



**THE SOUTH AUSTRALIAN**

**GOVERNMENT GAZETTE**

www.governmentgazette.sa.gov.au

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ADELAIDE, THURSDAY, 29 JANUARY 2009

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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](mailto: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](http://www.governmentgazette.sa.gov.au)

Department of the Premier and Cabinet  
Adelaide, 29 January 2009

HIS Excellency the Governor's Deputy in Executive Council revoked the appointment of Joanne Elizabeth Mardon as Deputy Registrar to the Residential Tenancies Tribunal, pursuant to the provisions of the Residential Tenancies Act 1995 and section 36 of the Acts Interpretation Act 1915.

By command,  
GAIL GAGO, for Premier

09MCA0004CS

Department of the Premier and Cabinet  
Adelaide, 29 January 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the South Australian Multicultural and Ethnic Affairs Commission, pursuant to the provisions of the South Australian Multicultural and Ethnic Affairs Commission Act 1980:

Member: (from 29 January 2009 until 28 January 2012)  
Malgorzata Skalban  
Branka King

Member: (from 29 January 2009 until 28 January 2010)  
Sumeja Skaka  
George Fomba

By command,  
GAIL GAGO, for Premier

AGO0082/07CS

Department of the Premier and Cabinet  
Adelaide, 29 January 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Anzac Day Commemoration Council, pursuant to the provisions of the Anzac Day Commemoration Act 2005:

Member: (from 29 January 2009 until 28 January 2012)  
Stephen Francis Larkins  
Nichola Elizabeth Kapitza

By command,  
GAIL GAGO, for Premier

DPC07/001CS

Department of the Premier and Cabinet  
Adelaide, 29 January 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Adelaide Dolphin Sanctuary Advisory Board, pursuant to the provisions of the Adelaide Dolphin Sanctuary Act 2005:

Member: (from 29 January 2009 until 28 January 2012)  
Michael Ion Bossley  
Philippa Holt  
Shanti Srinivasan Ditter  
Susan Elizabeth Gibbs  
Betsy Freya Higgins-Desbiolles  
Trevor John Watts  
Carl Kavina  
Declan Jonathan Andrews

By command,  
GAIL GAGO, for Premier

EHCS09/0002

Department of the Premier and Cabinet  
Adelaide, 29 January 2009

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

Deputy Registrar: (from 29 January 2009 until 31 December 2013)  
Kimberley Anne Riggs  
Sharron Lee Hegarty

By command,  
GAIL GAGO, for Premier

09MCA0004CS

Department of the Premier and Cabinet  
Adelaide, 29 January 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Legal Practitioners Disciplinary Tribunal, pursuant to the provisions of the Legal Practitioners Act 1981:

Member: (from 29 January 2009 until 28 January 2012)  
Janine Catherine Mason  
Kathryn Margaret Lincoln

By command,  
GAIL GAGO, for Premier

AGO0067/07CS

Department of the Premier and Cabinet  
Adelaide, 29 January 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint Rodney George Hook as the Rail Commissioner with effect from 29 January 2009, pursuant to section 68 of the Constitution Act 1934.

By command,  
GAIL GAGO, for Premier

MTR09/002

Department of the Premier and Cabinet  
Adelaide, 29 January 2009

HIS Excellency the Governor's Deputy 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 29 January 2009 and expiring on 28 January 2019, pursuant to section 4 of the Justices of the Peace Act 2005:

Paul Ronald Chynoweth  
Janet Fay Davies  
Julia Anne Dobson  
Cheryl Ann Douyere  
Christopher John Kernahan  
Kenneth John Knoblauch  
Brett Lynton Merritt  
Vera Joyce Miller  
Robert Lloyd Perry  
David Gower Smith  
Dennis Alexander Smith  
Barbara Gloria Smyth  
Rebekah Peta Starkey  
Harry Anthony Ter Bogt  
David John Williams

By command,  
GAIL GAGO, for Premier

JP08/044CS

DEVELOPMENT ACT 1993: SECTION 46 (4)

*Preamble*

1. On 24 May 2007, the Minister for Urban Development and Planning, by notice in the *Gazette* (see *Gazette* 24 May 2007, page 2137) declared that section 46 of the Development Act 1993, applied to a development of a kind specified in Schedule 1 of that notice. The declaration applied to the development directly associated with the establishment and operation of a shopping centre and residential apartment complex at the corner of Anzac Highway and Marion Road, North Plympton.

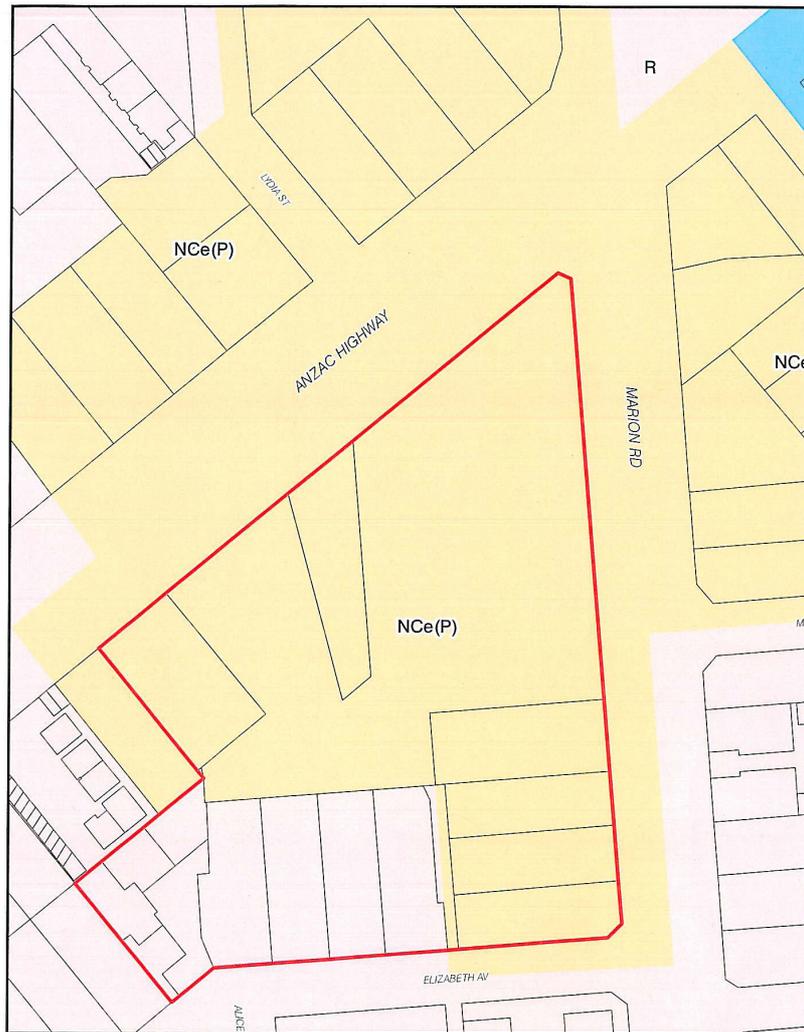
2. It has been decided to vary the declaration.

NOTICE

PURSUANT to section 46 (4) of the Development Act 1993, I vary the declaration referred to in the preamble, by amending it as follows:

A. By deleting the previous Declaration Area Map in Schedule 3 and substituting it with a new schedule as shown:

SCHEDULE 3



**Declaration Area Boundary**

Legend

- Declaration Area
- Neighbourhood Centre (Plympton)
- Residential
- Local Office
- Cadastre boundary



24 November 2008  
Data Sources: MAPLAND, OED Pty Ltd

Dated 13 January 2009.

PAUL HOLLOWAY, Minister for Urban Development and Planning

DEVELOPMENT ACT 1993, SECTION 25 (17): LIGHT REGIONAL COUNCIL—INDUSTRY (KINGSFORD REGIONAL ESTATE) ZONE DEVELOPMENT PLAN AMENDMENT

*Preamble*

1. The Development Plan amendment entitled 'Light Regional Council—Industry (Kingsford Regional Estate) Zone Development Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning has decided to approve the Plan Amendment.

NOTICE

PURSUANT to section 25 of the Development Act 1993, I—

- (a) approve the Plan Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Plan Amendment will come into operation.

Dated 27 January 2009.

PAUL HOLLOWAY, Minister for Urban Development and Planning

DOG FENCE ACT 1946

*Statement of Receipts and Payments*

PURSUANT to the provision of section 34 (2) of the Dog Fence Act 1946, the Dog Fence Board hereby publishes a copy of the receipts and payments for the financial year 2007-2008.

	2008 Inflows (Outflows) \$'000	2007 Inflows (Outflows) \$'000
<i>Cash Flows from Operating Activities</i>		
<i>Cash Outflows</i>		
Subsidies paid	(556)	(611)
Payments to employees	(136)	(163)
Fence maintenance	(32)	(90)
Other expenses	(79)	(72)
Cash used in operations	(803)	(936)
<i>Cash Inflows</i>		
Rates and levies received	437	429
Interest received	22	19
Other receipts	6	8
Cash generated in operations	465	456
<i>Cash Flows from SA Government</i>		
Receipts from SA Government	441	425
Cash generated from SA Government	441	425
Net Cash provided by (used in) operating activities	103	(55)
Net increase (decrease) in cash	103	(55)
Cash and cash equivalents at the beginning of the financial year	104	159
Cash and cash equivalents at the end of the financial year	207	104

M. J. BALHARRY, Executive Officer, Dog Fence Board

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that, pursuant to section 115 of the Fisheries Management Act 2007, the registered fish processors specified in Schedule 1 (the 'exemption holders') are exempt from section 72 (2) (c) of the Fisheries Management Act 2007 and Regulation 8 of the Fisheries Management (General) Regulations 2007, but only insofar as exemption holders shall not be guilty of an offence when in possession of undersize blacklip abalone (*Haliotis rubra*) (the 'exempted activity'), subject to the conditions specified in Schedule 2, from 1 February 2009 until 31 March 2009 inclusive, unless this notice is varied or revoked earlier.

SCHEDULE 1

- FP0005 Dover Fisheries Pty Ltd;
- FP0125 Sou'West Seafoods Pty Ltd;
- FP0030 SAFCOL Australia Pty Ltd;
- FP0533 Fitzgerald, Ian;
- FP0379 Hot Dog Fisheries Pty Ltd;
- FP0127 Kelly, Peter;
- FP0103 First Class Australasia Pty Ltd.

SCHEDULE 2

1. The exemption holder may only take possession of undersize abalone from a person who holds a licence issued for the Southern Zone Abalone Fishery pursuant to the Fisheries Management (Abalone Fisheries) Regulations 2006 and an exemption numbered 9902209.

2. A maximum of eight sealed bins of blacklip abalone from each licence holder may be received for processing, pursuant to this notice, where the shell length is at least 125 mm or a shell height of at least 40 mm.

3. A maximum of 16 sealed bins of blacklip abalone from each licence holder may be received for processing, pursuant to this notice, where the shell length is at least 110 mm.

4. The bins received, pursuant to this notice, must be labelled with a label provided by SARDI and sealed with a tag provided by PIRSA Fisheries.

5. The exemption holder must notify PIRSA Fisheries Compliance on 1800 065 522 immediately upon receiving undersized blacklip abalone and supply the following information:

- the name of the person making the call and the name and address of the processor;
- the time and date of delivery of the undersize blacklip abalone;
- the Southern Zone Abalone Fishery Licence number from which the abalone was received;
- the number of the corresponding CDR1 form attached; and
- Exemption No. 9902210.

6. Where an exemption holder is involved in collecting and transporting a consignment of abalone, the exemption holder must notify PIRSA Fisheries Compliance on 1800 065 522 immediately upon taking consignment.

7. The exemption holder must wait a minimum of 30 minutes after notifying PIRSA Fisheries Compliance before opening the sealed bins and processing the abalone.

8. The shells of all blacklip abalone collected pursuant to this notice must be kept for measurement and analysis. The shells of all blacklip abalone collected, pursuant to this notice, must be separated and be clearly labelled with the completed label for each bin provided by SARDI.

9. All abalone shells collected, pursuant to this notice, from each sample and the corresponding completed label must be provided to Andrew Hogg, SARDI, within two weeks of receipt by the nominated fish processor.

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

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

Dated 27 January 2009.

W. ZACHARIN, Director of Fisheries

## FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that, pursuant to section 115 of the Fisheries Management Act 2007, licence holders or registered masters of a Southern Zone Abalone Fishery Licence (the 'exemption holders') are exempt from sections 70 and 72 (2) (c) of the Fisheries Management Act 2007 and Regulations 8 and 19 (4) of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holders shall not be guilty of an offence when taking undersized blacklip abalone (*Haliotis rubra*) from waters described in Schedule 1 (the 'exempted activity'), subject to the conditions specified in Schedule 2, from 1 February 2009 and 31 March 2009 inclusive, unless this notice is varied or revoked earlier.

## SCHEDULE 1

Those waters within the Southern Zone Abalone Fishing Areas.

## SCHEDULE 2

*Height/length trial sample collection*

1. Each licence holder pursuant to this exemption may collect a maximum of eight bins of blacklip abalone where the shell length is at least 125 mm or a shell height of at least 40 mm. A maximum of two bins may be taken per sample site.

2. For the purpose of this notice, shell height is the longest vertical length of the shell (distance from the shell lip/edge to the highest point measured where the shell sitting flat on the shell lip/edge and excluding the meat). The shell must be free of fouling.

*Additional stunted population sample collection*

3. Each licence holder pursuant to this exemption may collect a maximum of 16 bins of blacklip abalone where the shell length is at least 110 mm. A maximum of two bins may be taken per sampled site.

4. These samples must not be collected from map codes 39B or 39D or Ringwood Reef or Salmon Hole.

5. No more than two samples (i.e. four bins of blacklip abalone), per licence holder, may be taken from map code 39G.

*All samples*

6. The weight of all blacklip abalone taken pursuant to this notice shall be deducted from the quota remaining on the respective licence for this species of the Southern Zone Abalone Fishery.

7. The shells of all blacklip abalone collected pursuant to this notice must be kept for measurement and analysis. The shells of all blacklip abalone collected pursuant to this notice must be separated by sample and be clearly labelled with the completed label for each bin provided by SARDI.

8. All abalone taken pursuant to this notice must be retained in a labelled and sealed abalone bin. The bins must be sealed and the label completed prior to leaving the sample area.

9. All abalone shells collected pursuant to this notice from each sample (maximum of two bins per sample) and the corresponding completed label must be provided to Andrew Hogg, SARDI, within two weeks of receipt by the nominated fish processor.

10. Dive loggers must be used when undertaking activities relating to the collection of abalone pursuant to this notice.

11. Boats undertaking fishing pursuant to this notice must use GPS data loggers, running for the duration of the fishing activity undertaken pursuant to this exemption (i.e. from port to port).

12. The exemption holder must notify PIRSA Fisheries Compliance on 1800 065 522 prior to departing on a fishing trip to engage in the exempted activity and provide the following information:

- (a) that they are fishing pursuant to this exemption;
- (b) the name of the person making the call;
- (c) licence number;
- (d) name of the boat;

- (e) name of the master;
- (f) Exemption No. 9902209; and
- (g) any other information requested.

13. At least 30 minutes prior to landing any abalone taken pursuant to the exemption, the exemption holder must notify PIRSA Fisheries Compliance on 1800 065 522 and supply the following information:

- (a) that they are fishing pursuant to this exemption;
- (b) the name of the person making the call;
- (c) licence number;
- (d) name of the boat;
- (e) name of the master;
- (f) Exemption No. 9902209;
- (g) port of landing; and
- (h) any other information requested.

14. While engaged in the exempted activity, the exemption holder must have in their possession a copy of this notice and produce a copy of this notice if requested by a PIRSA Fisheries Compliance Officer.

15. 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 27 January 2009.

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 holder of Prawn Fishery Licence P12 (Fromager Pty Ltd, FV *Miss Anita*), issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2006, for the Spencer Gulf Prawn Fishery (the 'exemption holder') or their registered master are exempt from the notices made under section 79 of the Fisheries Management Act 2007, prohibiting the taking of western king prawns (*Melicertus latisulcatus*). The exemption holder shall not be guilty of an offence when using prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of research activities, as directed by SARDI Aquatic Sciences (the 'exempted activity') subject to the conditions contained in Schedule 1.

## SCHEDULE 1

1. The exemption is valid from 2030 hours on 26 January 2009 until 0630 hours on 27 January 2009.

2. All trawling activity must be completed by 0630 hours with nets out of the water.

3. The exemption holder must comply with instructions from the SARDI Scientist and work within the allotted research area determined by SARDI.

4. All fish, other than those required for research purposes taken during the exempted activity, are to be returned to the water immediately after capture.

5. All fish, prawns, southern calamary and slipper lobster taken pursuant to the exempted activity must not be retained by the exemption holder, his agent or crew.

6. While engaged in the exempted activity, the exemption holder must have on board his boat or near his person 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 other regulations made under that Act except where specifically exempted by this notice.

Dated 23 January 2009.

S. SLOAN, Program Leader, Fisheries Management

## FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Robert Mengler of Forestry SA, P.O. Box 162, Mount Gambier, S.A. 5290 (the 'exemption holder'), or a person acting as his agent, is exempt from the provisions of sections 70 and 71 of the Fisheries Management Act 2007, but only insofar as he may engage in the collection of fish in wetlands located on Forestry SA land in the Limestone Coast Region of South Australia (the 'exempted activity') using the gear specified in Schedule 1, subject to the conditions set out in Schedule 2, from 1 February 2009 until 31 December 2009, unless varied or revoked earlier.

## SCHEDULE 1

- Dip nets;
- Bait traps;
- Fyke nets;
- Seine nets.

## SCHEDULE 2

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

2. All native fish taken pursuant to the exempted activity must be immediately returned to the water as soon as information is collected. All non-native fish must be destroyed and disposed of appropriately.

3. The exempted activity may only be conducted on the exemption holder's behalf by Bryan Haywood, Mark Whan or Troy Horn.

4. Before conducting the exempted activity, the exemption holder must contact the PIRSA Fisheries Compliance 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. 9902205.

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

- the date and time 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 22 January 2009.

W. ZACHARIN, Director of Fisheries

## FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Andrew N. Wright of Calypso Star Charters Pty Ltd, Unit 3, 10 South Quay Boulevard, Port Lincoln, S.A. 5606 (the 'exemption holder'), is exempt from section 71 (2) of the Fisheries Management Act 2007 and Regulation 23 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holder shall not be guilty of an offence when using blood, bone, meat, offal or skin of an animal as berley to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing in the waters described in Schedule 1 (the 'exempted activity'), subject to the conditions specified in Schedule 2, from 1 February 2009 until 31 January 2010, or unless this exemption is varied or revoked.

## SCHEDULE 1

The waters of the Neptune Island Conservation Park.

## SCHEDULE 2

1. The exemption holder must be on board the boat from which the exempted activity is undertaken.

2. All passengers must be provided with a 'Notice to Passengers' letter (as provided by PIRSA and DEH) and Instructions at initial briefings.

3. All berley used while conducting the exempted activity must consist of fish based products only. All berley (other than fish oil) must be stored below a maximum temperature of 4°C.

4. The exemption holder must take all measures to avoid any berley or fish oil from being dispersed near or over the submerged viewing cages while divers are in the cage.

5. The exemption holder must not deliberately goad, provoke or encourage a white shark in an attempt to change its normal behaviour by undertaking the exempted activity (including deliberately attempting to have the white shark jump out of the water), and must not permit any person to touch a white shark, unless this activity is required for research purposes.

6. When using bait as an attractant for the shark, the bait must be attached to a length of rope by natural fibre twine of no less than 30 cm in length.

7. The exemption holder must not intentionally feed sharks or reward sharks with food.

8. The exemption holder must notify PIRSA Fishwatch 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 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. 9902202.

9. The exemption holder must allow an officer of the Department for Environment and Heritage (DEH), a PIRSA Fisheries Officer or another nominated person to be present on board the boat during the exempted activity if requested by the Director of Fisheries, subject to the availability of space.

10. The exemption holder must comply with all instructions (including ceasing to berley if so instructed) given by an officer from DEH or a PIRSA Fisheries Officer.

11. While engaged in the exempted activity, a pennant (approved by DEH) must be flown from the boat so as to be clearly visible.

12. The exemption holder must maintain a log for the period that this exemption notice is valid which includes the following information in relation to each trip on which the exempted activity is undertaken:

- date and location;
- number of passengers;
- number of hours berleying;
- number of sharks observed; and
- any other relevant observations or comments.

A copy of the log must be provided to the Port Lincoln office of DEH within 14 days of the end of each calendar month.

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

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

Dated 22 January 2009.

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'), Derek Hamer of SARDI Aquatic Sciences (the 'exemption holder') is exempt from sections 52 and 53 of the Fisheries Management Act 2007 and clause 18 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holder, or a person acting as his agent, may take southern rock lobster (*Jasus edwardsii*) using rock lobster pots and using rock lobster pots that do not have escape gaps ('the exempted activity'), subject to the conditions in Schedule 1, during the period 22 January 2009 until 31 March 2009, unless varied or revoked earlier.

## SCHEDULE 1

1. Registered masters fishing pursuant to the following Northern Zone Rock Lobster Fishery licences may undertake the exempted activity on behalf of the exemption holder and under his direction—N024, N025, N027, N031, N038, N044, N056, N070, N072, N075 and N096.

2. An agent of the exemption holder may have a maximum one rock lobster pot in addition to the maximum number of rock lobster pots endorsed on the licence.

3. During the exempted activity, a maximum of two rock lobster pots may be used without escape gaps or have the escape gaps closed.

4. The agents must provide any information required by the exemption holder and complete the 'Sea Lion Exclusion Device (SLED/Spike) Industry Trial—Voluntary Catch Sampling Log', supplied by the exemption holder, in accordance with the directions of the South Australian Research and Development Institute—Aquatic Sciences.

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

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

Dated 22 January 2009.

W. ZACHARIN, Director of Fisheries

## FIRE AND EMERGENCY SERVICES ACT 2005

## SECTION 68 (7)

*Establishment of a SACFS Organisation*

I, EUAN ARTHUR FERGUSON, the Chief Officer of the South Australian Country Fire Service, hereby dissolve the following SACFS organisations:

- Nunjikompta CFS Brigade; and
- Haslam CFS Brigade.

