



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 3 JUNE 2010

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 3 June 2010

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Medical Board of South Australia, pursuant to the provisions of the Medical Practice Act 2004:

Member: (from 1 June 2010 until 31 May 2013)
Richard John Willis

By command,
GRACE PORTOLESI, for Acting Premier

HEAC-2010-00015

Department of the Premier and Cabinet
Adelaide, 3 June 2010

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Paul Holloway, MLC, Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations and Minister Assisting the Premier in Public Sector Management to be also Acting Deputy Premier, Acting Treasurer, Acting Minister for Federal/State Relations and Acting Minister for Defence Industries for the period from 15 June 2010 to 20 June 2010 inclusive, during the absence of the Honourable Kevin Owen Foley, MP.

By command,
GRACE PORTOLESI, for Acting Premier

T&F10/031CS

Department of the Premier and Cabinet
Adelaide, 3 June 2010

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable John James Snelling, MP, Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety and Minister for Veterans' Affairs to be also Acting Minister for Police, Acting Minister for Emergency Services and Acting Minister for Recreation, Sport and Racing for the period from 2 July 2010 to 17 July 2010 inclusive, during the absence of the Honourable Michael John Wright, MP.

By command,
GRACE PORTOLESI, for Acting Premier

MPOL10/010CS

Department of the Premier and Cabinet
Adelaide, 3 June 2010

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Gail Elizabeth Gago, MLC, Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises and Minister for the City of Adelaide to be also Acting Minister for Families and Communities, Acting Minister for Housing, Acting Minister for Ageing and Acting Minister for Disability for the period from 8 June 2010 to 19 June 2010 inclusive, during the absence of the Honourable Jennifer Mary Rankine, MP.

By command,
GRACE PORTOLESI, for Acting Premier

DFCCS/10/019

Department of the Premier and Cabinet
Adelaide, 3 June 2010

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable John Rau, MP, Attorney-General, Minister for Justice and Minister for Tourism to be also Acting Minister for Industry and Trade, Acting Minister for Small Business, Acting Minister for Correctional Services and Acting Minister for Gambling for the period from 7 June 2010 to 11 June 2010 inclusive, during the absence of the Honourable Tom Koutsantonis, MP.

By command,
GRACE PORTOLESI, for Acting Premier

MCS10/001SC

AQUACULTURE ACT 2001

Grant of Aquaculture Lease

PURSUANT to the provisions of section 22 of the Aquaculture Act 2001, Michael O'Brien, Minister for Agriculture, Food and Fisheries, hereby gives notice of the grant of the following leases for the purposes of aquaculture in the waters of the state:

LA00259

Further details are available for all of the above leases granted on the PIRSA Aquaculture Public Register; which can be found at <https://info.pir.sa.gov.au/aquapr/page/gui3/map.html>.

MICHAEL O'BRIEN, Minister for Agriculture, Food and Fisheries

AQUACULTURE ACT 2001

Grant of Aquaculture Leases

PURSUANT to the provisions of section 22 of the Aquaculture Act 2001, Michael O'Brien, Minister for Agriculture, Food and Fisheries, hereby gives notice of the grant of the following leases for the purposes of aquaculture in the waters of the state:

LA00248

LA00249

Further details are available for all of the above leases granted on the PIRSA Aquaculture Public Register; which can be found at: <https://info.pir.sa.gov.au/aquapr/page/gui3/map.html>.

MICHAEL O'BRIEN, Minister for Agriculture, Food and Fisheries

AUTHORISED BETTING OPERATIONS ACT 2000

Section 4 (1) (b)

Notice of Approval of Contingencies

NO. 1 OF 2010

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

1. Citation

This notice may be cited as the Approved Contingencies (Marree Picnic Races—Galloping) Notice 2010.

2. Approval

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

- (3) This approval of contingencies may be amended or revoked by further notice.

3. Definitions

In this Notice—

‘Event’—

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

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

‘race’, with respect to horses, includes—

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

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

TABLE

Picnic race meeting conducted by or on behalf of the Marree Picnic Race Club at the Marree racecourse on 12 June 2010 and such later date to which the meeting may be adjourned

No.	Description of Event	Prizes	Approved Contingencies
1.	Open sprint over 400 metres for horses	First—\$600 Second—\$300 Third—\$100	Win, place or derivative
2.	District bred race over 400 metres for horses—open only for horses bred in the district	First—\$400 and plate Second—\$250 Third—\$100	Win, place or derivative
3.	Open race over 800 metres race for horses	First—\$600 Second—\$300 Third—\$100	Win, place or derivative
4.	Open race over 1 600 metres for horses	First—\$1 600 and cup Second—\$900 Third—\$500	Win, place or derivative
5.	Open race over 1 000 metres for horses	First—\$1 000 and bracelet Second—\$500 Third—\$200	Win, place or derivative
6.	District bred race over 600 metres for horses—open only for horses bred in the district	First—\$400 and cup Second—\$250 Third—\$100	Win, place or derivative
7.	Open race over 1 200 metres for horses	First—\$800 Second—\$400 Third—\$200	Win, place or derivative

Dated 26 May 2010.

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

BUILDING WORK CONTRACTORS ACT 1995

Exemption

TAKE notice that, pursuant to section 45 of the Building Work Contractors Act 1995, I, David Green, Commissioner for Consumer Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

Paul Graeme Johnson, (BLD 153523).

SCHEDULE 2

The construction of the licensee's residential home on land situated at Lot 105, Thomas Way, Hallett Cove Heights, SA. (Allotment 105 in Deposited Plan 79836 in the area named Hallett Cove, Hundred of Noarlunga (certificate of title volume 6034, folio 45)).

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the construction of the licensee's own residential home on land situated on Lot 105, Thomas Way, Hallett Cove Heights, S.A. (Allotment 105 in Deposited Plan 79836 in the area named Hallett Cove, Hundred of Noarlunga (certificate of Title, volume 6034, folio 45)).

2. This exemption does not apply to any domestic building work the licensee sub-contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.

3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of the Commissioner for Consumer Affairs. Before giving such authorisation, the Commissioner for Consumer Affairs may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:

- providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
- providing evidence of an independent expert inspection of the building work the subject of this exemption;
- making an independent expert report available to prospective purchasers of the property; and
- giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated 24 May 2010.

D. GREEN, Commissioner for Consumer Affairs,
Office of Consumer and Business Affairs,
Delegate of the Minister for Consumer Affairs

Ref.: 610/10-00023

DEVELOPMENT ACT 1993

Buckland Park Urban Growth Development Plan Amendment Prepared by the Minister— For Public Consultation

NOTICE is hereby given that the Minister for Urban Development and Planning, pursuant to sections 24 and 26 of the Development Act 1993, has prepared the Buckland Park Urban Growth Development Plan Amendment (DPA) to amend the Playford (City) Development Plan.

The DPA proposes to rezone Horticultural land at Buckland Park to facilitate the orderly and economic establishment of a new growth area that will support approximately 12 000 new dwellings and a population of around 33 000 people. A range of dwelling types will be promoted along with supporting community services and facilities. The zoning will also provide a supply of employment land for a range of retail, commercial and industrial uses.

The DPA will be on public consultation from Thursday, 3 June 2010 to Wednesday, 28 July 2010.

Copies of the DPA are available during normal office hours at the Department of Planning and Local Government, Level 5, 136 North Terrace, Adelaide, S.A. 5000 and the following locations:

- City of Playford Council Office, 10 Playford Boulevard, Elizabeth, S.A. 5112

The DPA can also be viewed on the Internet at:

www.planning.sa.gov.au/go/buckland-park-urban-growth-dpa.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Wednesday, 28 July 2010. Submissions should be addressed to:

The Presiding Member, Development Policy Advisory Committee, Buckland Park Urban Growth DPA:

- c/o Department of Planning and Local Government
- Post: G.P.O Box 1815, Adelaide, S.A. 5001
- Email: dpac@saugov.sa.gov.au.

Your submission should clearly indicate whether you wish to be heard at the public meeting.

Copies of all public submissions will be available for inspection by interested persons at the Department of Planning and Local Government, Level 5, 136 North Terrace, from Friday, 30 July 2010 until the conclusion of the public meeting, and will also be available for viewing on the Department of Planning and Local Government website.

The public meeting will be held on Thursday, 19 August at 7 p.m. at the Playford Civic Centre, 10 Playford Boulevard, Elizabeth, at which time interested persons may appear to be heard in relation to the DPA and the submissions. The public meeting may not be held if no submissions are received or if no-one requests to be heard. Please check the Department of Planning and Local Government's website before the scheduled date of the meeting to find out whether it is being held.

If you would like more information about the DPA, please contact Amanda Berry on telephone number 8303 0798 or via email at: amanda.berry@sa.gov.au.

Dated 3 June 2010.

S. UNDERWOOD, Secretary, Development
Policy Advisory Committee

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 1 February 2010, referring to the West Coast Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery Licence to use prawn trawl nets in the waters specified in Schedule 1, under the conditions specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The waters of the West Coast Prawn Fishery adjacent to Venus Bay.

SCHEDULE 2

1. Each licence holder must ensure that a representative sample of the catch (a 'bucket count') is taken at least 3 times per night during the fishing activity.

2. Each 'bucket count' sample must be accurately weighed to 7kg where possible and the total number of prawns contained in the bucket must be recorded on the daily catch and effort return.

3. Fishing must cease if one or both of the following limits are reached:

- (a) The average catch per vessel, per night (for all vessels) drops below 300 kg for two consecutive nights;
- (b) The average prawn 'bucket count' for all vessels exceeds 240 prawns per bucket on any single fishing night.

4. The fleet must nominate a licence holder to provide a daily update by telephone or SMS message to the PIRSA Fisheries manager, to report the average prawn catch per vessel and the average prawn 'bucket count' information.

SCHEDULE 3

From 1830 hours on 6 June 2010 to 0700 hours on 20 June 2010.

Dated 2 June 2010.

A. FISTR, Prawn Fishery Manager

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, dated 1 February 2010, referring to the Spencer Gulf Prawn Fishery, is hereby varied such that it will be unlawful for a person fishing pursuant to a Spencer Gulf Prawn Fishery Licence to use prawn trawl nets in the areas specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery that are:

1. North of the following co-ordinates: Commencing at latitude 33°46.00'S, longitude 137°44.00'E, then to position latitude 33°38.00'S, longitude 137°34.00'E, then to position latitude 33°29.00'S, longitude 137°34.00'E, then to position latitude 33°29.00'S, longitude 137°32.60'E, then to position latitude 33°43.30'S, longitude 137°24.50'E, then to position latitude 33°37.00'S, longitude 137°13.00'E.

2. Within the following co-ordinates adjacent to Wallaroo: Commencing at latitude 33°47.00'S, longitude 137°31.00'E, then to position latitude 33°47.70'S, longitude 137°32.00'E, then to position latitude 33°53.30'S, longitude 137°27.00'E, then to position latitude 33°52.50'S, longitude 137°25.70'E, then returning to position latitude 33°47.00'S, longitude 137°31.00'E.

3. Within the following co-ordinates: Commencing at latitude 33°41.00'S, longitude 137°06.00'E, then to position latitude 33°52.00'S, longitude 137°15.00'E, then to position latitude 33°55.00'S, longitude 137°08.00'E, then to position latitude 34°02.00'S, longitude 137°10.00'E, then to position latitude 34°10.00'S, longitude 137°00.00'E, then to position latitude 34°25.00'S, longitude 137°00.00'E, then to position latitude 34°25.00'S, longitude 136°45.00'E, then to position latitude 34°07.00'S, longitude 136°43.00'E, then to position latitude 33°56.00'S, longitude 136°34.00'E.

4. Within the following co-ordinates adjacent to Wardang Island: Commencing at latitude 34°10.00'S, longitude 137°28.00'E, then to position latitude 34°21.00'S, longitude 137°12.00'E, then to position latitude 34°45.00'S, longitude 137°15.00'E, then to position latitude 34°54.00'S, longitude 137°01.00'E.

SCHEDULE 2

From 1830 hours on 10 June 2010 to 0630 hours on 17 June 2010.

Dated 31 May 2010.

A. FISTR, Prawn Fishery Manager

GAMING MACHINES REGULATIONS 2005

(REGULATION 10)

Notice of Exemption by the Minister for Gambling (Training)

MADEC wishes to provide a training course or training courses at places throughout South Australia including licensed premises, in relation to the operation of gaming machines and responsible gambling for persons who are, or are to be, employed in the gaming machine industry.

Carrying out prescribed duties by students at licensed gaming venues would constitute an infringement of the Gaming Machines Act 1992 (the Act).

NOTICE

PURSUANT to Regulation 10 of the Gaming Machine Regulations 2005, I, the Minister for Gambling:

1. Grant to the following persons or bodies an exemption from section 45 of the Act (Offence of being unlicensed):

(a) MADEC.

2. Declare that:

(a) the exemption of MADEC under Clause 1 has effect only in respect of providing a training course or training courses at places throughout South Australia, in relation to the operation of gaming machines and responsible gambling to persons who are, or are to be, employed in the gaming machine industry.

3. Declare that the exemption of MADEC under Clause 1 is subject to the following conditions:

- (a) MADEC must not suffer or permit any person to retain any winnings that might arise out of the operation of a gaming machine during a course; and
- (b) MADEC must advise the Liquor and Gambling Commissioner at least 10 days in advance of any training course being provided at a location within South Australia other than at Shop 2001A, Westfield Marion, Level 2, 297 Diagonal Road, Oaklands Park, S.A. 5046.

4. In respect of the conduct of training at licensed premises, grant to the following persons or bodies an exemption from section 49 of the Act (Offence related to employment in gaming areas):

- (a) an employee of MADEC;
- (b) a student of MADEC; and
- (c) the holder of a gaming machine licence.

4a. Declare that the exemption of employees and students of MADEC under Clause 4 are subject to the following conditions:

- (a) MADEC must advise the Liquor and Gambling Commissioner at least ten days in advance of any training course being provided at licensed gaming venues;
- (b) Employees and students of MADEC will only be exempt during such periods when MADEC is conducting a recognised training course as notified to the Liquor and Gambling Commissioner as required by Clause 4a. Part (a) of this exemption;
- (c) Employees and students of MADEC will only operate gaming machines as part of a recognised training course as notified to the Liquor and Gambling Commissioner as required by Clause 4a. Part (a) of this exemption;
- (d) MADEC must not suffer or permit any person to retain any winnings that might arise out of the operation of a gaming machine during a recognised training course; and
- (e) all prescribed duties carried out by students will be for training purposes only.

5. Declare that the exemption of the licensee of the venue where live training is to be conducted to be subject to the following conditions:

- (a) the licensee of the venue where live training is conducted will only be exempt during such periods when MADEC is conducting a recognised training course as notified to the Liquor and Gambling Commissioner as required by Clause 4a. Part (a) of this exemption.

Dated 31 May 2010.

TOM KOUTSANTONIS, Minister for Gambling

GAMING MACHINES REGULATIONS 2005

(REGULATION 10)

Notice of Exemption by the Minister for Gambling (Training)

ESSENTIAL TRAINING SERVICES wishes to provide a training course or training courses at places throughout South Australia including licensed premises, in relation to the operation of gaming machines and responsible gambling for persons who are, or are to be, employed in the gaming machine industry.

Carrying out prescribed duties by students at licensed gaming venues would constitute an infringement of the Gaming Machines Act 1992 (the Act).

NOTICE

PURSUANT to Regulation 10 of the Gaming Machine Regulations 2005, I, the Minister for Gambling:

1. Grant to the following persons or bodies an exemption from section 45 of the Act (Offence of being unlicensed):

- (a) Essential Training Services.

2. Declare that:

- (a) the exemption of Essential Training Services under Clause 1 has effect only in respect of providing a training course or training courses at places throughout South Australia, in relation to the operation of gaming machines and responsible gambling to persons who are, or are to be, employed in the gaming machine industry.

3. Declare that the exemption of Essential Training Services under Clause 1 is subject to the following conditions:

- (a) Essential Training Services must not suffer or permit any person to retain any winnings that might arise out of the operation of a gaming machine during a course; and
- (b) Essential Training Services must advise the Liquor and Gambling Commissioner at least 10 days in advance of any training course being provided at a location within South Australia other than at 145A Franklin Street, Adelaide, S.A. 5000.

4. In respect of the conduct of training at licensed premises, grant to the following persons or bodies an exemption from section 49 of the Act (Offence related to employment in gaming areas):

- (a) an employee of Essential Training Services;
- (b) a student of Essential Training Services; and
- (c) the holder of a gaming machine licence.

4a. Declare that the exemption of employees and students of Essential Training Services under Clause 4 are subject to the following conditions:

- (a) Essential Training Services must advise the Liquor and Gambling Commissioner at least 10 days in advance of any training course being provided at licensed gaming venues;
- (b) Employees and students of Essential Training Services will only be exempt during such periods when Essential Training Services is conducting a recognised training course as notified to the Liquor and Gambling Commissioner as required by Clause 4a. Part (a) of this exemption;
- (c) Employees and students of Essential Training Services will only operate gaming machines as part of a recognised training course as notified to the Liquor and Gambling Commissioner as required by Clause 4a. Part (a) of this exemption;
- (d) Essential Training Services must not suffer or permit any person to retain any winnings that might arise out of the operation of a gaming machine during a recognised training course; and
- (e) all prescribed duties carried out by students will be for training purposes only.

5. Declare that the exemption of the licensee of the venue where live training is to be conducted to be subject to the following conditions:

- (a) the licensee of the venue where live training is conducted will only be exempt during such periods when Essential Training Services is conducting a recognised training course as notified to the Liquor and Gambling Commissioner as required by Clause 4a. Part (a) of this exemption.

Dated 31 May 2010.

TOM KOUTSANTONIS, Minister for Gambling

ENVIRONMENT PROTECTION ACT

Revocation of Collection Depot

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Revocation of Collection Depot

Revoke the collection depot identified by reference to the following matters, which previously received all containers belonging to a class of containers that were approved as Category B Containers.

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the names of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice; and
- (c) the location of the depot described in Columns 4-6 of Schedule 1 of this Notice.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Depot Name	Company/Trading Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title No. Volume/Folio No.
Wakefield Plains Recycling	YP Recycling	Neil and Susan Drogemuller	22 Railway Terrace	Balaklava, S.A. 5461	n/a

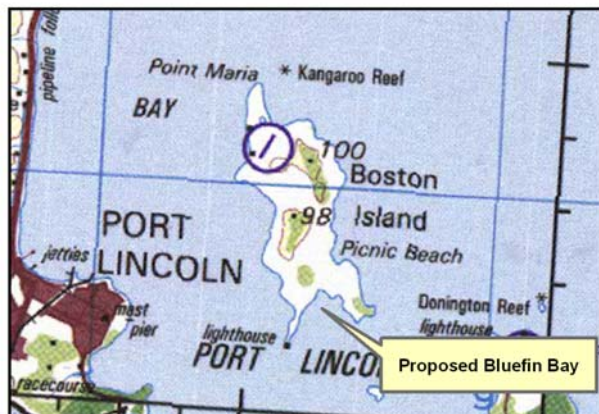
GEOGRAPHICAL NAMES ACT 1991

FOR PUBLIC CONSULTATION

Notice of Intention to Assign a Name to a Place

NOTICE is hereby given pursuant to the provisions of the above Act, that the Minister for Infrastructure seeks public comment on a proposal to assign the name **BLUEFIN BAY** to that feature located on the 1:50 000 Lincoln Mapsheet (6028-1) as shown on the plan below.

THE PLAN



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

This Naming Proposal can be viewed on the Land Services web-site located at:

www.landservices.sa.gov.au/1Online_Services/55Place_Names/

Dated 24 May 2010.

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

DTEL2010/10707/01

HEALTH CARE ACT 2008

Erratum

IN *Government Gazette* No. 33, dated 27 May 2010, at page 2026, third notice appearing under the Schedule should read as follows:

SCHEDULE

Declaration of Authorised Quality Improvement Activity and Authorised Person under Section 64

Activity	Person or Group of Persons
Clinical Quality Review Programme	The Burnside War Memorial Hospital Incorporated— Clinical Review Committee
Radiology Quality Improvement	Central Northern Adelaide Health Service— Breast Screen SA— Radiology Quality Improvement Committee
Pathology Quality Improvement	Central Northern Adelaide Health Service— Breast Screen SA— Pathology Quality Improvement Committee
South Australian Registry for Metastatic Neuroendocrine Tumours	Central Northern Adelaide Health Service— The Queen Elizabeth Hospital campus— South Australian Audit Committee for the Clinical Management of Metastatic Neuroendocrine Tumours
Teaching Review Quality Improvement	Central Northern Adelaide Health Service— Breast Screen SA— Teaching Review Quality Improvement Committee

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Arista Markou has applied to the Licensing Authority for the removal of a Special Circumstances Licence in respect of premises currently situated at 4 Tarcowie Street, Kilkenny, S.A. 5009 and to be situated at 60 Myrtle Street, Prospect, S.A. 5082 and known as Gourmet Plus.

The application has been set down for hearing on 22 June 2010 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 four days before the hearing date (viz: 18 June 2010).

The applicant's address for service is c/o Arista Markou, 60 Myrtle Street, Prospect, S.A. 5082.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 May 2010.

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 Darrell John Martin and Jayne Elizabeth Martin have applied to the Licensing Authority for a Special Circumstances Licence with Extended Trading Authorisation in respect of premises situated at 17 Lennox Drive, Paralowie, S.A. 5108 and to be known as DJM's Limousines.

The application has been set down for hearing on 29 June 2010 at 10.30 a.m.

