.

Separate Rates

Natural Resources Management Levy

Pursuant to the provisions of section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, Council declared a separate rate of 0.2065 cents in the dollar on the site value of all rateable land in the area of the Council to raise the amount of \$72 482 payable to the Northern and Yorke Natural Resources Management Board.

Pursuant to the provisions of section 95 of the Natural Resources Management Act 2004 and section 158 of the Local Government Act 1999, that Council fixes a minimum amount payable by way of this separate rate of \$35.10.

Hall Separate Rate

That for a period of two further years (of the original five years), Council declared a separate rate pursuant to section 154 of the Local Government Act 1999, for the purpose of maintaining the structural stability and improving the building maintenance program of District Halls within the townships of Appila, Booleroo Centre, Bruce, Hammond, Melrose, Murray Town, Port Germein, Willowie, Wilmington and Wirrabara.

A fixed charge of \$13.25 was declared for this purpose on all rateable land in the area of the Council with the following parts of the Council area being excluded:

- the township of Port Flinders;
- that part of the Hundred of Winninowie, north of the Microwave Tower Road and west of the eastern boundaries of sections 227, 60, 70, 133, 231, 52, 46, 214, 131, 41 and 44; and
- that part of the Hundred of Woolundunga, east of the western boundary of sections 264, 267, 23, 928, 24, 281, 611, 295, 294, 241 and 355.

Annual Service Charges

1. Pursuant to section 155 of the Local Government Act 1999, and in accordance with the CWMS Property Units Code as provided at Regulation 9A of the Local Government (General) Regulations 1999, declared an annual service charge for the collection, treatment and disposal of wastewater in respect of all assessments within the townships of Wilmington, Melrose and Booleroo Centre to which Council makes available a Community Wastewater Management Scheme and for each of the eight assessments of land associated with the Port Germein mini Community Wastewater Management Scheme. The Service Charges shall be:

Wilmington:

- \$263 per unit on each assessment of land;
- \$80 per septic or sullage tank with a capacity of up to 2 500 litres (two yearly desludging cycle);

Melrose:

- \$274 per unit on each assessment of land;
- \$80 per septic or sullage tank with a capacity of up to 2 500 litres (two yearly desludging cycle);

Booleroo Centre:

- \$322 per unit on each assessment of land;
- \$80 per septic or sullage tank with a capacity of up to 2 500 litres (two yearly desludging cycle);

Port Germein:

- \$400 per unit on each of the eight assessments of land.

2. Pursuant to section 155 of the Local Government Act 1999, Council declares an annual service charge of \$109.20 for the collection and disposal of waste in a mobile garbage bin, on:

- (a) all occupied properties in the defined townships of Appila, Booleroo Centre, Hammond, Melrose, Murray Town, Port Germein, Port Flinders, Willowie, Wilmington and Wirrabara; and

- (b) all land outside of the townships abutting the defined collection route on which a habitable dwelling exists.

3. Pursuant to section 155 of the Local Government Act 1999, Council declares an annual service charge of \$209 per annum on each assessment of land within the township of Port Flinders to which Council makes available the Port Flinders Water Supply and Council declares a service charge of \$1.65 per kilolitre for each kilolitre of water supplied and that these service charges also apply to non-rateable land to which the service is made available.

Payment of Rates

Pursuant to section 181 (2) (a) of the Local Government Act 1999, Council declared that all rates will be payable in four equal or approximately equal instalments and that the due date for those instalments will be 25 September 2008, 11 December 2008, 12 March 2009 and 11 June 2009.

S. R. CHERITON, Chief Executive Officer

RENMARK PARINGA COUNCIL

Adoption of Valuation and Declaration of Rates 2008-2009

NOTICE is hereby given that at its Special Council Meeting held on Tuesday, 12 August 2008, the Renmark Paringa Council for the financial year ending 30 June 2009 and in exercise of powers contained in Chapter 10 of the Local Government Act 1999, passed the following resolutions:

1. Adoption of Valuation

- 1.1 The rates assessed on rateable land in the area of the Council will be based on the capital value of land for all rateable land.
- 1.2 Pursuant to section 167 (2) (a) of the Local Government Act 1999, the most recent valuations of the Valuer-General available to Council of the capital value of land within the Council's area, totalling \$1 165 337 180 are adopted for rating purposes for the 2008-2009 financial year.