Dated 13 January 2009.

E. FERGUSON, AFSM, Chief Officer,  
S.A. Country Fire Service

## GEOGRAPHICAL NAMES ACT 1991

## CORRIGENDUM

*Notice of Declaration of Names of Places*

IN the *Government Gazette* of 13 December 1984, at page 1836 for 1:50 000 Mapsheet 6732-1 'Paratoo', Beverage Hill, *should* have been shown as **Beveridge Hill**.

Dated 20 January 2009.

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

DTEI.22-413/07/0032

## 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*

Firstly: Comprising an unencumbered estate in fee simple in that piece of land situated at Allotment 4, Port Wakefield Road, Waterloo Corner, being portion of Allotment 4 in Filed Plan 114565, comprised in certificate of title volume 5248, folio 600 and being the whole of Allotment 202 on an unapproved Plan numbered D79960 that has been lodged in the Lands Titles Office.

Secondly: Comprising an unencumbered estate in fee simple in that piece of land situated at Allotment 6, Port Wakefield Road, Waterloo Corner, being portion of Allotment 6 in Filed Plan 114567 comprised in certificate of title volume 5248, folio 602 and being the whole of Allotment 201 on an unapproved Plan numbered D79960 that has been lodged in 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:

Chris Southam,  
P.O. Box 1,  
Walkerville, S.A. 5081  
Telephone: (08) 8402 1730

Dated 27 January 2009.

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 2008/06643/01

## LOCAL GOVERNMENT ACT 1999

*Boundary Adjustment Facilitation Panel*

PURSUANT to section 28 of the Local Government Act 1999, a group of eligible electors has submitted a proposal to alter the boundary between the District Council of Mount Remarkable and the Port Pirie Regional Council.

It is proposed that the boundary between the two Councils be adjusted to effect a change so that the Townships of Port Germein and Port Flinders are included in the Regional Council of Port Pirie by re-assigning a defined area of portion 11 of the Hundred of Telowie.

In the first instance the Panel is required to engage in consultation to ascertain whether there is likely to be sufficient support to justify the formulation and consideration of a proposal.

Written submissions on this proposal can be made to the Panel addressed to:

Lynne Flavel  
Executive Officer  
Boundary Adjustment Facilitation Panel  
P.O. Box 8021, Station Arcade  
Adelaide, S.A. 5000.

Email: [flavel.lynne3@saugov.sa.gov.au](mailto:flavel.lynne3@saugov.sa.gov.au)

Closing date for submissions is close of business on Friday, 13 March 2009.

## HOUSING IMPROVEMENT ACT 1940

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

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
47 Alpha Terrace	Port Pirie (Solomontown)	Allotment comprising pieces 91 and 92 in Filed Plan 171053, Hundred of Pirie	5330	904
3 Bay Street	Port Broughton	Allotment 25 in Filed Plan 115020, Hundred of Yatala	5209	302
54 Beauchamp Street	Kurraltia Park	Allotment 50 in Filed Plan 7199, Hundred of Adelaide	5730	24
14 Colliver Street	Norwood	Allotment 99 in Filed Plan 100116, Hundred of Adelaide	5095	264
7 Corinda Avenue	Kensington Park	Allotment 113 in Filed Plan 17933, Hundred of Adelaide	5477	687
13 MacMahon Avenue	St Agnes	Allotment 31 in Deposited Plan 7270, Hundred of Yatala	5272	391
80 Main Street	Peterborough	Allotment 771 in Filed Plan 185663, Hundred of Yongala	5442	240
413 Montague Road	Modbury	Allotment 219 in Deposited Plan 7530, Hundred of Yatala	5077	305
41 Railway Terrace	Balaklava	Allotment 35 in Deposited Plan 266, Hundred of Balaklava	5466	596
14 Tenth Street	Port Pirie West	Allotment 286 in Deposited Plan 622, Hundred of Pirie	5159	509

Dated at Adelaide, 29 January 2009.

D. HUXLEY, General Manager, Corporate Services, Housing SA

## HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
Unit 4, 12 Centre Street, Largs Bay	Allotment 68 in Deposited Plan 3186, Hundred of Port Adelaide	5192	521	17.7.08, page 3361	45.00
73 (also known as 71-73) Gail Crescent, Murray Bridge	Allotment 78 in Deposited Plan 9827, Hundred of Mobilong	5846	577	20.11.08, page 5120	150.00
9 Gray Terrace, Rosewater	Allotment 16 in Deposited Plan 1560, Hundred of Port Adelaide	5435	83	25.9.08, page 4700	195.00
18 Hill Street, Seacliff Park	Allotment 70 in Filed Plan 146604, Hundred of Noarlunga	5809	724	29.11.01, page 5222	285.00
25 Hutchison Crescent, Naracoorte	Allotment 1 in Filed Plan 114294, Hundred of Naracoorte	5208	567	20.11.08, page 5120	132.00
Lot 16, Lacey Road, Flaxley (also known as Bugle Ranges)	Allotment 16 in Filed Plan 159693, Hundred of Macclesfield	5653	564	20.11.08, page 5120	160.00
Lot 40 (39-40) Main Street, Lipson	Allotment 40, Town of Lipson, Hundred of Yaranyaacka	5506	830	4.12.08, page 5311	70.00
5 Princess Street, Findon	Allotment 44 in Deposited Plan 3004, Hundred of Yatala	5399	660	4.12.08, page 5311	125.00
166 Senate Road, Port Pirie West	Allotment 172 in Filed Plan 184254, Hundred of Pirie	5804	938	14.2.08, page 469	70.00
3 Taylor Street, Brompton	Allotment 22 in Filed Plan 119440, Hundred of Yatala	5851	692	18.5.67, page 1600	135.00

Dated at Adelaide, 29 January 2009.

D. HUXLEY, General Manager, Corporate Services, Housing SA

## HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
3 Attrill Avenue, Hilton	Allotment 49 in Filed Plan 143677, Hundred of Adelaide	5764	24	11.9.08, page 4259
2 Bourn Avenue, West Hindmarsh	Allotment 55 in Filed Plan 116367, Hundred of Yatala	5814	700	23.8.84, page 639
12 Canis Avenue, Hope Valley	Allotment 177 in Deposited Plan 7485, Hundred of Yatala	5148	815	20.11.08, page 5120
34 Church Circle (also known as Walk), Solomontown (also known as Port Pirie)	Allotment 315 in Filed Plan 184397, Hundred of Pirie	5552	365	17.1.08, page 250
27 Gray Street, Norwood	Unit 2, Strata Plan 12145, Hundred of Adelaide	5096	827	31.1.08, page 330
8 Kings Avenue, Blair Athol	Allotment 235 in Deposited Plan 3191, Hundred of Yatala	5611	933	27.9.07, page 3771
Unit 4/7 Liston Street, Parkside	Unit 4, Strata Plan 6627, Hundred of Adelaide	5014	506	25.9.08, page 4700
67A Main North Road, Willaston	Allotment 2 in Filed Plan 9109, Hundred of Mudla Wirra	5898	134	4.11.76, page 1565
32 Milne Road, Para Hills	Allotment 4 in Deposited Plan 7443, Hundred of Yatala	5173	457	5.6.08, page 1844
23 Mofflin Road, Elizabeth Grove	Allotment 349 in Deposited Plan 6188, Hundred of Munno Para	5263	562	25.9.08, page 4700
9 Nardoo Road, Aldinga Beach	Allotment 140 in Deposited Plan 6804, Hundred of Willunga	5500	720	26.10.06, page 3774
105 North Street, Henley Beach	Allotment 50 in Filed Plan 252, Hundred of Yatala	5326	879	16.10.86, page 1403
25 Ocean View Drive, Second Valley	Allotment 29 in Deposited Plan 6193, Hundred of Yankalilla	5161	667	26.4.07, page 1266
437 Port Road, Croydon	Allotment 69 in Filed Plan 115781, Hundred of Yatala	5667	94	29.6.05, page 2074
94 Prescott Street, Tarlee	Allotment 94 in Deposited Plan 251, Hundred of Gilbert	5132	665	29.4.93, page 1556
94 Seventh Avenue, St Peters	Allotment 86 in Filed Plan 135837, Hundred of Adelaide	5700	7	23.10.08, page 4899
13-15 Teakle Street, Exeter	Allotment 68 in Filed Plan 3379, Hundred of Port Adelaide	5163	231	9.11.72, page 2319
23 Tindall Road, Enfield	Allotment 227 in Deposited Plan 4451, Hundred of Yatala	5401	132	17.7.08, page 3361
8 West Street, Burra	Allotment 91 of portion of Section 4, Hundred of Kooringa	5359	542	28.1.93, page 484

Dated at Adelaide, 29 January 2009.

D. HUXLEY, Director, Corporate and Board Services

## 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
Incorporation .....	20.80	Discontinuance Place of Business .....	27.25
Intention of Incorporation .....	51.50	Land—Real Property Act:	
Transfer of Properties .....	51.50	Intention to Sell, Notice of.....	51.50
Attorney, Appointment of.....	41.00	Lost Certificate of Title Notices .....	51.50
Bailiff's Sale.....	51.50	Cancellation, Notice of (Strata Plan) .....	51.50
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Companies:		Caveat Lodgement.....	20.80
Alteration to Constitution .....	41.00	Discharge of.....	21.80
Capital, Increase or Decrease of .....	51.50	Foreclosures.....	20.80
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Meeting Final.....	34.25	Annual Financial Statement—Forms 1 and 2 .....	574.00
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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
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Creditors.....	41.00	General).....	20.80
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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
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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	
145-160	11.70	10.50	641-656	44.25	43.25	
161-176	12.80	11.50	657-672	44.75	43.75	
177-192	13.90	12.60	673-688	46.75	44.75	
193-208	15.00	13.80	689-704	47.50	45.70	
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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	
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## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that O Hotel Pty Ltd as trustee for Oberdan on O'Connell Licence has applied to the Licensing Authority for an Extension of Trading Area and variation to an Extended Trading Authorisation in respect of premises situated at 7 O'Connell Street, North Adelaide, S.A. 5006 and known as O Hotel.

The application has been set down for callover on 20 February 2009 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Extension of Trading Area to include area at the front of the premises as per plans lodged.
- Variation to an Extended Trading Authorisation to apply to the proposed area for the following days and times:

Friday and Saturday: Midnight to 2 a.m. the following day;

Sunday: 8 a.m. to 11 a.m. and 8 p.m. to midnight.

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: 13 February 2009).

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

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 20 January 2009.

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 Andrew Stephen Elsworthy and Garry Robert Penney have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 4, 600B Hahn Road, Sellicks Hill, S.A. 5174 and to be known as Fig Tree Creek Winery.

The application has been set down for callover on 27 February 2009 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 applicant's address, at least seven days before the callover date (viz: 20 February 2009).

The applicants' address for service is c/o Andrew Elsworthy, P.O. Box 446, Willunga, S.A. 5172.

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 16 January 2009.

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 Coomee Pty Ltd as trustee for the Panda Business Trust has applied to the Licensing Authority for a Restaurant Licence, Section 34 (1) (c), an Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 485 Main North Road, Evanston, S.A. 5116 and to be known as Jaspers Brasserie.

The application has been set down for callover on 27 February 2009 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- Approval under Section 34 (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:

Monday to Saturday: Midnight to 2 a.m. the following day;

Sunday: 8 a.m. to 11 a.m. and 8 p.m. to midnight;

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

Sundays preceding Public Holidays: 8 p.m. to midnight.

- Entertainment Consent:

Monday to Wednesday: 6 p.m. to midnight;

Thursday to Sunday: Midday to midnight;

Good Friday: Midday to midnight;

Christmas Eve: Midday to 2 a.m. the following day;

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

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

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

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

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 20 February 2009).

The applicant's address for service is c/o Lynch Meyer, G.P.O. Box 467, Adelaide, S.A. 5001.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 22 January 2009.

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 Vincenzo Cavallaro and Francesca Cavallaro as trustee for Cavallaro Family Trust have applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at Shop 1, 254 Grange Road, Flinders Park, S.A. 5025 and to be known as Cafe Cielo.

The application has been set down for callover on 27 February 2009 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: 20 February 2009).

The applicants' address for service is c/o Di Rosa Lawyers, 141 Henley Beach Road, Mile End, S.A. 5031.

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 21 January 2009.

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

The application has been set down for callover on 27 February 2009 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: 20 February 2009).

The applicant's address for service is c/o David Redhead, RSD 567, Mount Pleasant, S.A. 5235.

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 January 2009.

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 La Verde Cafe Pty Ltd as trustee for Patrick Demicoli Trust, Joseph Chahwan Trust and Youssef Karam Trust has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 325 Hancock Road, Fairview Park, S.A. 5126 and to be known as Cafe Verde.

The application has been set down for callover on 27 February 2009 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: 20 February 2009).

The applicant's address for service is c/o Patrick Demicoli, 3 Dudley Avenue, Prospect, S.A. 5084.

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 21 January 2009.

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 John Caporaso and Rose Caporaso have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 625-627 Lower North East Road, Campbelltown, S.A. 5074 and to be known as Imma & Mario's Mercato.

The application has been set down for callover on 27 February 2009 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- To sell liquor produced in Italy (other than beer) between the hours of:
  - 8 a.m. and 7 p.m. Monday, Tuesday, Wednesday, Thursday and Friday;
  - 8 a.m. and 5 p.m. Saturday, Sunday and Public Holidays.
- The range of liquor to be no greater than 70 lines (a line being either a vintage or variety) of products at any one time.
- The style and nature of the business is to be conducted so that it does not consist primarily of the retail sale of liquor.
- To sell liquor at any time through a direct sale transaction.
- To sell or supply liquor by sample for consumption on the licensed premises being the subject of this special circumstances licence.

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: 20 February 2009).

The applicants' address for service is c/o Clelands Solicitors, 208 Carrington Street, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 22 January 2009.

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 Lavina Estate Wines Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence and the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 151 Main Road, McLaren Vale S.A. 5171 and to be situated at 263 Main Road, McLaren Vale, S.A. 5171, both licences known as Lavina Estate Wines.

The application has been set down for callover on 27 February 2009 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: 20 February 2009).

The applicant's address for service is c/o David Watts and Associates, 1 Cator Street, Glenside, S.A. 5065.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 23 January 2009.

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 Godfrey Wines Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at 1/20 King Street, Gawler, S.A. 5118 and to be situated at Allotment 261, Angus Street, Springton, S.A. 5235 and known as Godfrey Wines.

The application has been set down for hearing on 27 February 2009 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: 20 February 2009).

The applicant's address for service is c/o Alexander Godfrey, 6 Jellicoe Street, Broadview, S.A. 5083.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 23 January 2009.

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 Ashleigh Falconer has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 78 Hill Street, North Adelaide, S.A. 5006 and to be known as Felley Mill Wines.

The application has been set down for callover on 27 February 2009 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: 20 February 2009).

The applicant's address for service is c/o Carrington Conveyancers, P.O. Box 6193, Halifax Street, Adelaide, S.A. 5000 (Attention: Paul 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 23 January 2009.

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 Ace Livestock Consulting Pty Ltd as trustee for Edwards Family Trust has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at the corner of Miamba and Mahlo Roads, Williamstown, S.A. 5351 and to be known as Edwards Family Vintners.

The application has been set down for callover on 27 February 2009 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: 20 February 2009).

The applicant's address for service is c/o Anthony Edwards, P.O. Box 108, Cockatoo Valley, S.A. 5351.

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 January 2009.

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 A. & A. Recycling Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 68 Daphne Street, Salisbury East, S.A. 5109 and known as Nanking Restaurant.

The application has been set down for hearing on 2 March 2009 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: 23 February 2009).

The applicant's address for service is c/o Winters Solicitors, 265-267 Halifax 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 21 January 2009.

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 Patiwat Chaichanasakul has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 17 Commercial Street West, Mount Gambier, S.A. 5290, known as Anno Domani Café and to be known as Wild Ginger Taste of Asia.

The application has been set down for hearing on 2 March 2009 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 applicant at the applicant's address, at least seven days before the hearing date (viz: 23 February 2009).

The applicant's address for service is c/o Patiwat Chaichanasakul, 17 Commercial Street West, Mount Gambier, S.A. 5291.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 23 January 2009.

Applicant

## NATIONAL ELECTRICITY LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law of the following matters.

Under sections 102 and 103:

- the making of the *National Electricity Amendment (Victorian Jurisdictional Derogation (Advanced Metering Infrastructure Roll Out)) Rule 2009 No. 2* and related final determination. All provisions commence on **1 July 2009**; and
- the making of the *National Electricity Amendment (Cost Allocation Arrangements for Transmission Services) Rule 2009 No. 3* and related final determination. All provisions commence on **13 February 2009**.

Under section 99, the making of a draft determination and draft *National Electricity Amendment (Demand Management) Rule 2009* (Project No. ERC0047). In relation to the draft determination:

- requests for a pre-determination hearing must be received by **5 February 2009**; and
- submissions must be received by **13 March 2009**.

Under section 95, Hydro Tasmania has requested the making of the proposed *National Electricity Amendment (Causer Pays for Ancillary Services to Control the Tasmanian Frequency) Rule 2009* (Project No. ERC0082). The proposal seeks to modify the settlement of local frequency control Market Ancillary Services in the Tasmanian jurisdiction of the National Electricity Market. Submissions must be received by **13 March 2009**.

All submissions and requests for a hearing should be forwarded to [submissions@aemc.gov.au](mailto:submissions@aemc.gov.au) and must cite the Project No. in its title.

Submissions should be submitted in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website subject to a claim of confidentiality.

Further details on the above matters are available on the AEMC's website [www.aemc.gov.au](http://www.aemc.gov.au). All documents in relation to the above matters are published on the AEMC's website and are available for inspection at the offices of the AEMC.

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

29 January 2009.

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS)  
REGULATIONS 2001*Closure of Onkaparinga River National Park*

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Leanne Burch, Acting Director of National Parks and Wildlife, close to the public, the whole of Onkaparinga River National Park from 6 p.m. on Tuesday, 3 March 2009 until 6 a.m. on Thursday, 5 March 2009.

The purpose of the closure is to ensure the safety of the public during a pest control and monitoring program within the reserve during the period indicated.

*Use of Firearms within the Reserve*

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks and Wildlife (National Parks) Regulations 2001, I, Leanne Burch, Acting Director of National Parks and Wildlife, grant permission to members of the Sporting Shooters Association of Australia Hunting & Conservation Branch (S.A.) Inc. in possession of both a current Hunting Permit and a firearm to enter and remain in Onkaparinga River National Park from 6 p.m. on Tuesday, 3 March 2009 until 6 a.m. on Thursday, 5 March 2009 for the purpose of taking feral animals.

This permission is conditional upon the observance by each of those persons of the requirements of the National Parks and Wildlife Act 1972, National Parks and Wildlife (National Parks) Regulations 2001 and the National Parks and Wildlife (Hunting) Regulations 1996, including those requiring compliance with the Director's requests, requirements and orders of a Warden.

Dated 21 January 2009.

L. BURCH, Acting Director of National Parks and Wildlife

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS)  
REGULATIONS 2001*Closure of Ngarkat Conservation Park*

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Leanne Burch, Acting Director of National Parks and Wildlife, close to the public, the whole of Ngarkat Conservation Park from 6 p.m. on Saturday, 28 March 2009 until 6 a.m. on Tuesday, 31 March 2009.

The purpose of the closure is to ensure the safety of the public during a pest control and monitoring program within the reserve during the period indicated.

Dated 22 January 2009.

L. BURCH, Acting Director of National Parks and Wildlife

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS)  
REGULATIONS 2001*Partial Closure of Coorong National Park*

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Leanne Burch, Acting Director of National Parks and Wildlife, close to the public, part of Coorong National Park from 6 p.m. on Wednesday, 25 March 2009 until 6 p.m. on Friday, 27 March 2009.

The closure applies south of a line traversing the reserve east-west commencing at latitude 35°54'40.7"S, longitude 139°23'42.9"E, a location known as Parnka Point, and encompasses the area to the southern boundary of the Coorong National Park.

The purpose of the closure is to ensure the safety of the public during a pest control and monitoring program within the reserve during the period indicated.

Dated 22 January 2009.

L. BURCH, Acting Director of National Parks and Wildlife

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS)  
REGULATIONS 2001*Closure of Fairview Conservation Park, Gum Lagoon Conservation Park, Hanson Scrub Conservation Park, Jip Jip Conservation Park, Martin Washpool Conservation Park, Messent Conservation Park and Tilley Swamp Conservation Park*

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Leanne Burch, Acting Director of National Parks and Wildlife, close to the public, the whole of Fairview Conservation Park, the whole of Gum Lagoon Conservation Park, the whole of Hanson Scrub Conservation Park, the whole of Jip Jip Conservation Park, the whole of Martin Washpool Conservation Park, the whole of Messent Conservation Park and the whole of Tilley Swamp Conservation Park from 6 p.m. on Wednesday, 25 March 2009 until 6 a.m. on Thursday, 2 April 2009.

The purpose of the closure is to ensure the safety of the public during a pest control and monitoring program within the reserves during the period indicated.

Dated 22 January 2009.

L. BURCH, Acting Director of National Parks and Wildlife

## NOTICE TO MARINERS

NO. 1 OF 2009

*South Australia—River Murray, Lakes and Goolwa Water Monitoring Stations*

MARINERS are advised that a number of water monitoring stations have been placed in the River Murray between Goolwa and Swan Reach. These stations are to monitor water level and water quality in response to the current drought conditions. Some stations are new locations and others have been placed on refurbished navigation beacons.