Conditions

The following licence conditions are sought:

The following is sought in the application including Extended Trading Authorisation:

- The license will authorise the sale, supply and consumption of liquor to and by passengers in the vehicle on any day at any time.
- The license will authorise the sale, supply and consumption of liquor to and by passengers in areas adjacent (excluding dry areas) on any day until 3 a.m.
- The passengers may only consume liquor whilst they are under the supervision and control of the driver of the vehicle.
- The drivers are to be totally alcohol free whilst in charge of the vehicle.
- There shall be no liquor in the vehicle except in the boot storage area whilst a minor is in the vehicle, unless that minor is in the company of an adult guardian or adult spouse of the minor. A guardian in relation to a minor means a parent, including a step-parent or legal guardian of the minor.
- The vehicle shall at all times be fitted with a telephone or like instrument to enable immediate contact with the police if that be necessary.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 22 June 2010).

The applicants' address for service is c/o Darrell Martin, 17 Lennox Drive, Paralowie, S.A. 5108.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 May 2010.

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 La Boheme Nightclub Pty Ltd has applied to the Licensing Authority for a redefinition and variation to Conditions in respect of premises situated at 36 Grote Street, Adelaide, S.A. 5000 and known as La Boheme Nightclub.

The application has been set down for hearing on 29 June 2010 at 11.30 a.m.

Conditions

The following licence conditions are sought:

- Redefinition to include the first floor area and rear outside area as per plans lodged with this office.
- Variation to conditions to delete existing Condition 1:

'The premises shall be closed to the public from no later than 3 a.m. on any morning and not re-open to the public before 5 p.m. on the following day'.

and replace with:

'The premises shall be closed to the public from no later than 5 a.m. on any morning and not re-open to the public before 7 a.m. The outside area at the rear of the premises shall be closed to the public from no later than 3 a.m. on any morning and not re-open to the public before 7 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: 22 June 2010).

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

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 May 2010.

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 Russel Reith and Leigh Antony Imbesu, 52 Stewart Terrace, Naracoote, S.A. 5271 have applied to the Licensing Authority for a Producer's Licence in respect of the business to be known as L & J Wines.

The application has been set down for hearing on 30 June 2010 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 23 June 2010).

The applicants' address for service is c/o Westley DiGiorgio, P.O. Box 1265, Naracoote S.A. 5271 (Attention: Peter Westley).

The application and certain documents and material relevant to the application may be inspected without fee at a place and during a period specified by 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 25 May 2010.

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 Emma Susannah Kate Baxter and Gerard Christopher Liddle have applied to the Licensing Authority for a the transfer of a Restaurant Licence in respect of premises situated at 13 High Street, Willunga, S.A. 5172 known as Russell Jeavons Catering.

The application has been set down for hearing on 1 July 2010 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 25 June 2010).

The applicants' address for service is c/o Emma Baxter, 90 RSD McMurtrie Road, McLaren Vale, S.A. 5171.

The application and certain documents and material (including plans) relevant to the application may be inspected without fee at a place and during a period specified by 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 25 May 2010.

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 Le Fevre Peninsula Kids Inc. has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at 77 Marmora Terrace, Osborne, S.A. 5017 to be known as Le Fevre Peninsula Skid Kids.

The application has been set down for hearing on 1 July 2010 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 24 June 2010).

The applicant's address for service is c/o David Wilke, P.O. Box 1016, North Haven, S.A. 5018.

The application and certain documents and material (including plans) relevant to the application may be inspected without fee at a place and during a period specified by 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 25 May 2010.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, Andrew Robert James and Lynette Robyn James, Lot 99, Nangkita Road, Nangkita, S.A. 5210 have applied to the Licensing Authority for a Producer's Licence in respect of the business to be known as Nangkita Ridge Wines.

The application has been set down for hearing on 1 July 2010 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 24 June 2010).

The applicants' address for service is c/o Andrew Robert James, P.O. Box 67, Mount Compass, S.A. 5210.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 May 2010.

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 Angela Marlow and Brian Lafferty have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 228, Railway Terrace, Lucindale, S.A. 5272 and to be known as Hunt's Lot.

The application has been set down for hearing on 1 July 2010 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 24 June 2010).

The applicants' address for service is c/o Brian Lafferty, P.O. Box 242, Lucindale, S.A. 5272.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 May 2010.

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 Waterford Estate Residents Association Inc. has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at 55 Long Island Road, Murray Bridge, S.A. 5253 to be known as Waterford Estate Residents Association Inc.

The application has been set down for hearing on 6 July 2010 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: 29 June 2010).

The applicant's address for service is c/o Leonora Agnes Lyons, 2 Sandpiper Place, Murray Bridge, S.A. 5253.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 May 2010.

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 Golden Grove Central District Baseball Club Inc. has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at Illyarrie Avenue, Surrey Downs, S.A. 5126 and to be known as Golden Grove Central District Baseball Club.

The application has been set down for hearing on 6 July 2010 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 29 June 2010).

The applicant's address for service is c/o Stephen Conry, 23 Mertz Court, Greenwith, S.A. 5125.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 26 May 2010.

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 Alexander George Macri has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 27 Magill Road, Maylands, S.A. 5069 and to be known as Premier Beverages.

The application has been set down for hearing on 6 July 2010 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: 29 June 2010).

The applicant's address for service is c/o Alexander George Macri, P.O. Box 3078, Norwood, S.A. 5067.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 May 2010.

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 Jonathan Peter Dean and Sally-Ann Dean have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Wilpena Road, via Hawker, S.A. 5434 and to be known as JP. S Dean.

The application has been set down for hearing on 6 July 2010 at 11.30 a.m.

Conditions

The following licence conditions are sought:

- Catering business for the sale and supply of liquor at a place other than the licensed premises, provided that such consumption is only by persons attending a function with or ancillary to food provided by the licensee.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 29 June 2010).

The applicant's address for service is c/o Sally Dean, CMB 27, Hawker, S.A. 5434.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 27 May 2010.

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 UCB Holdings Pty Ltd has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) Authorisation and an Extended Trading Authorisation in respect of premises situated at 71-81 O'Connell Street, North Adelaide, S.A. 5006 and to be known as Un Caffè Bar.

The application has been set down for hearing on 6 July 2010 at 11 a.m.

Conditions

The following licence conditions are sought:

- Approval under Section 34 (1) (c) to sell liquor on any day except Good Friday and Christmas Day for consumption on the Licensed Premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- Extended Trading Authorisation is sought for the following days and times in relation to the abovementioned condition:
 - 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 hearing date (viz: 29 June 2010).

The applicant's address for service is c/o James Tambakis, P.O. Box 364, Rundle Mall, S.A. 5000.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 May 2010.

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 Rezz Pty Ltd as trustee for Rezz Trust has applied to the Licensing Authority for Alterations, Redefinition and variation to an Extended Trading Authorisation in respect of premises situated at 20 Hamilton Terrace, Newton, S.A. 5074 and known as Rezz.

The application has been set down for hearing on 6 July 2010 at 10.30 a.m.

Conditions

The following licence conditions are sought:

- Alterations and Redefinition to include a new bottle-shop as per plans lodged with this office.

- Variation to an Extended Trading Authorisation to include the abovementioned proposes redefined area as per plans lodged with this office and for the following days and times:

Sunday: 9 a.m. to 11 a.m. and 8 p.m. to 9 p.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: 29 June 2010).

The applicant's address for service is c/o Piper Alderman Lawyers, G.P.O. Box 65, Adelaide, S.A. 5001 (Attention: Geoff Forbes or Jonathan Dodd).

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 31 May 2010.

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 Guillaume Blanc and Eun-Sun Kim have applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 210 Hutt Street, Adelaide, S.A. 5000 to be known as Au Matin Calme.

The application has been set down for hearing on 7 July 2010 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 30 June 2010).

The applicants' address for service is c/o Eun-Sun Kim, 210 Hutt Street, Adelaide, S.A. 5000.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 May 2010.

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 Debsil Holding Pty Ltd as trustee for the Debsil Investment Trust has applied to the Licensing Authority for an Extended Trading Authorisation in respect of premises situated at High Street, Willunga, S.A. 5172 and known as Willunga Hotel.

The application has been set down for hearing on 7 July 2010 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation to apply for the whole licensed premises for the following days and times:

For consumption on the licensed premises:

Friday to Saturday: Midnight to 1 a.m. the following day;

Sunday: 10 a.m. to 11 a.m. and 8 p.m. to 10 p.m.;

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

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

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

For consumption off the licensed premises:

Sunday: 8 p.m. to 9 p.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: 30 June 2010).

The applicant's address for service is c/o Heath Deboo, 3-5 High Street, Willunga, S.A. 5172.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 31 May 2010.

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 Bertold Salomon, 265 Main Road, McLaren Vale, S.A. 5157 has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Bertold Salomon.

The application has been set down for hearing on 8 July 2010 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 1 July 2010).

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

Plans relevant to the application may be inspected 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 31 May 2010.

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 McLaren Vale Beer Company Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect to premises situated at Lot 90, Jay Drive, Willunga, S.A. 5171 and to be known as McLaren Vale Beer Company.

The application has been set down for hearing on 8 July 2010 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 1 July 2010).

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

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 31 May 2010.

Applicant

MINING ACT 1971

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

Applicant: AFMECO Mining and Exploration Pty Ltd
 Location: Mount Fitton area—Approximately 125 km north-east of Leigh Creek.
 Pastoral Leases: Murnpeowie, Mount Freeling, Moolawatana
 Term: 2 years
 Area in km²: 152
 Ref.: 2009/00338

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

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Hiltaba Gold Pty Ltd
 Location: Carnding area—Approximately 20 km west-north-west of Tarcoola.
 Pastoral Leases: Muckanippie, Malbooma, Kychering, Carnding Well, Wilgena, Pinding, Collading
 Term: 2 years
 Area in km²: 268
 Ref.: 2010/00100

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

J. MARTIN, Mining Registrar

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 (Minor Changes) Rule 2010 No. 6* and related final determination. All provisions of Schedules 1 and 2 commence on **10 June 2010**. All provisions of Schedule 3 commence on **16 December 2010**.

Under section 95, AEMO has requested the *Amendments to PASA-related Rules* Rule proposal (Project Ref. ERC0107). The proposal seeks to amend some of the provisions in the Rules in relation to the Projected Assessment of System Adequacy (PASA) processes. Submissions must be received by **2 July 2010**.

Submissions can be lodged online via the AEMC's website at www.aemc.gov.au. Before lodging your submission, you must review the AEMC's privacy collection statement on its website.

Submissions should be made 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.

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

3 June 2010.

OPTOMETRISTS ACT 2007

Registered Optometrists as at 15 May 2010

Aitchison, Stuart William
 Allen, Claudius
 Altmann, John Murray
 Ames, Robert Lionel
 Anderson, Renae Marie
 Andrew, Lauren Marie
 Arunasalam, Subahsinee
 Bammann, Naima Kate
 Barnett, Duncan Lindsay
 Barton, Daniel
 Bell, Paul Clayton
 Bennett, Reginald Frederick Garget
 Berry, Caroline Isobel
 Berry, Mark Boyd
 Bhoola, Ashok Chagan
 Bluntish, Ian Stanford
 Bolton, Antony Laurence Blacker
 Booth, Jason Mathew
 Bosland, John Derek
 Bosland, Kathryn Jane
 Brown, Paul Anthony
 Buckis, Matthew John
 Bull, Benjamin Anthony
 Burnside, Michael Edward
 Capper, Elizabeth Jane
 Carlisle, Karen Jane
 Carpenter, Paul Anthony
 Carroll, Tamara Leigh
 Chang, Hsin-Tsai (Hector)
 Chau, Judy Thao
 Chen, Chiu-Hsuan (Emma)
 Chen, Xiao Sabrina
 Chenery, Kenneth Desmond
 Cheung, Ching Pui
 Chiang, Pei-Chun (Linda)
 Clayfield-Hoskin, Annette
 Clem, Philip Martin
 Clifford, Allan-Jon Phillip
 Condon, Wilfred Peter
 Constantine, Stephen Mark
 Cunningham, Michael Gerard
 Dang, Susan
 De Bock, Jelle Feike
 Delaney, Peter John
 Dhir, Arti
 Dickenson, Jennifer
 Dickenson, William Arthur
 Dini, Katherine Anne
 Dini, Paul James
 Dixon, Peter James
 Do, Phuong Dang Mai
 Donovan, Brian Patrick
 Dorman, Andrew Peter
 Dunsford, Nigel Emery
 Du Preez, Candice
 Evans, Colin Glyn
 Farmer, Craig Robert
 Fieldhouse, Ronald Horace
 Fotkou, Paul
 Frater, Karen Louise
 Gardner, Peter Raymond
 Gaterell, Lori Leanne
 Girgenti, Cameron Carmelo
 Glover, Megan Janet
 Gonsalves, Jose Anthony
 Grace, Ashley Anthony
 Grace, Ruth Margaret
 Greaves, Deborah Jane
 Griffiths, Andrew Charles
 Grist, Edwin John
 Grzesniak, Katarina
 Gunawan, Bee Buan
 Gunawan, Handani
 Guppy, Kristin Leigh
 Hamlyn, Benjamin Richard
 Hancock, Mitchell John
 Hanna, Rebekah Ruth
 Hanson, Steven Paul

Hawkes (Nee Seeto), Karen Angela
 Heaney, Lesley Anne
 Holding, Leigh James
 Holland, Jason John
 Hong, Yoo Jin
 Hook, Mark John
 Horn, Ashlee Nicole
 Horne, Chau Han
 Howe, Renata Kara
 Huang, Heng-Jui (Cindy)
 Hume, John Bryce
 Hunt, Philip Andrew
 Hurlow, Andrea Louise
 Ilsoki, Velice
 Jenkins, Graeme Skene
 Jnguyenphamhh, Theresa Van
 Johnston, Erica Jane
 Johnston, Kirsty Lee
 Jolley, Paul
 Jolley, Paula Jane
 Jong, Monica
 Kavanagh, Rosemarie
 Kaweck, Christopher
 Keen, Helen Elizabeth
 Keipert, Lewis Douglas
 Kenefick, James David
 Kijvanit, Nipon
 Kinchington, David Patrick
 Kirkman, Margaret Anne
 Kong, Aimee Chui-Yee
 Kruszewski, Henry John
 Kumar, Sarah Anastasia
 La, Peter
 Laing, Stuart Jamie
 Lake, Donald Derek
 Lam, Lee Choon
 Lanham, Jennifer Anne
 Larsen, Kurt Christopher
 Law, Hok Man (Alex)
 Lee, Linda
 Lewry, Allan John
 Li, Loretta Man Yung
 Li, Xi Yan Annie
 Lim, Ee Tatt (Jason)
 Lim, Grace Weiping
 Lim, Vincent Ghee Tiong
 Lin, Jui-Chieh (Jerry)
 Lo, Jennifer Pui-Yan
 Ly, Frances
 Ly, Lisa
 Mackay, Stuart John
 Malingre, Rene Marcel Pierre
 Mann, Stanley Bradshaw
 Mannah, Jessica Rosalyn
 Mannix, Haidee
 Martens, Craig
 Martin, Frederick Wayne
 McCreery, Grant Bruce
 Mcgartland, Michelle Teresa
 McGregor, Robert Bruce
 Mcivor, William John Stephen
 McLarty, Anthony Mathew
 McMurrich, Amanda Jane
 McTaggart, Christopher Mark
 Milford, Philip Kendall
 Mistry, Dipika
 Mitris, Stephanie Kate
 Mohseni, Abdul-Azim
 Morris, Philip Andrew
 Moulton, Karen Louise
 Murphy, Siobhan Grainne
 Murray, Andrea Dorne
 Murray, Neil Bruce
 Mustaev, Alexander
 Naidoo-Bhoola, Venotha
 Nath, Ashreet Avineel
 Newman, Alexander Robert Maurice
 Ng, Toh Sang
 Ngo, Quyen
 Nguyen, Kim
 Nguyen, Nga Ngoc
 Nguyen, Thao

Nguyen, Tho
 Nguyen-Duc, Annie Tu-An
 Nikanjam, Neda
 Nolan, Lawrence Michael
 Norynberg, Lisa Marie
 O'Brien, David Anthony
 O'Brien, Kelly Marie
 O'Brien, Mary Elizabeth
 O'Callaghan, Gavin Joseph
 O'Connor, David Christopher
 O'Connor, Mark John
 O'Loughlin, Rebecca Kate
 O'Neill, Andrew Paul
 Oswald, Peter James
 Overduin, Kristin Kayne
 Pappageorgiou, Loucia Helen
 Park, Hyo Joo (Julia)
 Parsons, Mark Philip William
 Patel, Niles
 Pesudovs, Konrad
 Phillips, Anthony John
 Pissas, Helen
 Pocknee, Elise
 Prentice, Jackelyn Olivia
 Preston, Suzanne Marie
 Prince, Mark William
 Pritchard, Carolyn Deborah
 Pritchard, Robert
 Pun, Hong Wang
 Quek, Marie
 Quirke, Sally Ann
 Rayner, Jennifer May
 Richardson, Lorna Yvonne
 Rivett, Ashley Gordon
 Rodkin, Larry
 Rooney, Kevin Francis
 Rosli, Lenny Mazlianah
 Royle, Lisa Marie
 Ryan, Timothy James
 Sanders, Janice Page
 Sanun, Bhupinder Singh
 Sara, Donald Edward
 Schoneveld, Paul Gregory Anthony
 Schultz, Glen Phillip
 Scott, Malcolm Bruce Hunter
 Scott-Hoy, Lachlan Sidney Lucas
 Scott-Hoy, Stephen
 Seiler, Robert Arthur
 Selby, Nigel
 Sharma, Nisha Kumari
 Shin, Hyo Chul
 Shin, May
 Sibbin, Derek Richard
 Simpson, Michael Crawford
 Singh, Sailendra Ram
 Smith, Christopher Adam
 Smith, Geoffrey Dean
 Smith, Leanne
 So, Susan
 Sotiropoulos, Oriana
 Sprumont, Kylie Carita
 Stanbury, Dion Neville
 Stanley, Murray David
 Sutton, Kay Louise
 Tan, Boon Yuen
 Tan, Gerald Troy
 Tan, Kok Chong
 Tangtulayangkoon, Sirithip (Siri Tang)
 Targett, Allan Peter
 Thomas, Andrew Roy Scott
 Thomson, Christopher Wyville
 Thornton, Penelope Rae
 Ting, Check Nguong
 Tran, Binh
 Tran, Joanne Linh
 Tran-Nguyen, Anna
 Trevor, Bethwyn Kate
 Trimper, Mervyn Stanley
 Trinh, Anh Oanh Hoang
 Trinh, Tien Thuy
 Truong, Phuong Bich
 Tsang, Tommy Ling Chi

Tsui, Henry Yuk Hang
Van Schalkwyk, Leon
Van Weerd, Kate Elizabeth
Vasilj, Boris Anthony
Verney, Stephen John
Viz, Rashi
Walker, Mitchell Ian
Wallis, Annette
Wallis, Eric Robert
Wallis, Rex Burton
Wang, Bob Zhongqi
Wang, Lei
Watling, Mark Edward Austin
Welch, David John
Wilden, Stefanie Barbara
Willmore, Melvin Robert
Wilson, Mandy
Wojt, Jacinta
Wojt, Marek Jan
Wong, Ming Ming (Jane)
Woodcock, Jennifer Margaret
Woollard, Christopher Leslie
Wyatt, Simone Lynette
Wynn, Ian Leslie
Wysling, John Gregory
Yan, Selwyn John
Yee, Basil
Yip, Wesley
Young, Dorline
Zhang, Lona

*Optometrists to be Removed from the Register from
1 January 2010*

Addison, Ben
Ankjell, Lien Thi Bach
Barry, John Peter
Brand, Anita Lingzanne
Carrabs, Elena
Cawley, Jonathan David
Chan, Pak Di
Chan, See Wai
Chan, Thomas Chun Wai
Chan, Vivian Chi Man
Chappell, Geoffrey Gresham
Chen, Li Wen
Chen, Stephanie Ming-Yee
Chin, William
Chung, Angela Man-Hang
Colbert, Hayley Louise

Collett, Katherine Jane
Cook, Alastair Jacob
Cubis, Elizabeth Catherine
Cutting, Jeremy
Dawoodbhai, Ensiya
Don, Bruce Alexander
Drewitt Smith, Robert Bruce
Duong, David
Emsley, John Gordon
Giorgini, Steven Christopher
Han, Hye-Won Natalie
Ho, Alexander Jun Jang
Ivkovic, Darko Anthony
Jones, David Rosser
Keogh, Francis Arthur
Khalaf, Hayssam
Kim, Helen
Kim, Lauren Hyunjeong
King, Anthony James
Le, Jane
Leong, Bryan Chi Hau
Lin, Lin (Linda)
Lyons, Kristi Pamela
Ma, Ying Kwan Dilys
Mak, Connie Koon Lui
Mccarthy, Celia Louise
Mckenna, Gregory James
Murugappa, Meyyappan Senthil
Napier, Nicholas Kent
Nguyen, Chan Nu-Thien
Noach, Louis
Norris, Alex Christopher
Noussair, Mary
Ogura, Yumi
Peckham, Shannon Leigh
Poon, Kenneth Kin-Ming
Purba, Bhagwant Singh
Raisbeck, Celeste Helen
Siu, Anna Ho Yee
Travis, Mary Elizabeth
Trinh, Lien Kim
Wheeler, Ian Robert
Wilson, Darryl Garde
Wong, Elizabeth Yanting
Wynford, Olivia Wh Q
Yu, Fei Faye
Yue, Amy Chi Ying
Yuen, Eva-Kim
Zhang, Han