2. Declaration of General Rates

Pursuant to sections 152 (1) (c), 153 (1) (b) and 156 (1) (a) of the Local Government Act 1999, the following differential general rates are hereby declared on rateable land within the Council area for the 2008-2009 financial year, which general rates shall vary by reference to the use of the rateable property in accordance with Regulation 10 of the Local Government (General) Regulations 1999, as follows:

- (a) 0.143 cents in the dollar on rateable land of Category 1 (Residential) and Category 9 (Other);
- (b) 0.31 cents in the dollar on rateable land of Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other), Category 5 (Industry—Light) and Category 6 (Industry—Other);
- (c) 0.224 cents in the dollar on rateable land of Category 7 (Primary Production); and
- (d) 0.48 cents in the dollar on rateable land of Category 8 (Vacant Land).

3. Fixed Charge

Pursuant to section 152 (1) (c) (ii) and subject to section 152 (2) of the Local Government Act 1999, a fixed charge of \$295 is imposed on each separate piece of rateable land within the area of the Council.

4. Separate Rate—Natural Resources Management Levy

In order to raise the amount of \$66 120 (being the amount of \$65 632 payable to the SA Murray Darling Basin Natural Resources Management Board plus applicable rebates) the Council, pursuant to the powers contained in section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, a separate rate of 0.0058 cents in the dollar, based on the capital value of rateable land, be declared on all rateable land in the Council area.

5. Service Charges

Pursuant to section 155 of the Local Government Act 1999 and in accordance with the CWMS Property Units Code as provided at Regulation 9A of the Local Government (General) Regulations 1999, the Council declares an annual service charge of \$250 per unit for the prescribed service of the collection, treatment and disposal of waste payable in respect to rateable and non-rateable land where a septic tank effluent disposal connection point is provided by Council.

Pursuant to section 155 of the Local Government Act 1999, the Council declares an annual service charge of \$63 per bin for the prescribed service of waste collection in respect to rateable and non-rateable land where Council provides a domestic garbage collection service.

Pursuant to section 155 of the Local Government Act 1999, the Council declares an annual service charge for the prescribed service of the provision of (reticulated) water which service charge is based upon the level and usage of the prescribed service and comprises a fixed contribution amount of \$160 and an additional amount of \$0.34c per kilolitre for every kilolitre of water up to the Maximum Annual Quantity and an excess usage amount of \$1.15 per kilolitre for every kilolitre over the Maximum Annual Quantity.

6. Maximum Increase

Pursuant to section 153 (3) of the Local Government Act 1999, the Council has resolved not to fix a maximum increase in the general rate to be charged on rateable land that constitutes the principal place of residence of a principal ratepayer.

7. Payment by Instalments

Pursuant to section 181 of the Local Government Act 1999, general rates, minimum rates and service charges shall be payable in four equal or approximately equal instalments on the following dates:

- 24 September 2008;
- 8 December 2008;
- 9 March 2009; and
- 3 June 2009.

8. Delegations

The Council delegates to the Chief Executive Officer, pursuant to section 44 of the Local Government Act 1999, the power pursuant to section 181 (4) to enter into arrangements on behalf of Council with ratepayers regarding the payment of rates at times other than those specified in paragraph 7 of this Declaration.