The location of each station is indicated below:

Beacon	Easting	Northing	Latitude	Longitude	Lighting	Top mark
Beacon 18A (Goolwa)	299235	6068389	35°30.467'S	138°47.176'E	Not lit	Starboard
Beacon 60 (Clayton)	310088	6069921	35°29.767'S	138°54.375'E	Fl G	Starboard
Beacon 88 (Port McLeay)	324507	6068128	35°30.896'S	138°3.885'E	Not lit	Starboard
Milang (offshore)	322075	6076685	35°26.244'S	139°2.389'E	Fl Y 4s	St Andrews Cross
Pomanda Point (offshore)	342837	6077906	35°25.793'S	139°16.121'E	Fl Y 4s	St Andrews Cross
Lake Albert (south-west corner)	341651	6050496	35°40.604'S	139°15.016'E	Not lit	St Andrews Cross
Wellington (2 km down stream of ferry)	353476	6087172	35°20.879'S	139°23.250'E	Fl Y 4s	St Andrews Cross
Murray Bridge (Long Island)	344131	6111917	35°7.413'S	139°17.363'E	Not lit	Starboard
Mannum (opposite town wharf)	345912	6134980	35°54.967'S	139°18.792'E	Fl Y 4s	St Andrews Cross
Walker Flat (down stream of ferry)	369184	6153326	34°45.230'S	139°34.245'E	Not lit	Starboard
Swan Reach (3.5 km down stream of ferry)	371472	6171522	34°35.405'S	139°35.910'E	Not lit	Starboard

Mariners are further advised that they should take care to familiarise themselves with the new stations. Further, owing to the reduced levels in the river system, they should continue to maintain vigilance in the area of operation.

Adelaide, 23 January 2009.

PATRICK CONLON, Minister for Transport

DTEI 2009/00683

## PETROLEUM ACT 2000

## SECTION 25 (4), SECTION 25 (5) (b) AND SECTION 25 (6)

*Variation of PEL 105*

I, MICHAEL MALAVAZOS, Acting Director Petroleum and Geothermal, Minerals and Energy Resources, Department of Primary Industries and Resources, in the State of South Australia, pursuant to the provisions of sections 25 (4), 25 (5) (b) and 25 (6) of the Petroleum Act 2000 and all other enabling powers, for and on behalf of Paul Holloway, Minister for Mineral Resources Development (Minister), pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573, hereby:

1. Vary the conditions of Petroleum Exploration Licence PEL 105, held by Austin Exploration Limited:

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

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

Year of Term of Licence	Minimum Work Requirements
One	Geological and Geophysical studies
Two	Drill one well
Three	Geological and Geophysical studies
Four	93 km 2D seismic*
Five	Drill two wells*

\* Subject to compulsory relinquishment of 50% of licence area.

The relinquishment of additional area as substitution for part of the work program satisfies the requirement to have regard to the original competitive tender process.

*Variation of Licence Area as a result of the Partial Relinquishment of Petroleum Exploration Licence—PEL 105*

Notice is hereby given that I have accepted variation of the licence area as a result of the partial relinquishment of area of the abovementioned Petroleum Exploration Licence 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 Relinquishment	New Area in km <sup>2</sup>	Reference
105	Austin Exploration Ltd	Cooper Basin of South Australia	22 January 2009	218	27/2/185

*Description of Area*

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

*Area 1*

Commencing at a point being the intersection of latitude 27°29'50"S GDA94 and longitude 140°25'00"E GDA94, thence east to longitude 140°25'00"E AGD66, south to latitude 27°30'00"S AGD66, east to longitude 140°30'00"E AGD66, south to latitude 27°31'20"S AGD66, west to longitude 140°29'30"E AGD66, north to latitude 27°31'10"S AGD66, west to longitude 140°29'10"E AGD66, north to latitude 27°31'00"S AGD66, west to longitude 140°29'00"E AGD66, north to latitude 27°30'50"S AGD66, west to longitude 140°28'10"E AGD66, north to latitude 27°30'40"S AGD66, west to longitude 140°27'50"E AGD66, north to latitude 27°30'30"S AGD66, west to longitude 140°27'20"E AGD66, north to latitude 27°30'20"S AGD66, west to longitude 140°26'10"E AGD66, south to latitude 27°30'30"S AGD66, west to longitude 140°25'50"E AGD66, south to latitude 27°30'40"S AGD66, west to longitude 140°25'40"E AGD66, south to latitude 27°31'10"S AGD66, east to longitude 140°26'10"E AGD66, south to latitude 27°31'20"S AGD66, east to longitude 140°26'30"E AGD66, south to latitude 27°31'30"S AGD66, east to longitude 140°26'50"E AGD66, south to latitude 27°31'40"S AGD66, east to longitude 140°27'20"E AGD66, south to latitude 27°32'00"S AGD66, east to longitude 140°27'40"E AGD66, south to latitude 27°32'20"S AGD66, east to longitude 140°27'50"E AGD66, south to latitude 27°32'30"S AGD66, east to longitude 140°28'00"E AGD66, south to latitude 27°32'40"S AGD66, east to longitude 140°28'20"E AGD66, south to latitude 27°32'50"S AGD66, east to longitude 140°28'40"E AGD66, south to latitude 27°33'00"S AGD66, west to longitude 140°28'20"E AGD66, south to latitude 27°33'20"S AGD66, west to longitude 140°28'10"E AGD66, south to latitude 27°33'40"S AGD66, east to longitude 140°28'20"E AGD66, south to latitude 27°33'50"S AGD66, east to longitude 140°28'30"E AGD66, south to latitude 27°34'00"S AGD66, east to longitude 140°29'40"E AGD66, north to latitude 27°33'55"S AGD66, east to longitude 140°30'00"E AGD66, south to latitude 27°36'30"S AGD66, west to longitude 140°23'50"E AGD66, south to latitude 27°38'00"S AGD66, west to longitude 140°22'20"E AGD66, south to latitude 27°39'10"S AGD66, west to longitude 140°20'50"E AGD66, north to latitude 27°38'20"S AGD66, east to longitude 140°21'20"E AGD66, north to latitude 27°38'00"S AGD66, east to longitude 140°21'50"E AGD66, north to latitude 27°37'30"S AGD66, east to longitude 140°22'20"E AGD66, north to latitude 27°37'20"S AGD66, east to longitude 140°23'10"E AGD66, north to latitude 27°36'20"S AGD66, west to longitude 140°22'40"E AGD66, south to latitude 27°36'30"S AGD66, west to longitude 140°22'30"E AGD66, south to latitude 27°36'40"S AGD66, west to longitude 140°22'20"E AGD66, south to latitude 27°36'50"S AGD66, west to longitude 140°20'50"E AGD66, south to latitude 27°37'00"S AGD66, west to longitude 140°20'40"E AGD66, south to latitude 27°37'10"S AGD66, west to longitude 140°20'20"E AGD66, south to latitude 27°37'20"S AGD66, west to longitude 140°20'00"E AGD66, south to latitude 27°37'40"S AGD66, west to longitude 140°19'50"E AGD66, south to latitude 27°38'00"S AGD66, west to longitude 140°19'40"E AGD66, south to latitude 27°38'20"S AGD66, west to longitude 140°19'20"E AGD66, south to latitude 27°38'30"S AGD66, west to longitude 140°19'10"E AGD66, south to latitude 27°38'40"S AGD66, west to longitude 140°19'00"E AGD66, south to latitude 27°38'50"S AGD66, west to longitude 140°18'40"E AGD66, south to latitude 27°39'00"S AGD66, west to longitude 140°18'00"E AGD66, north to latitude 27°38'30"S AGD66, east to longitude 140°18'30"E AGD66, north to latitude 27°38'00"S AGD66, east to longitude 140°19'00"E AGD66, north to latitude 27°37'30"S AGD66, east to longitude 140°19'30"E AGD66, north to latitude 27°37'00"S AGD66, west to longitude 140°15'00"E Clarke1858, north to latitude 27°36'50"S AGD66, west to longitude 140°14'30"E AGD66, north to latitude 27°36'40"S AGD66, west to longitude 140°14'10"E AGD66, north to latitude 27°36'30"S AGD66, west to longitude 140°14'00"E AGD66, north to latitude 27°36'20"S AGD66, west to longitude 140°13'40"E AGD66, north to latitude 27°36'00"S AGD66, west to longitude 140°13'20"E AGD66, north to latitude 27°35'50"S AGD66, west to longitude 140°13'00"E AGD66, north to latitude

27°35'30"S AGD66, west to longitude 140°12'40"E AGD66, north to latitude 27°35'20"S AGD66, west to longitude 140°12'20"E AGD66, north to latitude 27°34'40"S AGD66, west to longitude 140°12'00"E AGD66, north to latitude 27°34'15"S GDA94, east to longitude 140°14'15"E GDA94, south to latitude 27°35'10"S GDA94, east to longitude 140°14'55"E GDA94, south to latitude 27°35'35"S GDA94, east to longitude 140°17'20"E GDA94, north to latitude 27°34'40"S GDA94, east to longitude 140°17'20"E AGD66, south to latitude 27°34'50"S AGD66, east to longitude 140°18'10"E AGD66, north to latitude 27°34'30"S AGD66, east to longitude 140°18'20"E AGD66, north to latitude 27°34'20"S AGD66, east to longitude 140°18'30"E AGD66, north to latitude 27°34'10"S AGD66, east to longitude 140°18'40"E AGD66, north to latitude 27°33'50"S AGD66, east to longitude 140°18'50"E AGD66, north to latitude 27°33'10"S AGD66, west to longitude 140°18'40"E AGD66, north to latitude 27°33'00"S GDA94, east to longitude 140°21'25"E GDA94, north to latitude 27°31'55"S GDA94, east to longitude 140°23'45"E GDA94, north to latitude 27°30'35"S GDA94, east to longitude 140°25'00"E GDA94 and north to the point of commencement.

But excluding the areas bounded as follows:

Commencing at a point being the intersection of latitude 27°32'15"S AGD66 and longitude 140°24'50"E AGD66, thence east to longitude 140°25'05"E AGD66, south to latitude 27°32'30"S AGD66, east to longitude 140°25'20"E AGD66, south to latitude 27°32'40"S AGD66, east to longitude 140°25'40"E AGD66, south to latitude 27°33'20"S AGD66, west to longitude 140°25'30"E AGD66, south to latitude 27°33'30"S AGD66, west to longitude 140°25'20"E AGD66, south to latitude 27°33'50"S AGD66, west to longitude 140°24'00"E AGD66, north to latitude 27°33'20"S AGD66, west to longitude 140°23'50"E AGD66, south to latitude 27°33'35"S AGD66, west to longitude 140°23'45"E AGD66, south to latitude 27°33'50"S AGD66, west to longitude 140°23'40"E AGD66, south to latitude 27°33'55"S AGD66, west to longitude 140°23'35"E AGD66, south to latitude 27°34'00"S AGD66, west to longitude 140°23'30"E AGD66, south to latitude 27°34'10"S AGD66, west to longitude 140°23'25"E AGD66, south to latitude 27°34'20"S AGD66, west to longitude 140°23'20"E AGD66, south to latitude 27°34'25"S AGD66, west to longitude 140°23'15"E AGD66, south to latitude 27°34'30"S AGD66, west to longitude 140°23'10"E AGD66, south to latitude 27°34'35"S AGD66, west to longitude 140°23'05"E AGD66, south to latitude 27°34'40"S AGD66, west to longitude 140°23'00"E AGD66, south to latitude 27°34'50"S AGD66, west to longitude 140°22'50"E AGD66, south to latitude 27°34'55"S AGD66, west to longitude 140°22'35"E AGD66, south to latitude 27°35'00"S AGD66, west to longitude 140°22'30"E AGD66, south to latitude 27°35'05"S AGD66, west to longitude 140°22'25"E AGD66, south to latitude 27°35'10"S AGD66, west to longitude 140°22'15"E AGD66, north to latitude 27°34'50"S AGD66, east to longitude 140°22'20"E AGD66, north to latitude 27°34'45"S AGD66, east to longitude 140°22'25"E AGD66, north to latitude 27°34'40"S AGD66, east to longitude 140°22'30"E AGD66, north to latitude 27°34'10"S AGD66, west to longitude 140°22'20"E AGD66, south to latitude 27°34'30"S AGD66, west to longitude 140°22'10"E AGD66, south to latitude 27°34'40"S AGD66, west to longitude 140°22'00"E AGD66, south to latitude 27°34'55"S AGD66, west to longitude 140°21'50"E AGD66, south to latitude 27°35'05"S AGD66, west to longitude 140°21'40"E AGD66, south to latitude 27°35'25"S AGD66, west to longitude 140°21'20"E AGD66, south to latitude 27°35'40"S AGD66, west to longitude 140°19'35"E AGD66, north to latitude 27°35'25"S AGD66, west to longitude 140°19'25"E AGD66, north to latitude 27°35'15"S AGD66, west to longitude 140°19'20"E AGD66, north to latitude 27°34'30"S AGD66, east to longitude 140°19'40"E AGD66, north to latitude 27°34'20"S AGD66, east to longitude 140°20'00"E AGD66, north to latitude 27°34'10"S AGD66, east to longitude 140°21'00"E Clarke1858, north to latitude 27°34'00"S AGD66, east to longitude 140°21'30"E AGD66, north to latitude 27°33'35"S AGD66, east to longitude 140°22'40"E AGD66, north to latitude 27°33'20"S AGD66, east to longitude 140°22'50"E AGD66, north to latitude 27°33'05"S AGD66, east to longitude 140°23'00"E AGD66, north to latitude 27°32'55"S AGD66, east to longitude 140°23'10"E AGD66, north to latitude 27°32'45"S AGD66, east to longitude 140°23'20"E AGD66, north to latitude 27°32'40"S AGD66, east to longitude 140°23'40"E AGD66, south to latitude 27°32'50"S AGD66, east to longitude 140°24'05"E AGD66, north to latitude 27°32'45"S AGD66, east to longitude 140°24'10"E AGD66, north to latitude 27°32'35"S AGD66, east to longitude 140°24'30"E AGD66, north to latitude 27°32'25"S AGD66, east to longitude 140°24'40"E AGD66, north to latitude 27°32'20"S AGD66, east to longitude 140°24'50"E AGD66 and north to the point of commencement;

and

Commencing at a point being the intersection of latitude 27°34'00"S AGD66 and longitude 140°26'30"E AGD66, thence east to longitude 140°27'30"E AGD66, south to latitude 27°35'10"S AGD66, west to longitude 140°27'20"E AGD66, south to latitude 27°35'20"S AGD66, west to longitude 140°27'10"E AGD66, south to latitude 27°35'40"S AGD66, west to longitude 140°25'50"E AGD66, north to latitude 27°34'30"S AGD66, east to longitude 140°26'10"E AGD66, north to latitude 27°34'20"S AGD66, east to longitude 140°26'20"E AGD66, north to latitude 27°34'10"S AGD66, east to longitude 140°26'30"E AGD66 and north to the point of commencement.

#### Area 2

Commencing at a point being the intersection of latitude 27°30'00"S AGD66 and longitude 140°07'40"E GDA94, thence east to longitude 140°12'20"E GDA94, south to latitude 27°32'00"S GDA94, west to longitude 140°10'00"E Clarke1858, north to latitude 27°32'00"S Clarke1858, west to longitude 140°07'40"E GDA94 and north to the point of commencement.

#### Area 3

Commencing at a point being the intersection of latitude 27°32'50"S AGD66 and longitude 140°29'10"E AGD66, thence east to longitude 140°30'00"E AGD66, south to latitude 27°33'35"S AGD66, west to longitude 140°29'35"E AGD66, north to latitude 27°33'30"S AGD66, west to longitude 140°29'25"E AGD66, north to latitude 27°33'25"S AGD66, west to longitude 140°29'20"E AGD66, north to latitude 27°33'00"S AGD66, east to longitude 140°29'22"E AGD66, north to latitude 27°32'57"S AGD66, west to longitude 140°29'20"E AGD66, north to latitude 27°32'55"S AGD66, west to longitude 140°29'10"E AGD66 and north to the point of commencement.

#### Area 4

Commencing at a point being the intersection of latitude 27°38'50"S AGD66 and longitude 140°17'00"E AGD66, thence east to longitude 140°17'30"E AGD66, south to latitude 27°40'00"S AGD66, east to longitude 140°20'00"E AGD66, north to latitude 27°39'40"S AGD66, east to longitude 140°20'30"E AGD66, south to latitude 27°41'00"S AGD66, west to longitude 140°17'00"E AGD66 and north to the point of commencement.

Area: 218 km<sup>2</sup> approximately.

Dated 22 January 2009.

M. MALAVAZOS, Acting Director Petroleum and Geothermal  
Minerals and Energy Resources  
Primary Industries and Resources SA  
Delegate of the Minister for Mineral Resources Development

## RADIATION PROTECTION AND CONTROL ACT 1982

## SECTION 44

*Notice by Delegate of the Minister for Environment and Conservation*

PURSUANT to section 44 of the Radiation Protection and Control Act 1982, I, Keith Baldry, Director of the Radiation Protection Division of the Environment Protection Authority, being a person to whom the powers of the Minister under that section have been delegated under the Act, exempt diagnostic radiographers from the requirements of Regulation 40 of the Radiation Protection and Control (Ionising Radiation) Regulations 2000, subject to the following conditions:

1. This exemption only applies to the exposure of a person to ionising radiation for the purposes of plain radiography where the exposure has been directed by Noah Jesse Wichman while engaged in the capacity of Physician Assistant at The Flinders Medical Centre; and

2. The direction referred to in Condition 1 must comply with the following requirements:

- (1) it must be in writing;
- (2) it must contain details of the examination or treatment being undertaken;
- (3) it must contain the clinical indications for the examination or treatment;
- (4) it must contain a statement by Noah Jesse Wichman that he has due authority to give the direction;
- (5) it must be signed by Noah Jesse Wichman; and
- (6) it must be signed by the radiographer who is performing the examination or treatment.

3. Noah Jesse Wichman must, when directed to do so by the Radiation Protection Division, provide the Radiation Protection Division with a written report on diagnostic radiography authorised by him during a period specified by the Radiation Protection Division. The report must contain statistics of diagnostic radiography authorised and details of any radiation safety issues associated with the examinations during the specified period.

4. The exemption shall take effect commencing on the date of publication of this Notice in the *Government Gazette*.

Dated 22 January 2009.

K. BALDRY, Delegate of the Minister for Environment and Conservation

## 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 20 January 2009.

W. D. MORRIS, Chief Executive Officer/  
Secretary

ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24**NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER***Road Closure  
Owen Street, Salisbury Downs*

BY Road Process Order made on 15 August 2008, the City of Salisbury ordered that:

1. Portion of Owen Street situate north of Leslie McIntyre Avenue, more particularly delineated and lettered 'A' in Preliminary Plan No. 08/0013 be closed.

2. The whole of the land subject to closure be transferred to Gary Colin Raymond Peter Howson and Catherine Ann Howson in accordance with the agreement for transfer dated 15 August 2008 entered into between the City of Salisbury and G. C. R. P. and C. A. Howson.

On 17 December 2008 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 79198 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 29 January 2009.

P. M. KENTISH, Surveyor-General

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

BY Road Process Order made on 12 September 2008, the Regional Council of Goyder ordered that:

1. The whole of the unnamed public road situate between sections 357, 358 and 359, Hundred of Kingston, more particularly delineated and lettered 'A' in Preliminary Plan No. 07/0062 be closed.

2. The whole of the land subject to closure be transferred to Belcunda Pastoral Co. Pty Ltd in accordance with agreement for transfer dated 12 September 2008, entered into between the Regional Council of Goyder and Belcunda Pastoral Co. Pty Ltd.

On 23 January 2009 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 79814 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 29 January 2009.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER**

*Road Closure*

*Harpoon Avenue, Encounter Bay*

BY Road Process Order made on 22 October 2007, the City of Victor Harbor ordered that:

1. Portion Harpoon Avenue situate between allotment 92 in Deposited Plan 3052 and allotment 203 in Filed Plan 165452, more particularly delineated and lettered 'A' in Preliminary Plan No. 06/0028 be closed.

2. The whole of the land subject to closure be transferred to Paul Richmond Kirby and Margaret Elizabeth Kirby in accordance with agreement for transfer dated 27 June 2006 entered into between the City of Victor Harbor and P. R. and M. E. Kirby.

3. The following easement is granted over portion of the land subject to that closure:

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

On 5 April 2008 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 76076 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 29 January 2009.

P. M. KENTISH, Surveyor-General

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**ROAD TRAFFIC ACT 1961****SUPPLEMENTARY NOTICE OF APPROVAL AND EXEMPTION**  
*Pursuant to Sections 161A and 163AA of the Road Traffic Act 1961***INCREASE OF ROAD SPEED CAPABILITY OF ROAD TRAIN  
PRIME MOVERS REGISTERED IN SOUTH AUSTRALIA****Information Note**

This Notice changes the Road Speed Capability of South Australian registered road train prime movers specified in the Notice of Approval and Exemption titled 'Operation of Road Train Vehicles in South Australia' dated 2 June 2008 from 90 to 100 km/h.

**1. APPROVAL**

1.1 In accordance with the powers delegated to me by the Minister for Transport under section 163AA of the *Road Traffic Act 1961* and Regulation 155 of the *Road Traffic (Vehicle Standards) Rules 1999*, I hereby vary the conditions of the Notice of Approval and Exemption titled 'Operation of Road Train Vehicles in South Australia' (the 'Primary Notice') dated 2 June 2008 and published in the *South Australian Government Gazette*, as detailed below.

**2. DEFINITIONS**

In this Notice:

- 2.1 'Primary Notice' means the Notice of Approval and Exemption titled 'Operation of Road Train Vehicles in South Australia', dated 2 June 2008;
- 2.2 'Supplementary Notice' means this Supplementary Notice for the increase of the road speed capability of road train prime movers registered in South Australia; and
- 2.3 'Code of Practice' means the Code of Practice for Road Trains, dated April 2008 as issued by the Department for Transport, Energy and Infrastructure.

**3. APPLICATION OF SUPPLEMENTARY NOTICE**

3.1 This Supplementary Notice must be read in conjunction with the Primary Notice and applies to all Approved Vehicles operating under the Primary Notice.

**4. CONDITIONS AND LIMITATIONS APPLYING TO THIS SUPPLEMENTARY NOTICE**

4.1 The requirement for a road train to be fitted with a road speed limiting system that restricts the maximum road speed of the combination to 90 km/h, or be 'gear-bound' such that it is unable to exceed 90 km/h, as prescribed in Clause 13 of the Code of Practice, is hereby varied such that the maximum speed limit capability of a road train is increased to 100 km/h.

**Information Note**

The maximum speed limit of a road train in South Australia remains at 90 km/h.