N. J. STORER, Registrar

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2009

	\$		\$
Agents, Ceasing to Act as.....	42.75	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	28.50
Incorporation	21.70	Discontinuance Place of Business	28.50
Intention of Incorporation	53.50	Land—Real Property Act:	
Transfer of Properties	53.50	Intention to Sell, Notice of.....	53.50
Attorney, Appointment of.....	42.75	Lost Certificate of Title Notices	53.50
Bailiff's Sale.....	53.50	Cancellation, Notice of (Strata Plan)	53.50
Cemetery Curator Appointed.....	31.75	Mortgages:	
Companies:		Caveat Lodgement.....	21.70
Alteration to Constitution	42.75	Discharge of.....	22.70
Capital, Increase or Decrease of	53.50	Foreclosures.....	21.70
Ceasing to Carry on Business	31.75	Transfer of	21.70
Declaration of Dividend.....	31.75	Sublet.....	10.90
Incorporation	42.75	Leases—Application for Transfer (2 insertions) each	10.90
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each	31.75
First Name.....	31.75	Licensing.....	63.50
Each Subsequent Name.....	10.90	Municipal or District Councils:	
Meeting Final.....	35.75	Annual Financial Statement—Forms 1 and 2	598.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	425.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	85.00
First Name.....	42.75	Each Subsequent Name.....	10.90
Each Subsequent Name.....	10.90	Noxious Trade	31.75
Notices:		Partnership, Dissolution of.....	31.75
Call.....	53.50	Petitions (small).....	21.70
Change of Name	21.70	Registered Building Societies (from Registrar-	
Creditors.....	42.75	General).....	21.70
Creditors Compromise of Arrangement	42.75	Register of Unclaimed Moneys—First Name.....	31.75
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	10.90
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	53.50	Rate per page (in 8pt)	272.00
Release of Liquidator—Application—Large Ad.....	85.00	Rate per page (in 6pt)	359.00
—Release Granted	53.50	Sale of Land by Public Auction.....	54.00
Receiver and Manager Appointed.....	49.50	Advertisements.....	3.00
Receiver and Manager Ceasing to Act.....	42.75	¼ page advertisement	127.00
Restored Name.....	40.00	½ page advertisement	254.00
Petition to Supreme Court for Winding Up.....	74.50	Full page advertisement.....	498.00
Summons in Action.....	63.50	Advertisements, other than those listed are charged at \$3.00 per	
Order of Supreme Court for Winding Up Action.....	42.75	column line, tabular one-third extra.	
Register of Interests—Section 84 (1) Exempt.....	96.00	Notices by Colleges, Universities, Corporations and District	
Removal of Office.....	21.70	Councils to be charged at \$3.00 per line.	
Proof of Debts.....	42.75	Where the notice inserted varies significantly in length from	
Sales of Shares and Forfeiture.....	42.75	that which is usually published a charge of \$3.00 per column line	
Estates:		will be applied in lieu of advertisement rates listed.	
Assigned	31.75	South Australian Government publications are sold on the	
Deceased Persons—Notice to Creditors, etc.....	53.50	condition that they will not be reproduced without prior	
Each Subsequent Name.....	10.90	permission from the Government Printer.	
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Each Subsequent Estate	1.40		
Probate, Selling of	42.75		
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Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	2.60	1.20	497-512	36.25	35.25
17-32	3.50	2.20	513-528	37.25	36.00
33-48	4.55	3.25	529-544	38.50	37.25
49-64	5.75	4.40	545-560	39.50	38.50
65-80	6.70	5.55	561-576	40.50	39.50
81-96	7.80	6.45	577-592	41.75	40.00
97-112	8.90	7.60	593-608	43.00	41.50
113-128	9.95	8.75	609-624	43.75	42.75
129-144	11.10	9.85	625-640	45.00	43.25
145-160	12.20	10.90	641-656	46.00	45.00
161-176	13.30	12.00	657-672	46.75	45.50
177-192	14.50	13.10	673-688	48.75	46.75
193-208	15.60	14.40	689-704	49.50	47.75
209-224	16.50	15.20	705-720	50.25	49.00
225-240	17.60	16.30	721-736	52.00	50.00
241-257	18.90	17.20	737-752	52.50	51.00
258-272	19.90	18.30	753-768	53.50	52.00
273-288	21.00	19.70	769-784	54.50	53.50
289-304	21.90	20.60	785-800	55.50	54.50
305-320	23.20	21.80	801-816	57.00	55.00
321-336	24.20	22.80	817-832	58.00	57.00
337-352	25.40	24.10	833-848	59.00	58.00
353-368	26.25	25.20	849-864	60.00	58.50
369-384	27.50	26.25	865-880	61.50	60.00
385-400	28.75	27.25	881-896	62.00	60.50
401-416	29.75	28.25	897-912	63.50	62.00
417-432	31.00	29.50	913-928	64.00	63.50
433-448	32.00	30.75	929-944	65.00	64.00
449-464	32.75	31.50	945-960	66.00	64.50
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481-496	35.25	33.25	977-992	69.50	66.00

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COMMONWEALTH OF AUSTRALIA

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

Notice of Invitation of Applications for Exploration Permits

I, BARRY ALAN GOLDSTEIN, the Delegate of the Designated Authority in respect of the offshore area of South Australia and on behalf of the Commonwealth-South Australia Offshore Petroleum Joint Authority, acting pursuant to delegated powers and pursuant to section 104 of the Offshore Petroleum and Greenhouse Gas Storage Act 2006 of the Commonwealth of Australia, hereby invite applications for the grant of an exploration permit in respect of the following area as scheduled below:

SCHEDULE

(The references hereunder are to the names of the map sheets of the 1:1 000 000 series and to the numbers of graticular sections shown thereon).

The Commonwealth/State/Territory jurisdictional boundary in coastal waters is determined by the Australian Maritime Boundaries Information System Dataset of 2006, released in February 2006 by the Australian Surveying and Land Information Group (now Geoscience Australia National Mapping Division).

Description of Blocks

AREA S10-1

Map Sheet SI 53 (Port Augusta)

2696	2697	2698	2768	2769	2770
2771	2772	2773	2840	2841	2842
2843	2844	2845	2846	2912	2913
2914	2915	2916	2917	2918	2919
2920	2984	2985	2986	2987	2988
2989	2990	2991	2992	3057	3058
3059	3060	3061	3062	3063	3064
3129	3130	3131	3132	3133	3134
3135	3207				

Assessed to contain 50 graticular blocks.

AREA S10-2

Map Sheet SI 53 (Port Augusta)

2993	2994	3065	3066	3067	3068
3136	3137	3138	3139	3140	3141
3142	3208	3209	3210	3211	3212
3213	3214	3215	3281	3282	3283
3284	3285	3286	3287	3354	3355
3356	3357	3358	3359	3360	3427
3428	3429	3430	3431	3432	

Map Sheet SJ 53 (Du Couedic)

43	44	45	46	47	48
117	118	119			

Assessed to contain 50 graticular blocks

Applications

Applications lodged under section 104 of the Offshore Petroleum and Greenhouse Gas Storage Act 2006 are required to be made in the approved form and should be accompanied by:

(a) Details of:

- (i) the applicant's technical assessment of the petroleum potential of the area, including the concepts underlying its proposed exploration program, with sufficient detail to support that program;
- (ii) the applicant's minimum guaranteed proposal (including indicative minimum expenditure in Australian dollars) for exploration wells to be drilled, 3D and 2D seismic and other surveying activities, data evaluation and other work within the permit area, for each year of the first three years of the permit term. This proposal, to be known as the minimum guaranteed work program should only comprise exploration work—appraisal work should not normally be included;
- (iii) the applicant's proposal (including indicative minimum expenditure in Australian dollars) for exploration wells to be drilled, 3D and 2D seismic and other surveying activities, data evaluation and other work, for each of the three remaining years of the permit term (the secondary work program). This proposal should include substantial operational activities that will significantly advance exploration of the area—appraisal work should not normally be included;

(b) Particulars of:

- (i) the technical qualifications of the applicant and of its key employees;
- (ii) the technical advice available to the applicant;
- (iii) the financial resources available to the applicant, including evidence of the applicant's ability to fund the work program proposed, a statement of other exploration commitments over the next six years, and a copy of the latest annual and quarterly reports for each applicant company;
- (iv) where relevant, evidence of the viability of the consortium lodging the application, including evidence that a satisfactory settlement has been, or can be, reached on the Joint Operating Agreement (a copy of a signed Heads of Agreement will generally suffice); and
- (v) the percentage participating interest of each party to the application;

- (vi) details of any permit cancellations or defaults on work program conditions under the Offshore Petroleum and Greenhouse Gas Storage Act 2006 of any of the applicant companies over the previous five years and why the applicant believes the prior failure is irrelevant to the current application. e.g. participation in the 'good standing' scheme;
 - (vii) details of any relationship that a director of an applicant company had with any company that has defaulted over the previous five years;
 - (viii) such other information as the applicant wishes to be taken into account in consideration of the application.
- (c) Each application must be accompanied by the then applicable fee (currently \$4 590), payable to the 'Commonwealth of Australia' through an Australian bank or bank cheque (electronic funds transfer or credit card facilities are not yet available).

Further details of the work program bidding system outlined above, including the criteria for assessment of applications and the conditions to apply following the award of a permit, are available from the Director Petroleum and Geothermal, Minerals and Energy Resources, Department of Primary Industries and Resources in Adelaide and from the Offshore Resources Branch, Department of Resources Energy and Tourism in Canberra.

Applications together with relevant data should be submitted in the following manner to the Director Petroleum and Geothermal, (Attention: Petroleum Registrar) Minerals and Energy Resources, Department of Primary Industries and Resources S.A., Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 before 4 p.m. on Thursday, 11 November 2010.

The following special instructions should be observed:

- two copies of the application and supporting data, together with the then applicable fee (currently \$4 590), payable to the 'Commonwealth of Australia' through an Australian bank or by bank cheque, should be enclosed in an envelope or package;
- the application should then be sealed and clearly marked as 'Application for Area S10-1 or S10-2—Commercial-in-Confidence—Attention: Petroleum Registrar'
- this envelope or package should then be enclosed in a plain covering envelope or package and delivered by hand or posted to the relevant address above.

Copies of the basic exploration data pertaining to the blocks comprising this notice may be purchased from the Petroleum and Geothermal Group, Minerals and Energy Resources, Department of Primary Industries and Resources SA. Verbal enquiries may be directed to Barry Goldstein, Director Petroleum and Geothermal (Telephone: (08) 8463 3200; or email: Barry.Goldstein@sa.gov.au).

In most circumstances permits awarded under the Offshore Petroleum and Greenhouse Gas Storage Act 2006 from this release can be renewed for a further two five year terms after the initial six year term. Renewal permit terms are five years.

Made under the Offshore Petroleum and Greenhouse Gas Storage Act 2006 of the Commonwealth of Australia.

Dated 31 May 2010.

B. A. GOLDSTEIN,
Delegate of the Designated Authority
for and on behalf of the Commonwealth—
South Australia Offshore Petroleum Joint Authority

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Surrender of Geothermal Exploration Licences—GELs 446, 491, 492 and 493

NOTICE is hereby given that I have accepted surrender of the abovementioned Geothermal Exploration Licences with effect from 9 April 2010, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 1 October 2009:

No of Licence	Licensee	Date of Surrender	Area in km ²	Reference
GEL 446	Geothermal Resources Ltd	9 April 2010	486	27/2/542
GEL 491	Geothermal Resources Ltd	9 April 2010	482	27/2/557
GEL 492	Geothermal Resources Ltd	9 April 2010	497	27/2/557
GEL 493	Geothermal Resources Ltd	9 April 2010	478	27/2/557

Description of Area—GEL 446

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

Commencing at a point being the intersection of latitude 30°44'00"S GDA94 and longitude 140°30'00"E GDA94, thence east to longitude 140°45'00"E GDA94, south to latitude 30°55'00"S GDA94, west to longitude 140°30'00"E GDA94 and north to the point of commencement.

Area: 486 km² approximately.

Description of Area—GEL 491

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

Commencing at a point being the intersection of latitude 30°13'00"S GDA94 and longitude 140°40'00"E GDA94, thence east to longitude 140°45'00"E GDA94, south to latitude 30°36'00"S GDA94, east to longitude 140°46'00"E GDA94, south to latitude 30°44'00"S GDA94, west to longitude 140°40'00"E GDA94 and north to the point of commencement.

Area: 482 km² approximately.

Description of Area—GEL 492

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

Commencing at a point being the intersection of latitude 30°13'00"S GDA94 and longitude 140°45'00"E GDA94, thence east to longitude 140°57'00"E GDA94, south to latitude 30°27'00"S GDA94, west to longitude 140°45'00"E GDA94 and north to the point of commencement.

Area: 497 km² approximately.

Description of Area—GEL 493

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

Commencing at a point being the intersection of latitude 30°27'00"S GDA94 and longitude 140°45'00"E GDA94, thence east to longitude 140°55'00"E GDA94, south to latitude 30°44'00"S GDA94, west to longitude 140°46'00"E GDA94, north to latitude 30°36'00"S GDA94, west to longitude 140°45'00"E GDA94 and north to the point of commencement.

Area: 478 km² approximately.

Dated 25 May 2010.

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

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Geothermal Exploration Licences—
GELs 220 and 221*

PURSUANT to section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Geothermal Exploration Licences have been suspended under the provisions of the Petroleum and Geothermal Energy Act 2000, for the period from and including 10 May 2010 to 9 November 2010, pursuant to delegated powers dated 1 October 2009.

The expiry date of Geothermal Exploration Licences GEL 220 and 221 is now determined to be 23 January 2012.

Dated 28 May 2010.

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

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Geothermal Exploration Licences—
GELs 267, 268, 269, 270, 271, 272, 273, 274, 275, 276 and 277*

PURSUANT to section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Geothermal Exploration Licences have been suspended under the provisions of the Petroleum and Geothermal Energy Act 2000, for the period from and including 22 May 2010 to 21 May 2011, pursuant to delegated powers dated 1 October 2009.

The expiry date of Geothermal Exploration Licences GELs 267, 268, 269, 270, 271, 272, 273, 274, 275, 276 and 277 is now determined to be 22 May 2013.

Dated 28 May 2010.

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

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Licence Condition
Extension of Licence Term
Petroleum Exploration Licences—
PELs 91, 92, 94, 95, 107 and 218*

*Extension of Licence Term
Associated Activities Licence—AAL 154*

PURSUANT to section 76A of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that Condition 1 of the abovementioned Petroleum Exploration Licences has been suspended under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 1 October 2009, for the following periods:

- PEL 91 from and including 5 June 2010 to 4 December 2010;
- PEL 92 from and including 5 November 2010 to 4 May 2011;
- PEL 94 from and including 5 May 2011 to 4 November 2011;
- PEL 95 from and including 30 October 2010 to 29 April 2011;
- PEL 107 from and including 2 December 2010 to 1 June 2011; and
- PEL 218 from and including 15 April 2011 to 14 October 2011.

The terms of PELs 91, 92, 94, 95, 107 and 218 have been extended by a period corresponding to the period of suspension, such that the licences will now expire on the following dates:

- PEL 91 will now expire on 4 December 2013;
- PEL 92 will now expire on 4 May 2012;
- PEL 94 will now expire on 4 November 2012;
- PEL 95 will now expire on 29 April 2012;
- PEL 107 will now expire on 1 June 2014; and
- PEL 218 will now expire on 14 October 2013.

As a consequence of the suspension and extension of PEL 92, the term of the adjunct Associated Activities Licence AAL 154 is extended, such that AAL 154 will now expire on 4 May 2012.

Dated 25 May 2010.

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

REPORT AND DETERMINATION OF THE REMUNERATION TRIBUNAL

NO. 3 OF 2010

Travelling and Accommodation Allowances

A. Report

Adjustments have been made to these allowances having regard to the increased costs that have occurred since the Tribunal last adjusted them in May 2009 and to the increased travelling and accommodation allowances granted to the South Australian public sector.

B. Determination

1. Scope of Determination

This Determination applies to Court Officers, Judges, and Statutory Officers.

2. Interpretation

In this Determination, unless the contrary appears:

‘Court Officer’ means any of the following:

Commissioners of the Environment, Resources and Development Court.

‘Judges’ means any of the following members of the judiciary:

the Chief Justice of the Supreme Court;
Puisne Judges of the Supreme Court;
Masters of the Supreme Court;
the Chief Judge of the District Court;

Judges of the Environment, Resources and Development Court;

Masters of the District Court;

other District Court Judges;

the Chief Magistrate;

the Deputy Chief Magistrate;

Supervising Magistrates;

the Assisting Supervising Magistrate of the Adelaide Magistrates Court;

Stipendiary Magistrates;

the Supervising Industrial Magistrate;

other Industrial Magistrates;

the State Coroner;

the Deputy State Coroner;

the Senior Judge of the Industrial Relations Court and President of the Workers Compensation Tribunal;

the President of the Industrial Relations Commission and Judge of the Industrial Relations Court; and

Judges of the Industrial Relations Court.

‘Statutory Officers’ means any of the following statutory office holders:

Deputy Presidents of the Industrial Relations Commission;

Commissioners of the Industrial Relations Commission;

the Auditor General;

the Electoral Commissioner;

the Deputy Electoral Commissioner;

the Employee Ombudsman; and

the Health and Community Services Complaints Commissioner.

3. Travelling and Accommodation Allowances

A person who actually incurs expenditure when travelling on official business and which necessitates absence from home overnight shall be paid an allowance as follows:

- 3.1 Outside the metropolitan area as defined by the Development Act 1993 but within the State—at the rate of two hundred and forty-one dollars (\$241) for each day that involves an overnight absence, plus any extra expenditure necessarily incurred.
- 3.2 Within the metropolitan area as defined by the Development Act 1993—at the rate of two hundred and eighty-six dollars (\$286) for each day which involves an overnight absence, plus any extra expenditure necessarily incurred.
- 3.3 Interstate—at the rate of four hundred and forty-one dollars (\$441) for Sydney and four hundred and eight dollars (\$408) for places other than Sydney for each day which involves an overnight absence, plus any extra expenditure necessarily incurred.
- 3.4 When an additional period of less than 24 hours absence occurs without overnight accommodation, then a further payment calculated at the rate of one half of the allowance shall be paid with respect to the excess hours.
- 3.5 Reimbursement is not to be made for luncheon for single day absences within South Australia.
- 3.6 Employees who travel interstate and return on the same day may be reimbursed for luncheon on the basis of actual expenditure up to twenty dollars and seventy cents (\$20.70).

4. Date of Operation

The allowances prescribed in Clause 3 of this Determination shall operate on and from 3 May 2010 and supersede those prescribed in previous Determinations covering persons whose office is listed herein.

Dated 23 April 2010.

H. R. BACHMANN, President
J. A. MEEKING OBST, Member
D. J. SMYTHE, Member

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

BY Road Process Order made on 15 December 2009, the Port Pirie Regional Council ordered that:

1. Portion of the unnamed public road situate between Sections 877 and 878, Hundred of Crystal Brook, more particularly delineated and lettered 'A' in Preliminary Plan No. 09/0032 be closed.

2. The whole of the land subject to closure be transferred to the Australian Rail Track Corporation Ltd in accordance with agreement for transfer dated 15 December 2009 entered into between the Port Pirie Regional Council and the Australian Rail Track Corporation Ltd.

On 8 February 2010 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 83239 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 3 June 2010.

P. M. KENTISH, Surveyor-General

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

BY Road Process Order made on 21 December 2009, The Barossa Council ordered that:

1. The whole of the unnamed public road situate north of Birdwood Road and between Section 243, Hundred of Talunga, Piece 111 in Filed Plan 170573 and Allotment 609 in Filed Plan 169548, more particularly delineated and lettered 'A' on Preliminary Plan 09/0047 be closed.

2. Transfer the whole of the land subject to closure to Lyall Wayne Starkey in accordance with the agreement for transfer dated 26 May 2009 entered into between The Barossa Council and L.W. Starkey.

On 11 March 2010 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 83426 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 3 June 2010.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Opening
Agricultural Bureau Drive, Millicent/Tantanoola*

BY Road Process Order made on 4 January 2010, the Wattle Range Council ordered that:

Portion of Section 384, Hundred of Hindmarsh and portions of Allotments 20 and 21 in Deposited Plan 66045, more particularly delineated and numbered '3', '4' and '5' in Preliminary Plan No. 08/0090 be opened as road, forming a widening of the adjoining Agricultural Bureau Drive.

On 20 April 2010 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 83567 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 3 June 2010.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Opening
Finch Road, Lower Light*

BY Road Process Order made on 4 January 2010, The District Council of Mallala ordered that:

Portion of section 420, Hundred of Port Gawler, more particularly delineated and numbered '1' in Preliminary Plan No. 09/0060 be opened as road forming an extension of the adjoining Finch Road.