B. C. HURST, Chief Executive Officer

WATTLE RANGE COUNCIL

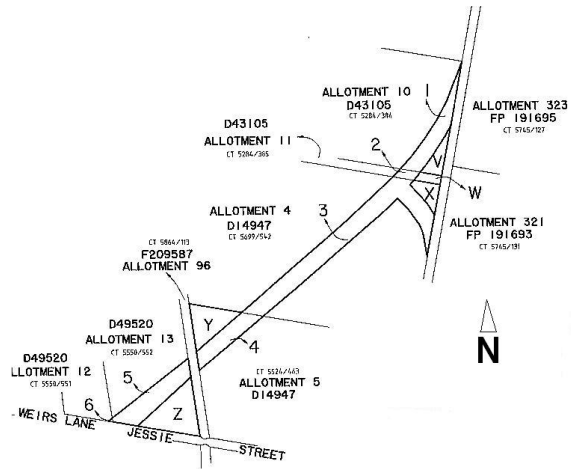
ROADS (OPENING AND CLOSING) ACT 1991

Penola Bypass Road Project

NOTICE is hereby given pursuant to section 10 of the said Act, that Council proposes to make Road Process Orders to open a new line of road for the Penola Bypass Road extending south-westerly from the Riddoch Highway, then generally west of Penola to re-link with the Riddoch Highway after South Terrace, as delineated on Preliminary Plan Nos 08/0076 to 08/0080 (inclusive).

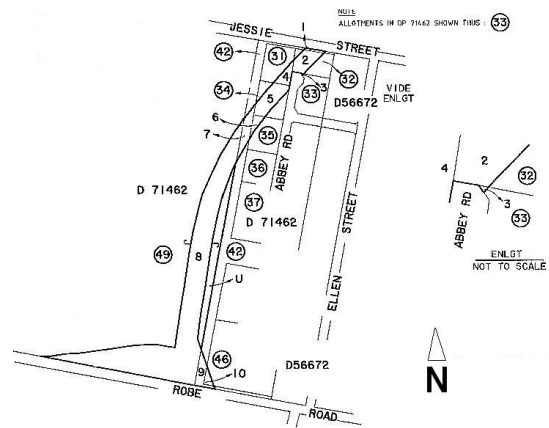
PP 08/0076

Road openings numbered 1 to 6 with additional land required identified as V, W, X, Y and Z.



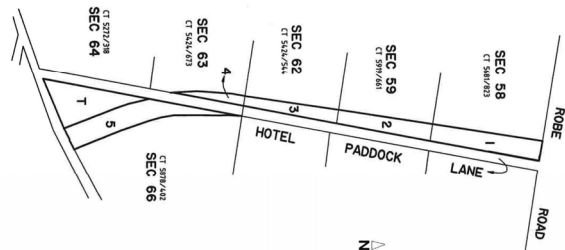
PP 08/0077

Road openings numbered 1 to 10 with additional land required identified as U.



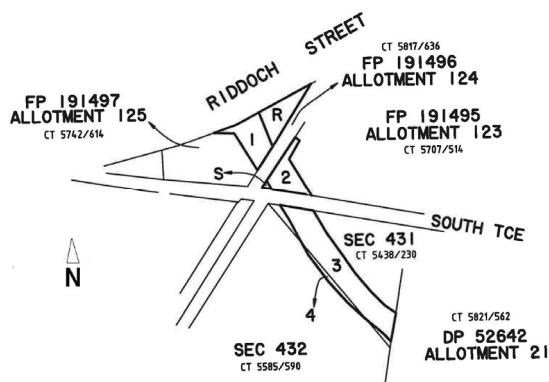
PP 08/0078

Road openings numbered 1 to 5 with additional land required identified as T.



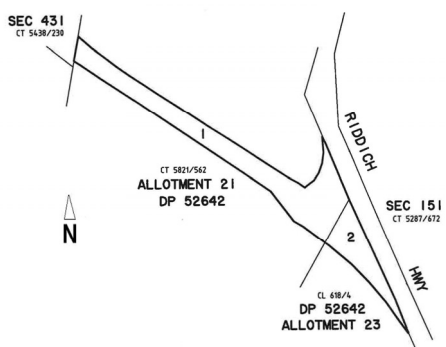
PP 08/0079

Road openings numbered 1 to 4 with additional land required identified as R. and S.