4.2 The driver of an approved vehicle must:

4.2.1 continue to comply with all conditions and requirements of the Primary Notice; and

4.2.2 carry at all times a legible, current and complete copy of:

(i) this Supplementary Notice;

(ii) the Primary Notice;

(iii) the 'Code of Practice for Road Trains' dated April 2008; and

(iv) all current approved Road Train and Converter Dolly route network map(s) (as appropriate) specific to the entire route being travelled/operated on during the particular journey undertaken, including more specific detailed maps of routes and townships where available; and

(v) a current driver medical certificate where you are required to undergo and pass a medical examination.

4.2.3 produce any or all of the documents indicated in 4.2.2 above when requested by a DTEI Authorised Officer appointed under the *Road Traffic Act 1961* or a Police Officer.

**5. COMMENCEMENT OF THIS NOTICE**

5.1 This Supplementary Notice is valid from 12.01 a.m. on 30 January 2009.

**6. AUTHORISATION**

Executive Director, Safety and Regulation Division  
Department for Transport, Energy and Infrastructure  
Authorised Delegate for the Minister for Transport

## TRAINING AND SKILLS DEVELOPMENT ACT 2008

### Part 4—Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following:

#### Trades or Declared Vocations

The following schedule is additional to the gazettals of:

1. 25 September 2008
2. 23 October 2008
3. 13 November 2008
4. 4 December 2008
5. 18 December 2008

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

#### Trades or Declared Vocations required Qualifications and Training Conditions for the Electricity Supply Industry—Generation Training Package (UEP06)

*Trade #Declared Vocation Other Occupation	Code	Title	Nominal Term of Contract of Training	Probationary Period
# Plant Operator (Electricity Generation)	UEP20106	Certificate II in ESI Generation (Operations Support)	12 months	1 month
	UEP30206	Certificate III in ESI Generation (Operations)	36 months	3 months
	UEP40106	Certificate IV in ESI Generation (Systems Operations)	48 months	3 months
	UEP40206	Certificate IV in ESI Generation (Operations)	48 months	3 months
	UEP50206	Diploma of ESI Generation (Operations)	48 months	3 months

**WORKERS REHABILITATION AND COMPENSATION ACT 1986****WORKERS COMPENSATION TRIBUNAL RULES 2009**

I, WILLIAM DAVID JENNINGS, President of the Workers Compensation Tribunal of South Australia, by virtue of the provisions of section 88E of the Workers Rehabilitation and Compensation Act 1986 and all the enabling powers, do hereby amend the Workers Compensation Tribunal Rules 2005 (as amended) and in lieu thereof implement consolidated Workers Compensation Tribunal Rules 2009.

The Workers Compensation Tribunal Rules 2009:

- remove of reference to arbitration and arbitration officers throughout the Rules;
- remove reference to “chamber judge” from Rule 20 – Pre-Hearing Conference;
- add Rule 28(5) to enable the Tribunal to make orders to give effect to or be as a consequence of an agreement or arrangement that purports to exclude, modify or restrict the operation of the Act;
- amend Rule 24(4)(c) to permit adjustment by the Registrar of the money amount the rule specifies;
- add the ‘Expert Medical Witnesses - Code Of Conduct’ (Fourth Schedule);
- renumber some Rules and modernize and simplify some wording.

Given under my hand and the seal of the Workers Compensation Tribunal of South Australia.

Dated this 14th day of January 2009.



(LS)

**Judge W. D. JENNINGS**  
**PRESIDENT, WORKERS COMPENSATION TRIBUNAL**

**WORKERS COMPENSATION TRIBUNAL RULES 2009****INDEX TO RULES AND FORMS**

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32. FULL BENCH REFERRAL
33. APPEAL TO THE FULL BENCH
34. CASE STATED TO SUPREME COURT
35. THE SUSPENSE LIST
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37. RECOVERY ACTION UNDER S54 OF THE ACT
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39. PRACTICE DIRECTIONS
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- ii. NOTICE OF DESIRE TO BE HEARD
- iii. APPLICATION FOR EXPEDITED DECISION
- iv. NOTICE OF DISPUTE
- v. REQUEST TO EXTEND TIME FOR RECONSIDERATION
- vi. CONFIRMATION OF DISPUTED DECISION
- vii. VARIATION OF DISPUTED DECISION
- viii. NOTICE OF DISSATISFACTION WITH RECONSIDERATION
- ix. NOTICE OF DISCONTINUANCE
- x. CONCILIATION CERTIFICATE
- xi. OFFER TO SETTLE
- xii. REFERRAL TO JUDICIAL DETERMINATION
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- xiv. CERTIFICATE OF READINESS FOR TRIAL
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- xx. NOTICE OF OBJECTION
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- xxxv. NOTICE OF PARTY ACTING IN PERSON - SC FORM 5**
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**FOURTH SCHEDULE: EXPERT MEDICAL WITNESSES CODE OF CONDUCT**

## RULE ONE - SCOPE AND PURPOSE OF THE RULES

- (1) These Rules govern the procedures to be used in the Workers Compensation Tribunal (“the Tribunal”) and they shall be referred to in these Rules as “the Rules”. Their purpose is to assist in the just, speedy and inexpensive determination of every matter. Accordingly in applying the Rules, in making orders or directions pursuant to them and in exercising its discretion in respect of the costs of proceedings, the Tribunal shall have regard to the amount of money involved, the importance of the case and the complexity of the issues in dispute.
- (2) The Workers Compensation Tribunal Rules 2005 as amended and any practice directions issued thereunder (“the repealed Rules”) are hereby repealed.
- (3) Anything lawfully done under the repealed Rules or their predecessors shall not be invalidated by their repeal.
- (4) The Rules shall come into force on Monday the 2<sup>nd</sup> day of February 2009.

## RULE TWO - INTERPRETATION

In these Rules, except where a contrary intention appears:

- (1) Words and expressions defined in the Act shall have the meanings therein respectively assigned to them.
- (2) The words hereinafter mentioned shall mean as follows:

“**the Act**” means the “Workers Rehabilitation and Compensation Act 1986” and any Act amending or substituting the same and any Regulation thereunder.

“**Member**” means the President, a Deputy President, a Conciliation Officer, or a Registrar, as the case may be;

“**the President**” means the President of the Workers Compensation Tribunal and includes a Deputy President appointed to act as President;

“**Presidential Member**” means the President or Deputy President, as the case may be;

“**proceeding**” means any cause, matter, application, hearing, trial, reference, case stated, appeal or other step whatsoever before the Tribunal however constituted, or the Registrar pursuant to the Act or in consequence of any jurisdiction invested in it or that member as the case may be by any other Act whether in Chambers or open Court or otherwise;

“**the Registrar**” means the Registrar appointed pursuant to the Act and shall include a Deputy Registrar;

“**Registry**” means the office of the Registrar wherever situated;

“**the Rules**” mean the Workers Compensation Tribunal Rules, 2009 as amended from time to time and includes any practice directions and forms prescribed thereunder and any schedules and other appendices to the Rules;

“**Tribunal**” means the Workers Compensation Tribunal however constituted and includes the Full Bench.

- (3) The Acts Interpretation Act 1915, shall apply to the construction of the Rules in the same manner as if the Rules had been enacted by Parliament.

### **RULE THREE - RULES AND FORMS/GENERAL PRINCIPLES**

- (1) Although parties are expected to comply with the Rules a breach or non-compliance with a particular rule shall not invalidate any proceeding unless the Tribunal otherwise directs.
- (2) The Rules do not prohibit the Tribunal from excusing a party from their compliance or from substituting in place of the rule so excused some other obligation more appropriate to the circumstances of the proceedings.
- (3) Where the Rules refer to a particular form, that form shall be as set out in the First Schedule to the Rules.
- (4) If a form is required to be filed or served by a party and that form is not contained in the First Schedule the party should construct a form that is in the same style and format as those provided for by the Rules.
- (5) If necessary, a form may be altered or varied as the nature of the case may require unless the form has to comply with a provision of, or Regulation made pursuant to the Act.
- (6) Subject to any contrary provision of, or Regulation made pursuant the Act, the Tribunal shall have power to act at any time to give effect to the purpose of the Rules and may, for example:
- (a) dispense with compliance with any part of the Rules;
  - (b) do all or any acts or give any directions relating to the conduct of a proceeding as it thinks proper to dispose of that proceeding expeditiously.

### **RULE FOUR - APPLICATION OF THE SUPREME COURT RULES**

In any case not provided for by the Rules or by the Act the general principles of the practice of the Supreme Court of South Australia in its civil jurisdiction as in force from time to time and any relevant forms used in connection therewith may be adopted and applied in matters before the Tribunal with such modifications as the circumstances in any particular case may render necessary

### **RULE FIVE - THE REGISTRY**

- (1) There shall be a Registry at which all documents to be filed shall be lodged and from which all documents to be issued by the Tribunal shall be sent from and it shall be situated at such location as shall from time to time be approved by the President.
- (2) The Registry shall be open to the public between such hours as the President may direct.

### **RULE SIX - THE REGISTRAR/DEPUTY REGISTRAR**

- (1) The Registrar may, if directed, deliver a decision on behalf of the Full Bench or a Presidential Member.
- (2) The Registrar may by written instrument, delegate any powers or responsibilities conferred by the Act or by these rules to a Deputy Registrar.

### **RULE SEVEN - FEES**

- (1) The Registrar may from time to time by notice published in the *Gazette* specify the amount of any fees payable in respect of a copy or additional copy of transcript of any proceedings, or the assistance in court or chambers of an interpreter, or a search of case records, or a copy of any award, order or other document and the date from which such fees shall be payable.
- (2) The Registrar may direct that the whole or any part of such fees shall not be taken, or if taken, that the whole or any part thereof shall be remitted.
- (3) The Registrar may from time to time by notice published in the *Gazette* specify the amount of fees for witnesses and the amount of expenses to be given for attendance at conferences.

### **RULE EIGHT - SEAL**

The Seal of the Tribunal shall be in such form as shall from time to time be approved by the President and shall be kept in the Registry under the control of the Registrar. It shall, as appropriate, be affixed to all summonses, orders, judgements and determinations of the Tribunal and upon such other documents and in such manner as the President may direct.

### **RULE NINE – RIGHT OF REPRESENTATION AND ASSISTANCE**

- (1) A party may only be represented in proceedings before the Tribunal by a legal practitioner, or an officer or employee of an industrial association.
- (2) A party who appears personally in proceedings before the Tribunal may, with the Tribunal's permission, be assisted in the presentation of his or her case by a person approved of by the Tribunal. Such permission may be withdrawn at any time in the discretion of the Tribunal. However a party is not entitled to be assisted by any of the following:
  - (a) a person whose name has been struck off the roll of legal practitioners;
  - (b) a person who, although a legal practitioner, is not entitled to practice the profession of law because of disciplinary action taken against the person;
  - (c) a person who has been declared for the purposes of s 39 the Supreme Court Act 1935 to have persistently instituted vexatious proceedings, or;
  - (d) a person who has committed contempt of the Tribunal or some other court and has not purged that contempt.

**RULE TEN – DOCUMENTS**

- (1) Except as otherwise provided by the Act, or Regulations promulgated thereunder, or the Rules, all documents shall be filed in the Registry and shall bear a heading in accordance with the appropriate form description.
- (2) Upon filing, each document shall be numbered in accordance with the directions of the Registrar.
- (3) All documents filed in the Tribunal shall contain the telephone number, the facsimile number and, if available, the email address at which the party or their agent or that party's registered agent or legal representative on whose behalf the document is filed, may be contacted, together with an address for service to which documents may be sent.
- (4) Every agent or solicitor whose name appears on a document filed in the Registry is deemed to have the authority to issue it and accept service of proceedings in relation to it, unless any party upon application to the Tribunal proves the contrary.
- (5) A party may change their address for service; their agent or solicitor; or their telephone or facsimile number or email address, by filing or causing to be filed a form in accordance with the form titled "Notice of Change of Address for Service" in the Registry and serving a copy upon each other party and in like manner an agent or solicitor may notify that they are no longer acting for a party for whom they have previously acted in that proceeding and such notice shall include the address for service of their former client.
- (6) Documents may be lodged at the Registry electronically on such conditions as the President may prescribe from time to time. All documents to be issued by the Tribunal may be issued by it electronically.
- (7) If a document is to be filed in electronic form and requires a particular signature or authentication, the person proposing to file the document must, before doing so:
  - (b) bring into existence a hard copy of the document; and
  - (b) ensure that it is signed or authenticated as required.

The person filing the document in electronic form:

- (a) must keep a signed or authenticated hard copy of the document so as to be available:
  - (i) for production to the Tribunal; and
  - (ii) for inspection at the request of a party or an officer of the Tribunal; and
- (b) must comply with any requirements imposed by practice direction with regard to the preservation, production or inspection of the document; and
- (c) is taken to undertake to the Tribunal that the requirements of this rule have been and will be complied with in relation to the document.

A document lodged in electronic form is accepted as filed at the time shown in the receipt issued by the Registrar as the time of receipt of the document.

A party who files a document under subrule 3(c) by transmitting it, in electronic form, to the Registry's email address undertakes to the Tribunal, by so doing, that the requirements of these rules with regard to the document have been, and will be, complied with.

### **RULE ELEVEN - ASSIGNMENT, PLACE AND CONDUCT OF PROCEEDINGS**

- (1) Subject to any express provision of the Act and Rules, the President may assign any proceedings to any Member of the Tribunal as may seem appropriate and may alter that assignment in order to resolve the proceedings more effectively:
  - (a) If the President is satisfied that a proceeding is vexatious, is an abuse of process or there is other good reason such as a failure of the party lodging the proceedings to purge a contempt of the Tribunal or to pay a fine imposed as a result of a contempt, the President may decline to assign the proceedings and if the proceedings have already been assigned may withdraw that assignment and may direct the Registrar to strike out the proceedings.
  - (b) Before declining to assign proceedings or withdrawing an assignment and directing the Registrar to strike out the proceedings, the President must inform the party that that course is being contemplated and must give a reasonable opportunity to enable the party to make submissions as to whether that course should be proceeded with.
- (2) If a party wishes that proceedings be heard at a place other than Adelaide, then that party must make a specific request to the member to whom the matter has been referred or if there is no such member to the Registrar nominating that other place.
- (3) If a party, other than the party lodging the application or the compensating authority, wishes to participate in the conciliation conference, or any other proceedings (other than proceedings pursuant to s 54 or Schedule 1 of the Act) that party must complete the form titled "Notice of Desire to be Heard" with sufficient copies of such notice and sufficient details of the relevant parties to enable the Registrar to serve such parties.
- (4) Where a matter is assigned to a member of the Tribunal, that member shall decide the manner and order of procedure in which the matter shall be conducted so that the issues raised are resolved as expeditiously as possible.
- (5) Subject to the provisions of the Act and the Rules:
  - (a) a Presidential Member of the Tribunal hearing a matter may adjourn for hearing or consideration in chambers any proceeding which in his or her opinion may more conveniently be disposed of in chambers; and if sitting in chambers may adjourn any proceeding to be heard in open court;
  - (b) in any case in which, in the opinion of the President, the proper conduct of the business of the Tribunal so requires a Presidential Member may either generally or in any particular proceeding direct that any interlocutory proceeding which is part heard before that member be assigned to another Presidential Member for determination.
- (6) If a judicial determination or other hearing before a member has been commenced and the member hearing the matter is unable to proceed, another member as the case may be, may proceed with it upon the transcript and exhibits and such other evidence that the parties may wish to adduce. That member shall if requested by a party recall any witness whose evidence is material and disputed. The member may also recall any other witness.

## **RULE TWELVE - APPLICATION FOR EXPEDITED DECISION**

- (1) An applicant who seeks to invoke the special jurisdiction for expedited decision pursuant to Part 6B of the Act must complete and file with the Registrar a notice in accordance with the form titled "Application for Expedited Decision" together with copies of any relevant documentary material and sufficient copies of such notice and materials and sufficient details of the relevant parties to enable the Registrar to serve such parties.
- (2) In the absence of a direction from a Presidential Member to the contrary, the matter shall be referred to a Conciliation Officer who shall, unless the applicant agrees otherwise, list the matter for hearing within 21 days of lodgement.
- (3) On receipt of the file from the Registry, the Conciliation Officer or other member to whom the matter has been allocated shall contact the parties seeking such particulars and material as the Conciliation Officer or member may reasonably require to resolve the matter and upon receipt shall immediately forward such particulars and material to the other parties.
- (4) The member hearing an application pursuant to this rule shall have the power to make all orders necessary and, for example, may direct a party to provide medical reports and witness statements.
- (5) If a party fails to obey within a reasonable time an order made pursuant to this rule the matter may be referred to a Presidential Member for directions, which may include the invocation of the contempt powers of the Tribunal.

## **RULE THIRTEEN - NOTICE OF DISPUTE**

- (1) An applicant who wishes to dispute a reviewable decision must complete and file with the Registrar a notice in accordance with the form titled "Notice of Dispute" together with copies of any relevant documentary material and sufficient copies of such notice and materials and sufficient details of the relevant parties to enable the Registrar to serve such parties. The reasons supporting the notice shall provide sufficient particulars to enable the compensating authority to understand why its decision is disputed. If in the opinion of the Registrar the particulars provided are insufficient the Registrar may refuse to accept the notice.
- (2) Where an applicant seeks an extension of time within which to dispute a reviewable decision, the applicant must seek that order and state the grounds upon which the order is justified in the notice of dispute filed pursuant to subrule (1) above.
- (3) On filing a notice of dispute an interim order extending the time for disputing the determination is deemed to have been made. A party may however at any time after the conclusion of conciliation seek an order that the interim order be revoked whereupon the application shall be referred to Presidential Member. If such an application is made the onus is on the party seeking the extension of time to establish that the extension should be granted. If no such application is lodged or if the Tribunal otherwise does not revoke such interim order the interim order, shall remain in force for all relevant purposes.
- (4) On receipt of the notice of dispute the Registrar shall send a copy of the notice together with copies of any documentary material lodged with it to the other parties to the dispute.

**RULE FOURTEEN - RECONSIDERATION**

- (1) Upon receipt of a notice of dispute, the compensating authority must make all necessary arrangements for the matter to be reviewed by a person nominated pursuant to s 91(2) of the Act, within seven days or such other time as may be allowed by the Act.
- (2) Where a compensating authority seeks an extension of time within which to complete its reconsideration of the disputed decision it must apply to the Registrar in accordance with the form titled "Request to Extend Time for Reconsideration" and such application may, in the discretion of the Registrar, be dealt with or without the attendance of the parties.
- (3) If the compensating authority confirms the disputed decision, it must immediately file with the Registrar a written notice in accordance with the form titled "Confirmation of Disputed Decision" and must serve a copy of the notice on all parties. The Registrar shall then immediately refer the matter to a Conciliation Officer.
- (4) If the compensating authority varies its decision, either by changing it or effectively withdrawing it, it must immediately file with the Registrar a written notice in accordance with the form titled "Variation of Disputed Decision" together with copies of any relevant documentary material with sufficient copies of such notices and materials and sufficient details of the relevant parties to enable the Registrar to serve such parties.
- (5) If a party is dissatisfied with the variation of the disputed decision, the party must within 14 days of being advised of the variation, file with the Registrar a form titled "Notice of Dissatisfaction with Reconsideration" with sufficient copies to enable the Registrar to serve the other parties.
- (6) Upon receipt of a notice of dissatisfaction with reconsideration the Registrar shall immediately refer the matter to a Conciliation Officer for conciliation and shall advise the parties accordingly.
- (7) If the compensating authority fails to complete its reconsideration within the time prescribed by the Act or as extended by the Registrar, the compensating authority shall be deemed to have confirmed the disputed decision and the Registrar shall immediately refer the matter to a Conciliation Officer and advise all the parties to the dispute in writing that the matter has been referred. Such referral shall not relieve the compensating authority from any other consequences of its failure to complete its reconsideration in a timely manner.
- (8) If the compensating authority has varied the disputed decision and no expression of dissatisfaction is filed by a party within the time prescribed by this rule the Registrar may of his or her own initiative issue as an order of the Tribunal the terms of the variation and shall do so upon request by a party.
- (9) If a compensating authority considers that the notice of dispute does not concern a reviewable decision, it should seek an order striking out the notice of dispute in accordance with the procedure described in Rule 22, Application for Directions.

## **RULE FIFTEEN - DESCRIPTION OF PARTIES**

A party to an application for expedited decision or a notice of dispute shall for the purposes of the Rules, any proceedings before the Tribunal and any orders issued by the Tribunal, (other than in an appeal in which case the parties shall be referred to as appellant and respondent) be referred to as “the worker”, “the employer”, the “self insured employer”, “the Corporation”, or “other” (and if so specify), as the case may be.

## **RULE SIXTEEN - DISCONTINUANCE**

- (1) An applicant may at any time up to seven days prior to the date when the matter is first set down for hearing or mention before a member, discontinue the application either wholly or in part and after that date may only discontinue with the consent of all parties or with the leave of the Tribunal.
- (2) A discontinuance shall be made by filing a notice of discontinuance in accordance with the form titled “Notice of Discontinuance”. Such notice must be served by the party upon all other parties forthwith.

## **RULE SEVENTEEN - CONCILIATION**

- (1) Upon being advised by the Registrar that a dispute has been referred for conciliation the compensating authority must within seven days file with the Registrar a copy of all documents relating to the disputed decision together with an index of the documents. The Registrar shall send a copy of the index to the applicant. If the compensating authority fails to comply with this rule the matter may be referred to a Presidential Member for directions, which may include the invocation of the contempt powers of the Tribunal.
- (2) On receipt of a referral for conciliation, the Conciliation Officer to whom the matter has been allocated shall contact the parties or their representatives seeking particulars and any further material reasonably required to conciliate the dispute and shall advise the parties of the time, place and form of an initial conciliation conference, being a dispute management conference, that shall take place no more than 21 days after the parties have been advised by the Registrar that the matter has been referred for conciliation. At a dispute management conference the parties, if represented by solicitors, should be represented by the file principal, who is expected to actively participate in the conference. The parties may be required to:
  - (a) review the evidence;
  - (b) identify the issues in dispute and any other matters impacting upon the parties’ ability to negotiate;
  - (c) consider strategies and develop a dispute management plan for gathering information in order to resolve the dispute and for dealing with any subsequent developments;
  - (d) attempt to resolve the dispute or some of the issues in dispute.