On 8 February 2010 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 83254 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 3 June 2010,

P. M. KENTISH, Surveyor-General

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 in addition to the gazette notices of:

- | | | | |
|----------------------|----------------------|-----------------------|-----------------------|
| 1. 25 September 2008 | 2. 23 October 2008 | 3. 13 November 2008 | 4. 4 December 2008 |
| 5. 18 December 2008 | 6. 29 January 2009 | 7. 12 February 2009 | 8. 5 March 2009 |
| 9. 12 March 2009 | 10. 26 March 2009 | 11. 30 April 2009 | 12. 18 June 2009 |
| 13. 25 June 2009 | 14. 27 August 2009 | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009 | 18. 22 October 2009 | 19. 3 December 2009 | 20. 17 December 2009 |
| 21. 4 February 2010 | 22. 11 February 2010 | 23. 18 February 2010 | 24. 18 March 2010 |
| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | |

**Trades or Declared Vocations and Required Qualifications and Training Contract Conditions
for the**

Furnishing Training Package (LMF02)

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	LMF02 Nominal Hours	Nominal Term of Training Contract	Probationary Period
# Floor Finishing and Covering Worker	LMF2090 8	Certificate II in Flooring Technology	327	12	1
* Floor Finisher	LMF3120 8	Certificate III in Flooring Technology	779	48	3
* Cabinetmaker (Furniture) * Cabinetmaker (Bathrooms and Kitchens)	LMF3210 9	Certificate III in Cabinet Making	929	48	3

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 in addition to the gazettals of:

- | | | | |
|----------------------|---------------------|-----------------------|-----------------------|
| 1. 25 September 2008 | 2. 23 October 2008 | 3. 13 November 2008 | 4. 4 December 2008 |
| 5. 18 December 2008 | 6. 29 January 2009 | 7. 12 February 2009 | 8. 5 March 2009 |
| 9. 12 March 2009 | 10. 26 March 2009 | 11. 30 April 2009 | 12. 18 June 2009 |
| 13. 25 June 2009 | 14. 27 August 2009 | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009 | 18. 22 October 2009 | 19. 3 December 2009 | 20. 17 December 2009 |
| 21. 22 October 2009 | 22. 3 December 2009 | 23. 17 December 2009 | 24. 11 February 2010 |
| 25. 19 February 2010 | 26. 18 March 2010 | 27. 8 April 2010 | 28. 6 May 2010 |
| 29. 20 May 2010 | | | |

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

Trades or Declared Vocations required Qualifications and Training Contract

Conditions for the

Health Training Package (HLT07)

*Trade #Declared Vocation/	Code	Title	Nominal Term of Training Contract	Probationary Period
Health Administration Worker	HLT43207	Certificate IV in Health Administration	24	2
	HLT52007	Diploma of Practice Management	24	2
Health Support Worker	HLT40407	Certificate IV in Health Supervision	24	2
	HLT42507	Certificate IV in Allied Health Assistance	24	2

Bold denotes changed duration



**Government
of South Australia**

**TREASURER'S
QUARTERLY STATEMENT**

for the

**QUARTERS and NINE MONTHS ended on
31 MARCH 2010 and 31 MARCH 2009**

*Presented by the
Honourable Kevin Foley MP
Treasurer of South Australia*

GOVERNMENT OF SOUTH AUSTRALIA**COMMENTARY TO THE STATEMENT OF THE AMOUNTS CREDITED TO
AND ISSUED FROM THE CONSOLIDATED ACCOUNT FOR THE QUARTERS
ENDED 31 MARCH 2010 AND 31 MARCH 2009*****Receipts****Taxation*

The increase in land tax collections between the March quarter 2010 and the same period a year ago reflects the growth in land values. Year to date land tax collections are significantly higher than recorded in the first 9 months of 2008-09 mainly due to the timing of land tax payment by the South Australian housing Trust. The Housing Trust paid its land tax liability (\$163.9 million) in the December quarter 2009. In the previous year, the Housing Trust paid its land tax liability (\$149.2 million) in April 2009.

Payroll tax receipts for the nine months to March 2010 are lower than the same period a year ago reflecting the reduction in the payroll tax rate from 5.00% to 4.95% and the increase in the tax-free threshold from \$552 000 to \$600 000, both of which took effect from 1 July 2009.

Higher payroll tax collections for the March quarter 2010 compared with March quarter 2009 reflect growth in employer payrolls as economic activity recovers from the global financial crisis.

Higher levels of stamp duty receipts in the first nine months of 2009-10 and the March quarter 2010 compared to the same periods a year ago reflects an increase in property market activity and property prices compared with the corresponding period in 2008, reflecting improved confidence in the property market.

Gambling taxation receipts were higher in the first nine months of 2009-10 than for the same period in 2008-09 reflecting higher gaming machine expenditure in hotels and clubs.

Fees and charges

Higher levels of fees and charges receipts in the March quarter 2010 compared to the same period a year ago mainly reflect higher receipts from guarantee fees and higher collections from land services fees.

Royalties

The higher receipts in the March 2010 quarter compared to the March 2009 quarter is mainly due to higher gas and ethane sales together with higher oil prices in The Cooper Basin.

The decrease in royalty receipts between the nine months to March 2010 to the same period in 2008-09 mainly relates to lower royalties from Olympic Dam due to a significant fall in copper prices and a fall in production levels as a result of the Clark Shaft incident and lower royalties from The Cooper Basin primarily due to lower gas and crude oil sales. This is offset in part by royalties from new mines.

Commonwealth—General Purpose Grants

The reduction in General Purpose Grants in the first nine months of 2009-10 compared with the corresponding nine months for 2008-09 is not indicative of a fall in underlying Goods and Services Tax (GST) revenue growth between the years. This is because monthly grants are paid according to a payment schedule prepared by the Commonwealth Government at the commencement of a financial year rather than in accordance with the actual emerging monthly GST collections.

In the Commonwealth's *2009-10 Mid-Year Economic and Fiscal Outlook*, the Commonwealth Government assumed the GST Pool would grow by 2.7% in 2009-10.

Commonwealth—Specific Purpose Grants

Specific purpose grants for the nine months to March 2010 are significantly higher compared with the same period in 2008-09 reflecting revised Commonwealth-State funding arrangements agreed to at the November 2008 meeting of the Council of Australian Governments. Revised arrangements took effect from 1 January 2009 and provide for Specific Purpose Payments to be made to the Treasuries of each State and Territory rather than the relevant line agencies as was the case under the previous arrangements.

Other receipts

Other receipts are \$48 million lower compared to the same period a year ago. This was mainly due to lower return of interest on investments.

Payments

Payments were made pursuant to the *Appropriation Act 2009* and also in accordance with various other Acts for which specific appropriation has been authorised.

Payments made from the Consolidated Account during the first three quarters of 2009-10 were higher than the same period in 2008-09.

The increase in the level of payments for the first three quarters of 2009-10 is a result of higher budgeted appropriation for 2009-10 which also now includes the COAG Specific Purpose Payments (SPP's). During the first three quarters of 2009-10, \$1,094 million appropriation was disbursed to agencies in respect to SPP's.

Other contributing factors to the higher level of payments for the first half of 2009-10 were:

- One-off payments required to be made in the first three quarters of 2009-10; and
- Additional disbursements to agency special deposit accounts currently being held as cash to meet expenses in the last quarter of 2009-10.

Note

Considerable caution should be exercised in interpreting the quarterly statement of Consolidated Account transactions. Unlike the State budget, which comprises transactions on an accrual basis, the information reflected in the quarterly statements is limited to cash transactions. In addition, the Consolidated Account does not capture all the transactions undertaken by the general government sector (in particular, it does not record receipts to and payments from special deposit accounts). Finally, it should be noted that the timing of receipts and payments could be volatile within a particular year. As a result, apparently significant movements between years may only be due to changes in the timing of receipts and payments, and therefore may not have implications for the underlying budget position.

GOVERNMENT OF SOUTH AUSTRALIA

SUMMARY OF THE STATEMENT
ON THE CONSOLIDATED ACCOUNT FOR THE
QUARTERS AND 9 MONTHS ENDED 31 MARCH 2010 AND 31 MARCH 2009

(Prepared on a Cash Basis)

- Nine months ended -			- Quarter ended -		
31 March 2010	31 March 2009	Variation	31 March 2010	31 March 2009	Variation
\$ 000	\$ 000	\$ 000	\$ 000	\$ 000	\$ 000
RECEIPTS					
7,269,401	5,885,687	1,383,714	2,323,130	1,886,336	436,794
PAYMENTS					
9,146,117	7,263,520	1,882,597	2,311,392	2,064,901	246,491
FINANCING REQUIREMENT					
1,876,716	1,377,833	498,883	-11,738	178,565	-190,303
BORROWINGS					
-	-	-	-	-	-
CONSOLIDATED ACCOUNT RESULT					
Deficit / - Surplus					
1,876,716	1,377,833	498,883	-11,738	178,565	-190,303

GOVERNMENT OF SOUTH AUSTRALIA

STATEMENT OF THE RECEIPTS AND BORROWINGS ON THE CONSOLIDATED ACCOUNT
FOR THE QUARTERS AND 9 MONTHS ENDED 31 MARCH 2010 AND 31 MARCH 2009*(Prepared on a Cash Basis)*

		- Nine months ended -		- Quarter ended -	
	Budget 2009-10 \$ 000	31 March 2010 \$ 000	31 March 2009 \$ 000	31 March 2010 \$ 000	31 March 2009 \$ 000
RECEIPTS -					
Taxation -					
Debits Tax	-	-	-	-	-
Gambling	401,331	305,776	304,130	95,746	100,261
Land Tax	548,200	471,405	244,076	85,683	79,658
Payroll Tax	1,096,600	811,947	816,859	265,079	255,965
Stamp Duties	1,185,835	974,234	918,301	297,971	293,270
Commonwealth Places Mirror Tax	21,000	15,765	16,023	4,706	5,899
Other taxes on property	10	19	180	19	23
River Murray Levy	23,900	17,594	17,312	5,867	5,502
Total Taxation	3,276,876	2,596,740	2,316,881	755,071	740,578
Contributions from State Undertakings	366,622	137,441	98,234	32,894	24,944
Recoveries	48,397	7,247	6,872	2,704	276
Fees and charges	295,054	224,718	210,429	65,124	73,155
Royalties	143,819	108,079	127,254	44,700	36,460
Commonwealth -					
General Purpose Grants	3,819,400	2,913,706	2,950,068	997,375	968,712
Specific Purpose Grants	1,440,823	1,189,397	35,391	396,860	14,222
National Partnership Payments	73,443				
Total Commonwealth	5,333,666	4,103,103	2,985,459	1,394,235	982,934
Other Receipts	268,694	92,073	140,558	28,402	27,989
Total Receipts	9,733,128	7,269,401	5,885,687	2,323,130	1,886,336
BORROWINGS -					
Funds borrowed from South Australian Government Financing Authority	1,965,614	-	-	-	-
Total Receipts and Borrowings	11,698,742	7,269,401	5,885,687	2,323,130	1,886,336

GOVERNMENT OF SOUTH AUSTRALIA

STATEMENT OF THE PAYMENTS ON THE CONSOLIDATED ACCOUNT
FOR THE QUARTERS AND 9 MONTHS ENDED 31 MARCH 2010 AND 31 MARCH 2009*(Prepared on a Cash Basis)*

	Budget	- Nine months ended -		- Quarter ended -	
		31 March	31 March	31 March	31 March
	2009-10	2010	2009	2010	2009
	\$ 000	\$ 000	\$ 000	\$ 000	\$ 000
PAYMENTS -					
Department of the Premier and Cabinet	133,840	102,485	150,200	31,347	24,316
Administered Items for the Department of the Premier and Cabinet	12,160	10,373	15,485	2,985	3,246
State Governor's Establishment	2,903	2,169	2,489	687	687
Arts SA	146,655	104,564	95,088	29,718	25,599
Department of Trade and Economic Development	61,825	46,180	48,760	13,404	14,052
Defence SA	84,234	100,679	100,000	10,310	25,000
Department of Treasury and Finance	95,703	72,163	83,674	12,730	19,050
Administered Items for the Department of Treasury and Finance	1,611,729	1,245,685	1,124,795	105,257	169,469
Independent Gambling Authority	1,568	1,181	1,113	389	330
Department of Planning and Local Government ^(a)	18,002	14,597	-	3,600	-
Administered Items of Planning and Local Government ^(a)	2,215	2,300	-	-	-
Department of Primary Industries and Resources	135,931	135,405	142,456	-	56,892
Administered Items for the Department of Primary Industries and Resources	3,291	2,181	4,030	727	959
Department for Transport, Energy and Infrastructure	800,605	609,548	414,098	159,553	154,867
Administered Items for Department for Transport, Energy and Infrastructure	12,696	9,809	9,713	3,198	3,170
TranAdelaide	2,079	1,076	1,405	424	479
Attorney-General's Department	138,279	106,931	77,592	27,600	22,200
Administered Items for the Attorney-General's Department	70,020	42,373	41,943	5,059	12,599
Courts Administration Authority	82,102	62,749	63,936	18,560	17,346
Department for Correctional Services	179,865	131,685	130,336	42,973	41,784
South Australia Police	599,132	426,343	390,756	116,042	109,468
Administered Items for South Australia Police	162	103	101	52	51
Electoral Commission of South Australia	11,672	10,281	3,473	7,506	1,134
Department of Health	3,272,016	2,567,025	1,602,451	780,700	518,836
Department of Education and Children's Services	2,038,971	1,528,961	1,264,978	501,705	375,158
Administered Items for the Department of Education and Children's Services	179,782	168,627	156,090	11,557	10,529
South Australian Tourism Commission	57,800	46,142	41,120	17,642	16,096
Minister for Tourism	4,454	4,453	4,527	-	-
Department for Environment and Heritage	128,885	98,489	104,685	26,007	26,954
Administered Items for the Department for Environment and Heritage	5,014	5,014	4,889	90	90

GOVERNMENT OF SOUTH AUSTRALIA

STATEMENT OF THE PAYMENTS ON THE CONSOLIDATED ACCOUNT
FOR THE QUARTERS AND 9 MONTHS ENDED 31 MARCH 2010 AND 31 MARCH 2009*(Prepared on a Cash Basis)*

	Budget 2009-10 \$ 000	- Nine months ended -		- Quarter ended -	
		31 March	31 March	31 March	31 March
		2010	2009	2010	2009
		\$ 000	\$ 000	\$ 000	\$ 000
PAYMENTS -					
Department of Water, Land and Biodiversity Conservation	88,000	81,134	95,100	27,611	31,424
Administered Items for Department of Water, Land and Biodiversity Conservation	10,865	9,833	5,626	2,050	1,995
Environment Protection Authority	2,957	2,957	6,168	-	3,079
Department for Families and Communities	1,008,395	870,200	639,148	208,624	244,007
Administered Items for the Department for Families and Communities	143,606	96,000	94,935	23,000	23,612
Department of Further Education, Employment, Science and Technology	394,683	294,961	218,052	81,716	63,616
Auditor-General's Department	13,445	10,240	8,839	3,204	2,730
House of Assembly	7,881	5,591	5,306	2,003	1,581
Joint Parliamentary Services	9,894	6,603	7,091	1,981	1,996
Legislative Council	5,114	3,831	3,165	1,395	943
Payments for which specific appropriation is authorised in various Acts	120,312	105,196	99,907	29,986	39,557
Total Payments	11,698,742	9,146,117	7,263,520	2,311,392	2,064,901

Planning SA, a former administrative unit of the Department of Primary Industries and Resources changed its name to the Department of Planning and Local
(a) Government effective from 16 October 2008

WATER CONSERVATION ACT 1936

Rates for Supply by Agreement

IN relation to agreements for the supply of water pursuant to section 19 of the Water Conservation Act 1936, I fix the rates payable in respect of the 2010-2011 financial year under agreements to which that section applies as set out in the Schedule.

In this notice, 'consumption year' has the same meaning as that ascribed to it in the Waterworks Act 1932.

For the purposes of determining the additional water rates from 1 July 2010, regard will be had to the volume of water supplied in the consumption year before and after 1 July 2010.

For the purposes of determining, levying or collecting the water rates to be paid in any case, any component of the water rates that relate to the volume of water supplied to land over any particular period may, depending on:

- (a) when meters are read; or
- (b) the form or nature of the component of any of the rates,

be calculated on a *pro rata* basis.

Any determination, calculation or adjustment of any amount (whether in the nature of a water rate or in relation to the supply of water) over or in respect of any period or on a *pro rata* basis may assume that water has been supplied at a uniform daily rate over any relevant period.

SCHEDULE

Quarterly rate payable \$68.80
and

Additional water rates payable for water supplied to or in relation to land and standpipes during the consumption year ending in the third quarter of the 2010-2011 financial year:

- (a) For water use within the portion of the consumption year before 1 July 2010:
 - (i) \$1.94 per kilolitre
 - (ii) for each kilolitre supplied over 0.3288 kilolitres per day of the relevant meter reading period \$7.52 per kilolitre
- (b) For water use within the portion of the consumption year from 1 July 2010:
 - (i) \$1.94 per kilolitre
 - (ii) for each kilolitre supplied over 0.3288 kilolitres per day of the relevant meter reading period \$7.52 per kilolitre

Dated 15 May 2010.

P. CAICA, Minister for Water

[REPUBLISHED]

IN *Government Gazette* No. 33, dated 27 May 2010 at page 2071, last notice appearing, the Appendices were omitted.

WORKERS REHABILITATION AND COMPENSATION ACT 1986

Publication Amendment to Designated Forms

Preamble

Section 69A of the Workers Rehabilitation and Compensation Act 1986 (WRCA) states that:

- (1) If as a result of a change in circumstances an employer becomes aware that the actual remuneration paid or payable by the employer exceeds or is likely to exceed by more than the prescribed percentage the estimate, or latest estimate, (as the case may be) of aggregate remuneration applying in relation to the employer under this Division, the employer must advise the Corporation of the changed circumstances and submit a revised estimate or estimates, in the designated form, within 28 days of becoming aware of the changed circumstances.
- (2) If the actual remuneration paid or payable by an employer as at anytime before the last two months of a financial year exceeds the estimate, or the latest estimate, (as the case may be) of aggregate remuneration applying in relation to the employer under this Division, the employer must advise the Corporation and submit a revised estimate or estimates, in the designated form, within 28 days of the actual remuneration exceeding the estimate.

Section 69B of the WRCA states that:

The Corporation may by notice in writing require an employer to provide a certified statement of remuneration paid or payable by the employer in a designated form during a period specified by the Corporation to workers employed by the employer to the Corporation within 28 days of receiving the notice or such longer period as is specified in the notice.

Section 69D of the WRCA states that:

An employer must, within the prescribed period after the end of a period for which levy is payable (the designated period), provide to the Corporation a statement in a designated form that sets out the remuneration paid by the employer to workers employed by the employer during the designated period.

Section 62 (1) of the WRCA states that:

An application for registration as an employer, a self-insured employer or a group of self-insured employers:

- (a) must be made in the designated manner and the designated form.

Section 3 (13) of the WRCA provides that:

‘A reference in a provision of this Act to a designated form is a reference to a form designated for the purposes of that provision by the Minister from time to time by notice in the *Gazette*.’

NOTICE

- Pursuant to subsections 69A (1) and (2) of the WRCA, I give notice that, from 1 July 2010, the forms at Appendices 1 and 2 respectively are ‘designated forms’ for the purposes of those subsections. These forms supersede the corresponding forms previously designated for the purposes of sections 69A (1) and (2) on 28 May 2009.
- Pursuant to section 69B of the WRCA, I give notice that, from 1 July 2010, the form at Appendix 3 is a ‘designated form’ for the purposes of this section. This form supersedes the corresponding form previously designated for the purposes of section 69B on 28 May 2009.
- Pursuant to section 69D of the WRCA, I give notice that, from 1 July 2010, the forms at Appendices 4 and 5 respectively are ‘designated forms’ for the purposes of this section. These forms supersede the corresponding forms previously designated for the purposes of section 69D on 28 May 2009.
- Pursuant to subsection 62 (1) (a) of the WRCA, I give notice that, from 1 July 2010, the form at Appendix 6 continues to be the ‘designated form’ for the purposes of this subsection. Further, this notice revokes the forms titled ‘Application to amend employer registration details’ and ‘Application to provide additional location details’ previously designated for the purposes of subsection 62 (1) (a) on 28 May 2009 in a notice dated 24 May 2009 (published in the *South Australian Government Gazette* on 28 May 2009 at pages 1827 to 1832).

Dated 24 May 2010.

PAUL HOLLOWAY, Minister for Industrial Relations

Appendix 1



Revised estimate of remuneration
Section 69A(1) Workers Rehabilitation and Compensation Act 1986

Employer name	<input type="text"/>	Employer number	<input type="text"/>
Postal address	<input type="text"/>	Location number	<input type="text"/>
Location address	<input type="text"/>		

Complete this form and provide it to WorkCoverSA within 28 days if due to a change in circumstances you become aware that the actual remuneration you have paid or is payable in respect of a financial year (ie, a period commencing 1 July and ending 30 June) exceeds or is likely to exceed the estimate (or latest estimate) of aggregate remuneration by more than 20%.

If a relevant changed circumstance applies to more than one location, you must provide a separate form for each location.

Your revised estimate of aggregate remuneration will be used for the purposes of the calculation of any adjustment to the initial payment of levy for the [*] financial year.

* insert relevant financial year

**Details of change
in circumstance**

Date / / (This is the date you became aware of the changed circumstances)

	Revised estimate of remuneration
Section 1 - All workers (include apprentices and trainees)	\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Section 2 - Apprentices and trainees (see note below)	\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

Note – Only complete section 2 if you employ or expect to employ during the above stated financial year an apprentice or trainee engaged under an approved training contract under the *Training and Skills Development Act 2008* (or former Act).

Declaration

I declare that:

- the information I have given is complete and correct
- I have included all relevant items of remuneration such as wages (including the wages of working directors), superannuation payments, salary sacrifice amounts, non-cash components of remuneration and payments to subcontractors as deemed workers
- I have documents to support the employment of apprentices or trainees in regard to remuneration recorded above in respect of the apprentices or trainees.

IMPORTANT: Significant penalties can apply if remuneration is understated. For assistance please refer to the *Guide to remuneration* on the WorkCover website, www.workcover.com

Signature	<input type="text"/>	Authorised person BLOCK LETTERS	<input type="text"/>
Date	<input type="text"/>		

Lodgement of form to WorkCoverSA, 100 Waymouth Street, Adelaide SA 5000, or
 GPO Box 2668, Adelaide SA 5001, facsimile: to (08) 8233 2990 or email: info@workcover.com
 General enquiries by telephoning 13 18 55 or visit the WorkCover website www.workcover.com

Appendix 3



Certified statement of remuneration

Section 69B Workers Rehabilitation and Compensation Act 1986

Employer name

Employer number

Postal address

Location number

Location address

Under section 69B of the *Workers Rehabilitation and Compensation Act 1986* WorkCoverSA may require an employer to provide a certified statement of remuneration.

You are required to provide a certified statement of remuneration in respect of remuneration paid or payable during the period specified below to workers employed by you at the above location.

Please complete this form and provide it to WorkCoverSA within 28 days.

This certified statement of remuneration may be used for the purposes of the calculation of any adjustment to the levy payable for the specified period.

Period from

1

1

to

1

/

Remuneration

**Section 1 - All workers
(include apprentices and trainees)**

\$.00
----	--	--	--	--	-----

Section 2 - Apprentices and trainees
(see note below)

						.00
--	--	--	--	--	--	-----

Note – Only complete section 2 if you employ or expect to employ during the above specified period an apprentice or trainee engaged under an approved training contract under the *Training and Skills Development Act 2008* (or former Act).