PP 08/0080

Road openings numbered 1 to 2.



Copies of the plans and statements of persons affected are available for public inspection at Council's office at the 'Civic Centre', George Street, Millicent and the office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any objection or representation must be made in writing within 28 days from 21 August 2008, to the Council, P.O. Box 27, Millicent, S.A. 5280 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details. Where a submission is made, Council will give notification of the date and time of a Council meeting to deal with the matter.

F. N. BRENNAN, Chief Executive Officer

WUDINNA DISTRICT COUNCIL

Results of Council Supplementary Election for Area Councillor on Monday, 11 August 2008

Formal Ballot Papers: 603
Informal Ballot Papers: 11

Quota: 302

Candidates	First Preference Votes	Result
May, Paul Ernest	459	Elected
Allen, Jason Grant	144	

A. F. MCGUIRE, Deputy Returning Officer

DISTRICT COUNCIL OF YORKE PENINSULA

By-laws A-J

BY-LAWS made under the Local Government Act 1999, Local Government (Implementation) Regulations 1999, Local Government Act 1934, Dog and Cat Management Act 1995 and the Acts Interpretation Act 1915.

Part A: Definitions and Construction

- A1 In these by-laws, unless the context otherwise indicates:
- 'camp' includes setting up a camp, or allowing a caravan or tent or motor home to remain on land whether or not any person is in attendance or sleeps on the land;
 - 'camping reserve' means land vested in or under the control of the Council which the Council has set aside as a camping reserve and which is identified by one or more signs bearing the words 'camping reserve' with or without other words;
 - 'council land' means any land vested in or under the care, control or management of the Council, but does not include a road unless specifically mentioned;
 - 'footpath area' means that part of a road between a road boundary and the edge of the carriageway on the same side as that boundary;
 - 'permission' means permission of the Council given in writing.
- A2 These by-laws are subject to any Act of Parliament and the general law of the State.

Part B: Moveable Signs

Construction of moveable signs

- B1 A moveable sign displayed on a road:
- (1) shall be of a kind known as an 'A' Frame or Sandwich Board sign, 'inverted "T"' sign, or a flat sign;
 - (2) (a) shall be constructed and maintained in good quality and condition;
(b) shall be of strong construction with no sharp or jagged edges or corners;
(c) shall not be unsightly or offensive in appearance;
 - (3) shall:
 - (a) be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
 - (b) not exceed 900 mm in height, 600 mm in width or 600 mm in depth;
 - (4) shall not be likely to fall over or collapse;
 - (5) in the case of an 'A' Frame or Sandwich Board sign:
 - (a) shall be hinged or joined at the top;
 - (b) shall be of such construction that its sides shall be securely fixed or locked in position when erected; and
 - (6) in the case of an 'inverted "T"' sign, shall contain no struts or members that run between the display area and the base of the sign.

Appearance

- B2 A moveable sign displayed on a road shall:
- (1) be painted or otherwise detailed in a competent and professional manner;
 - (2) be attractive, legible and simply worded to convey a precise message;
 - (3) be of such design and contain such colours which are compatible with the architectural design of the premises adjacent to the sign and which relate well to the townscape and overall amenity of the locality in which it is situated;

- (4) contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated;
- (5) not rotate, contain a flashing light, or have balloons, flags, streamers or other things attached to it.

Position

B3 A moveable sign shall not be positioned on a road:

- (1) so that it obstructs or impedes a vehicle door being opened that is parked lawfully on the carriageway;
- (2) so that it prevents a clear passage of 1.9 m in width for users of the footpath area;
- (3) on a footpath area that is of less width than 2 m;
- (4) unless it rests on the surface of the footpath area;
- (5) on a footpath area attached to or within 1.4 m of any other structure, fixed object, tree, bush or plant (excepting a building adjacent to the footpath area);
- (6) within 1 m of:
 - (a) an entrance to premises adjacent thereto; or
 - (b) a point where two road boundaries join or intersect;
- (7) on the sealed part of any footpath area, if there is any unsealed part of that area on which the sign can be placed in accordance with this by-law;
- (8) on or attached to a vehicle or another object, tree, bush or plant; or
- (9) on a carriageway or traffic island.