If the dispute is not resolved at the dispute management conference a negotiation focussed conciliation conference shall be convened. Where parties are represented, file principals, senior solicitors or lay advocates having the primary conduct of the matter are required to attend the conference. Unless excused by the Conciliation

Officer the worker is required to be in attendance. Whilst personal attendance by the compensating authority is not required such attendance is considered highly desirable. Where a party does not attend the conference personally the party is required to be available by telephone for the duration of the conference.

- (3) A Conciliation Officer may exercise such powers and give such directions as may reasonably be required to conciliate the matter between the parties and may for example require a party or any other person to:
  - (a) attend at a meeting with the Conciliation Officer and produce evidentiary material at that meeting or at some other time or place;
  - (b) answer questions put by the Conciliation Officer;
  - (c) attend at a conciliation conference at which the other party may be present;
  - (d) disclose any offers of settlement that have been made to the other party.
- (4) The Conciliation Officer shall act fairly, economically, informally and quickly in making all reasonable efforts to bring the parties to the dispute to agreement.
- (5) If the parties agree to resolve the dispute, either wholly or in part, they may record their agreement by Order of the Tribunal.
- (6) If the conciliation fails to bring about a full settlement of the dispute, the Conciliation Officer shall complete a referral to judicial determination. If the Conciliation Officer is of the opinion that a party or its representative has failed to co-operate in the conciliation process the Conciliation Officer may after informing the parties complete a confidential report which may be referred to and relied upon by a party at the conclusion of subsequent proceedings for the purpose of determining the amount of or entitlement to costs upon completion of the conciliation certificate the matter shall be assigned to a Presidential Member.
- (7) Where a party is not ready to proceed at any conciliation proceedings without reasonable grounds the Conciliation Officer may:
  - (a) refer the matter to judicial determination;
  - (b) adjourn the matter and may order the costs of the adjournment against the party in default;
  - (c) adjourn the matter and may order:
    - (i) that all and any of the costs between the parties professional representative and his or her client be disallowed or that the professional representative repay to his or her client the whole or part any money on account to costs;
    - (ii) that the parties professional representative pay to his or her client all or any of the costs which his or her client have been ordered to pay to any party; or
    - (iii) that the parties professional representative pay all or any of the costs of any other party other than his or her client.
  - (d) take such conduct into account in determining in the case of weekly payments (that might be the subject of an order under s 36(4)(b) of the Act as it was prior to 1 July 2008) whether the operation of the disputed decision shall be suspended.

- (8) If a Conciliation Officer is of the opinion that a notice of dispute is frivolous, vexatious or an abuse of process he or she may refer the matter to a Presidential Member for directions.
- (9) In addition to the powers expressly conferred on Conciliation Officers by the Rules, a Conciliation Officer shall have power to make any order by consent, other than in connection with a judicial determination, appeal or case stated to the Supreme Court, including, for example, the extension or abridgement of time, the expansion of the issues in dispute, excusing non compliance with the Rules, and the varying or revoking of an order.
- (10) Where a party applies for a reference to a conciliation conference pursuant to s 42 of the Act, the application shall be made by completing the form titled "Application for a Redemption Conference" together with copies of any relevant documentary material including proof that a redemption has been proposed whereupon the application shall be referred to a Conciliation Officer who shall conduct a conciliation in accordance with the Rules.
- (11) The procedure to be adopted at any conciliation conducted by a member shall reflect the Principles Guiding Conciliation as set out in the Second Schedule.
- (12) If a party wishes to make a formal record of an offer to settle during a conciliation conference that party should adopt the protocol established by subclause 4(g) of the Principles Guiding Conciliation.
- (13) If a party wishes to make a formal record of an offer to settle at any other stage of the proceedings, that party may file and serve an offer in accordance with the form titled "Offer to Settle" offering to settle the dispute on such terms as that party thinks appropriate, and subject to any specific provision contained within the Act, upon the resolution of the dispute by the Tribunal, that party may bring that offer to settle to the attention of the Tribunal for the purpose of determining that party's entitlement to or liability for costs, in accordance with the Act. Prior to that time however the terms of the offer to settle that has been filed shall not be disclosed to the member of the Tribunal presiding over a judicial determination of the dispute.

#### **RULE EIGHTEEN - PROCEDURE AT HEARINGS**

- (1) Subject to the Rules upon referral of a matter before a member, the member may give directions as to the conduct of the proceedings and for example may:
  - (a) (i) require any person to attend before the member;
  - (ii) order the production to the member of any document;
  - (b) order the inspection of any document produced, and retain it for such reasonable period as is required and to make copies of the document or any of its contents;
  - (c) require any person to take an oath or make an affirmation to answer truthfully all questions relating to the matter before the member;
  - (d) require any person attending before the member (whether that person has been summoned to attend or not) to answer truthfully to any relevant question put by the member or any party or representative of a party.

**RULE NINETEEN – RESERVED**

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**RULE TWENTY - PRE-HEARING CONFERENCE**

- (1) In accordance with s 94B(1) of the Act subject to any order pursuant to s 94B(2) of that Act before any matter proceeds to hearing for judicial determination a pre-trial conference shall be conducted by a Presidential Member.
- (2) At such conference the Tribunal shall make such orders as are reasonably sought by the parties or are thought necessary by the Member to facilitate the efficient disposition of the matter which may include any order or direction provided for by Rule 22.
- (3) Such orders shall ordinarily include witness statement orders, expert witness orders and trial book orders and may also include, for example, orders for discovery, inspection, leave to interrogate, the filing of pleadings and a direction that an advice on evidence or an opinion from counsel be obtained.
- (4) The parties are expected to be able to provide to the Tribunal such information as is necessary to enable appropriate orders to be made and in complex matters are encouraged to brief counsel prior to the pre-hearing conference in which case the availability of counsel shall be a factor taken into account in determining suitable trial dates.
- (5) Before the matter is listed for trial the parties may be required to satisfy the Tribunal that the matter is ready for trial and in that event the matter shall not be listed for hearing until the Tribunal completes the form titled "Certificate of Readiness for Trial".
- (6) If at any time after the matter has been listed for trial and before the trial of the matter has commenced, the matter is settled, discontinued, either wholly or in part, or a party becomes aware of anything which might have the effect of interfering with the orderly disposition of the matter, such as the unavailability of a witness, or rendering inaccurate any information provided to the Tribunal or included in a certificate of readiness, such as the estimation of the length of trial, the party shall forthwith write to the listing clerk giving full particulars thereof and shall serve a copy of the letter on all of the other parties to the dispute.
- (7) If the Tribunal is satisfied that the information contained in the certificate of readiness has become inaccurate subject to hearing from the parties the Member may make an order removing the matter from the trial list.
- (8) If the Tribunal is satisfied that by reason of neglect and/or dilatoriness of the parties, or for other sufficient reason, the matter should proceed to trial notwithstanding that such party or parties may assert that they are not ready to proceed to trial, subject to hearing from the parties the Tribunal may refer the matter to the listing clerk for allocation.
- (9) At the conclusion of a pre hearing conference the matter shall, unless otherwise ordered, be allocated to a call-over as provided for by Rule 27.

**RULE TWENTY ONE - EXPERT EVIDENCE**

- (1) Any party intending to adduce expert evidence at judicial determination must promptly seek directions from the Tribunal in that regard.

- (2) Directions under this rule may be sought at any directions hearing or pre-hearing conference or, if no such hearing or conference has been fixed or is imminent by application for directions.
- (3) Unless the Tribunal otherwise orders, expert evidence may not be adduced at trial:
  - (a) unless directions have been sought in accordance with this rule; and
  - (b) if any such directions have been given by the Tribunal, otherwise in accordance with those directions;
  - (c) in the case of an expert medical witness, the expert has been provided with and agreed to comply with the Expert Medical Witness Code of Conduct as set out in the Fourth Schedule.
- (4) Without limiting its powers to give directions the Tribunal may at any time give such directions, as it considers appropriate in relation to the use of expert evidence in proceedings. Such directions may include any of the following:
  - (a) a direction as to the time for service of expert reports;
  - (b) a direction that expert evidence may not be adduced on a specific issue;
  - (c) a direction that expert evidence may not be adduced on a specified issue except by permission of the Tribunal;
  - (d) a direction that expert evidence may be adduced on specified issues only;
  - (e) a direction limiting the number of expert witnesses who may be called to give evidence on a specified issue;
  - (f) a direction providing for the appointment and instruction of a court appointed expert in relation to a specified issue;
  - (g) a direction requiring experts in relation to the same issue to confer, either before or after preparing expert's reports in relation to a specified issue;
  - (h) a direction that an expert who has prepared more than one experts report in relation to any proceedings is to prepare a single report that reflects his or her evidence in chief;
  - (i) a direction that the experts give evidence concurrently;
  - (j) any other direction that may assist an expert in the exercise of the expert's functions.
- (5) Unless the Tribunal orders otherwise expert witnesses evidence in chief must be given by the tender of one or more expert's report.
- (6) The Tribunal may direct expert witnesses:
  - (a) to confer, either generally on specified matters;
  - (b) to endeavour to reach agreement on any matters in issue;
  - (c) to prepare a joint report, specifying matters agreed and matters not agreed and reasons for any disagreement;

- (d) to base any joint report on specified facts or assumptions of fact, and may do so at anytime, whether before or after the expert witnesses have furnished their experts reports.
- (7) Unless the parties affected agree the contents of the conference between the expert witnesses must not be referred to at any hearing.

#### **RULE TWENTY TWO - APPLICATION FOR DIRECTIONS**

- (1) A party seeking directions as to the conduct of a matter shall apply to the Tribunal by filing in the Registry an application for directions in accordance with the form titled "Application for Directions" in sufficient numbers to enable a sufficient number of sealed copies to be available to serve on all relevant parties. The application shall then be referred to a Presidential Member for the purpose of conducting a directions hearing in which the member shall give such directions with respect to the conduct of the proceeding as he or she thinks proper. If the Presidential Member considers it appropriate, all or some of the proceedings may be conducted electronically in accordance with the protocol set out in the Third Schedule.
- (2) The application for directions shall set out each of the orders sought and shall when necessary be supported by an affidavit setting out all relevant facts and matters. If no directions are sought other than general directions the application should specify that general directions are sought.
- (3) The application for directions and any supporting affidavits shall, unless otherwise ordered, be served by the party seeking the orders upon all other parties to the action at least five business days before the return date. The applicant should be able to prove service of the application at the time of the hearing either by affidavit or by such other means as might be accepted by the Tribunal.
- (4) In any proceeding, which is to be heard by a Full Bench, whether in the original or appellate jurisdiction, such directions as are thought proper with respect to the conduct of the proceeding may be given by the Tribunal constituted by a single Presidential Member.
- (5) In dealing with an application for directions the Tribunal may make any order reasonably required to facilitate the fair and expeditious hearing of a matter and without limiting the generality of subrule 1 or 4 the Tribunal may:
- (a) make orders with respect to:
- (i) discovery and inspection of documents;
  - (ii) interrogatories;
  - (iii) inspection of real or personal property;
  - (iv) admissions of fact or of documents;
  - (v) the defining of the issues by pleadings or otherwise;
  - (vi) the joinder of parties and actions;
  - (vii) which party should be dux litis;
  - (viii) the mode and sufficiency of service;
  - (ix) amendments;
  - (x) the filing of affidavits;
  - (xi) the giving of particulars;
  - (xii) the place, time and mode of hearing;
  - (xiii) the giving of evidence at the hearing, including whether evidence of witnesses in chief shall be given orally or by affidavit, or both;
  - (xiv) the disclosure of reports of experts;
  - (xv) costs;

- (xvi) the filing and exchange of signed statements of evidence of intended witnesses and their use in evidence at the hearing;
  - (xvii) the taking of evidence and receipt of submissions by video link or telephone or such other means as the Tribunal considers appropriate;
  - (xviii) extensions or abridgements of time;
  - (xix) a stay of proceedings pending submission by a party to a medical examination by a medical expert;
  - (xx) a stay of proceedings for any other reason;
  - (xxi) the striking out of any pleading, affidavit, or document filed in the action;
  - (xxii) the granting of summary relief;
  - (xxiii) dispensing with compliance with all or any part of these rules;
  - (xxiv) correcting, revoking, or varying any order by a subsequent order;
- (b) order that evidence of a particular fact or facts be given at the hearing:
- (i) by statement on oath or affirmation upon information and belief;
  - (ii) by production of documents;
  - (iii) otherwise as the Tribunal directs;
- (c) order that an agreed bundle of documents be prepared by the parties or one of them;
- (d) order that the parties attend before a member for a conference with a member with a view to satisfying the member that all reasonable steps to achieve a negotiated outcome of the proceedings have been taken, or otherwise clarifying the real issues in dispute so that appropriate directions may be made for the disposition of the matter, or otherwise to shorten the time taken in preparation for and at the trial;
- (e) order that a witness or potential witness provide to the parties a comprehensive statement in connection with particular issues;
- (f) order that a witness or potential witness attend at the Tribunal before a Presidential Member for the purpose of being examined by the parties in connection with particular issues;
- (g) order that a video film be disclosed and produced to the other parties to the dispute. Such order shall not be made unless:
- (i) it is made by consent;
  - (ii) the video film has previously been shown to the worker's treating medical expert;
  - (iii) the disputed determination relies upon a medical opinion that was wholly or predominantly based upon the video film;
  - (iv) the video film has previously been shown to the worker's current rehabilitation provider;
  - (v) the Tribunal is satisfied that in the interests of justice there are special reasons that require that the video film be disclosed.

Subrule (g) hereof cannot be relied upon to override the discretion conferred upon a Conciliator pursuant to s 92 of the Act.

- (6) The Tribunal may revoke or vary any order made under subrule 1, 4 or 5.

- (7) If a party upon whom an application for directions is served does not wish to be heard upon the application or consents to the orders sought, the party may advise the Registrar in writing. Such consent may be signified by an endorsement in the margin of the application "I consent to the orders sought herein ..... Solicitor/representative/agent for ....". If such notification is provided at least two clear business days before the date of the scheduled hearing the party shall be excused from attendance unless otherwise advised. Where such notification is given the Tribunal may, in its absolute discretion, vacate the scheduled hearing and make the orders sought in the absence of the parties.
- (8) This rule does not apply to a conciliation conducted by a Conciliation Officer unless the orders sought are by consent in which case a Conciliation Officer may make such orders. This rule does not empower a Conciliation Officer to issue directions or make orders in respect of matters pending before a Presidential Member.
- (9) Subject to any express provisions of the Act an application for any order or direction of the Tribunal may, notwithstanding the provisions of the Rules, be made orally or in such other manner and on such notice to any other party, as the Tribunal shall, in the particular circumstances, deem proper and expedient.

### **RULE TWENTY THREE - MEDICAL EXAMINATIONS**

- (1) In any proceedings before the Tribunal in which:
  - (a) the physical or mental condition of a person is relevant to any matter in question; and
  - (b) either:
    - (i) that person is a party; or
    - (ii) a party claims relief for the benefit of that person,any other party may serve on that party a notice in accordance with this Rule for the medical examination of the person concerned. Such notice shall be a request by the party giving notice that the person concerned submit to examination by a specified medical expert at a specified time and place;
  - (c) the party serving the notice shall if requested by the person concerned pay to that person a reasonable sum to meet the travelling and other expenses of the person concerned of and incidental to the medical examination.
- (2) Where a notice for medical examination of a person concerned is served pursuant to this rule and the person concerned either does not or advises that he or she will not submit to the examination or do all things reasonably requested or answer all questions reasonably asked by the medical expert for the purposes of the examination, the Tribunal may, upon an application for directions filed pursuant to Rule 22, on terms, stay the proceedings as to any claim for relief by or for the benefit of the person concerned or make such other order or direction that is thought appropriate.

## **RULE TWENTY FOUR - SUMMONS TO PRODUCE DOCUMENTS OR THINGS TO THE TRIBUNAL**

- (1) The Registrar shall not issue a summons to produce documents or things to the Tribunal that requires the production of medical notes, medical records or the results of diagnostics tests relating to a worker unless directed to do so by a Conciliation Officer or Presidential Member.
- (2) In any other case, and subject to Rule 24(3) hereof the Registrar may upon the application of a party and shall at the direction of a Conciliation Officer or Presidential Member issue a summons to produce documents or things to the Tribunal.
- (3) Where a party has made an application for the issue of a the summons under Rule 24(2) the Registrar may decline to issue the summons if he or she considers the issue may be unreasonable, vexatious, oppressive, an abuse of process, or inappropriate for any other reason, in which case the Registrar shall refer the matter to a Presidential Member for directions.
- (4) A summons issued pursuant to this rule:
  - (a) shall be in accordance with the form titled "Summons to Produce Documents or Things" and the date for compliance with the summons shall be a date 28 days after the issue of a summons or such earlier date as directed by a Conciliation Officer or Presidential Member;
  - (b) must be filed with sufficient copies and sufficient details to enable the Registrar to serve the summons; and
  - (c) must be accompanied with a cheque or money order in the sum of \$50 or such other amount as the Registrar may prescribe from time to time made payable to the person upon who the summons is to be served. Such sum is intended to allay any costs associated with copying the documents or things and forwarding them to the Registrar.
- (5) The Registrar shall serve a summons requiring the production of documents or things by registered mail to the address nominated in the summons.
- (6) The recipient of a summons to produce documents or things shall comply with the summons by making accurate and legible copies of the documents or things and forwarding the copies by registered mail or secure courier to the Registrar prior to the stipulated date of compliance.
- (7) The recipient of the summons to produce documents or things may use the sum of money accompanying the summons to allay any costs associated with copying the documents or things and forwarding them to the Registrar in the manner described.
- (8) If the recipient of the summons to produce documents or things contends that the sum of money accompanying the summons is insufficient to allay any costs associated with copying the documents or things and forwarding them to the Registrar that person may make application to the Registrar to seek an order that the party issuing the summons pay a greater amount prior to its compliance.
- (9) Upon compliance with a summons to produce documents or things and subject to any contrary ruling by a Conciliation Officer or Presidential Member parties may apply to the Registrar to inspect the documents or things and absent an order to the contrary shall, not less than seven days after the documents or things are produced be given unrestricted access subject to the giving of undertakings that the documents or things

shall be returned to the Registrar in the same order and state as they were at the time access was taken and if copies of the documents or things are made that upon the conclusion of the hearing they will be destroyed and not used in connection with any other proceedings.

- (10) If a party, or the recipient of a summons to produce documents or things or some other relevant and interested party seeks an order restricting access to the documents or things produced in compliance with the summons, that person should file an application for directions seeking the appropriate relief whereupon the application shall be referred to a Presidential Member to determine the application. If no such application is filed within seven days after the stipulated date of compliance all relevant persons shall be deemed to consent to all other relevant parties having unrestricted access to the documents or things subject to these rules. During that 7-day period only the worker and his or her representative shall have access to the documents or things.
- (11) If a party or a recipient of the summons takes objection to the issue of the summons or to the production of particular documents or things, the party or recipient should advise the Registrar in writing seeking the appropriate relief whereupon the application shall be referred to a Presidential Member to determine the application.
- (12) Unless otherwise ordered, all documents or things produced on the return of the summons to which this rule relates shall be kept in proper custody by the Registrar and clearly marked to indicate the proceedings to which they relate.
- (13)
  - (a) Unless the Tribunal orders otherwise, the Registrar may in his or her absolute discretion destroy any documents or things produced in response to a summons issued under this Rule.
  - (b) Unless the Tribunal orders otherwise, the Registrar must not destroy any documents or things under subrule (a) unless the Registrar has given to the issuing party at least 14 days notice of the intention to do so.
- (14) Failure by a person to comply with any summons issued pursuant to this Rule may be regarded as contempt of the Tribunal.

#### **RULE TWENTY FIVE - SUMMONS TO ATTEND TO GIVE EVIDENCE AND SUMMONS TO ATTEND TO GIVE EVIDENCE AND PRODUCE DOCUMENTS OR THINGS**

- (1) This Rule applies where a party requires a witness to attend and give evidence at a hearing or trial or to attend and produce documents or things at a hearing or trial.
- (2) The Registrar may upon the application of a party and shall at the direction of a Conciliation Officer or Presidential Member issue a summons to attend or appear at the Tribunal or a summons to attend or appear at the Tribunal and produce documents or things to it.
- (3) A summons issued pursuant to this Rule shall be in accordance with the form titled "Summons to attend to give evidence" or "Summons to attend to give evidence and produce documents or things" as the case may be and the date for compliance with the summons shall be the date of the hearing.
- (4) A summons to attend or appear or a summons to attend or appear and produce documents or things shall be served by the issuing party and should be served personally and where requested the original should be produced. If on tender of such summons to the person named that the person refuses to accept it, the summons may

be served by putting it down in the persons presence after the person has been told of the nature of the summons. Such summons shall be served within twelve weeks after the date of issue and not later than 14 days before the date of compliance and shall remain in force until the trial or hearing is concluded. Service of such summons may be proved by affidavit.

- (5) If a party or a recipient of a summons to attend or appear or a summons to attend or appear and produce documents or things takes objection to the issue of the summons or to the production to particular documents or things the party or recipient should file an application for directions seeking the appropriate relief whereupon the application should be referred to a Presidential Member to determine the application.
- (6)
  - (a) Where a person served with a summons to attend or appear or a summons to attend or appear and produce documents or things such a summons does not come before the Tribunal in answer to the summons because the matter is not called on for hearing, and a further date is set for the commencement of the hearing the person served with the summons shall answer the summons as if it had inserted therein a further date for the commencement of the hearing provided that within a reasonable time before that further date the party serving the summons upon the person is served on him or her by certified mail, notice of the further hearing date and is tendered to him or her reasonable expenses for his or her attendance at the Tribunal on the further date having taken into account what, if any, part of the amount previously tendered to him or her for reasonable expenses has been properly applied towards any expense incurred by him or her in answering the summons for its original return date.
  - (b) A person served with such a summons is entitled to a payment from the person issuing the summons of an amount equal to the reasonable expenses incurred by the person in complying with the summons.
  - (c) The Tribunal may make orders to ensure that the person complying with such a summons receives the exact amount of the person's reasonable expenses in so complying and may in appropriate case direct that such a payment be made in advance.
  - (d) The Tribunal may fix the amount of costs or direct the Registrar to fix the amount of such costs.
- (7) Failure by a person to comply with any summons issued pursuant to this Rule may be regarded as contempt of the Tribunal.