Certification

1 (Please print your full name and the name and address of your organisation)

certify that I am,

- ☐ a registered company auditor ☐ a director/sole partner/proprietor ☐ a financial controller
☐ an accountant ☐ a tax agent ☐ Other (please state) _____

for the above stated employer and certify that all information on this form is true and correct to the best of my knowledge.

IMPORTANT: Significant penalties can apply if remuneration is understated. For assistance please refer to the *Guide to remuneration* on the WorkCover website, www.workcover.com

Signature

Date _____

	/	/
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Lodgement of form to WorkCoverSA, 100 Waymouth Street, Adelaide SA 5000, or
GPO Box 2668, Adelaide SA 5001, facsimile: to (08) 8233 2990 or email: info@workcover.com
General enquiries by telephoning 13 18 55 or visit the WorkCover website www.workcover.com

Appendix 4



Supported by
Government
of South Australia

Visit our website at www.workcover.com to complete this form

Reconciliation statement

Section 69D Workers Rehabilitation and Compensation Act 1986

Employer name

Employer number

Postal address

Location number

Location address

Provide completed
statement by

31 July 2010

You are required under section 69D of the *Workers Rehabilitation and Compensation Act 1986* to complete this statement and provide it to WorkCoverSA.

You are required to provide this reconciliation statement within a period after the end of the 2009-10 financial year but not later than 31 July 2010.

Please fill in the actual remuneration paid by you as an employer to workers employed by you for this location during the 2009-10 financial year. If nil please write 'nil'. If you have more than one location, you must provide a separate reconciliation statement for each location.

	Actual remuneration
Section 1 - All workers (include apprentices and trainees)	\$ 0 0
Section 2 - Apprentices and trainees (see note below)	\$ 0 0

Note – Only complete section 2 if during the 2009-10 financial year you made payments of remuneration to an apprentice or trainee engaged under an approved training contract under the *Training and Skills Development Act 2008* (or former Act).

Declaration

I declare that:

- the information I have given is complete and correct
- I have included all relevant items of remuneration such as wages (including the wages of working directors), superannuation payments, salary sacrifice amounts, non-cash components of remuneration and payments to subcontractors as deemed workers.
- I have documents to support the employment of apprentices or trainees in regard to remuneration recorded above in respect of apprentices or trainees.

IMPORTANT: Significant penalties can apply if remuneration is understated. For assistance please refer to the *Guide to remuneration* on the WorkCover website, www.workcover.com

Signature

 Authorised person
BLOCK LETTERS

Date

 / /

Lodgement of reconciliation statement to WorkCoverSA, 100 Waymouth Street, Adelaide SA 5000, or
GPO Box 2668, Adelaide SA 5001, facsimile: to (08) 8233 2990 or email: info@workcover.com
General enquiries by telephoning 13 18 55 or visit the WorkCover website www.workcover.com

Appendix 5



Visit our website at www.workcover.com to complete this form
Reconciliation statement
Section 69D Workers Rehabilitation and Compensation Act 1986

Employer name

Employer number

Postal address

Location number

Location address

Provide completed
statement by

31 July 2010

You are required under section 69D of the *Workers Rehabilitation and Compensation Act 1986* to complete this statement and provide it to WorkCoverSA.

You are required to provide this reconciliation statement within a period after the end of the 2009-10 financial year but not later than 31 July 2010.

Please fill in the actual remuneration paid by you as an employer to workers employed by you for this location during the 2009-10 financial year for each levy rate period indicated. If nil please write 'nil'. If you have more than one location, you must provide a separate reconciliation statement for each location.

	Levy rate period	Actual remuneration
Section 1 - All workers (include apprentices and trainees)		\$. 0 0
		\$. 0 0
		\$. 0 0
Section 2 - Apprentices and trainees (see note below)		\$. 0 0
		\$. 0 0
		\$. 0 0

Note – Only complete section 2 if during the 2009-10 financial year you made payments of remuneration to an apprentice or trainee engaged under an approved training contract under the *Training and Skills Development Act 2008* (or former Act).

Declaration

I declare that:

- the information I have given is complete and correct
- I have included all relevant items of remuneration such as wages (including the wages of working directors), superannuation payments, salary sacrifice amounts, non-cash components of remuneration and payments to subcontractors as deemed workers
- I have documents to support the employment of apprentices or trainees in regard to remuneration recorded in respect of apprentices or trainees.

IMPORTANT: Significant penalties can apply if remuneration is understated. For assistance please refer to the *Guide to remuneration* on the WorkCover website, www.workcover.com

Signature

 Authorised person
 BLOCK LETTERS

Date

 / /

Lodgement of reconciliation statement to WorkCoverSA, 100 Waymouth Street, Adelaide SA 5000, or
 GPO Box 2668, Adelaide SA 5001, facsimile: to (08) 8233 2990 or email: info@workcover.com
 General enquiries by telephoning 13 18 55 or visit the WorkCover website, www.workcover.com

Appendix 6



Application for registration as an employer

Workers Rehabilitation and Compensation Scheme – South Australia

You must register within 14 days of employing a worker. Please supply in writing, reason(s) if you are registering after the 14 day period as a penalty may apply.

Use this form to register as an employer of workers where the *Workers Rehabilitation and Compensation Act 1986* applies and for occupational health, safety and welfare purposes.

Do you employ any worker who is (or is to be) usually employed outside South Australia? ☐ No ☐ Yes

Workers who usually work in another State or Territory may not be covered under the South Australian legislation. You should consider also arranging cover in the appropriate State or Territory.

A minimum levy applies to each employer registration.

PLEASE NOTE: For assistance in completing this form contact WorkCoverSA.

Phone: 13 18 55

Email: info@workcover.com

TTY (deaf or have hearing impairments): (08) 8233 2574

Languages other than English: call the Interpreting and Translating Centre - (08) 8226 1990. Ask for an interpreter to call WorkCover on 13 18 55. This service is available at no cost to you.

Visit our website or register online at www.workcover.com

If you operate a business activity at more than one location where workers are employed, you will need to fill out an Application to provide additional location details form for each extra location.

Please complete the form in block letters using a black pen

1. Full legal name(s) of employer

For an individual or partnership, list the family names first, followed by your first and middle names.

The employer's legal name is not necessarily the same as the trading name. For example, John Peter Smith trading as ABC Retail; ABC Retail is the trading name, but John Peter Smith is the legal name of the employer.

2. Tick one box to show the type of employer

- ☐ Sole proprietor (one person) ☐ Partnership
☐ Private company* ☐ Public company*

*Please provide Australian Company Number

--	--	--	--	--	--	--	--	--	--

☐ Other

Describe

OFFICE USE ONLY

Date form received:

Registration No:

SAWIC Code:

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Continued on the next page

10a. Rehabilitation and return to work coordinator

If during the financial year you employ or expect to employ 30 or more workers continuously for three or more months:

- you are required to appoint a rehabilitation and return to work coordinator within six months of registering with WorkCover.

Please provide details of the appointment of your rehabilitation and return to work coordinator.

Coordinator's name:

Phone: ()

Mobile: ()

Fax: ()

Email:

Date appointed:

11. Have you provided the postal or email address of your accounting firm at question 9 and 10?☐ Yes☐ No

If no, provide details of your accounting firm.

Name:

Telephone: ()

Fax number: ()

Email:

Address:

12. Address where the employer's business records can be examined:

This must be a street address, an accountant's name and address, or a farm location (not a post office box number).

Phone number: ()

Mobile:

Fax number: ()

Email:

Main location details (For additional locations, use *Application to provide additional location details form*.)**13. Why are you registering this location/business?**
(Please tick one box only)

Purchased existing location

☐

Purchased existing business

☐

Takeover

☐

Merger

☐

Changed legal status

☐

Set up your own new business/location

☐

Other

☐

Give details

If you have purchased an existing location, changed legal status or merged, please provide the following information:

Previous employer's name

Their WorkCover registration number(s)

Location number(s) Phone number

()

Previous Australian Business Number for this location

14. At how many locations are workers employed?

Each site where an employer controls or directs workers on a relatively permanent basis is a location. (Temporary sites away from a base are not regarded as locations, eg, building sites.)

15. When did/will you start employing at this location?

Date

/ /

16. Address of main location

Please give the full address (not a post office box).
For farms, include the road name, or if no road name,
the Sections and Hundreds.
(For workers working on various sites, only
a base location is required.)

	Postcode

17. Please provide the Australian Business Number (ABN) if different from question 3.

[illegible]

18. Trading name used by the employer at this location (if applicable).

19. Contact name at this location

Give details of the person we should talk to if we have any questions about the location (not your accountant/solicitor)

Name Mr/Mrs/Ms/Other

Position/Title

Phone number

Fax number.

Email

Mr/Mrs/Ms/Other	
()	Mobile
()	

20. Business of employer at this workplace/location. This information will help us to assign the correct industry classification which determines the levv rate.

(a) What is the ONE MAIN TYPE of goods produced or service provided by the business at this location?

1

(b) Describe the different types of work (activities) carried out at this location

21. Give details of the NUMBER of workers who will be or are employed in each occupation at this location.

Include working directors. Do not include people listed as the employer (ie, partners or sole-proprietors).

Estimate the total gross remuneration (including wages, benefits and other payments) that you expect to pay to workers at this location for a 12 month period.

Occupation	Full-time (35 hrs or more a week) Includes permanent, casual and seasonal	Part-time (less than 35 hrs a week) Includes permanent, casual and seasonal	Gross remuneration (including wages, superannuation, leave payments, directors fees, other allowances and monetary benefits)
Total gross remuneration			

Declaration

Before completing this declaration, please make sure you have answered each question as it applies to your business and you have attached any *Application to provide additional location details* forms or any other attachments.

To provide false or misleading information is a serious offence under the *Workers Rehabilitation and Compensation Act 1986* which can involve you incurring a significant penalty.

I declare that the information I have given on this form and any attachment(s) is complete and correct.

Signature of employer,
Public Officer or authorised person

--

Date _____

	/	/
--	---	---

Name (Block letters)

Position/title

Organisation

Return your completed form to WorkCoverSA by:

Mail GPO Box 2668 Adelaide SA 5001

In person 100 Waymouth St Adelaide SA

Fax (08) 8233 2990

South Australia

National Parks and Wildlife (Onkaparinga River Recreation Park) Proclamation 2010

under section 34(2) of the *National Parks and Wildlife Act 1972*

1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Onkaparinga River Recreation Park) Proclamation 2010*.

2—Commencement

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

3—Alteration of boundaries of Onkaparinga River Recreation Park

The boundaries of the Onkaparinga River Recreation Park are altered by excluding from the Park the following land:

Allotments 24, 26 and 28 in approved Plan No DP 83073, Hundred of Willunga, lodged in the Lands Titles Registration Office.

Made by the Governor

with the advice and consent of the Executive Council
on 3 June 2010

MEC10/0012CS

South Australia

Tobacco Products (Exemption) Proclamation 2010

under section 71 of the *Tobacco Products Regulation Act 1997*

1—Short title

This proclamation may be cited as the *Tobacco Products (Exemption) Proclamation 2010*.

2—Commencement

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

3—Interpretation

In this proclamation—

Act means the *Tobacco Products Regulation Act 1997*;

prescribed period means the period commencing on 8 June 2010 and ending on 6 July 2010;

prescribed production means the stage production of *Waiting for Godot* produced by Kay and McLean Productions Pty Ltd (Australia) and TR Haymarket Productions Ltd (United Kingdom).

4—Application of proclamation

This proclamation applies to the following persons:

- (a) a person employed by, or in relation to, the prescribed production;
- (b) an occupier of Her Majesty's Theatre at 58 Grote Street, Adelaide;
- (c) an employer with responsibility for a workplace consisting of Her Majesty's Theatre in relation to the prescribed production.

5—Exemption from section 46 of the Act

- (1) A person to whom this proclamation applies is exempt from the operation of section 46 of the Act in relation to smoking occurring in the course of a performance or rehearsal of the prescribed production during the prescribed period.
- (2) An exemption under this clause is subject to the following conditions:
 - (a) smoking may only occur on a stage on which the prescribed production is being performed or rehearsed, or in a rehearsal room used in relation to the prescribed production;
 - (b) the area in which smoking may occur under the exemption must be well ventilated;
 - (c) a person may only smoke a tobacco product of a kind contemplated by paragraph (g) of the definition of *tobacco product* in section 4 of the Act.
- (3) If a person contravenes or fails to comply with a condition of an exemption specified in subclause (2), the exemption does not, while the contravention or non-compliance continues, operate in that person's favour.

Made by the Governor

with the advice and consent of the Executive Council
on 3 June 2010

HEAC-2010-00020

South Australia

Controlled Substances (Poisons) Variation Regulations 2010

under the *Controlled Substances Act 1984*

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- 3 Variation provisions

Part 2—Variation of *Controlled Substances (Poisons) Regulations 1996*

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- 5 Variation of regulation 8—Certain new substances to be taken to be schedule 4 poisons
- 6 Variation of regulation 10—Licences
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- 8 Variation of regulation 13—Sale by wholesale (section 14)
- 9 Regulation 14—Sale or supply to end user (section 15)
- 10 Variation of regulation 15D—Exemptions from section 18A of Act
- 11 Variation of regulation 16—Possession (section 22)
- 12 Variation of regulation 17—Exemption from section 22 may be granted to certain pest controllers
- 13 Variation of regulation 19—Labelling of poisons (section 24)
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- 19 Variation of regulation 26—Written prescriptions
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- 21 Variation of regulation 28—Prescribed professions and limitations (section 18(1))
- 22 Substitution of regulations 29 and 30
 - 29 Additional requirements for S4 drugs listed in Schedule K (section 18)
- 23 Variation of regulation 31—Exemptions from section 18 of Act
- 24 Variation of regulation 31E—Supply of drugs of dependence
- 25 Substitution of regulation 31F
 - 31F Receipt of drugs of dependence
- 26 Variation of regulation 31I—Additional requirements for administration of drugs of dependence in health service
- 27 Revocation of regulation 44
- 28 Variation of Schedule A—Modification of Uniform Poisons Standard
- 29 Variation of Schedule D—Fees
- 30 Variation of Schedule F—Prescribed poisons for the purposes of section 22 of Act
- 31 Variation of heading to Schedule G
- 32 Variation of Schedule I—S4 drugs that prescribed professionals may administer

- 33 Substitution of Schedule K
Schedule K—Restrictions on prescribing certain S4 drugs
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (Poisons) Variation Regulations 2010*.

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 *Controlled Substances (Poisons) Regulations 1996*

4—Variation of regulation 4—Interpretation

- (1) Regulation 4(1)—after the definition of *address* insert:

APVMA means the Australian Pesticides and Veterinary Medicines Authority of the Commonwealth;
- (2) Regulation 4(1), definition of *dental therapist*—delete the definition and substitute:

dental hygienist means a person registered as a dental hygienist under the law of this State;

dental therapist means a person registered as a dental therapist under the law of this State;
- (3) Regulation 4(1), definitions of *midwife*, *National Drugs and Poisons Schedule Committee*, *optometrist*, *podiatric surgeon* and *podiatrist*—delete the definitions and substitute:

midwife means a person registered as a midwife under the law of this State;

optometrist means a person registered as an optometrist under the law of this State;

podiatric surgeon means a person registered under the law of this State in the specialty of podiatric surgery;

podiatrist means a person registered as a podiatrist under the law of this State;
- (4) Regulation 4(1), definitions of *surgical podiatrist* and *Uniform Poisons Standard*—delete the definitions and substitute:

Uniform Poisons Standard means the current Poisons Standard within the meaning of the *Therapeutic Goods Act 1989* of the Commonwealth.

5—Variation of regulation 8—Certain new substances to be taken to be schedule 4 poisons

Regulation 8(b)—delete paragraph (b) and substitute:

- (b) APVMA for inclusion in the Public Chemical Registration Information System (PUBCRIS),

6—Variation of regulation 10—Licences

Regulation 10(3) and (4)—delete subregulations (3) and (4) and substitute:

- (3) The term of a licence is 1 year or 3 years at the option of the applicant.
- (4) If a licence is to be granted or renewed for a period of 3 years, the fee payable is the appropriate fee set out in Schedule D of these regulations multiplied by 3.

7—Variation of regulation 12—Manufacture, production and packing (section 13)

- (1) Regulation 12(1)—delete "schedules 1 to 7" and substitute:

schedules 1, 2, 3, 4 and 7

- (2) Regulation 12(2)—delete "schedules 1 to 7" and substitute:

schedules 1, 2, 3, 4 and 7

- (3) Regulation 12(3)—delete subregulation (3)

8—Variation of regulation 13—Sale by wholesale (section 14)

Regulation 13—delete "schedules 1 to 7" and substitute:

schedules 1, 2, 3, 4 and 7

9—Regulation 14—Sale or supply to end user (section 15)

- (1) Regulation 14(2)(b)—delete "a schedule 3 poison that is listed in Schedule G of these regulations" and substitute:

pseudoephedrine

- (2) Regulation 14(2)(b)(i)—delete "poison" wherever occurring and substitute in each case:

pseudoephedrine

- (3) Regulation 14(2)(b)(ii)—delete "the poisons" and substitute:

pseudoephedrine

10—Variation of regulation 15D—Exemptions from section 18A of Act

- (1) Regulation 15D(1)(a)—delete ", hydromorphone"
- (2) Regulation 15D(1)(b)(i)—delete ", hydromorphone"
- (3) Regulation 15D(1)(c) to (e) inclusive—delete paragraphs (c) to (e) and substitute:
 - (c) a person in respect of whom a section 18A authority exists, provided that—
 - (i) in the case of a person who is receiving treatment in a hospital or correctional institution—
 - (A) the medical practitioner notifies the authorised prescriber that the practitioner has prescribed or supplied the drug or is intending to prescribe or supply the drug in respect of that person; and
 - (B) the drug is only administered to the person while in the hospital or correctional institution; and
 - (C) if the drug is solely for the treatment of drug dependence—the dose administered does not exceed the dose authorised; or
 - (ii) in the case of a person who is being discharged from a hospital following treatment in the hospital—
 - (A) the medical practitioner notifies the authorised prescriber that the practitioner has prescribed or supplied the drug or is intending to prescribe or supply the drug in respect of that person; and
 - (B) if the drug is solely for the treatment of drug dependence—the dose prescribed does not exceed the dose authorised; or
 - (iii) in the case of a person not referred to in subparagraph (i) or (ii)—
 - (A) the medical practitioner prescribing or supplying the drug—
 - notifies the authorised prescriber that the practitioner has prescribed or supplied the drug or is intending to prescribe or supply the drug in respect of that person; or
 - is a medical practitioner (including a locum for the time being substituting for such a practitioner) in the same practice as the authorised prescriber; and
 - (B) the medical practitioner prescribing or supplying the drug does so with the approval of the authorised prescriber; and
 - (C) the medical practitioner prescribing or supplying the drug complies with the section 18A authority relating to the person for whom the drug is prescribed or to whom the drug is supplied; or

- (d) a person in respect of whom a section 18A authority does not exist, provided that—
 - (i) in the case of a person who is receiving treatment in a hospital or correctional institution—the duration of treatment of the person with the drug while the person is in the hospital or correctional institution does not exceed 14 days; or
 - (ii) in the case of a person who is being discharged from a hospital following treatment in the hospital—the duration of treatment of the person with the drug after discharge does not exceed 14 days.
- (4) Regulation 15D(3)—after the definition of *authorised prescriber* insert:

correctional institution has the same meaning as in the *Correctional Services Act 1982*;

11—Variation of regulation 16—Possession (section 22)

- (1) Regulation 16(2)(c)(i)—delete "wild rabbits, dingoes or foxes" and substitute:
vertebrate animals
- (2) Regulation 16(2)(c)(iii)—delete "wild rabbits, dingoes or foxes" and substitute:
vertebrate animals

12—Variation of regulation 17—Exemption from section 22 may be granted to certain pest controllers

Regulation 17(1)—delete "*Controlled Substances (Pesticide) Regulations 1988*" and substitute:

Controlled Substances (Pesticides) Regulations 2003

13—Variation of regulation 19—Labelling of poisons (section 24)

Regulation 19(2)(i)—delete paragraph (i) and substitute:

- (i) in the case of a preparation for internal use by humans (other than infants) that contains a poison listed in appendix K of the Uniform Poisons Standard—1 of the following statements:
 - "This medication may cause drowsiness. If affected do not drive a vehicle or operate machinery. Avoid alcohol."; or
 - "This medication may cause drowsiness and may increase the effects of alcohol. If affected do not drive a motor vehicle or operate machinery."; or
- (j) in the case of—
 - (i) adapalene, dienestrol, leflunomide, levocabastine or misoprostol; or
 - (ii) a poison that is listed in the table in Schedule K of these regulations (other than in item 1),the warning statements prescribed for that poison in Appendix F, Part 1 of the Uniform Poisons Standard.

14—Variation of regulation 20—Storage of poisons (section 25)

Regulation 20(d)—delete "dated 31 July 2000 and published in the Gazette on 24 August 2000" and substitute:

as in force from time to time

15—Variation of regulation 21—Transport of poisons (section 26)

Regulation 21(c)—delete "dated 31 July 2000 and published in the Gazette on 24 August 2000" and substitute:

as in force from time to time

16—Substitution of regulation 22

Regulation 22—delete the regulation and substitute:

**22—Prohibition on use of certain poisons for certain purposes
(section 27)**

- (1) For the purposes of section 27 of the Act, a person must not sell, supply, purchase or use a schedule 7 poison for a domestic purpose or domestic gardening purpose.
- (2) For the purposes of section 27 of the Act, a person must not prescribe, sell, supply or use a poison listed in appendix C of the Uniform Poisons Standard for the purpose or purposes indicated in relation to that poison in appendix C (other than amygdalin for human therapeutic use).
- (3) For the purposes of section 27 of the Act, a person must not prescribe, sell, supply or use amygdalin for human therapeutic use unless—
 - (a) special access to amygdalin has been authorised in accordance with the requirements of sections 18 and 31A of the *Therapeutic Goods Act 1989* of the Commonwealth and regulation 12A of the *Therapeutic Goods Regulations 1990* of the Commonwealth; and
 - (b) permission for the importation of amygdalin (subject to special access authorisation) has been granted under regulation 5H and Schedule 8 item 12AA of the *Customs (Prohibited Imports) Regulations 1956* of the Commonwealth.
- (4) For the purposes of section 27 of the Act, a person must not—
 - (a) prescribe, sell, supply or purchase a poison produced for the treatment of animals if the person knows, or if there are reasonable grounds for suspecting, that the poison is intended for human use; or
 - (b) administer to any person (including himself or herself) a poison produced for the treatment of animals; or
 - (c) use choramphenicol for the treatment of stock bred, raised or used for the purpose of providing a product for human consumption.