Restrictions

B4 A moveable sign shall not be placed on a road:

- (1) (a) unless it only displays material which advertises a business being conducted on premises which are adjacent to the sign, or the products available from that business, but no brand names of products shall be displayed;
- (b) if another moveable sign which relates to the same business is already displayed on the street or road;
- (c) unless the business to which it relates is open;
- (2) in a wind if it is likely to be blown over or swept away;
- (3) in such a position or in such circumstances that the safety of any user of the street or road is at risk;
- (4) during the hours of darkness, unless it is clearly lit.

Offence

B5 No person shall display, position or place a moveable sign contrary to these by-laws.

*Part C: Council Land**General By-laws*

C1 No person shall on any Council land:

Improper use of things

- (1) improperly remove or improperly interfere with or use or wilfully damage any chattel or thing the property of the Council;

Organised or dangerous sports

- (2) (a) promote or conduct any organised athletic sport;
- (b) to which this by-law C1 (2) (b) applies, play or practise any game which involves kicking, hitting or throwing a ball or other object;

Removal and use of sand, plants, wood etc.

- (3) (a) remove therefrom any mineral or vegetable matter that is part of the land;
 - (b) collect or use any wood or timber thereon;
 - (c) pick any plant thereon,
- unless the land is a reserve and the taking of that item is permitted by the purpose for which that land has been reserved;

Attaching objects

- (4) attach, hang or fix any rug, blanket, sheet, rope or other material to any tree, shrub, plant, tree guard, tree stake, notice board, seat, fence, post, wall or other item or structure the property of the Council;

Tents and structures

- (5) erect or construct any tent, building or other structure thereon;

Camping

- (6) camp or stay overnight thereon, unless on a camping reserve with permission, or unless otherwise authorised by the Council, or unless in a caravan park open to the public for which Development Authorisation is in force or is not required;

Lighting fires

- (7) light or maintain a fire except in places set aside by the Council for that purpose (but a gas fire or gas barbeque may be used for cooking purposes);

Use of rubbish bins

- (8) (a) place any rubbish of a certain kind in a rubbish bin where a sign or signs indicate that rubbish of another kind only is permitted to be placed in that bin; or
- (b) place any rubbish in a rubbish bin otherwise than in accordance with a sign or signs which give directions in relation to the placement of rubbish in that bin;

Alcohol beverages

- (9) to which this by-law C1 (9) applies, consume or possess or be in charge of any alcoholic beverage;

Levying charges

- (10) levy or collect a charge for admission to any part thereof;

Interference with use

- (11) (a) annoy or unreasonably interfere with any other persons normal use of the land by making a noise or creating a disturbance;
- (b) interrupt or disrupt or interfere with any persons use of the land for which permission has been granted;

Firearms etc.

- (12) shoot or discharge a firearm, or ignite any firework thereon;

Advertising

- (13) display any sign for the purpose of commercial advertising;

Burials and memorials

- (14) (a) bury or inter any human or animal remains; or
- (b) erect any memorial;

Smoking

- (15) smoke tobacco or any other substance in any building or part thereof to which this by-law C1 (15) applies;

Use of equipment

- (16) use any item of equipment or Council property other than in the manner and for the purpose for which it was designed or set aside;

Directions

- (17) fail to comply with any reasonable direction or request from an authorised officer of the Council relating to:
 - (a) that person's use of the land;
 - (b) that person's conduct and behaviour on the land;
 - (c) that person's safety on the land; or
 - (d) the safety and enjoyment of the land by other persons.