**RULE TWENTY SIX - EXPANSION OF THE ISSUES IN DISPUTE  
(S 88DA of the Act)**

- (1) A party may, with the leave of the Tribunal and with the consent of the other parties, refer any other issue relating to the worker's entitlement to compensation pursuant to the Act for determination by the Tribunal even if that entitlement has not been the subject of a claim for compensation or a determination by the compensating authority.
- (2) An application for referral pursuant to this rule must be made in accordance with the form titled "Application for Expansion of Issues in Dispute" and must be served together with the form titled "Notice of Objection" on the worker, the employer or the compensating authority at least 14 days before the application is determined by the Tribunal.
- (3) If a notice in the form titled "Notice of Objection" is not filed and served by any party within 14 days of the service of an application for expansion of issues in dispute, all parties shall be deemed to have consented to the expansion sought in that application.

- (4) Where the parties to a dispute seek consent orders that involve the resolution of issues not presently before the Tribunal the parties shall be deemed to seek an order pursuant to s 88DA of the Act to expand the issues in dispute to the extent necessary to make the orders and to have obtained all relevant consents from interested parties. In that event the consent orders may be made notwithstanding non-compliance with this rule and upon the making of such orders, an order pursuant to s 88DA of the Act shall be deemed to have been made.

#### **RULE TWENTY SEVEN - CALL-OVERS**

- (1) Where a matter is listed for call-over, it is the obligation of the parties to be ready to proceed on the day of the call-over or at such other time as the Tribunal may direct.
- (2) A matter listed for call-over may be adjourned to a later call-over by the member before whom the matter would have been called over at that member's discretion or following an appropriate application from one of the parties.
- (3) Unless a matter has been discontinued and a notice to that effect has been filed or the parties have otherwise advised the listing clerk in writing that the matter has settled, then the parties or their representatives must attend the call-over and be ready to proceed.

#### **RULE TWENTY EIGHT - ORDERS AND DETERMINATIONS**

- (1) If the parties have resolved their dispute by agreement they shall advise the Registrar immediately. Unless otherwise requested the Registrar shall thereupon dismiss the notice of dispute. If that is not the order that is sought the parties should complete one or more of the standard forms of orders and upon completion should submit the form to the member then dealing with the dispute or if there is no such member to the Registrar and in either case the member or Registrar as the case may be shall sign the form and place upon it the seal of the Tribunal whereupon the form shall become a formal order of the Tribunal.
- (2) In all other matters, unless the Tribunal directs otherwise an order that does not finally determine a question or dispute need not be drawn up and an order that finally determines a question or dispute must be drawn up.
- (3) Orders that are required or directed to be drawn up shall be prepared by one of the parties or as directed by the Tribunal. It is intended that such draft will in the ordinary course be sent electronically. Upon receipt, the Registrar shall, subject to settling the terms of the order with the parties sign and seal the order and forward sealed copies to the parties.
- (4) If parties seek an order of the Tribunal that gives effect to, is underpinned by, or is sought as a consequence of an agreement or an arrangement consented to by the Corporation that excludes, modifies or restricts the operation of the Act, the parties should declare that fact to the Tribunal. In such cases the Tribunal will not make the order sought unless a Presidential Member is satisfied that all necessary parties have joined in the consent and it is just and proper that the order be made. This will be determined upon the filing of an Application for Directions and supporting Affidavit. In determining this issue the Presidential Member may issue such directions and adopt such procedures as are deemed appropriate. This may include directing the production of independent counsel's opinion or requiring the parties or any one of the parties to attend in person or by representative to make such explanation of the circumstances that are considered necessary.

- (5) Where the dispute concerns an infant or other person under legal disability, any settlement thereof must be approved by a Presidential Member both as to the appropriateness of the settlement and as to the disposition of the settlement monies. To this end the Presidential Member may issue such directions and adopt such procedures as are deemed appropriate, but would ordinarily require the production of an opinion on these matters from independent counsel and hearing from the litigation guardian or such other person as the Presidential Member considered necessary.

#### **RULE TWENTY NINE - DELIVERY AND PUBLICATION OF REASONS FOR DECISION**

- (1) At the completion of a judicial determination or any other contested matter heard by a Presidential Member that requires the publication of reasons, the Presidential Member hearing the matter shall deliver a decision and publish such reasons as soon as practicable, and if appropriate an advice to the parties that they have the right to appeal the decision on a question of law. If the Presidential Member is unable to deliver the decision and publish reasons within three months of completion, the member should advise the parties accordingly and if the member is unable to do so within four months, the member must report the matter to the President.
- (2) At the completion of a judicial determination referred to the Full Bench or an appeal, the Full Bench shall deliver a decision and if appropriate publish reasons as soon as practicable. If it is unable to do so within three months of completion it should advise the parties accordingly. If it is unable to do so within four months of completion it must seek prior leave from the President.

#### **RULE THIRTY - COSTS OF PROCEEDINGS**

- (1) Subject to the provisions of the Act, Regulations promulgated thereunder or these Rules, the costs of and incidental to any proceedings before the Tribunal shall be in the discretion of the Tribunal, both as to liability and quantum.
- (2) Where a Member of the Tribunal is required to determine the quantum of a party's costs, that member ('the presiding member'), may in his or her absolute discretion assign the task of taxing such costs to the Registrar who may in turn assign part or all of that task to a Deputy Registrar.
- (3) The Registrar or the Deputy Registrar may of his or her own motion submit any question arising out of the course of a taxation to the presiding member for such directions as the presiding member may see fit to give and the parties may be heard before the presiding member thereon. Such submission shall be in the form of an informal memorandum, a copy of which shall be supplied to each party to the taxation setting forth the questions in issue and any relevant circumstances relating thereto. The presiding member shall endorse the directions that he or she sees fit to make and remit the matter to the Registrar or the Deputy Registrar who shall act in accordance with such directions.
- (4) In conducting a taxation of costs, the Tribunal shall act according to the practice and procedure for the time being of the Supreme Court with such modifications as may be necessary in the circumstances.
- (5) Where such taxation is undertaken by the Registrar or a Deputy Registrar, upon the completion of the taxation, the Registrar or the Deputy Registrar shall prepare and sign a certificate of recommendation as to the result thereof and submit the certificate to the presiding member who may adopt the recommendation with such modifications that he or she thinks appropriate and shall provide a copy of the certificate to all interested parties.

- (6) If a party is dissatisfied with the recommendation of the Registrar or a Deputy Registrar that party may, within seven days from the date of receiving the recommendation, make application to the presiding member to be heard upon whether the presiding member should adopt the certificate of recommendation. In any case where the presiding member proposes to vary or modify the certificate of recommendation the presiding member shall grant the parties an opportunity to be heard before making such variation or modification.
- (7) In determining the quantum of a party's costs the presiding member or Registrar or Deputy Registrar as the case may be shall adopt the following principles:
- (a) Where a matter proceeds to trial at judicial determination, the parties shall be expected to have, so far as it is reasonable, taken all steps that are necessary to bring all issues in dispute between them before the presiding member so as to avoid multiplicity of proceedings, and failure to do so may impact upon the amount of costs to be awarded.
  - (b) In no case shall the award of costs exceed 85% of the amount that would be allowed under the relevant Supreme Court scale if the proceedings were in the Supreme Court (s 95(5) of the Act).
  - (c) The party shall be entitled to all proper costs of and incidental to work carried out after the referral of the matter for judicial determination as a prudent but not over cautious litigant properly advised, having regard to the potential quantum of the worker's entitlements and the complexity of the issues between the parties, would reasonably have incurred, in the initial investigation of the relevant circumstances giving rise to the proceedings and in the preparation and the prosecution of the proceedings. Such costs may include: the ascertaining of relevant factual circumstances; the obtaining and tendering of an advice on evidence and regard thereto; the obtaining and preparation of witness statements; the obtaining and consideration of medical and other expert reports; the obtaining of counsel's opinion regarding an appropriate range of compromise; and the conduct and the conclusion of all necessary negotiations leading to the settlement of the claim.
  - (d) A party entitled to an award of costs in respect of a trial at judicial determination may be awarded up to 85% of the Supreme Court scale for all reasonably necessary preparatory work. Consistent with the expectation that the parties shall have: obtained advice on evidence; properly proofed all witnesses so as to be able to make an informed decision as to which witnesses are required to give oral testimony (if the witness is not otherwise required for cross-examination); carefully reflected upon the witness statements and expert reports of the other parties so as to be able to make an informed decision as to which witnesses are required for cross-examination; identified all potential issues and factual matters capable of agreement and have taken steps to secure agreement in respect thereof; shall be in a position to make submissions as to costs upon receipt of judgment; and generally have taken all reasonable measures to ensure that the trial proceeds expeditiously and only occupies sitting time in court to the extent that it is absolutely necessary.\*

The following scale of counsel fees (other than in respect of a referral pursuant to s 94A(2) of the Act) shall apply:

- Fee on brief - including conferences, reading time, preparation and up to the first five hours in court an amount not exceeding \$2 500.00.

- Refresher fees - if the trial extends beyond five sitting hours counsel fees shall be based upon time spent in court and unless provision is specifically made, no further allowances shall be made for conferences; reading time or preparation. Such refresher fees shall be awarded as follows:
  - For time spent beyond five hours and up to 10 hours - at the rate of up to \$225.00 per hour.
  - For time spent beyond 10 hours and up to 20 hours - at the rate of up to \$150.00 per hour.
  - For time spent beyond 20 hours - at the rate of up to \$100.00 per hour.
- Where written submissions are provided costs shall be awarded on an hourly rate commensurate with 1.5 times that, which would apply, had the submissions been made orally.
- Where judgment is delivered in Court an amount of \$150.00 to receive judgment.

\*For example: converting video evidence into a short passage of edited highlights for showing in court (subject of course to all video tapes being made available to the other parties to the dispute after cross-examination of the relevant witness has been completed); obtaining and providing to the other parties copies of notes that a witness may seek to rely upon in giving evidence; scheduling witnesses so as to ensure that sufficient time is allowed for the receipt of their evidence; agreeing where possible to interpose witnesses and if interposition is not possible to indicate that to the other parties at the earliest possible time; arranging witnesses so as to ensure that the available time is best utilised.

- (e) Notwithstanding the limitations on counsel fees previously expressed, if the presiding member is of the opinion that the party against whom a costs order is to be made has unnecessarily prolonged the hearing the presiding member may award an amount of up to \$225.00 per hour for counsel fees for any period of time spent in court after the first five hours.
- (8) If a party contends that some other order for costs is more appropriate to the circumstances to the proceedings than that which Rule 30(7)(d) stipulates, the party should advise the Tribunal and the other parties to the dispute at the earliest possible time. A failure to do so shall be taken into account in determining whether such an order should be made. Other factors to be taken into account shall include the complexity of the case, the need to engage senior counsel and the additional hearing time required as a result of the consolidation of actions or an agreement to expand the issues in dispute.
- (9) This rule does not apply to actions for recovery under s 54 or the Schedule 1 of the Act.

### **RULE THIRTY ONE - REPRESENTATION COSTS**

- (1) A representative of a party shall not charge excessive representation costs. Unless there are exceptional circumstances representation costs greater than the Supreme Court scale as varied from time to time ('the Supreme Court scale') shall be regarded as excessive.

- (2) A representative acting for a worker in respect of proceedings under the Act is not entitled to recover from that worker any costs in respect of those proceedings in addition to those payable by the compensating authority or claim any lien in respect of such costs or deduct such costs from sum awarded as compensation to the worker unless those additional costs have been awarded by a Presidential Member of the Tribunal. Where a worker's representative seeks such an award of costs the representative shall file an Application for Directions and a supporting affidavit and serve them upon the worker. The Application shall then be referred to a Presidential Member who shall make such orders or give such directions, as may be appropriate including, for example:
- (a) directing the worker's representative to prepare a short or long form bill of costs;
  - (b) directing the worker or the worker's representative to obtain an opinion from of an independent lawyer regarding the reasonableness of the claim for additional costs and directing who should bear the costs of obtaining that opinion;
  - (c) directing the worker or the worker's representative to participate in a conciliation conference to explore the resolution of any issues arising out of the claim for additional costs;
  - (d) directing the Registrar to conduct a taxation of costs and make recommendations such as what amount of additional costs are reasonable;
  - (e) directing the worker's representative to produce all files relating to the worker that are in the representative's possession, custody or control;
  - (f) directing that any documents produced in connection with the Application be marked confidential.
- (3) A Presidential Member in determining what, if any additional costs should be awarded shall have regard to the conduct of the worker, the amount of money involved, the importance of the case, the complexity of the issues in dispute, and any other relevant matter.
- (4) Subrules (2) and (3) only apply to matters in respect of which instructions were given on or after 1 January 2009.

### **RULE THIRTY TWO - FULL BENCH REFERRAL**

- (1) A party wishing to refer a dispute directly to a Full Bench may apply to do so by an application for directions.
- (2) If a Presidential Member believes that it is appropriate for a dispute to be referred directly, the member shall complete a certificate in accordance with the form titled "Certificate of Referral to a Full Bench" and provide copies to all parties.
- (3) In either case the application or referral shall be listed before the President for the purpose of allowing the parties an opportunity to be heard prior to the President deciding whether or not to refer the matter to a Full Bench. Examples of orders, which may be made, are as set out in the form titled "Full Bench Referral Orders".

### **RULE THIRTY THREE - APPEAL TO THE FULL BENCH**

- (1) An appeal against a decision of a single Presidential Member must be filed with the Registrar in accordance with the form titled "Notice of Appeal" within 14 days of the delivery of the decision appealed against and must be served on all parties.
- (2) Within 21 days of the filing of the notice of appeal or the referral of a dispute for the consideration of the Full Bench there shall be a pre-hearing conference before the President or a Presidential Member nominated by the President and the Presidential Member shall, in addition to such other matters as may be thought expedient direct his or her attention to, and if thought appropriate, make orders or give directions in respect of:
  - (a) the contents of the appeal book and the time at which it shall be delivered to the Tribunal;
  - (b) the filing of lists of, and books of authorities to be relied upon by the parties;
  - (c) the making of submissions either wholly or partly in writing and the time within which they shall be filed and served;
  - (d) the time limits within which the parties shall present their respective cases.

Examples of such orders are as set out in the form titled "Full Bench Pre-hearing Orders".

- (3) If the respondent contends that the appeal should be dismissed for reasons different to those contained in the decision being appealed, the respondent shall file and serve at least five business days before the appeal is to be heard, a form titled "Notice of Alternative Contentions."
- (4) If the Full Bench is unanimously of the view that the judgment or order under appeal contains no errors of law and that the publication of reasons for decision would have no precedential value the judgment or order may be affirmed by it without the publication of reasons.

### **RULE THIRTY FOUR - CASE STATED TO SUPREME COURT**

Where the Full Bench of the Tribunal decides to state a case for consideration by the Supreme Court pursuant to the Act, it may issue directions generally.

### **RULE THIRTY FIVE - THE SUSPENSE LIST**

- (1) Where the parties to a dispute do not seek any orders or assistance from the Tribunal or wish to defer progressing their dispute for an indefinite period a member may refer the dispute to the suspense list.
- (2) Once a matter has been referred to the suspense list, if a party seeks to progress the dispute, the party shall request the Registrar to revive the matter whereupon the Registrar shall refer it to an appropriate member.
- (3) After referral to the suspense list, if no request has been made to revive the matter within twelve months of referral, the Registrar shall refer the matter to a Presidential Member to consider whether the notice of dispute should be dismissed for want of prosecution or whether some other order should be made. In either case the parties shall be given an opportunity to be heard before an order is made.

### **RULE THIRTY SIX - APPLICATION FOR REVIEW OF DECISION UNDER THE FIRST SCHEDULE OF THE ACT**

- (1) An application for review of a determination of the Corporation made pursuant to the Transitional Provisions of Schedule 1 of the Act may be made in accordance with the form titled "Application for Review of Decision under the First Schedule of the Act".
- (2) The party issuing the application for review shall cause a copy thereof to be served on the Corporation, the worker and the employer or any other party affected or likely to be affected by the said determination.
- (3) The application for review shall in the first instance be returnable for hearing in chambers before a Presidential Member for the purpose of giving directions or making ancillary orders.
- (4) On such hearing or any adjournment thereof the Tribunal may give directions or make orders in accordance with any of the powers contained and conferred by the Rules.

### **RULE THIRTY SEVEN - RECOVERY ACTION UNDER S 54 OF THE ACT**

An action for recovery under s 54 of the Act shall proceed with such changes as are necessary in accordance with the Supreme Court Rules and upon lodgement may be referred to a Presidential Member for directions.

### **RULE THIRTY EIGHT - GENERAL POWERS OF A PRESIDENTIAL MEMBER OF THE TRIBUNAL**

In addition to the powers expressly conferred by the Rules, a Presidential Member shall, so far as it is appropriate, have the powers conferred by the Supreme Court Rules on a judge of the Supreme Court.

### **RULE THIRTY NINE - PRACTICE DIRECTIONS**

- (1) The President may issue practice directions.
- (2) These practice directions shall have the force of the Rules.
- (3) Practice directions may be for the guidance of all parties or of a specific party or group of parties as the case may be.

### **RULE FORTY - CONTEMPTS OF THE TRIBUNAL**

- (1) If a member of the Tribunal alleges that a person has committed contempt of the Tribunal that member must refer the matter to the President or to the Deputy President to whom the President has delegated the power to deal with contempt.
- (2) Upon such referral, the President or the Deputy President, as the case may be, may instruct the Registrar to issue and serve an expiation notice upon the person who has committed the alleged contempt. Such notice shall:
  - (a) Stipulate an amount be paid to the Registrar;
  - (b) Stipulate the time within which such payment is made.

- (3) In the event that payment in accordance with an expiation notice issued pursuant to subrule 2 hereof is made, no further proceedings in respect of the alleged contempt by that person shall be instituted.
- (4) In any other case, the Registrar shall issue and serve a summons on the person who has committed the alleged contempt commanding the attendance of that person before the President or the Deputy President as the case may be, at a particular time and place at which time orders shall be made regarding the future conduct of the proceedings. In default of an appearance by the person who has committed the alleged contempt, an order, including the finding of contempt and the imposition of a penalty, may be made in the absence of that person.

#### **RULE FOURTY ONE - INTERVENTION**

If the Corporation or the Minister wish to intervene in proceedings before the Tribunal the form titled "Notice of Intervention" must be completed, filed with the Registrar and served on all relevant parties.

## SECOND SCHEDULE - PRINCIPLES GUIDING CONCILIATION

- (1) A conciliation conducted under the Act shall be treated as a process that seeks to:
- Identify and isolate the issues in dispute between the parties.
  - Develop options for the resolution of these issues.
  - Enable the parties, if appropriate, to explore options beyond the issues in dispute between them to bring about a satisfactory resolution of their differences.
  - Enable the parties to have their say and to share with others involved in their dispute, their feelings and concerns in a confidential non-threatening environment without prejudice to their rights and entitlements.
  - Assist the parties in understanding the perspective of the other parties to the dispute.
  - Promote constructive, satisfying and enduring solutions to their dispute.
- (2) The role of a member acting as a conciliator (referred to in this statement of principles as a “conciliator”) is to act as an unbiased third person whose role is to facilitate the process of conciliation and to assist the parties in negotiating a resolution of their dispute and he or she must endeavour to achieve these goals as expeditiously as possible. The conciliator must not impose a solution of the dispute upon them. However the conciliator may suggest alternatives, which may become options for resolving a dispute.
- (a) The conciliator must diligently discharge his or her legal and administrative responsibilities as required by the Act and the Rules.
- (b) In dealing with the parties the conciliator shall act in a completely unbiased way and shall accord to every party or person who is legally interested in the dispute or who has the right to represent those who are parties to the dispute, the full right to be heard according to law.
- (c) The conciliator shall reflect upon any prior dealing or association with any of the parties or their representatives and upon any other matters that might be or be seen to be inconsistent with his or her capacity to act in a completely impartial and unbiased way. If those matters have the potential to create a genuine apprehension of actual or perceived bias, the conciliator shall immediately disqualify him or her from the matter. In other cases, the conciliator shall make full disclosure to the parties of such prior dealing or association or other relevant matter, and if requested by a party to disqualify him or herself, shall immediately do so.
- (d) The conciliator shall treat the parties and their representatives with courtesy and respect and in a fair and equitable manner and shall not practice or condone any form of discrimination based on race, gender, sexual preference, religion, age, disability or any other personal characteristic.

- (e) If a party or a representative of a party considers that a conciliator is behaving in an inappropriate way either by reference to the Act as the case may be or by the Rules that party or representative shall endeavour to communicate with the conciliator in private to express those concerns or, if thought appropriate, may make a formal written complaint to the Senior Judge or President. In such circumstances the Senior Judge or President may take such action as is thought appropriate in the circumstances, and the complainant shall be informed of such action.
- (3)
    - (a) If a party is a natural person, the party must attend the conciliation conference unless that party has sought and obtained a prior approval from the conciliator to be excused from attendance. If a party is not a natural person, it must be represented at the conciliation conference by a person with full authority to make agreements binding upon it settling the issues in dispute unless it has sought and obtained prior permission from the conciliator not to be so represented.
    - (b) The parties to the dispute and their representatives shall make full disclosure of relevant documents as required by law prior to the commencement of the conciliation conference and should discoverable documents come into the party's or the representative's possession after initial discovery has been made that party or representative must ensure that full disclosure of such documents is made immediately.
    - (c) If a party is for a proper reason not in a position to have meaningful discussions at a conference and intends to make an application for an adjournment, that party or the representative of that party must, if the circumstances permit, give prior notice at the earliest possible time, to the conciliator and to the other parties to the dispute and their representatives.
    - (d) If a party wishes to raise issues or explore settlement options that go beyond the issues presently in dispute that party shall endeavour to give prior seven clear days notice to the conciliator and to the other parties to the dispute and their representatives of the party's desire to do so.
    - (e) The parties to the dispute and their representatives shall cooperate with each other and with the conciliator and they shall refrain from acting or behaving in a threatening or offensive manner.
    - (f) If the conciliator is of the opinion that a party or the representative of a party is acting or behaving inappropriately either by reference to this Rule or otherwise, the conciliator may exclude the party or the representative from the process and/or terminate the conciliation conference immediately. If thought necessary, the conciliator may in his or her absolute discretion refer the matter to the President with a recommendation or formal complaint or, in an appropriate case, with a request that contempt proceedings be initiated.
  - (4)
    - (a) The conciliator shall advise the parties of the date and time of the conciliation conference. Before the conference commences, the conciliator shall use his or her best endeavours to ensure that the parties to the dispute have been provided with all relevant documents that are necessary to achieve a conciliated outcome.
    - (b) Thereafter, the conciliator may meet as frequently as he or she deems appropriate with the parties together or with a party alone and he or she may communicate with any party orally and/or in writing.