- (5) In this regulation—

stock means—

- (a) any bird or other animal; and
- (b) any bee of the genus *Apis* or *Megachile*.

17—Variation of regulation 23—Restriction on advertising (section 28)

- (1) Regulation 23(1)—delete "medical professionals" and substitute:

health practitioners, scientists working in medical laboratories or persons who hold a wholesale dealers licence.

- (2) Regulation 23(2)—before the definition of *journal* insert:

health practitioner means—

- (a) a person who is registered under the law of this State as a chiropractor, dentist, dental hygienist, dental prosthetist, dental technician, dental therapist, medical practitioner, midwife, nurse, optometrist, osteopath, pharmacist, podiatrist, podiatric surgeon, physiotherapist, psychologist or veterinary surgeon; or
- (b) a medical administrator;

- (3) Regulation 23(2), definition of *medical professionals*—delete the definition

18—Variation of regulation 25—How prescription to be given

- (1) Regulation 25(2)—delete "facsimile" and substitute:

fax

- (2) Regulation 25(3)—delete "facsimile" and substitute:

fax

- (3) Regulation 25(4)—delete subregulation (4) and substitute:

- (4) If, in accordance with subregulation (2), a prescription is given to a pharmacist by fax the prescriber must—

- (a) in the case of a prescription for a drug of dependence—forward the original prescription to the pharmacist within 24 hours of giving the prescription by fax; or
- (b) in any other case—forward the original prescription to the pharmacist as soon as practicable after giving the prescription by that method,

unless the prescriber has endorsed the prescription given by fax with the name and address of a single pharmacy at which the prescription may be dispensed.

Maximum penalty: \$3 000.

19—Variation of regulation 26—Written prescriptions

- Regulation 26(1)(c)(v)—delete "surgical podiatrist" and substitute:

podiatric surgeon

20—Variation of regulation 27—Dispensing prescriptions

- (1) Regulation 27(1)(a)—after "prescription" insert:

or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, on the faxed copy of the prescription

- (2) Regulation 27(1)(c)(ii) and (iii)—delete subparagraphs (ii) and (iii) and substitute:

- (ii) endorse the word "CANCELLED" on the prescription or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, on the faxed copy of the prescription; and
- (iii) unless the prescription is for any reason forwarded to the Department or the Minister—retain the original or duplicate prescription or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, the faxed copy of the prescription (as the case may be) for at least 1 year and have it readily available for inspection during that period; and

- (3) Regulation 27(1)(f)—delete paragraph (f) and substitute:

- (f) if a prescription is fully dispensed, must—

- (i) on the day on which the prescription is fully dispensed, endorse the word "CANCELLED" on the prescription or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, on the faxed copy of the prescription; and

- (ii) —

- (A) in the case of a prescription for a drug of dependence—forward to the CEO the prescription or, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, the faxed copy of the prescription, not later than the 7th day of the month following the month in which the drug was so dispensed (or such later date as the CEO may, on the application by the pharmacist or medical practitioner, authorise); or
- (B) in any other case—retain the original or duplicate prescription and, in the case of a prescription given by fax that is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, the faxed copy of the prescription (as the case may be), for at least 2 years and have it readily available for inspection during that period.

(4) Regulation 27—after subregulation (4) insert:

- (4a) If a prescription given by fax is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed, a pharmacist must not dispense the prescription unless he or she is on duty at that pharmacy.

Maximum penalty: \$5 000.

(5) Regulation 27(5)(c)(i)—delete subparagraph (i) and substitute:

- (i) in the case of prescription that is to be dispensed for the first or only time—

- (A) an original prescription is presented; or
(B) the prescription is given by fax and is endorsed with the name and address of a single pharmacy at which the prescription may be dispensed; or

(6) Regulation 27(6)(b)—delete paragraph (b) and substitute:

- (b) hand over the dispensed drug until—

- (i) the person for whose use the drug is dispensed has signed and dated the prescription or, if the prescription was given by fax, the faxed copy of the prescription and unless the person is known to the pharmacist or practitioner, has produced satisfactory evidence of his or her identity; or
(ii) an agent acting on behalf of the person for whose use the drug is intended has signed and dated the prescription or, if the prescription was given by fax, the faxed copy of the prescription and, unless the agent is known to the pharmacist or practitioner, has produced satisfactory evidence of his or her identity.

21—Variation of regulation 28—Prescribed professions and limitations (section 18(1))

(1) Regulation 28(1)—before paragraph (a) insert:

- (aa) dental hygiene;

(2) Regulation 28—after subregulation (1) insert:

- (2) A dental hygienist may only administer an S4 drug listed in clause 1 of Schedule I of these regulations if he or she holds a written authorisation granted by the Dental Board of South Australia under regulation 9(2)(n) of the *Dental Practice (General) Regulations 2007*.

22—Substitution of regulations 29 and 30

Regulations 29 and 30—delete the regulations and substitute:

29—Additional requirements for S4 drugs listed in Schedule K (section 18)

- (1) For the purposes of section 18(2) of the Act—

- (a) each of the S4 drugs listed in the table in Schedule K of these regulations is a prescribed prescription drug; and

- (b) the qualifications and authorisations specified in that table alongside a drug are prescribed qualifications.
- (2) A person must not prescribe an S4 drug listed in the table in Schedule K of these regulations for a use specified in that Schedule alongside that drug unless the person has the qualifications or authorisations specified in that Schedule alongside that drug and that use of the drug.

Maximum penalty: \$5 000.

- (3) A medical practitioner who prescribes an S4 drug listed in the table in Schedule K of these regulations (other than in item 1) must—
 - (a) inform the patient of the name of the drug and that the drug may cause birth defects; and
 - (b) provide the patient with written information about the drug and its potential side effects; and
 - (c) inform the patient of the dangers should the patient unlawfully supply the drug to another person; and
 - (d) if the patient is a female of child-bearing age—
 - (i) ensure that the possibility of pregnancy has been excluded prior to commencement of treatment; and
 - (ii) inform her that she must not become pregnant during treatment or within the prescribed period after completion of treatment; and
 - (e) obtain written consent for the treatment from the patient.

Maximum penalty: \$5 000.

- (4) In this regulation—

prescribed period means—

- (a) in the case of treatment with a drug listed in item 2 of Schedule K of these regulations (other than bexarotene)—24 months;
- (b) in the case of treatment with bexarotene or a drug listed in item 3, 4 or 5 of Schedule K of these regulations—1 month;
- (c) in the case of treatment with a drug listed in item 6 of Schedule K of these regulations—3 months.

23—Variation of regulation 31—Exemptions from section 18 of Act

- (1) Regulation 31(2)(c)(ii)(B)—delete "*Stock Act 1990*" and substitute:

Livestock Act 1997

- (2) Regulation 31(3), definition of ***council***—delete the definition and substitute:

council has the same meaning as in the *Local Government Act 1999*.

24—Variation of regulation 31E—Supply of drugs of dependence

(1) Regulation 31E(1)—delete subregulation (1) and substitute:

(1) A supplier who supplies a drug of dependence must comply with the following provisions:

- (a) he or she must, immediately after supplying the drug, record the following details and sign the record:
 - (i) his or her name and business address;
 - (ii) the name and address of the person to whom the drug was supplied;
 - (iii) the date on which the drug was supplied;
 - (iv) the trade or approved name of the drug or, if the drug does not have either a trade or approved name, the ingredients in the drug;
 - (v) the amount and, if applicable, the strength of the drug;
 - (vi) if the drug was supplied on order—the invoice number (if any) for the supply of the drug;
 - (vii) the total amount of the drug now in stock on the premises from which the drug was supplied;
- (b) he or she must, if he or she supplies the drug in accordance with an order—
 - (i) as soon as practicable after supplying the drug, cancel the order by writing "CANCELLED" on the order or, if the order was given by fax endorsed with the name and address of a single pharmacy that may supply the drug, on the faxed copy of the order; and
 - (ii) unless exempted under subregulation (2), forward the cancelled order or a copy of the cancelled faxed order (as the case may require) to the CEO, no later than the 7th day of the month following the month in which the drug was supplied or such later date as the CEO may, on application by the supplier, authorise.

(2) Regulation 31E—after subregulation (4) insert:

- (5) A person who makes a record under subregulation (1) must ensure that the record is kept at all times on the premises from which the drug was supplied.

25—Substitution of regulation 31F

Regulation 31F—delete the regulation and substitute:

31F—Receipt of drugs of dependence

- (1) If a supplier of drugs of dependence receives such a drug, or a person receives a drug of dependence from a supplier on order, the person receiving the drug must—
 - (a) give to the person who provided the drug a signed and dated receipt for the drug; and
 - (b) record the following details and sign the record:
 - (i) the name and address of the person who provided the drug;
 - (ii) the name and address of the person who took delivery of the drug;
 - (iii) the date on which the drug was received;
 - (iv) the trade or approved name of the drug or, if the drug does not have either a trade or approved name, the ingredients in the drug;
 - (v) the amount and, if applicable, the strength of the drug;
 - (vi) if the drug was provided on order—the invoice number (if any) for the supply of the drug;
 - (vii) the total amount of the drug now in stock on the premises at which the drug was received.
- (2) A person who makes a record under this regulation must ensure that the record is kept at all times on the premises at which the drug was received.

26—Variation of regulation 31I—Additional requirements for administration of drugs of dependence in health service

Regulation 31I(1)(c)—delete paragraph (c) and substitute:

- (c) the drug must not be administered to the person unless the administration is witnessed by a nurse or midwife, or, where a nurse or midwife is not reasonably available, by some other responsible person;

27—Revocation of regulation 44

Regulation 44—delete the regulation

28—Variation of Schedule A—Modification of Uniform Poisons Standard

Schedule A(b)—delete paragraph (b)

29—Variation of Schedule D—Fees

- (1) Schedule D, clause 1, paragraphs (e) and (f)—delete paragraphs (e) and (f)
- (2) Schedule D, clause 2, paragraphs (e) and (f)—delete paragraphs (e) and (f)

30—Variation of Schedule F—Prescribed poisons for the purposes of section 22 of Act

Schedule F—insert in alphabetical order:

Cyanogen

31—Variation of heading to Schedule G

Heading to Schedule G—delete "regulation 14(2)" and substitute:

regulation 19

32—Variation of Schedule I—S4 drugs that prescribed professionals may administer

Schedule I, clause 1—before "dental therapists" insert:

dental hygienists,

33—Substitution of Schedule K

Schedule K—delete the Schedule and substitute:

Schedule K—Restrictions on prescribing certain S4 drugs

(Regulation 29)

Prescription Drug	Use	Qualifications and authorisations
1 Clomiphene	Human use	Medical practitioner who—
Cyclofenil		(a) is registered in the specialty of endocrinology or obstetrics and gynaecology; or
Follitropin alpha (recombinant human follicle stimulating hormone)		
Follitropin beta (recombinant human follicle stimulating hormone)		(b) provides services to a fertility unit, an endocrinology unit or obstetrics and gynaecology unit of a teaching hospital in South Australia.
Luteinising hormone		
Urofollitrophin (follicle stimulating hormone)		

Prescription Drug	Use	Qualifications and authorisations
2 Acitretin Bexarotene Etretinate	Human use	<p>Medical practitioner who—</p> <p>(a) is registered in the specialty of dermatology, oncology or haematology; or</p> <p>(b) is a medical registrar working under the supervision of a medical practitioner referred to in paragraph (a); or</p> <p>(c) is registered in some other speciality and is authorised by the Minister to prescribe such drugs.</p>
3 Isotretinoin	Human internal use	<p>Medical practitioner who—</p> <p>(a) is registered in the specialty of dermatology, oncology or haematology; or</p> <p>(b) is a medical registrar working under the supervision of a medical practitioner referred to in paragraph (a); or</p> <p>(c) is registered in some other speciality and is authorised by the Minister to prescribe such drugs.</p>
4 Tretinoin	Human internal use	<p>Medical practitioner who—</p> <p>(a) is registered in the specialty of oncology or haematology; or</p> <p>(b) is a medical registrar working under the supervision of a medical practitioner referred to in paragraph (a); or</p> <p>(c) is registered in some other speciality and is authorised by the Minister to prescribe such drugs.</p>

Prescription Drug	Use	Qualifications and authorisations
5 Lenalidomide Thalidomide	Human use	A medical practitioner who— (a) is a specialist in oncology or haematology; or (b) is a medical registrar working under the supervision of a medical practitioner referred to in paragraph (a); or (c) is authorised by the Minister to prescribe such drugs.
6 Ambrisentan Bosentan Sitaxentan	Human use	A medical practitioner who— (a) is registered as a specialist; or (b) is a medical registrar who is working under the supervision of a medical practitioner referred to in paragraph (a); or (c) is authorised by the Minister to prescribe such drugs.

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

after consultation by the Minister with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council
on 3 June 2010

No 38 of 2010

HEAC09/019CS

South Australia

Controlled Substances (Pesticides) Variation Regulations 2010

under the *Controlled Substances Act 1984*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Controlled Substances (Pesticides) Regulations 2003*

- 4 Variation of regulation 3—Interpretation
 - 5 Variation of regulation 11—Term and renewal of licence
 - 6 Substitution of Schedule 1
- Schedule 1—Fees

Part 3—Transitional provision

- 7 Term of existing licences
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (Pesticides) Variation Regulations 2010*.

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 *Controlled Substances (Pesticides) Regulations 2003*

4—Variation of regulation 3—Interpretation

Regulation 3, definition of *pesticide*, paragraph (a)—delete "*Standard for the Uniform Scheduling of Drugs and Poisons* published by the National Drugs and Poisons Schedule Committee, as modified by and incorporated into" and substitute:

Uniform Poisons Standard, as defined in, modified by and incorporated into,

5—Variation of regulation 11—Term and renewal of licence

Regulation 11(1)—delete subregulation (1) and substitute:

- (1) The term of a pest controller's licence or full pest management technician's licence is 1 year or 3 years at the option of the applicant, and such a licence may, on application made to the licensing authority before the expiry of the licence, be renewed for successive terms of 1 year or 3 years, at the option of the applicant.

6—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	On application for the issue or renewal of a pest controller's licence—	
	(a) for 1 year	\$259.00
	(b) for 3 years	\$777.00
2	On application for the issue or renewal of a full pest management technician's licence—	
	(a) for 1 year	\$64.00
	(b) for 3 years	\$192.00
3	On application for the issue of a limited pest management technician's licence	\$64.00
4	On application for an extension of the term of a limited pest management technician's licence	\$24.90

Part 3—Transitional provision

7—Term of existing licences

A pest controller's licence or full pest management technician's licence issued or renewed before the commencement of these regulations continues in force subject to its terms and conditions for the balance of the term for which it was granted or last renewed.

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

after consultation by the Minister with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council
on 3 June 2010

No 39 of 2010

HEACS09/019CS

South Australia

Controlled Substances (General) Variation Regulations 2010

under the *Controlled Substances Act 1984*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Controlled Substances (General) Regulations 2000*

- 4 Variation of regulation 4—Interpretation
 - 5 Variation of regulation 6A—Prescribed professions (section 31(1))
 - 6 Variation of regulation 9—Prescribed place
 - 7 Variation of Schedule 1—Controlled drugs
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (General) Variation Regulations 2010*.

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 *Controlled Substances (General) Regulations 2000*

4—Variation of regulation 4—Interpretation

Regulation 4, definition of *midwife*—delete the definition and substitute:

midwife means a person registered as a midwife under the law of this State.

5—Variation of regulation 6A—Prescribed professions (section 31(1))

Regulation 6A(1)—delete "section 31(1)(a)(ii)" and substitute:

section 31(1)(a)(i)

6—Variation of regulation 9—Prescribed place

Regulation 9—delete "section 44(da)" and substitute:

section 44(1)(da)

7—Variation of Schedule 1—Controlled drugs

- (1) Schedule 1, Part 1, row relating to Lysergic acid diethylamide (LSD), column 5—delete "0.05kg" and substitute:

0.005kg

- (2) Schedule 1, Part 1, row relating to Lysergide—delete the row

- (3) Schedule 1, Part 1—after row relating to 3-Methylfentanyl insert:

4-Methylmethcathinone (Mephedrone)		5		1.25	6
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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

after consultation by the Minister with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council

on 3 June 2010

No 40 of 2010

HEACS09/019CS

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CITY OF HOLDFAST BAY

ROADS (OPENING AND CLOSING) ACT 1991

Tweeddale Avenue, South Brighton

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Holdfast Bay proposes to make a Road Process Order to close an irregularly-shaped portion of Tweeddale Avenue, South Brighton along and adjoining the south-western boundary of Allotment 11 in Deposited Plan 3382, more particularly delineated and lettered 'A' on Preliminary Plan No. 10/0017.

It is proposed that the portion of road to be closed marked 'A' be transferred to Elizabeth Maria Martin and merged with said Allotment 11 in Deposited Plan 3382.

A preliminary plan of the proposal and a statement, are available for public inspection at the Holdfast Bay Council Office, 24 Jetty Road, Brighton between the hours of 9 a.m. and 4.45 p.m., Monday to Friday or at the Adelaide Office of the Surveyor-General during normal office hours.

Any person may object to the proposal (and any adjoining landowner or other person substantially affected by the proposed road closure may apply for an easement relative to the closure). Such objection (or application for an easement) must be made in writing to the City of Holdfast Bay within 28 days of the date of this notice. If a submission is made, the City of Holdfast Bay is required to give notice of a time and place at which a meeting will be held to consider the matter, so that the person making the submission (or a representative) may attend to support the submission, if desired.

Any submission must set out the full name and address of the person making the submission and must be fully supported by reasons (and any application for the grant of an easement must give full particulars of the nature and location of the easement and, where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed).

A copy of the submission must be forwarded to the Surveyor-General at Adelaide.

Dated 3 June 2010.

J. LYNCH, Chief Executive Officer

PORT AUGUSTA CITY COUNCIL

Revocation of Community Land Classification

NOTICE is hereby given that Council at its meeting held on 24 May 2010, resolved to revoke the Community Land Classification applicable to 9 Christopher Street, Stirling North, being Allotment 61 in Deposited Plan 9635 within certificate of title volume 5538, folio 707, having complied with all requirements in relation to section 194 of the Local Government Act 1999.

G. PERKIN, City Manager

CITY OF SALISBURY

Car Parking Fund

NOTICE is hereby given, pursuant to section 50A of the Development Act 1993, the Council of the City of Salisbury at its meeting held on 24 May 2010, have determined that the contribution rate for all three car parking funds be set at \$11 000 per car parking space.

S. HAINS, City Manager

CITY OF WHYALLA

Revoking Community Land—Finalisation

NOTICE is hereby given that pursuant to section 194 of the Local Government Act 1999, Council at its meeting held on 17 May 2010, upon approval from the Minister for State/Local Government Relations, Council resolved to finalise the revocation of the following parcel of land from the Classification of Community Land:

Lot 6550, Norrie Avenue—CR 5754/346.

Please contact Stewart Payne on 8640 3444 for further details.

M. HISCOCK, Acting Chief Executive Officer

CITY OF WHYALLA

Adoption of Supplementary Valuation

NOTICE is hereby given that the Corporation of the City of Whyalla, at its special Council Meeting held on 24 May 2020, in accordance with section 179 of the Local Government Act 1999, adopted the site valuation of \$7 340 000 for the 2009-2010 financial year in respect of land that has become rateable after the adoption of valuations for 2009-2010.

M. HISCOCK, Acting Chief Executive Officer

THE BAROSSA COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Aramon Street, Nuriootpa

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the council proposes to make a Road Process Order to close portion of the public road (Aramon Street) adjoining allotments 55 and 57 in Deposited Plan 72684, more particularly delineated and lettered 'A' and 'B' respectively in the Preliminary Plan No. 10/0016.

Closed road marked 'A' is to be closed and transferred to R.V. Smart and Y. D. Byrne and the portion marked 'B' to be transferred to Opthummell Pty Ltd.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Barossa Council, Washington Street, Angaston and the office of the Surveyor-General, 101 Grenfell Street, Adelaide, during normal office hours.

Any application for easement or objections must be made in writing within 28 days of this notice, to the Council, P.O. Box 295 Angaston, S.A. 5353 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details. Where a submission is made, Council will give notification of a meeting to deal with the matter.

Dated 3 June 2010.

D. MORCOM, Chief Executive Officer

MID MURRAY COUNCIL

DEVELOPMENT ACT 1993

Mannum Waters Marina and Residential Development—Development Plan Amendment for Public Consultation

NOTICE is hereby given that the Mid Murray Council, pursuant to sections 24 and 25 of the Development Act 1993, has prepared a Development Plan Amendment Report (DPA) to amend the Mid Murray Council Development Plan.

The Amendment will change the Development Plan to reflect the development approved by the Governor on 3 October 2008 for the Mannum Waters Marina and Residential Development, under a Major Development Declaration. The Amendment will provide planning policies and zoning provisions that will guide future residential, commercial, retail, tourist-related, marina and marina associated facilities.

In addition, to the land contained within the Major Development Declaration, the affected land includes the land located between the marina site (i.e. the land subject to the Major Projects Declaration) and the Mannum golf course.

The land that is affected is presently located within the River Murray Zone and within Conservation Policy Area 7, Flood Plain Policy Area 8 and Primary Production Policy Area 10.