Vehicles on Council Land

C2 No person shall on any Council land:

Speed of vehicles

- (1) to which this by-law C2 (1) applies, drive or propel a vehicle at a greater speed than 25 km/h;

Exclusion of vehicles

- (2) to which this by-law C2 (2) applies, drive or propel a vehicle on such land;

Motor cycles

- (3) to which this by-law C2 (3) applies, drive or propel a motor cycle on such land; or

Vehicle control

- (4) (a) drive or propel a vehicle thereon (except a wheelchair), unless for the purpose of attending to stock (depasturing thereon with permission), or unless on an area, path or road constructed or set aside by the Council for the parking or travelling of that kind of vehicle; or
- (b) promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part (except in a parkland or a reserve on a properly constructed area for the purpose).

Animals on Council Land

C3 No person shall on any Council land:

Animals causing pollution or damage

- (1) being the person responsible for an animal, fail to ensure that the animal does not pollute any lake, dam, channel or other body of water, or does not cause any damage to Council property;

Depasturing

- (2) cause, suffer or allow any animal under his or her control to depasture thereon;

Dog free areas

- (3) to which this by-law C3 (3) applies, cause, suffer or permit any dog under that person's control, charge or authority to be or remain in that place;

Dog-on-leash areas

- (4) to which this by-law C3 (4) applies, cause, suffer or permit any dog under that person's control, charge or authority to be or remain in that place unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons; or

Horse free areas

- (5) to which this by-law C3 (5) applies, cause, suffer or permit any horse under that person's control, charge or authority to be or remain in that place.

Foreshore

C4 No person shall:

- (1) drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or provided by the Council or the Government for that purpose;
- (2) launch a boat from a boat ramp without any permit from the Council (if a permit is necessary as indicated by a sign or signs);
- (3) allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat.

Camping Reserves

C5 No person shall:

Limit on camping time

- (1) camp on a camping reserve for a period in excess of six consecutive weeks;

Break in camping time

- (2) having camped on a camping reserve for six consecutive weeks, camp on any camping reserve until a further period of four consecutive weeks has expired;

Fail to keep site clean

- (3) fail to keep the area on which he or she is camped and the surrounds in a clean, tidy and sanitary condition;

Littering

- (4) place any waste foodstuff or rubbish other than in receptacles provided by the Council for that purpose;

Improper use of ablutionary facilities

- (5) deface, foul use other than for its proper purpose or cause any insanitary or unclean condition in any toilet, shower or ablutionary building or any apparatus fixtures or fittings therein;

Fail to supply name and address

- (6) fail to supply his or her full and correct name, residential address and occupation to any Council Officer or authorised person on demand; or

Fail to allow inspection

- (7) fail to permit any Council Officer or authorised person to enter onto and inspect his or her camp site or any tent, caravan or vehicle thereon or thereby.

Restricted lands

C6 No person shall enter or remain on any part of Council land:

- (1) at any time during which the Council has by resolution declared that part to be closed to the public and which is indicated by sign adjacent to the entrance to that part;
- (2) where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked;
- (3) at any time when the Council has fixed a fee for entry to or use of that part, without payment of the fee or otherwise without permission; or
- (4) where that person has been requested by an officer, employee or agent of the Council or a Council subsidiary to leave that land.

Council Rubbish Tips

C7 No person shall:

- (1) deposit or dispose of any rubbish in a Council rubbish tip otherwise than:
- (a) in compliance with reasonable directions given by any officer or employee of the Council on duty at that disposal point; and
- (b) in compliance with any signs that may be erected at that place by the Council,
- and no person shall deposit or dispose of thereon liquid waste, motor vehicle tyres, or any material which is or is likely to become injurious to health or offensive;
- (2) (a) enter or remain on a Council rubbish tip outside of its hours of operation;
- (b) set fire to any rubbish at a Council rubbish tip; or
- (c) fail to leave a Council rubbish tip when requested to do so by an officer, employee, agent or contractor of the Council engaged in the management of the tip; or
- (d) interfere with, remove or take away any rubbish that has been discarded at a council rubbish tip,

other than a Council Officer, employee, agent or contractor carrying out his or her duties on behalf of the Council in relation to rubbish disposal.