- (c) Where a party is represented the conciliator shall not communicate directly with that party unless requested to do so by the party or by the representative of the party or in the opinion of the conciliator such communication is essential, in which case the conciliator shall endeavour to speak privately with the party's representative to explain his or her reasons for wishing to do so.
- (d) Information whether oral or written that is disclosed to the conciliator by a party in the absence of the other party, shall not be disclosed by the conciliator to the other parties unless either required by law or unless the disclosing party consents to the conciliator doing so.
- (e) Subject to the to the Act and the Rules, the conciliation conference shall be conducted in such manner as the conciliator considers appropriate having regard to all of the circumstances. Conciliators shall endeavour, subject to the individual needs of a particular dispute, to conduct their conferences and deal with the parties in a consistent manner.
- (f) If the parties resolve their differences prior to the convening of the conciliation conference or between conferences the parties shall inform the conciliator immediately.
- (g) If a party wishes to make a formal record of an offer made to another party to resolve the dispute that party may request the conciliator to note the offer in which case the conciliator shall record the terms of the offer in a sealed envelope to be placed upon the Tribunal's file and shall advise the other parties to the dispute that that offer may be relied upon in later proceedings on the issue of costs.
- (h) If a settlement is reached at a conciliation conference the conciliator shall ensure that the agreement reached is clearly understood by all parties as to its terms and its implications for existing or potential entitlements and shall satisfy him or herself, that any agreements have been freely entered into by the parties without undue pressure or duress being applied by any party or by the conciliator.
- (i) At the conclusion of the conciliation process the conciliator shall destroy all notes and written records of the matters discussed other than a record of an offer of settlement made in accordance with subclause 4 (g) hereof or those that are required to be maintained by law. The conciliator shall thereafter keep confidential all of the discussions that the conciliator has had with the parties and their representatives and shall not without the consent of the parties or unless required by law disclose any information or statements made by or to the parties or their representatives.

### THIRD SCHEDULE - TRANSITIONAL PROVISIONS

- (1) Subject to subparagraph (2) hereof, any direction, act or order of the Tribunal made between the date of disallowance of the Workers Compensation Tribunal Rules 2001 and the date of publication in the *South Australian Government Gazette* of the Workers Compensation Tribunal Rules 2001 (as amended) that was previously authorised by Workers Compensation Tribunal Rules 2001 is hereby validated.
- (2) This transitional provision does not apply to a direction, act or order made in purported reliance upon Rule 30(4) of the Workers Compensation Tribunal Rules 2001.

#### **FOURTH SCHEDULE - EXPERT MEDICAL WITNESSES - CODE OF CONDUCT**

Expert medical evidence is frequently relied upon in proceedings or proposed proceedings before the Tribunal. This Code of Conduct applies to any medical expert who is engaged to provide a report to be used as evidence or to give expert evidence in proceedings or proposed proceedings in the Tribunal. The purpose of the Code is to explain the Tribunal's view of the role and duty of experts; to specify certain matters that must be included in an expert's report or statement; and to indicate how an expert's evidence may be received.

The Tribunal regards the role of medical experts as providing the parties with unbiased and objective opinions to assist them in making informed judgments about the resolution of any medical issues that may arise and if settlement of a medical dispute is not possible, to assist the Tribunal to make reliable and correct decisions about that dispute. The expert's overriding duty is to assist the Tribunal and the parties impartially and not to act as an advocate for a particular party.

A report or written statement by the expert must specify:

- (a) the person's qualifications as an expert;
- (b) the facts, matters and assumptions upon which the report or statement is based (a letter of instructions may be annexed);
- (c) the reasons for each opinion expressed;
- (d) if applicable that a particular question or issue falls outside his or her field of expertise;
- (e) any literature or other materials utilised in support of the opinion; and
- (f) any examinations, tests or other investigations which he or she has relied upon and identified, and give details of the qualifications of the person who carried them out.

If an expert believes that the report or statement may be incomplete or inaccurate without some qualification (for example that his or her opinion is not a concluded opinion) then that qualification must be stated.

If the expert, after communicating an opinion to the party engaging him or her, materially changes that opinion that expert shall immediately provide the engaging party with a supplementary report or statement that complies with the general directions set out above.

An expert witness must abide by the directions of the Tribunal.

Such directions may include a direction that the expert confers with another expert witness. They may also include a direction that the expert gives evidence concurrently with other expert witnesses. In that event the expert witnesses will sit together in court and will be given an opportunity to ask each other any questions, which they consider, might assist the Tribunal in reaching its conclusion. As the time scheduled for the receipt of the expert's evidence may involve other experts being engaged to give evidence at the same time, it is imperative that experts ensure that they will be available for the time specified. If unforeseen circumstances occur that make it impossible for the expert to attend at the time specified, the Tribunal is to be given the earliest possible advice so as to minimise unnecessary inconvenience to it and to any other experts who may be scheduled to give evidence at the same time.

## RULES HISTORY

Description	Commencement	Govt Gazette
WCT Rule 1996	June 1996	
<p>WCT Rules 2001</p> <p><i>Consolidation in full of 1996 Rules; a number of Rules unaltered, some amended and some added; the new Rules designed to expedite the transmission of disputes to the conciliation stage, refine the efficiency of conduct of matters at the judicial determination stage, and more particularly, improve directions and summons to attend and produce processes.</i></p>	12 November 2001	8 November 2001 p4857
<p>WCT Rules 2005</p> <p><i>Consolidated of 2001 Rules; following Rules amended or added:</i>  <i>Rule 1 Scope and Purpose - (1) amended to make it clear that in issuing directions and determining costs, the amount of money involved in the matter, the importance of the case and its complexity of issues in dispute are relevant matters. Rule 16 Conciliation - (2) amended to reflect changes in procedures for the conduct of conciliation conferences namely an initial conference to plan the management of the conciliation process; (11) amended to create a form to initiate a S42 redemption conference. Rule 20 Pre-Hearing Conference - (4) amended to encourage timely retention of counsel in complex matters. Rule 21 Application For Directions - (5)(j) amended to set guidelines for the circumstances where surveillance film should be disclosed. Rule 28 Cost of Proceedings - (2) amended to clarify the Registrar is to tax costs for all matters; (7) amended to bring the amounts prescribed in the Rules for counsel fees into line with new Supreme Court scales. Rule 28A Representation Costs - new Rule to give the Tribunal some power to regulate excessive charging by solicitors of their applicant worker clients.</i></p>	25 July 2005	21 July 2005 p2434
<p>Rule 4, Application of the Supreme Court Rules</p> <p>Rule 10(3), Assignment, Place And Conduct Of Proceedings</p> <p><i>Amendment to Rule 4 removes references to specific Supreme Court Rules and enables adoption of the general principles of the practice under Supreme Court Rules not provided for by the Tribunal's Rules. Amendment to Rule 10(3) require the Registrar to serve 'Notice of Desire to be Heard'.</i></p>	14 May 2007	17 May 2007 p2018
<p>RULE 8A - Right Of Representation And Assistance</p> <p><i>New rule - 8A(1) declares a right of representation in conformity with section 95(2) of the Act; 8A(2) recognises the right of a self represented party to seek permission from the Tribunal to be assisted by another person in proceeding; . 8(2)(a)(b)(c) and (d) stipulate those persons for whom permission cannot be granted to appear on behalf of an unrepresented party.</i></p>	30 June 2008	26 June 2008 p2514
<p>Rule 9 Documents and</p> <p>Rule 10 Assignment Place And Conduct Of Proceedings</p> <p><i>Rule 9 amended to facilitate electronic filing of the 2 principle Forms used to commence a matter before the Tribunal; Rule 10 amendment introduces a process to provide basic procedural fairness to a party who has lodged proceedings that are considered vexatious or an abuse of process by giving an opportunity to be heard before a direction is made not to assign the proceeding or strike it out under Rule 10.</i></p>	24 November 2008	13 Nov 2008 p5110
<p>Rule 28A, Representation Costs</p> <p><i>Existing Rule deleted, new rule inserted providing that a representatives not charge excessive representation costs; that a worker's representative may not recover costs in addition to the costs recovered from the compensating authority (ie party/party costs), unless the additional costs have been awarded by a Presidential Member; worker's representative may seek additional costs from the worker on application to the Tribunal.</i></p>	1 January 2009	18 Dec 2008 p5653
<p>Rule 23 Summons For Person To Attend Or Appear, Summons To Produce Documents Or Things'</p> <p><i>Existing Rule deleted and inserting new Rules 23A and 23B inserted, to improve the system and process for the issue of evidentiary summonses pursuant to s84D, to rationalise in particular the evidentiary summons issued for medical notes and records by:</i></p> <ol style="list-style-type: none"> <li>1. Tribunal Member's permission before a summons is issued.</li> <li>2. Requiring \$50 be provided to offset the to the recipient's costs before summons is issued.</li> <li>3. Requiring original notes and records be produced only if actually required for evidence.</li> <li>4. Requiring the Registry to send summonses to the recipient.</li> </ol>	5 January 2009	20 Nov 2008 p5169

## Rule 20A Expert Evidence

5 January 2009

4 December 2008 p5340

*New rule re process of adducing expert evidence, medical evidence mainly, giving the Tribunal greater control over the process.- requires directions on expert evidence before the evidence will be allowed; in particular provides for expert evidence to be given concurrently.*

## WCT Rules 2009

2 February 2009

29 January 2009

*Removal of reference to arbitration and arbitration officers following amendment of s92D and Division 5 of Part 6A of the Act. Removal of reference to "chamber judge" from Rule 20. Addition of Rule 28(5) to enable, in the interests of justice, effecting an agreement or arrangement that purports to exclude, modify or restrict the operation of the Act. Amendment of Rule 24(4)(c) to permit adjustment of the amount required to be paid to the recipient of a Summons to Produce Document. Addition of the 'Expert Medical Witnesses - Code Of Conduct' (Fourth Schedule) to explain to medical witnesses the Tribunal's view of the role and duty of experts, to specify certain matters that must be included in an expert's report or statement and to indicate how an expert's evidence may be received. Renumbering to correct numbering peculiarities that have arisen as new Rules have been inserted since 2005 and some modernization and simplification of wording (without change to substance) throughout the Rules generally.*

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South Australia

## Marine Parks Proclamation 2009

under section 10 of the *Marine Parks Act 2007*

### 1—Short title

This proclamation may be cited as the *Marine Parks Proclamation 2009*.

### 2—Commencement

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

### 3—Interpretation

In this proclamation—

**Rack Plan** means a plan lodged as a Rack Plan in the Surveyor-General's Office at Adelaide.

### 4—Establishment of marine parks

Marine parks are established and assigned names as follows:

- (a) the area defined in a Rack Plan listed in Schedule 1, and consisting of part of the sea within the limits of the State or the coastal waters of the State or land or waters held by, or on behalf of, the Crown within or adjacent to that part of the sea, is specified as a marine park (and the boundaries of the park are defined accordingly);
- (b) the name assigned to the marine park is the name specified in Schedule 1 for the park.

## Schedule 1—Marine parks

	<b>Rack Plan</b>	<b>Name of park</b>
1	Rack Plan No 1913	Far West Coast Marine Park
2	Rack Plan No 1914	Nuyts Archipelago Marine Park
3	Rack Plan No 1915	West Coast Bays Marine Park
4	Rack Plan No 1916	Investigator Marine Park
5	Rack Plan No 1917	Thorny Passage Marine Park
6	Rack Plan No 1918	Sir Joseph Banks Group Marine Park
7	Rack Plan No 1919	Neptune Islands Group Marine Park
8	Rack Plan No 1920	Gambier Islands Group Marine Park
9	Rack Plan No 1921	Franklin Harbor Marine Park
10	Rack Plan No 1922	Upper Spencer Gulf Marine Park
11	Rack Plan No 1923	Eastern Spencer Gulf Marine Park
12	Rack Plan No 1924	Southern Spencer Gulf Marine Park
13	Rack Plan No 1925	Lower Yorke Peninsula Marine Park
14	Rack Plan No 1926	Upper Gulf St Vincent Marine Park

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	<b>Rack Plan</b>	<b>Name of park</b>
15	Rack Plan No 1927	Encounter Marine Park
16	Rack Plan No 1928	Western Kangaroo Island Marine Park
17	Rack Plan No 1929	Southern Kangaroo Island Marine Park
18	Rack Plan No 1930	Upper South East Marine Park
19	Rack Plan No 1931	Lower South East Marine Park

**Made by the Governor's Deputy**

on the recommendation of the Minister for Environment and Conservation and with the advice and consent of the Executive Council

on 29 January 2009

EHCS08/0027; EHCS08/0032

South Australia

## **Public Sector Management (Shared Services SA (10)) Proclamation 2009**

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

### **1—Short title**

This proclamation may be cited as the *Public Sector Management (Shared Services SA (10)) Proclamation 2009*.

### **2—Commencement**

This proclamation will come into operation on 2 February 2009.

### **3—Transfer of employees to Department of Treasury and Finance (for Shared Services SA)**

- (1) The employees referred to in Schedule 1 are transferred from the Department of Health to the Department of Treasury and Finance.
- (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 to the Department of Treasury and Finance under this clause, the provisions of the contract will continue to apply in relation to the employee's employment in the Department as if the contract had been entered into between the employee and the Chief Executive of the Department, subject to any necessary modifications or further agreement between the employee and the Chief Executive.

### **4—Incorporation of employees into Department of Treasury and Finance (for Shared Services SA)**

- (1) The public sector employees employed to perform functions in connection with the operations or activities of the Central Northern Adelaide Health Service Incorporated referred to in Schedule 2 are incorporated into the Department of Treasury and Finance.
- (2) For the purposes of determining entitlements with respect to recreation leave, sick leave and long service leave of those employees referred to in subclause (1)—
  - (a) the service of the employees in their previous employment in connection with the Central Northern Adelaide Health Service Incorporated will be taken to have been service under the *Public Sector Management Act 1995*; and
  - (b) the employees will be taken to have continuity of employment without termination of the employees' service.
- (3) If an employee incorporated into the Department of Treasury and Finance under this clause was, immediately before incorporation, employed under a contract on a temporary or casual basis, or for a fixed term, the employee will be taken to be appointed to the Department subject to a contract entered into between the employee and the Chief Executive of the Department under section 34 or 40 of the *Public Sector Management Act 1995* (as the case may require) on the same conditions and, if applicable, for the balance of the term of the contract in existence immediately before incorporation.

**Schedule 1—Employees being transferred from Department of Health to Department of Treasury and Finance**

Paul Brazel

Anthony Bridgman

Stephen Hoiles

Susan Sander

**Schedule 2—Employees employed in connection with Central Northern Adelaide Health Service Incorporated being incorporated into Department of Treasury and Finance**

Karen Ahrens

Frank Annetta

Damian Arckless

Suzanne Austin

Peter Banas

Sandra Bleeze

Tadeusz Brynski

Taylor Burgess

Ben Burton-Clay

Natasha Chapman

David Cowling

Melanie Cowling

Gregory Cruickshank

Steve Czura

Sylvana Engelhardt

Gary Evans

Leah Fatiaki

Amy Foote

Ann Gallagher

Karren Gent

Nick Grammatopoulos

Sukanya Guruprasad

Carolyn Highett

Alan Jones

Frances Jupe

Sandy Kambach

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Joan Karapas  
Karen Keogh  
Nick Kopsaftis  
Bill Lefthertios  
Ted Lech  
Dorothy Lionello  
Rita Mammone  
Clarissa Maywald  
Andrea McGregor  
Sandy McIntyre  
Rex Mead  
Steve Mison  
Laurell Oakes  
Cathy Pascale  
Oksana Plaksenko  
Mimma Pratico  
Matthew Roman  
Sally Ryan  
Melissa Sammut  
Geoff Schwartz  
Donna Seabrooke  
Angelika Sharp  
Beverley Slater  
Tina Stokoe  
Jean Strobel  
Cheryl Sykes  
Zsuzsanna Tatrai  
Rachel Taylor  
Dawn Thurbon  
Stacey Tomlinson  
Ami White  
Annmarie Whittaker  
Gayle Williams  
Brenda Woodland  
Tamara Woodland

**Made by the Governor's Deputy**

with the advice and consent of the Executive Council  
on 29 January 2009

T&F08/075CS

South Australia

## **Superannuation (Murray-Darling Basin Authority) Variation Regulations 2009**

under the *Superannuation Act 1988*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Superannuation Regulations 2001***

- 4 Variation of regulation 31—Prescribed authorities etc
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Superannuation (Murray-Darling Basin Authority) Variation Regulations 2009*.

#### **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 *Superannuation Regulations 2001***

#### **4—Variation of regulation 31—Prescribed authorities etc**

Regulation 31—delete "Murray-Darling Basin Commission" and substitute:

Murray-Darling Basin Authority (established under the *Water Act 2007* of the Commonwealth)

#### **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's Deputy**

with the advice and consent of the Executive Council  
on 29 January 2009

No 4 of 2009

South Australia

## **Gaming Machines Variation Regulations 2009**

under the *Gaming Machines Act 1992*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Gaming Machines Regulations 2005***

- 4 Variation of regulation 10—Minister may grant exemptions
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Gaming Machines Variation Regulations 2009*.

#### **2—Commencement**

These regulations will 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 *Gaming Machines Regulations 2005***

#### **4—Variation of regulation 10—Minister may grant exemptions**

Regulation 10—after subregulation (4) insert:

- (4a) The Minister may grant exemptions from such provisions of the Act as may be necessary for the purpose of allowing a gaming machine to be located on an ocean going passenger vessel (subject to conditions prohibiting the operation of a gaming machine while the vessel is in State waters and while the vessel is engaged in an intra-State journey).

- (4b) The Minister may grant exemptions from such provisions of the Act as may be necessary for the purpose of allowing any particular person or body, or any person or body of a particular class, to possess and operate a gaming machine for the purposes of—
  - (a) conducting research into problem gambling or other issues associated with gambling; or
  - (b) providing a program of treatment for problem gamblers.
- (4c) An exemption may be conditional or unconditional.

**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's Deputy**

with the advice and consent of the Executive Council  
on 29 January 2009

No 5 of 2009

MGA08/011CS

South Australia

## State Procurement Variation Regulations 2009

under the *State Procurement Act 2004*

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### Contents

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### Part 2—Variation of *State Procurement Regulations 2005*

- 4 Substitution of regulation 4
    - 4 Bodies declared to be prescribed public authorities (section 4 of Act)
- 

### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *State Procurement Variation Regulations 2009*.

#### 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 *State Procurement Regulations 2005*

#### 4—Substitution of regulation 4

Regulation 4—delete the regulation and substitute:

#### 4—Bodies declared to be prescribed public authorities (section 4 of Act)

Each of the following bodies is declared to be a *prescribed public authority* for the purposes of the Act:

- Chiropractic and Osteopathy Board of South Australia
- Construction Industry Training Board
- Land Management Corporation
- Legal Practitioners Conduct Board
- Local Government Finance Authority of South Australia

Local Government Superannuation Board  
Medical Board of South Australia  
Motor Accident Commission  
Occupational Therapy Board of South Australia  
Optometry Board of South Australia  
Physiotherapy Board of South Australia  
Podiatry Board of South Australia  
South Australian Centre for Trauma and Injury Recovery Incorporated  
South Australian Forestry Corporation  
South Australian Housing Trust  
South Australian Psychological Board  
South Australian Water Corporation  
Superannuation Funds Management Corporation of South Australia  
The Architects Board of South Australia  
TransAdelaide  
WorkCover Corporation of South Australia

**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's Deputy**

with the advice and consent of the Executive Council  
on 29 January 2009

No 6 of 2009

T&F08/068CS

South Australia

## **Environment Protection (Fees and Levy) Variation Regulations 2009**

under the *Environment Protection Act 1993*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

- 4 Variation of regulation 5—Application fee for grant of works approval
- 5 Variation of regulation 13AB—Prescribed amount for registration or cancellation of registration of clean-up order or clean-up authorisation
- 6 Revocation of regulation 17
- 7 Insertion of regulations 17C and 17D
  - 17C Conditions requiring approval of certain works and processes—prescribed fee
  - 17D Recovery of administrative and technical costs associated with contraventions—fees

#### **Schedule 1—Transitional provision**

- 1 Transitional provision
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Environment Protection (Fees and Levy) Variation Regulations 2009*.

#### **2—Commencement**

- (1) Subject to subregulation (2), these regulations come into operation on the day on which they are made.
- (2) Regulation 17D (to be inserted by regulation 7 of these regulations) will come into operation on 1 June 2009.