The Amendment includes:

- Introduction of new Residential (Marina) Zone, including the following three policy areas:
 - Policy Area 22 (Waterfront);
 - Policy Area 23 (Waterfront Medium Density);
 - Policy Area 24 (Recreation).
- Introduction of new Mannum (Marina) Zone, including the following three policy areas:
 - Policy Area 25 (Marina);
 - Policy Area 26 (Centre);
 - Policy Area 27 (Conservation).

- Introduction of Council Wide policies relating to energy efficiency, natural resources, tourism development, marinas and maritime structures, biodiversity and native vegetation, flooding and natural hazards.

The DPA report will be on public consultation from Thursday, 3 June 2010 until Wednesday, 4 August 2010. Copies of the DPA report are available during normal office hours (9 a.m. to 5 p.m.) at the three offices of the Mid Murray Council (i.e. Mannum, Cambrai and Morgan):

Mannum—49 Adelaide Road, Mannum;

Cambrai—Main Street, Cambrai;

Morgan—12 Fourth Street, Morgan.

Alternatively the DPA report can be viewed on the Internet on Council's website at www.mid-murray.sa.gov.au.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Wednesday, 4 August 2010. All submissions should be addressed to Chief Executive Officer, Mid Murray Council, P.O. Box 28, Mannum, S.A. 5238 and should clearly indicate whether you wish to be heard in support of your submission at the public hearing. If you wish to lodge your submission electronically, please email it to:

postbox@mid-murray.sa.gov.au.

Copies of all submissions will be available for inspection at Mid Murray Council offices from 9 a.m. on Thursday, 5 August 2010 to 5 p.m. on Thursday, 12 August 2010.

A public hearing will be held at 7 p.m. on Thursday, 12 August 2010 at The Barn, Mannum Motel, Purnong Road, Mannum 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 makes a request to be heard.

If you would like further information about the DPA, contact the Manager—Development Services at Mid Murray Council on 8564 6020.

Dated 3 June 2010.

D. H. GOLLAN, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT BARKER

Rename and Assign Road Names

NOTICE is hereby given that pursuant to section 219 of the Local Government Act 1999, as amended, Council has resolved to rename and assign road names within the District Council of Mount Barker to the following unnamed government roads:

That the name *Bingfield Lane* be assigned to a public road at Meadows. The road runs in an East/West direction off Meadows-Macclesfield Road.

That the name *Dadliffe Road* be assigned to a public road at Meadows. The road runs in a North/South direction starting at Summit Road, and ending up at Meadows-Macclesfield Road.

That the name *Gill Lane* be assigned to a public road at Green Hills Range. The road runs in a West/South direction starting and finishing at Meadows-Macclesfield Road.

That the name *Petty Lane* be assigned to a public road at Dawesley. The road runs in an East/South direction off Princes Highway.

That the name *Tee Road* be assigned to a public road at Harrogate. The road runs in an East/West direction starting at Harrogate Road and ending up intersecting Oscar Road.

That the name *Doheny Road* be assigned to a public road at Harrogate. The road runs in an East/West direction starting at Harrogate Road and ending up at a private property.

That the name *Oscar Road* be assigned to a public road at Harrogate. The road runs in a West/East direction starting at Range Road and ending up intersecting Doheny Road.

That the name *Kiernan Road* be assigned to a public road at Saint Ives. The road runs in a North/South direction starting at Back Callington Road and ending up intersecting Aclare Mine Road.

That the name *Stubbs Road* be assigned to a public road at Green Hills Range. The road runs in a South/North-West direction starting at Greenhills Road-Flaxley Road and intersecting a road reserve at Red Gum Road.

That the name *Nelson Road* be assigned to a public road at Wistow. The road runs in a North/East direction starting at Potts Road and ending up at Paech Road on the Easterly segment of the road.

That the name *Powell Road* be assigned to a public road at the boundary of Dawesley and Brukunga. The road runs in a West/East direction starting at Harrogate Road and ending up intersecting Princes Highway.

That the name *Barr Place* be assigned to a public road at Hahndorf. The road runs in a South/North direction starting Mount Barker Road and ending up at a private property.

That the name *Windmill Lane* be assigned to a public road at Totness. The road runs in a West/East direction starting at Nixon Road and ending up at Mount Barker Road.

That the name *Hufendorf Lane* be assigned to a public road at Paechtown. The road runs in a North/South direction starting at Echunga-Hahndorf Road and ending up intersecting Yantaringa Road.

That the name *Golden Vista* be assigned to a public road at Biggs Flat. The road runs in a West/North direction starting at Aldgate-Strathalbyn Road and ending up at private property.

That the name *Songlark Road* be assigned to a public road at Wistow. The road runs in a West/East direction starting at Hillside Lane and ending up at a private property.

That the name *Kestrel Lane* be assigned to a public road at Wistow. The road runs in South/North direction starting at Songlark Road and ending up intersecting Blue Wren Lane.

That the name *Paringa Road* be assigned to a public road at Harrogate, the road was previously known as Pollard Road. The road runs in an East/West direction starting at Snake Gully Road and ending up intersecting Jones Road.

That the name *Wirilda Road* be assigned to a public road at Harrogate. The road runs between Snake Gully Road of The DCMB to Wirilda Road and the boundary of The Rural City of Murray Bridge.

That the name *Holder Road* be assigned to a public road at Bugle Ranges. The road runs in a West/East direction off Willcox Road.

That the name *Pastoral Road* be assigned to a public road at Kanmantoo. The road runs in an East/West direction starting at Ding Dong Road, and ending up at Smyth Road.

That the name *Sanders Lane* be assigned to a public road at Echunga. The road runs in a North/South direction starting at Hawthorn Road and finishing at Ironstone Road.

That the name *Mullins Road* be assigned to a public road at Harrogate. The road runs in a West/East direction off Snake Gully Road.

That the name *Cobargo Road* be assigned to a public road at Harrogate. The road runs in a North/South direction starting at Curtis Road and ending up intersecting Gladigau Road.

That the name *Hair Road* be assigned to a public road at Kanmantoo. The road runs in a West/East direction starting at Princes Highway and ending up at a Bremer river.

That the name *Honeybee Road* be assigned to a public road at Kanmantoo. The road runs in a West/East direction starting at Ding Dong Road and ending up intersecting Proctor Road.

That the name *Willodene Road* be assigned to a public road at Macclesfield. The road runs in a South/North direction starting at Schmidt Road and ending up at a private property.

That the name *Diggers Road* be assigned to a public road at Mylor. The road runs in a West/East direction starting at Aldgate-Strathalbyn Road and intersecting Kangaroo Reef Road.

That the name *Bonney Road* be assigned to a public road at Mount Barker Spring. The road runs in a South/North direction starting at Gould Road and ending up at Hender Road.

That the name *Rider Road* be assigned to a public road at Nairne. The road runs in a North/South direction starting at Pulleine Road and ending up intersecting Hare Road and Sandercock Road.

That the name *Hare Road* be assigned to a public road at Nairne. The road runs in a West/East direction starting Rider Road and ending up at a private property.

That the name *Amos Road* be assigned to a public road at Nairne. The road runs in an East/West direction starting at Jeffrey Street and ending up at Saleyard Road.

That the name *Sandercock Road* be assigned to a public road at Nairne. The road runs in an East/South direction starting at Rider Road and ending up intersecting a private property.

That the name *Mueller Close* be assigned to a public road at Bugle Ranges. The road runs in a West/North direction starting at Lacey Road and ending up at private property.

That the name *Godley Road* be assigned to a public road at Echunga. The road runs in a West/East direction starting at Hillside Lane and ending up at a private property.

That the name *Hollows Road* be assigned to re-name a public road known as Mount Torrens Road at Mount Torrens-Harrogate, the road runs in an East/West direction; from Warrington Road to Gladigau Road.

That the name *Copper Way* be assigned to a public road at Kanmantoo. The road runs in a South/North direction starting at Hawke Lane and ending up at North Road.

That the name *Renfrey Road* be assigned to a public road at Kanmantoo. The road runs in a South/North direction starting at Bartholomew Road and ending up intersecting an unknown road reserve.

That the name *Garnet Road* be assigned to a public road at Kanmantoo. This road segment was known as Young Road, and it runs in a South/North direction from Bartholomew Road to end up at an unknown road reserve.

That the name *Little Dublin East Road* be assigned to a public road at Blakiston. The road was known as Little Dublin Road the road runs in an East/West direction from Bald Hills road.

That the name *Little Dublin West Road* be assigned to a public road at Nairne. The road was known as Little Dublin Road the road runs in a West/East direction off Bald Hills road.

That the name *Webb Street* be assigned to a public road at Macclesfield. The road runs in a North/South direction starting at Todd Street, and ending up joining Fincher Street.

That the name *Handke Road* be assigned to a public road at Macclesfield, this road segment was known as Walker Street. The road runs in an East/West direction starting at Walker Street and finishing at and unknown public road reserve.

That the name *Allon Place* be assigned to a public road at Nairne. The road runs in a North/South direction off Sydney Road and ending up at a private property.

That the name *Edis Place* be assigned to a public road at Nairne. This road segment was known as Hogan Road. The road runs in a South/North direction starting at Lesley Road to ending up at a railway reserve.

That the name *Paechtown Road* be assigned to an extension into what is known as the Haines Fire Track. This segment runs in a West/East direction from Paechtown Road to end up at A16/FI05865, and the new starting point of the Fire Track.

All relevant government agencies and emergency services are being notified as are the residents affected by these changes.

Should anyone need further clarification of these names changes, please contact Customer Services on 8391 7200 or in person at the Local Government Centre, 6 Dutton Road, Mount Barker.

A. STUART, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE

Flinders Regional Development Assessment Panel

NOTICE is hereby given, pursuant to sub-section 34 (18c) of the Development Act 1993, that at its meeting held on 24 May 2010, the Flinders Regional Development Assessment Panel appointed the following person to the position of Public Officer pursuant to sub-section 34 (18b) of the Development Act 1993.

Contact Details:

Sean Richard Cheriton,
Public Officer,
Flinders Regional Development Assessment Panel,
P.O. Box 94, Melrose, S.A. 5483.
Telephone: (08) 8666 2014.

S. L. S. DITTER, Presiding Member

DISTRICT COUNCIL OF PETERBOROUGH

Appointment

NOTICE is given that Council, at the meeting held on 17 May 2010, appointed Peter McGuinness as Acting Chief Executive Officer with all delegations for the following periods:

15 June to 18 June 2010 (both days inclusive); and

6 September to 8 October 2010 (both days inclusive)—*vide* Chief Executive Officer on annual leave.

T. D. BARNES, Chief Executive Officer

[RE-ADVERTISED]

DISTRICT COUNCIL OF ROBE

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Park Terrace, Robe

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the District Council of Robe proposes to make a Road Process Order to close and sell by Public Auction or Tender the portion of the public road (Park Terrace) situated between Dawson Street and Jackson Street and adjoining Allotment 113, in Filed Plan 205459, as more particularly delineated and lettered 'A' and 'B' on Preliminary Plan No. 09/0061.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council, Royal Circus, Robe and the Adelaide office of the Surveyor-General during normal office hours.

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 1, Robe, S.A. 5276 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 3 June 2010.

B. HENDER, Chief Executive Officer

DISTRICT COUNCIL OF STREAKY BAY

Appointment of Chief Executive Officer

NOTICE is hereby given that Council of the District Council of Streaky Bay at a meeting held on 20 May 2010, appointed Lachlan Miller to the position of Chief Executive Officer of the District Council of Streaky Bay and delegated to him all relevant powers under the Local Government Act 1999 and any associated legislation to enable him to undertake his role as Chief Executive Officer as from Friday, 18 June 2010.

I. MCSPORRAN, Acting Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1 of 2010—Permits and Penalties

A by-law to create a permit system for Council by-laws, to fix maximum and continuing penalties for offences, and for the construction of Council by-laws.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Permits and Penalties By-law 2010 and is By-law No. 1 of the Wakefield Regional Council.

2. *Authorising Law*

This by-law is made under section 246 of the Act and sections 667 (1) 3.LIV and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

The objectives of this by-law are to provide for the good rule and government of the Council area, and for the convenience, comfort and safety of its inhabitants by:

- 3.1 creating a permit system for Council by-laws;
- 3.2 providing for the enforcement of breaches of Council by-laws and fixing penalties; and
- 3.3 clarifying the construction of Council by-laws.

4. *Commencement, Revocation and Expiry*

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

- 4.1.1 By-law No. 1—Permits and Penalties 2003.²

- 4.2 This by-law will expire on 1 January 2018.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazettement* of the by-law.

5. *Application*

- 5.1 This by-law applies throughout the Council area.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *Council* means Wakefield Regional Council;
- 6.3 *person* includes a body corporate.

Note:

Section 14 of the Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Act.

7. *Construction of By-laws Generally*

- 7.1 Every by-law of the Council is subject to any Act of Parliament and Regulations made thereunder;
- 7.2 In any by-law of the Council, unless the contrary intention appears permission means permission of the Council, granted in writing prior to the act, event or activity to which it relates.

PART 2—PERMITS AND PENALTIES

8. *Permits*

- 8.1 Where a by-law requires that permission be obtained any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.

- 8.2 The Council may attach such conditions as it thinks fit to a grant of permission, and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.

- 8.3 A person granted permission must comply with every such condition.

- 8.4 The Council may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

9. *Offences and penalties*

- 9.1 A person who commits a breach of any by-law of the Council is guilty of an offence and is liable to a maximum penalty being the maximum penalty referred to in the Act that may be fixed by a by-law for any breach of a by-law.

- 9.2 A person who commits a breach of a by-law of the Council of a continuing nature is guilty of an offence and, in addition to any other penalty that may be imposed, is liable to a further penalty for every day on which the offence continues, such penalty being the maximum amount referred to in the Act that may be fixed by a by-law for a breach of a by-law of a continuing nature.

Note:

The maximum penalty for a breach of a by-law is currently \$750, and the maximum penalty for every day in which a breach of a continuing nature continues is currently \$50—see section 246 (3) (g) of the Act.

This by-law was duly made and passed at a meeting of the Wakefield Regional Council held on 26 May 2010, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. J. BARRY, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2 of 2010—Local Government Land

A by-law to regulate the access to and use of Local Government Land (other than roads), and certain public places.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Local Government Land By-law 2010 and is By-law No. 2 of the Wakefield Regional Council.

2. *Authorising Law*

This by-law is made under sections 238 and 246 of the Act and sections 667 (1) 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

The objectives of this by-law are to regulate the access to and use of Local Government Land (other than roads), and certain public places:

- 3.1 to prevent and mitigate nuisances;
- 3.2 to prevent damage to Local Government Land;
- 3.3 to protect the convenience, comfort and safety of members of the public;
- 3.4 to enhance the amenity of the Council area; and
- 3.5 for the good rule and government of the area.

4. *Commencement, Revocation and Expiry*

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

- 4.1.1 By-law No. 3—Local Government Land 2003.²

- 4.2 This by-law will expire on 1 January 2018.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2010.
- 5.2 Subject to Clauses 5.3, this by-law applies throughout the Council area.
- 5.3 Clauses 9.3, 9.9.1, 9.24.3, 10.3 and 10.9.3 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with section 246 (3) (e) of the Act.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal or animals* includes birds and insects but does not include a dog;
- 6.3 *boat* includes a raft, pontoon or personal watercraft or other similar device;
- 6.4 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.5 *children's playground* means an enclosed area in which there is equipment or other devices installed for the purpose of children's play (or within three metres of such devices if there is no enclosed area);
- 6.6 *Council* means Wakefield Regional Council;
- 6.7 *electoral matter* has the same meaning as in the Electoral Act 1985, provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 6.8 *effective control* means a person exercising effective control of an animal either:
 - 6.8.1 by means of a physical restraint; or
 - 6.8.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.9 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- 6.10 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;
- 6.11 *liquor* has the same meaning as in the Liquor Licensing Act 1997;
- 6.12 *Local Government Land* means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.13 *offensive* includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
- 6.14 *open container* means a container which:
 - 6.14.1 after the contents of the container have been sealed at the time of manufacture:
 - (a) being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 - (b) being a can, it has been opened or punctured;
 - (c) being a cask, it has had its tap placed in a position to allow it to be used;
 - (d) being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
 - (e) is a flask, glass, mug or other container able to contain liquid.
- 6.15 *tobacco product* has the same meaning as in the Tobacco Products Regulation Act 1997;
- 6.16 *vehicle* has the same meaning as in the Road Traffic Act 1961;
- 6.17 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council.

Note:

Section 14 of the Interpretation Act 1915 provides that an expression used in a by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2 – ACCESS TO LOCAL GOVERNMENT LAND

7. Access

Note:

Pursuant to section 238 (7) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government Land (under section 238), the Council must erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

The Council may:

- 7.1 close, or regulate or restrict access to, any part of Local Government Land to the public for specified times and days; and
- 7.2 fix charges or fees payable for entry onto any part of Local Government Land.

8. Closed lands

A person must not without permission, enter or remain on any Local Government Land:

- 8.1 which has been closed, or in respect of which access by the public is regulated or restricted in accordance with Clause 7.1;
- 8.2 where entry fees or charges are payable, without paying those fees or charges; or
- 8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked.

PART 3—USE OF LOCAL GOVERNMENT LAND

9. Activities Requiring Permission

Note:

Pursuant to section 238 (7) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government Land (under section 238), the Council must erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

A person must not without the permission of the Council, do any of the following on Local Government Land.

9.1 Advertising

Subject to Clause 14.2, display, paint or erect any sign or hoarding for the purpose of commercial advertising or any other purpose.

9.2 Aircraft

Subject to the Civil Aviation Act 1988, land any aircraft on, or take off any aircraft from the land.

9.3 Alcohol

Consume, carry or be in possession or in charge of any liquor on Local Government Land comprising parks or reserves to which the Council has determined this paragraph applies.

9.4 Amplification

Use an amplifier or other mechanical or electrical device for the purpose of broadcasting sound, or magnifying sound, to an audience.

9.5 Animals

9.5.1 On Local Government Land other than the foreshore:

- (a) cause or allow an animal to stray onto, move over, graze or be left unattended on Local Government Land; or

- (b) cause or allow an animal to enter, swim, bathe or remain in any waters located on Local Government Land; or
 - (c) lead, herd or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided that the animal or animals are under effective control.
- 9.5.2 On Local Government Land comprising the foreshore:
 - (a) cause or allow a sheep, cow, goat or horse to enter, swim, bathe or remain in any waters; or
 - (b) lead, herd or exercise a sheep, cow, goat or horse.
- 9.6 *Annoyance*

Do anything likely to offend or unreasonably interfere with any other person:

 - (a) using that land; or
 - (b) occupying nearby premises,

by making a noise or creating a disturbance.
- 9.7 *Attachments*

Subject to Clause 14.2, attach anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government Land.
- 9.8 *Bees*

Place a hive of bees on such land, or allow it to remain thereon.
- 9.9 *Boats*

Subject to the provisions of the Harbors and Navigation Act 1993:

 - 9.9.1 launch or retrieve a boat to or from any waters where the Council has determined that this subclause applies;
 - 9.9.2 launch or retrieve a boat other than from a boat ramp constructed and set aside by the Council for that purpose;
 - 9.9.3 propel, float or otherwise use a boat on or in any waters;
 - 9.9.4 hire out a boat or otherwise use a boat for commercial purposes; or
 - 9.9.5 moor a boat on any waters or to a pontoon attached to Local Government Land.
- 9.10 *Bridge Jumping*

Jump or dive from a bridge on Local Government Land.
- 9.11 *Buildings*

Use a building, or structure on Local Government Land for a purpose other than its intended purpose.
- 9.12 *Burials and Memorials*
 - 9.12.1 Bury, inter or spread the ashes of any human or animal remains.
 - 9.12.2 Erect any memorial.
- 9.13 *Camping and Tents*
 - 9.13.1 Erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.
 - 9.13.2 Camp or sleep overnight except where a person is in a caravan park on Local Government Land, the proprietor of which has been given permission to operate the caravan park on that land.
- 9.14 *Canvassing*

Convey any advertising, religious or other message to any bystander, passer-by or other.
- 9.15 *Defacing Property*

Deface, paint, spray, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign, bridge or property of the Council.
- 9.16 *Distribution*

Subject to Clause 14.2, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person.
- 9.17 *Donations*

Ask for or receive or indicate that he or she desires a donation of money or any other thing.
- 9.18 *Entertainment and Busking*
 - 9.18.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.
 - 9.18.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.
- 9.19 *Equipment*

Use an item of equipment, facilities or property belonging to the Council if that person is of or over the age indicated by a sign or notice as the age limit for using such equipment, facility or property.
- 9.20 *Fires*

Subject to the Fire and Emergency Services Act 2005, light a fire except:

 - 9.20.1 in a place provided by the Council for that purpose; or
 - 9.20.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres.
- 9.21 *Fireworks*

Ignite or discharge any fireworks.
- 9.22 *Flora and Fauna*

Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:

 - 9.22.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
 - 9.22.2 cause or allow an animal to stand or walk on any flower bed or garden plot;
 - 9.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
 - 9.22.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;
 - 9.22.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
 - 9.22.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
 - 9.22.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature; or
 - 9.22.8 burn any timber or dead wood.
- 9.23 *Foreshore*

On Local Government Land comprising the foreshore:

 - 9.23.1 drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or set aside by the Council for that purpose;
 - 9.23.2 drive or propel a vehicle on the foreshore except on an area is constructed or set aside by the Council for that purpose;

- 9.23.3 launch or retrieve a boat from the foreshore without using a boat ramp constructed or set aside by the Council for that purpose;
- 9.23.4 allow a vehicle to remain stationary on a boat ramp longer than is necessary to launch or retrieve a boat; or
- 9.23.5 hire out a boat on or from the foreshore.
- 9.24 *Games*
- 9.24.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play.
- 9.24.2 Play or practise any game which involves kicking, hitting or throwing a ball or other object on Local Government Land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.
- 9.24.3 Play or practise the game of golf on Local Government Land to which the Council has resolved this subclause applies.
- 9.25 *Litter*
- 9.25.1 Throw, cast, place, deposit or leave any rubbish, dirt or refuse of any kind whatsoever except in a garbage container provided for that purpose.
- 9.25.2 Deposit any soil, clay, stone, gravel, green waste or other putrescible waste or any other matter.
- 9.26 *Marine Life*
- Introduce any marine life to any waters located on Local Government Land.
- 9.27 *Model Aircraft, Boats and Cars*
- Fly or operate a model aircraft, boat or model or remote control vehicle in a manner which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of the land or detract from or be likely to detract from another person's lawful use of and enjoyment of the land.
- 9.28 *Overhanging Articles or Displaying Personal Items*
- Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government Land where it might present a nuisance or danger to a person using the land or be of an unsightly nature.
- 9.29 *Playing Area*
- Use or occupy a playing area:
- 9.29.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);
- 9.29.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 9.29.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.
- 9.30 *Pontoons*
- Install or maintain a pontoon or jetty in any waters.
- 9.31 *Posting of Bills*
- Subject to Clause 14.2, post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on Local Government Land or in a public place.
- 9.32 *Preaching*
- Preach, harangue or solicit for religious purposes.
- 9.33 *Ropes*
- Place a buoy, cable, chain, hawser, rope or net in or across any waters.