Removal of Unauthorised Things

C8 If a person has placed or erected a substance, object or structure on Council land without lawful authority or without permission, or has apparently abandoned the same thereon, the Council may remove and dispose of it, and recover the cost of so doing from the person who placed or erected it thereon.

Removal of animals

C9 If any animal is found on part of Council land in breach of a by-law:

- (1) any person in charge of the animal shall forthwith remove it from that part on the request of an authorised person; and
- (2) any authorised person may remove it therefrom if the person fails to comply with the request, or if no person is in charge of the animal.

Part D: Restriction on Dog Numbers

D1 The limit on the number of dogs kept:

- (1) in a township:
 - (a) in a small dwelling, shall be one dog;
 - (b) on premises other than a small dwelling, shall be two dogs;
- (2) outside of a township, shall be three dogs.

D2 Dogs used for the purpose of herding sheep or cattle and kept outside of a township shall not be taken into account in determining the numbers of dogs permitted under these by-laws.

D3 Dogs kept in a kennel establishment or for breeding purposes on land in respect of which a development authorisation is in force under the Development Act 1993, which allows that land to be lawfully used for those purposes under that Act, shall not be taken into account in determining the numbers of dogs permitted under these by-laws.

D4 No person shall keep any dog on any premises where the number of dogs being kept on those premises exceeds the limit.

Part E: Use of Tents and Certain Buildings for Human Habitation

E1 No person shall erect any tent or building constructed of other than brick, stone, concrete or similar material, which is used or adapted for the purpose of human habitation, on any land which is not Council land and which is abutting or within view of any public road or any reserve or foreshore.

Part F: Interference with Council Rubbish Bins

F1 No person shall remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a Council rubbish bin, or that is the property of the Council.

Part G: STED Schemes

G1 No person shall:

- (1) connect any drain from, or Septic Tank on, a property into any component of a Council Septic Tank Effluent Disposal Scheme unless in accordance with a Council approval or requirement; or

- (2) place, or cause or allow the placement, discharge, flow, or drainage of any foreign matter (stormwater and all other liquid and solid matter other than normal septic tank effluent) into any pipe, drain, trench or opening which leads to such a Scheme.

Part H: Exemptions

H1 By-law B4 (1) does not apply to a flat sign the message of which only contains newspaper headlines and the name of a newspaper.

H2 A requirement of Part B of these by-laws will not apply where permission has been granted for the sign to be displayed contrary to that requirement.

H3 A person can perform the acts prohibited in Parts C, D, E, F or G of these by-laws:

- (1) with permission; or
- (2) if they are performed during the course of and as part of their official duties as a public official or an officer, employee, agent or contractor of the Council; and
- (3) it is otherwise lawful to do so.

H4 A person granted permission under these by-laws shall comply with any conditions imposed thereon.

Part I: Application

I1 Any of by-laws C1 (2) (b), C1 (9), C1 (15), C2 (1), C2 (2), C2 (3), C3 (3), C3 (4) and C3 (5) shall apply only within such part or parts of the area as the Council may determine from time to time.

Part J: Penalties

J1 A person who breaches any of these by-laws is guilty of an offence and is liable to a penalty being the maximum amount that can be generally prescribed by by-law for any breach of a by-law.

J2 Unless otherwise decided by resolution of the Council, the expiation fee for an alleged offence against these by-laws is 25% of the maximum penalty.

Schedule: Repeal Old By-laws

By-laws A-J of the Council made prior to the date these by-laws A-J are made are hereby repealed.

The foregoing by-laws were duly made and passed at a meeting of the District Council of Yorke Peninsula held on 12 August 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present. These by-laws replace old By-laws A-J that were made on 23 August 2001.

R. BRUHN, Chief Executive Officer

ATTENTION

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