#### **3—Variation provisions**

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

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

### **4—Variation of regulation 5—Application fee for grant of works approval**

Regulation 5(3)—delete subregulation (3)

### **5—Variation of regulation 13AB—Prescribed amount for registration or cancellation of registration of clean-up order or clean-up authorisation**

- (1) Regulation 13AB(a)—after "registering the order" wherever occurring insert:  
or authorisation
- (2) Regulation 13AB(b)—after "registration of the order" wherever occurring insert:  
or authorisation

### **6—Revocation of regulation 17**

Regulation 17—delete the regulation

### **7—Insertion of regulations 17C and 17D**

After regulation 17B insert:

#### **17C—Conditions requiring approval of certain works and processes—prescribed fee**

- (1) The prescribed fee payable for an application for an approval required by conditions of an environmental authorisation imposed under section 54C(2) of the Act in relation to—
  - (a) the construction or alteration of a building or structure, or the installation or alteration of plant or equipment, for use for an activity carried on under the authorisation (*works*); or
  - (b) a change in process undertaken under the authorisation,

is the number of fee units determined according to the cost of the works or change in process estimated by the Authority as follows:

<b>Estimated cost of works or change in process</b>	<b>Fee units</b>
Up to and including \$10 000	10
More than \$10 000 but not more than \$50 000	20
More than \$50 000 but not more than \$500 000	40
More than \$500 000 but not more than \$5 million	60
More than \$5 million but not more than \$50 million	100
More than \$50 million	200

- (2) If the application relates to both works and a change in process, the prescribed fee payable for the application will be determined as if separate applications had been made, 1 in relation to the works and the other in relation to the change in process.

- (3) In this regulation, a reference to the estimated cost of works is a reference to the amount estimated to be the total cost of the works to which the application relates excluding any part of the costs determined by the Authority to be attributable to—
- (a) the purchase of land; or
  - (b) building or other work that will not contribute directly or substantially to the prescribed activity of environmental significance to which the application relates.

### **17D—Recovery of administrative and technical costs associated with contraventions—fees**

- (1) For the purposes of section 135(1)(c) of the Act, the fee payable in respect of action taken to investigate a contravention of the Act is—
- (a) in the case of action commenced during business hours, the sum of—
    - (i) 11 fee units; and
    - (ii) if the action exceeds 2 hours in duration—
      - (A) 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and
      - (B) 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours; and
  - (b) in the case of action commenced outside of business hours, the sum of—
    - (i) 21 fee units; and
    - (ii) if the action exceeds 2 hours in duration—
      - (A) 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and
      - (B) 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours.
- (2) For the purposes of section 135(1)(c) of the Act, the fee payable in respect of action taken to issue an order under Part 10 in respect of a contravention of the Act is 11 fee units.
- (3) In this regulation—
- business hours*** means the hours between 8.45 am and 5 pm on any day other than a Saturday, Sunday or public holiday.

## **Schedule 1—Transitional provision**

### **1—Transitional provision**

Regulation 5(3) of the *Environment Protection (Fees and Levy) Regulations 1994* in force immediately before the commencement of regulation 4 continues to apply in relation to an application made before the commencement of regulation 4.

**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's Deputy**

with the advice and consent of the Executive Council  
on 29 January 2009

No 7 of 2009

EPCS08/0014; EPCS08/0016

South Australia

## **Land Agents Variation Regulations 2009**

under the *Land Agents Act 1994*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Land Agents Regulations 1995***

- 4 Revocation of regulation 20D
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Land Agents Variation Regulations 2009*.

#### **2—Commencement**

These regulations will 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 *Land Agents Regulations 1995***

#### **4—Revocation of regulation 20D**

Regulation 20D—delete the regulation

#### **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's Deputy**

with the advice and consent of the Executive Council  
on 29 January 2009

No 8 of 2009

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## CITY OF ONKAPARINGA

*Periodical Review of Elector Representation*

NOTICE is hereby given that, pursuant to the provisions of section 12 of the Local Government Act 1999, the Council is to carry out a review to determine whether alterations are required in respect to elector representation, including Ward boundaries and the composition of Council.

Council currently has a Mayor who is elected by the electors of the Council area and 20 Ward Councillors evenly distributed over five Wards.

The representation review will determine whether:

- Council should continue to have Wards and if so:
  - (a) how many;
  - (b) what are their boundaries;
  - (c) the number of Councillors in each Ward.
- Council should have Area Councillors (rather than Ward Councillors) who would represent the whole of the City and if so the number of Councillors.
- Council should adopt a mixed model involving both Ward and Area Councillors and if so the number of Councillors.
- The Principal Member should be a Mayor elected by the electors or a Chairperson appointed from within the Councillors.

*Representation Options Paper*

A Representation Options Paper detailing information regarding the review is available at:

- All Council offices and libraries:
  - Noarlunga Office, Ramsay Place, Noarlunga Centre;
  - Noarlunga Library, Hannah Road, Noarlunga Centre;
  - Aberfoyle Park Office and Library, Hub Drive, Aberfoyle Park;
  - Willunga Office and Library, St Peters Terrace, Willunga;
  - Woodcroft Library, Woodcroft Shopping Centre, Bains Road, Woodcroft;
  - Seaford Library, Grand Boulevard, Seaford;
  - Aldinga Library, Aldinga Beach Road, Aldinga Beach.
- By visiting [www.onkaparingacity.com](http://www.onkaparingacity.com).
- By emailing [repreview@onkaparinga.sa.gov.au](mailto:repreview@onkaparinga.sa.gov.au).
- By contacting Kate Harmon, Manager Organisation Development on 8384 0682.

*Public Information Sessions*

The following public information sessions will be held:

- Monday, 2 March 2009, at the Aberfoyle Community Centre, 1 Jessica Street, Aberfoyle Park, commencing at 7 p.m.;
- Wednesday, 4 March 2009, at the Aldinga Community Centre, Symonds Reserve Hall, Stewart Avenue, Aldinga Beach, commencing at 7 p.m.;
- Thursday, 5 March 2009, at the Noarlunga Centre, Civic Area of the Council Offices, Hannah Road, Noarlunga Centre, commencing at 7 p.m.

The Representation Options Paper will also be available at these meetings.

*Written Submissions*

Written submissions are invited between 2 February 2009 and close of business on 23 March 2009.

Please send them to:

Representation Review  
 Jeff Tate  
 Chief Executive Officer  
 City of Onkaparinga  
 P.O. Box 1  
 Noarlunga Centre, S.A. 5168,

or by email to [repreview@onkaparinga.sa.gov.au](mailto:repreview@onkaparinga.sa.gov.au).

Dated 16 January 2009.

J. TATE, Chief Executive Officer

## CITY OF PORT ADELAIDE ENFIELD

## DEVELOPMENT ACT 1993

*Draft Development Plan Amendment Centres and Commercial Zones—Review of City-wide Policy and North East Road Boundaries and Environs—Draft for Public Consultation*

NOTICE is hereby given that pursuant to sections 24 and 25 of the Development Act 1993, the City of Port Adelaide Enfield, has prepared a Development Plan Amendment Report (DPA) to amend the Port Adelaide Enfield (City) Development Plan. The Centres and Commercial Zones—Review of City-wide Policy and North East Road Boundaries and Environs Development Plan Amendment (DPA) proposes to update the City-wide planning provisions pertaining to Centres and Commercial development and to amend zone boundaries along North East Road and environs within the Port Adelaide Enfield Council boundary.

The proposed amendments include:

- Introduction of a broader range of Council-wide development control policies pertaining to centre, retail and commercial development.
- Introduction of new development control policies pertaining to landscaping under Centre and Retail Development and Commercial Development in the Council-wide section of the Development Plan.
- Introduction of Policy Areas in the District and Neighbourhood Centre Zones.
- Revised Centre Concept Plans.
- Re-zoning of Gilles Plains Neighbourhood Centre to Gilles Plains District Centre.
- Introduction of a new development control policy pertaining to under-croft/semi-basement car parking.
- Revised objectives and principles of development control of the District, Neighbourhood and Local Centre Zone.
- Revised objectives and principles of development control of the Commercial Zone.
- Modifying zone boundaries along North East Road.

*Availability of the draft DPA document*

The draft DPA report is on public consultation from Thursday, 29 January 2009 until 5 p.m. on Friday, 27 March 2009 and is available for public inspection during normal office hours at:

- City of Port Adelaide Enfield Civic Centre, 163 St Vincent Street, Port Adelaide.
- Council offices located at the City of Port Adelaide Enfield Libraries:
  - 2-46 Cowan Street, Parks Community Centre, Angle Park;
  - 1 Kensington Crescent, Enfield; and
  - 2 Fosters Road, Greenacres.

A copy of the draft DPA document is also available on Council's website [www.portenf.sa.gov.au](http://www.portenf.sa.gov.au). The document may also be purchased at the Port Adelaide Enfield Civic Centre, 163 St Vincent Street, Port Adelaide for \$25.

*Written Submissions*

Written submissions regarding the DPA will be accepted by the City of Port Adelaide Enfield until 5 p.m. on Friday, 27 March 2009, should be clearly marked 'Centres and Commercial Zones—Review of City-wide policy and North East Road Boundaries and Environs DPA—Submission', and addressed to:

City Manager,  
 City of Port Adelaide Enfield,  
 P.O. Box 110,  
 Port Adelaide, S.A. 5015.

Interested persons making a written submission should clearly indicate in the submission whether they wish to speak on their submission at the Public Hearing—see below for details.

Written submissions may also be lodged electronically, by emailing to [custserv@portenf.sa.gov.au](mailto:custserv@portenf.sa.gov.au) and including the text 'Centres and Commercial Zones—Review of City-wide Policy and North East Road Boundaries and Environs Submission' in the subject header.

Copies of all submissions will be available for inspection at the City of Port Adelaide Enfield Civic Centre, 163 St Vincent Street, Port Adelaide from 9 a.m. on Monday, 30 March 2009 until the conclusion of the public hearing.

*Public Hearing*

A Public Hearing will be held on Tuesday, 28 April 2009 at 7 p.m. in the City of Port Adelaide Enfield Council Chambers, 62 Commercial Road, Port Adelaide at which time interested persons may be heard in relation to the DPA and the submissions. The Public Hearing will not be held if no submissions are received or if no submission includes a request to be heard at the Public Hearing.

Dated 29 January 2009.

H. J. WIERDA, City Manager

CITY OF VICTOR HARBOR

*Periodical Review of Elector Representation—  
Public Consultation*

NOTICE is hereby given that pursuant to the provisions of section 12 of the Local Government Act 1999, the Council is to carry out a review to determine whether the community would benefit from an alteration to the composition and structure of the Council.

*Representation Options Paper*

A Representation Options Paper prepared in accordance with section 12 (7) that examines the various options available to the Council in relation to the composition and structure of the Council is now available for public consultation at:

The Council Administration and Community Library  
Civic Centre Complex,  
1 Bay Road,  
Victor Harbor, S.A. 5211

the Council website [www.victor.sa.gov.au](http://www.victor.sa.gov.au).

*Written Submissions*

Interested persons are invited to make written submissions during the six week public consultation period which commences on Monday, 2 February 2009.

Written submissions must be received by 5 p.m. on Monday, 16 March 2009, addressed to:

Elector Representation Review  
City Manager  
City of Victor Harbor,  
P.O. Box 11,  
(1 Bay Road),  
Victor Harbor, S.A. 5211

Or faxed to 8551 0501

Or emailed to [localgov@victor.sa.gov.au](mailto:localgov@victor.sa.gov.au).

For further information on the Representation Review please contact the Director of Corporate and Community Services, Jane Bohnsack, telephone 8551 0500 or email:

[jbohnsack@victor.sa.gov.au](mailto:jbohnsack@victor.sa.gov.au).

A public information session on the Representation Options Paper will be held in the Council Chambers, 1 Bay Road, Victor Harbor, on Wednesday, 25 February 2009, commencing at 7 p.m.

G. MAXWELL, City Manager

CLARE & GILBERT VALLEYS COUNCIL

*Assignment of Road Name*

NOTICE is hereby given that the Clare & Gilbert Valleys Council resolved at its meeting held on 24 November 2008, that pursuant to section 219 (1) of the Local Government Act 1999, to assign the name of Dairy Lane to the road being adjacent to the southern boundary of Lots 31 and 38 D157, Stockport.

R. D. BLIGHT, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

*Periodical Review of Elector Representation*

PURSUANT to the provisions of section 12 (7) of the Local Government Act 1999, the Council is to carry out a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

Council currently has eight elected members with a Mayor elected by the Council members and no wards. The representation review will explore whether Council should keep this structure, or look at an alternative structure.

*Representation Options Paper*

A representation options paper detailing information regarding the review is available from the Council Office, 10 Main Street, Cleve during office hours, the Council website [www.cleve.sa.gov.au](http://www.cleve.sa.gov.au) or by contacting Tony Siviour by telephone on 8628 2004 or email at [ceo@cleve.sa.gov.au](mailto:ceo@cleve.sa.gov.au).

*Written Submissions*

Written submissions are invited from interested persons from Thursday, 29 January 2009, and should be directed to Tony Siviour, 10 Main Street, Cleve, S.A. 5640 or email [ceo@cleve.sa.gov.au](mailto:ceo@cleve.sa.gov.au), to be received by close of business on Thursday, 19 March 2009.

A. C. SIVIOUR, Chief Executive Officer

DISTRICT COUNCIL OF THE COPPER COAST

*Appointments*

NOTICE is hereby given that the District Council of the Copper Coast gives notice in accordance with the requirements of section 56A (5) of the Development Act 1993, of the appointment and term of appointment of the following persons as members of the Council Development Assessment Panel, established pursuant to section 56A (1) of the Development Act 1993:

Name	Term of Appointment
John Meier	21 January 2009-6 December 2010
Paul March	21 January 2009-6 December 2010
Sandra Wood	21 January 2009-6 December 2010
Steven Horsell	21 January 2009-6 December 2010
Councillor Scott Newbold	21 January 2009-6 December 2010
Councillor Dean Rodda	21 January 2009-6 December 2010
Councillor Bill Clarke	21 January 2009-6 December 2010

P. BRAND, Acting Chief Executive Officer

WATTLE RANGE COUNCIL

*Declaration of Public Road—Comaum School Road,  
Hundred of Comaum*

NOTICE is hereby given that Wattle Range Council at its meeting held on 20 January 2009, in accordance with the provisions of section 208 of the Local Government Act 1999, declared Allotment 92 in Filed Plan 206244 (formerly portion of section 221), Hundred of Comaum as contained in certificate of title volume 5731, folio 498, to be a public road.

This land is required as road to provide legal access along the road known as Comaum School Road.

F. N. BRENNAN, Chief Executive Officer

WATTLE RANGE COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

*Road Closure—Southend*

NOTICE is hereby given that pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the Wattle Range Council hereby gives notice of its intent to implement a Road Process Order to close portion of the unnamed public road west of Baker Street and merge with the adjoining Allotment 61, Town of Southend held by James Michael Thompson and Katie Helen Thompson, shown delineated as 'A' on Preliminary Plan No. 09/0004.

A copy of the plan and a statement of persons affected are available for public inspection at the Council's offices at Penola, Millicent and Beachport and the Adelaide office of the Surveyor-General during normal office hours, or by visiting Council's website at [www.wattlerange.sa.gov.au](http://www.wattlerange.sa.gov.au).

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

The application for easement or objection must be made in writing to the Council, P.O. Box 27, Millicent, S.A. 5280 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001.

Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 20 January 2009.

F. BRENNAN, Chief Executive Officer

#### WUDINNA DISTRICT COUNCIL

##### *Revocation and Appointment*

NOTICE is hereby given that at a meeting of the Council held on 20 January 2009, the appointment of Craig Anthony Coburn as a Dog Management Officer, pursuant to section 27 of the Dog and Cat Management Act 1995, was revoked and Benjamin Kane Smart was appointed as a Dog Management Officer, without conditions, pursuant to section 27 of the Dog and Cat Management Act 1995.

A. F. MCGUIRE, Chief Executive Officer

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

- Beyer Valmai Joan*, late of 42 Simpson Road, Port Pirie South, home duties, who died on 19 October 2008.  
*Bolto, Julia*, late of 13 Victoria Crescent, Mount Barker, widow, who died on 6 November 2008.  
*Bondarenko, Michail*, late of 57 Edward Street, Ottoway, retired fitter, who died on 19 November 2008.  
*Fox, Iris*, late of 10 Morton Road, Christie Downs, of no occupation, who died on 8 October 2008.  
*Gill, Mavis*, late of 10 Fairford Street, Unley, home duties, who died on 1 November 2008.  
*Henning, Ivan Kenneth*, late of 84 Reservoir Road, Modbury, retired postal worker, who died on 9 September 2008.  
*Hetherington, Robert McArthur*, late of 1A Stanley Street, Kings Park, retired chemical analyst, who died on 19 November 2008.  
*Kerr, Henry Quinn*, late of 2 North Lane, Salisbury, retired railway employee, who died on 22 October 2008.  
*McLean, Robert*, late of 59 Ferguson Avenue, Myrtle Bank, retired planning officer, who died on 20 November 2008.  
*Moffett, Cathrine Lillian*, late of 19-31 Cornhill Road, Victor Harbor, of no occupation, who died on 7 October 2008.

*Nelligan, Valerie Dawn*, late of 51 Eighth Avenue, St Peters, married woman, who died on 2 November 2008.

*Papple, Frederick John*, late of Grainger Road, Somerton Park, retired driving instructor, who died on 6 October 2008.

*Peilschmidt, Alajos*, late of 10 Keith Street, Torrensville, retired bus driver, who died on 8 December 2008.

*Royans, Lorna Cicely*, late of 11 Acraman Street, Victor Harbor, home duties, who died on 2 November 2008.

*Schestavin, Caroline*, late of 7-8 Oakmont Court, Salisbury East, widow, who died on 15 October 2008.

*Sharp, Jean Patricia*, late of 50 Kesters Road, Para Hills West, widow, who died on 7 November 2008.

*Toth, Elisa de Campos Portela*, late of 50 Kesters Road, Para Hills West, of no occupation, who died on 23 November 2008.

*Utczas, Michael*, late of 333 Marion Road, North Plympton, retired architectural draftsman, who died on 6 December 2008.

*Vaughan, Ian Douglas*, late of 14 Gayundah Crescent, O'Sullivan Beach, retired machine moulder, who died on 19 November 2008.

*Warren, Gilbert Arthur*, late of 6 East Terrace, Gawler East, retired labourer, who died on 27 October 2008.

*Wells, Mary*, late of 2 Rushall Crescent, Elizabeth Vale, widow, who died on 9 December 2008.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 27 February 2009, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 29 January 2009.

M. I. BODYCOAT, Public Trustee

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

Take notice that after the expiration of eight days application will be made in the Registry of the Supreme Court of South Australia in its Testamentary Causes Jurisdiction for the sealing of Probate of the Will of the estate of Patrick James Leahy, late of 2 Inlet Avenue, Sussex Inlet in the State of New South Wales, retired farmer, deceased, granted by the Supreme Court of the State of New South Wales at Sydney on 15 May 2006.

M. I. BODYCOAT, Public Trustee, Attorney for the Public Trustee in and for the State of New South Wales

## UNCLAIMED MONEYS ACT 1891

*Register of Unclaimed Moneys held by Adelaide Cemeteries Authority for the Year ended 2009*

Name of Owner on Books and Last Known Address	Description	Amount Due to Owner \$
Sarah Owens, 65 West Avenue, Northfield, S.A. 5085 .....	Deposit	62.00
Annette Poyner, 413 Prospect Road, Blair Athol, S.A. 5084 .....	Deposit	20.00
Karen Michelle Wilson, 12 Oldfield Street, Parafield Gardens, S.A. 5107 .....	Deposit	100.00

## UNCLAIMED MONEYS ACT 1891

*Register of Unclaimed Moneys held by GMAC Australia LLC for the Year ended 2001*

Name of Owner on Books and Last Known Address	Reason	Amount Due to Owner \$
Adrian Routley, P.O. Box 443, Two Wells, S.A. 5501 .....	Payout Figure Overpayment	54.00
M. and J. Rowe, 4 Hill Street, Parkside, S.A. 5063 .....	Payout Figure Overpayment	37.62
Kiri V. Chamroeun, 18 Hilton Street, Angle Park, S.A. 5010 .....	Payout Figure Overpayment	55.01
Damon D. Wilkie, 20 Maireana Circuit, Roxby Downs, S.A. 5725 .....	Consumer Credit Insurance Refund	21.12
Kit Lin Xuan and Thuy Thi Tran, 25 Aroona Road, Kilkenny, S.A. 5009 .....	Payout Figure Overpayment	415.77
Samuel G. West, 153 Second Avenue, Royston Park, S.A. 5070 .....	Consumer Credit Insurance Refund	20.49
S. and D. Keddie, 3 Norfolk Street, Blackwood, S.A. 5051 .....	Payout Figure Overpayment	25.48
G. Wheatcroft, 2/346 Glen Osmond Road, Myrtle Bank, S.A. 5064 .....	Payout Figure Overpayment	493.44
Vicki A. Swanson, 76 Hayward Avenue, Torrensville, S.A. 5031 .....	Direct Debit Overpayment	715.07
Brett Montgomery, 9 Kelly Street, Clare, S.A. 5453 .....	Payout Figure Overpayment	73.52

## UNCLAIMED MONEYS ACT 1891

*Register of Unclaimed Moneys held by GMAC Australia LLC for the Year ended 2002*

Name of Owner on Books and Last Known Address	Reason	Amount Due to Owner \$
Romeo Pacifico, 4 Robran Court, Newton, S.A. 5074 .....	Payout Figure Overpayment	65.97
Graham H. Ferris, 18 Bogan Street, Hillbank, S.A. 5112 .....	GMH Payroll Deduction	40.00
Sang Kim Ly and Thi Dung Nguyen, 138 Maxwell Street, Para Hills, S.A. 5096 .....	Swann Insurance Overpayment	27.49
Scott Graeme Higginson, Gurra Road, Berri, S.A. 5343 .....	Consumer Credit Insurance Refund	36.65
Lyn Wayne Pauly, 16/449 Anzac Highway, Camden Park, S.A. 5038 .....	Payout Figure Overpayment	112.26
Kym Fechner, 5 Ellen Court, Salisbury East, S.A. 5109 .....	Consumer Credit Insurance Refund	117.63
Mark Harold Pilmore, 11 Webb Street, Fulham Gardens, S.A. 5024 .....	Payout Figure Overpayment	30.00
Tyron John Davies, 6 Playford Street, Mount Gambier, S.A. 5290 .....	Swann Consumer Credit Insurance Rebate	41.24
Lan Thi Huynh, 23 Lumana Crescent, Munno Para, S.A. 5115 .....	Payout Figure Overpayment	554.62

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