9.34 *Swimming*

Subject to the provisions of the Harbors and Navigation Act 1993, swim in, bathe or enter any waters except:

- 9.34.1 in an area which the Council has determined may be used for such purposes; and
- 9.34.2 in accordance with any conditions that the Council may have determined by resolution apply to such use.

9.35 *Trading*

Sell, buy, offer or display anything for sale.

9.36 *Vehicles*

- 9.36.1 Drive or propel a vehicle except on an area constructed and set aside by the Council for that purpose.
- 9.36.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.
- 9.36.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.

9.37 *Weddings, Functions and Special Events*

- 9.37.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.
- 9.37.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.
- 9.37.3 Hold or conduct any filming where the filming is for a commercial purpose.

10. *Prohibited Activities*

A person must not do any of the following on Local Government Land.

10.1 *Animals*

- 10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming.
- 10.1.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place.
- 10.1.3 Lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person.

10.2 *Equipment*

Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.

10.3 *Fishing*

- 10.3.1 Fish in any waters to which the Council has determined this subclause applies.
- 10.3.2 Fish from a bridge or other structure to which the Council has determined this subclause applies.

10.4 *Glass*

Willfully break any glass, china or other brittle material.

10.5 *Interference with Land*

Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:

- 10.5.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 10.5.2 erecting or installing a structure in, on, across, under or over the land;

- 10.5.3 changing or interfering with the construction, arrangement or materials of the land;
- 10.5.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 10.5.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 10.6 *Interference with Permitted Use*
Interrupt, disrupt or interfere with any other person's use of Local Government Land which is permitted or for which permission has been granted.
- 10.7 *Nuisance*
Behave in such a manner as to cause discomfort, inconvenience, annoyance or offence to any other person.
- 10.8 *Playing Games*
Play or practise a game:
- 10.8.1 which is likely to cause damage to the land or anything on it;
- 10.8.2 in any area where a sign indicates that the game is prohibited.
- 10.9 *Smoking*
Smoke, hold or otherwise have control over an ignited tobacco product:
- 10.9.1 in any building;
- 10.9.2 in any children's playground; or
- 10.9.3 on any land to which the Council has determined this subclause applies.
- 10.10 *Throwing objects*
Throw, roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way.
- 10.11 *Toilets*
In any public convenience on Local Government Land:
- 10.11.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 10.11.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 10.11.3 use it for a purpose for which it was not designed or constructed;
- 10.11.4 enter a toilet that is set aside for use of the opposite sex except:
- (a) where a child under the age of eight years is accompanied by an adult parent or guardian of that sex; or
- (b) to provide assistance to a disabled person; or
- (c) in the case of a genuine emergency.
- 10.12 *Solicitation*
Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.
- 10.13 *Waste*
- 10.13.1 Deposit or leave thereon:
- (a) anything obnoxious or offensive;
- (b) any offal, dead animal, dung or filth; or
- (c) any mineral, mineral waste, industrial waste or bi-products.
- 10.13.2 Foul or pollute any waters situated thereon.
- 10.13.3 Deposit any rubbish other than in receptacles provided by the Council for that purpose.
- 10.13.4 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

PART 4—ENFORCEMENT

11. *Directions*

- 11.1 A person on Local Government Land must comply with a reasonable direction from an authorised person relating to:
- 11.1.1 that person's use of the land;
- 11.1.2 that person's conduct and behaviour on the land;
- 11.1.3 that person's safety on the land; or
- 11.1.4 the safety and enjoyment of other persons on the land.
- 11.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this by-law must immediately comply with a direction of an authorised person to leave that part of Local Government Land.

12. *Orders*

If a person fails to comply with an order of an authorised person made pursuant to section 262 of the Act in respect of a breach of this by-law, the Council may recover its costs of any action taken under section 262 (3) of the Act from the person to whom the order was directed.

Note:

Section 262 (1) of the Act states:

- (1) If a person (the offender) engages in conduct that is a contravention of this Act or a By-law under this Act, an authorised person may order the offender:
- (a) if the conduct is still continuing—to stop the conduct; and
- (b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

Subsections (2) and (3) of section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:

- cease smoking on Local Government Land;
- remove an object or structure encroaching on Local Government Land;
- dismantle and remove a structure erected on Local Government Land without permission.

13. *Removal of Animals and Objects*

An authorised person may remove an animal or object that is on Local Government Land in breach of a by-law if no person is in charge of, or apparently in charge of, the animal or object.

PART 5—MISCELLANEOUS

14. *Exemptions*

- 14.1 The restrictions in this by-law do not apply to a Police Officer, Emergency worker, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer.
- 14.2 The restrictions in Clauses 9.1, 9.7, 9.16 and 9.31 of this by-law do not apply to electoral matter authorised by a candidate and which is:
- 14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 14.2.3 related to, and occurs during the course of and for the purpose of a referendum.

This by-law was duly made and passed at a meeting of the Wakefield Regional Council held on 26 May 2010, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. J. BARRY, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3 of 2010—Roads

A by-law to regulate certain activities on roads in the Council area.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Roads By-law 2010 and is By-law No. 3 of the Wakefield Regional Council.

2. *Authorising law*

This by-law is made under sections 239 and 246 of the Act, Regulation 13 (1) (c) of the Local Government (Implementation) Regulations 1999, and sections 667 (1), 4.1, 5.VII, 7.II and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

The objectives of this by-law are to manage and regulate the prescribed uses of roads in the Council area:

- 3.1 to protect the convenience, comfort and safety of road users and members of the public;
- 3.2 to prevent damage to buildings and structures on roads;
- 3.3 to prevent certain nuisances occurring on roads; and
- 3.4 for the good rule and government of the Council area.

4. *Commencement, Revocation and Expiry*

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

- 4.1.1 By-law No. 4—Roads 2003.²

- 4.2 This by-law will expire on 1 January 2018.³

Note:

¹ Generally a by-law comes into operation 4 months after the day on which it is *gazetted*: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2010.
- 5.2 Subject to Clauses 5.3, this by-law applies throughout the Council area.
- 5.3 Clause 7.2.1 of this by-law only applies in such part or parts of the Council area as the Council may, by resolution direct in accordance with section 246 (3) (e) of the Act.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal* includes birds, insects and poultry but does not include a dog;
- 6.3 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.4 *Council* means Wakefield Regional Council;
- 6.5 *effective control* means a person exercising effective control of an animal either:
 - 6.5.1 by means of a physical restraint; or

- 6.5.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;

- 6.6 *electoral matter* has the same meaning as in the Electoral Act 1995, provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;

- 6.7 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;

- 6.8 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Interpretation Act 1915, provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—USE OF ROADS

7. *Activities Requiring Permission*

A person must not do any of the following activities on a road without the permission of the Council:

7.1 *Amplification*

Use an amplifier or other device whether mechanical or electrical for the purpose of broadcasting announcements or advertisements.

7.2 *Animals*

- 7.2.1 Lead, herd, cause or allow an animal to stray onto, move over, or graze on a road to which the Council has determined this clause applies.

- 7.2.2 Lead, herd or cause or allow an animal to stray onto or move over any road unless the animal is under effective control.

- 7.2.3 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person.

7.3 *Camping and Tents*

- 7.3.1 Erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation.

- 7.3.2 Camp or sleep overnight.

7.4 *Donations*

Ask for or receive or indicate a desire for a donation of money or any other thing, or otherwise solicit for religious or charitable purposes.

7.5 *Obstructions*

Erect, install or place or cause to be erected, installed or placed any structure, object or material of any kind so as to obstruct a road or footway, water-channel, or watercourse in a road.

7.6 *Posting of Bills*

Subject to Clause 11.2, post or allow or cause to be posted any bills, advertisements, or other papers or items on a building or structure on a road.

7.7 *Preaching*

Preach, harangue or solicit for religious purposes.

7.8 *Public Exhibitions and Displays*

- 7.8.1 Sing, busk, play a recording or use a music instrument, or perform similar activities.

- 7.8.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity.

- 7.8.3 Erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity.

- 7.8.4 Cause any public exhibitions or displays.

7.9 *Vehicles*

Repair, wash, paint, panel beat or perform other work of a similar nature to a vehicle, except for running repairs in the case of a vehicle breakdown.

Note:

Movable signs on roads are regulated by sections 226 and 227 of the Act and the Council's Moveable Signs By-law (if any).

PART 3—ENFORCEMENT

8. Directions

A person who, in the opinion of an authorised person is committing or has committed a breach of this by-law, must immediately comply with a direction of an authorised person to leave that part of the road.

9. Orders

If a person does not comply with an order of an authorised person made pursuant to section 262 of the Act in respect of a breach of this by-law, the Council may recover its costs of any action taken under section 262 (3) of the Act from the person to whom the order was directed.

Note:

Section 262 (1) of the Act states:

- (1) If a person (the offender) engages in conduct that is a contravention of this Act or a by-law under this Act, an authorised person may order the offender:
 - (a) if the conduct is still continuing—to stop the conduct; and
 - (b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

Subsections (2) and (3) of section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:

- cease busking on a road;
- remove an object or structure blocking a footpath;
- remove bills posted on a structure on a road;
- dismantle and remove a tent from a road.

10. Removal of Animals and Objects

An authorised person may remove an animal or object that is on a road in breach of a by-law if no person is in charge, or apparently in charge, of the animal or object.

PART 4—MISCELLANEOUS

11. Exemptions

- 11.1 The restrictions in this by-law do not apply to a Police Officer, Emergency Worker, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer.
- 11.2 The restrictions in Clause 7.6 of this by-law do not apply to electoral matter authorised by a candidate and which is:
 - 11.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 11.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
 - 11.2.3 related to, and occurs during the course of and for the purpose of a referendum.

This by-law was duly made and passed at a meeting of the Wakefield Regional Council held on 26 May 2010, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. J. BARRY, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4 of 2010—Moveable Signs

A by-law to set standards for moveable signs on roads and to provide conditions for the placement of such signs.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Moveable Signs By-law 2010 and is By-law No. 4 of the Wakefield Regional Council.

2. Authorising Law

This by-law is made under sections 239 and 246 of the Act, and sections 667 (1), 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. Purpose

The objectives of this by-law is to set standards for moveable signs on roads:

- 3.1 to protect the comfort and safety of road users and members of the public;
- 3.2 to enhance the amenity of roads and surrounding parts of the Council area;
- 3.3 to prevent nuisances occurring on roads;
- 3.4 to prevent unreasonable interference with the use of a road; and
- 3.5 for the good rule and government of the Council area.

4. Commencement, Revocation and Expiry

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 2—Moveable Signs 2003.²

4.2 This by-law will expire on 1 January 2018.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. Application

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2010.

5.2 This by-law applies throughout the Council's area.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *business premises* means premises from which a business is being conducted;
- 6.3 *Council* means Wakefield Regional Council;
- 6.4 *footpath area* means:
 - 6.4.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
 - 6.4.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
- 6.5 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—MOVEABLE SIGNS

7. *Construction and Design*

A moveable sign placed on a footpath area must:

- 7.1 be of kind known as an 'A' Frame or Sandwich Board sign, an 'inverted 'T' sign, or a flat sign or, with the permission of the Council, a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition;
- 7.3 be of strong construction and sufficiently stable or securely fixed so as to keep its position in adverse weather conditions;
- 7.4 have no sharp or jagged edges or corners;
- 7.5 not be unsightly or offensive in appearance or content;
- 7.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.7 not exceed 900 mm in height, 600 mm in width and 600 mm in depth;
- 7.8 in the case of an 'A' Frame or Sandwich Board sign:
 - 7.8.1 be hinged or joined at the top;
 - 7.8.2 be of such construction that its sides are securely fixed or locked in position when erected; and
 - 7.8.3 not have a base area in excess of 0.6 m²;
- 7.9 in the case of an inverted 'T' sign, not contain struts or members that run between the display area and the base of the sign.

8. *Placement*

A moveable sign must not be:

- 8.1 placed on any part of a road apart from the footpath area;
- 8.2 placed on a footpath that is less than 2 m wide;
- 8.3 placed closer than 2 m from another structure, fixed object, tree, bush or plant;
- 8.4 placed within 1 m of an entrance to any business premises;
- 8.5 placed on the sealed part of a footpath, if there is an unsealed part on which the sign can be placed in accordance with this by-law;
- 8.6 placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 8.7 placed closer than 400 mm to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, whichever is the greater);
- 8.8 placed on a landscaped area, other than landscaping that comprises only lawn;
- 8.9 placed within 6 m of an intersection of two or more roads;
- 8.10 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 m;
- 8.11 placed on a designated parking area or within 1 m of an entrance to premises;
- 8.12 tied, fixed or attached to, or placed closer than 2 m to any other structure, object or thing (including another moveable sign);
- 8.13 displayed during the hours of darkness unless it is clearly lit; or
- 8.14 placed in such a position or in such circumstances that the safety of a user of the footpath area or road is at risk.

9. *Banners*

A person must not erect or display a banner on a building or structure on a road without the Council's permission.

Note:

A person must not erect or display a banner on a public road for a business purpose without a permit from the Council issued under section 222 of the Local Government Act 1999.

10. *Restrictions*

- 10.1 The owner or operator of a business must not cause or allow more than one moveable sign for each business premises to be displayed on the footpath area of a road at any time.
- 10.2 A person must not, without the Council's permission, display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government Land (including roads) primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.
- 10.3 A person must not cause or allow a moveable sign to be placed on a footpath area unless:
 - 10.3.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
 - 10.3.2 the business premises to which it relates is open to the public.
- 10.4 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

11. *Exemptions*

- 11.1 Subclauses 10.1 and 10.3 of this by-law do not apply to a moveable sign which:
 - 11.1.1 advertises a garage sale taking place from residential premises;
 - 11.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 11.2 Subclauses 10.1 and 10.3 of this by-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.
- 11.3 A requirement of this by-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.

Note:

This by-law does not apply to moveable signs placed and maintained on a road in accordance with section 226 (3) of the Act, which includes any sign:

- placed there pursuant to an authorisation under another Act;
- designed to direct people to the open inspection of any land or building that is available for purchase or lease;
- related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ of writs for the election and ending at the close of polls on polling day;
- related to an election held under this Act or the Local Government (Elections) Act 1999 and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- the sign is of a prescribed class.

PART 3—ENFORCEMENT

12. *Removal of moveable signs*

- 12.1 A person must immediately comply with the order of an authorised person to remove a moveable sign made pursuant to section 227 (1) of the Act.
- 12.2 The owner of or other person entitled to recover a moveable sign removed by an authorised person pursuant to section 227 (2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign.
- 12.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
 - 12.3.1 if, in the opinion of an authorised person, and not withstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or

- 12.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

This by-law was duly made and passed at a meeting of the Wakefield Regional Council held on 26 May 2010, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. J. BARRY, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 5 of 2010—Dogs

A by-law to limit the number of dogs kept on premises and for the management and control of dogs in the Council area.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Dog By-law 2010 and is By-law No. 5 of the Wakefield Regional Council.

2. Authorising Law

This by-law is made under section 90 (5) of the Dog and Cat Management Act 1995, sections 238 and 246 of the Act and sections 667 (1), 9.XVI of the Local Government Act 1934, as amended.

3. Purpose

The objectives of this by-law are to control and manage dogs in the Council area:

- 3.1 to reduce the incidence of environmental nuisance caused by dogs;
- 3.2 to promote responsible dog ownership;
- 3.3 to protect the convenience, comfort and safety of members of the public; and
- 3.4 for the good rule and government of the Council area.

4. Commencement, Revocation and Expiry

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

- 4.1.1 By-law No. 5—Dogs.²

- 4.2 This by-law will expire on 1 January 2018.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. Application

- 5.1. This by-law operates subject to the Council's Permits and Penalties By-law 2010.
- 5.2. Subject to Clause 5.3, this by-law applies throughout the Council area.
- 5.3. Clauses 9.1.1 and 10.1.2 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with section 246 (3) (e) of the Act.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *approved kennel establishment* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis;

- 6.3 *children's playground* means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 3 m of such devices if there is no enclosed area);

- 6.4 *Council* means Wakefield Regional Council;

- 6.5 *detached dwelling*, *row dwelling* and *semi-detached dwelling* have the same meanings as in the Development Act 1993;

- 6.6 *dog* (except for in Clause 7.1) has the same meaning as in the Dog and Cat Management Act 1995;

- 6.7 *effective control* means a person exercising effective control of a dog either:

- 6.7.1 by means of a physical restraint; or

- 6.7.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;

- 6.8 *keep* includes the provision of food or shelter;

- 6.9 *premises* includes land, whether used or occupied for domestic or non-domestic purposes, except an approved kennel establishment;

- 6.10 *small dwelling* means a self-contained residence that is:

- 6.10.1 a residential flat building;

- 6.10.2 contained in a separate strata unit; or

- 6.10.3 on an allotment less than 400 m² in area,

- 6.11 *working dog* means a dog used principally for droving or tending livestock.

Note:

Section 14 of the Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-laws was made.

PART 2—LIMITS ON DOG NUMBERS

7. Limits on Dog Numbers in Private Premises

- 7.1 Subject to Clauses 7.3 and 7.5, a person must not, without the Council's permission keep:

- 7.1.1 in a township, more than one dog in a small dwelling;

- 7.1.2 in a township, more than two dogs in premises other than a small dwelling;

- 7.1.3 outside of a township, more than three dogs (other than working dogs).

- 7.2 For the purposes of Clause 7.1, 'dog' means a dog that is three months of age or older or, a dog that has lost its juvenile teeth.

- 7.3 Clause 7.1 does not apply to:

- 7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or

- 7.3.2 any business involving dogs provided that the business is registered in accordance with the Dog and Cat Management Act 1995.

- 7.4 The Council may require that premises which are the subject of an application for permission to keep additional dogs, must be inspected by an authorised person for the purpose of assessing the suitability of the premises for housing dogs.

- 7.5 No dog is to be kept on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where a dog may be effectively confined.

PART 3—DOG CONTROLS

8. Dog Exercise Areas

- 8.1 Subject to Clauses 9 and 10 of this by-law, a person may enter a park in the Council area for the purpose of exercising a dog under his or her effective control.

- 8.2 A person entering a dog exercise area designated by the Council must ensure that any dog under that person's control, charge or authority is under effective control at all times.

9. Dog on Leash Areas

- 9.1 A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an accredited guide dog, hearing dog or disability dog that is required to remain off-lead in order to fulfil its functions) to be or remain:

9.1.1 on Local Government Land or public place to which the Council has resolved that this subclause applies; and

9.1.2 on any park or reserve during times when organised sport is being played,

unless the dog is secured by a strong leash not exceeding 2 m in length which is either tethered securely to a fixed object capable of securing the dog or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

10. Dog Prohibited Areas

- 10.1 A person must not allow a dog under that person's control, charge or authority (except an accredited guide dog, hearing dog or disability dog) to enter or remain:

10.1.1 on any children's playground on Local Government Land;

10.1.2 on any other Local Government Land or public place to which the Council has determined that this subclause applies.

11. Dog Faeces

No person is to allow a dog under that person's control, charge or authority to be in a public place or on Local Government Land unless that person has in their possession a bag or other suitable container for the collection and lawful disposal of any faeces that the dog may deposit (for the purpose of complying with their obligation under section 45A (6) of the Dog and Cat Management Act 1995).

PART 4—ENFORCEMENT

12. Orders

- 12.1 If a person engages in conduct that is in contravention of this by-law, an authorised person may order that person:

12.1.1 if the conduct is still continuing—to stop the conduct; and

12.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.

- 12.2 A person must comply with an order under this clause.

- 12.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may recover its costs of any action so taken from the person to whom the order was directed.

- 12.4 However, an authorised person may not use force against a person under this section.

Note:

For example, an authorised person may order a person to:

- cease keeping more than the permitted number of dogs on that person's premises; or
- remove a dog from a dog prohibited area.

This by-law was duly made and passed at a meeting of the Wakefield Regional Council held on 26 May 2010, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. J. BARRY, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6 of 2010—Bird Scaring Devices

A by-law to regulate the use of bird scaring devices to prevent nuisances but at the same time enables land owners reasonable means by which to protect crops, and further encourages land owners and occupiers to use a wide range of bird control techniques.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Bird Scaring Devices By-law 2010 and is By-law No. 6 of the Wakefield Regional Council.

2. Authorising Law

This by-law is made under section 667 (1) 4.1 of the Local Government Act 1934, as amended, and section 246 of the Local Government Act 1999.

3. Purpose

The objectives of this by-law are to manage and regulate the use of bird scaring devices within the Council area:

3.1 to encourage landowners and occupiers to use a wide range of bird control techniques;

3.2 to prevent and mitigate nuisances;

3.3 to protect the convenience, comfort and safety of members of the public; and

3.4 for the good rule and government of the Council area.

4. Commencement, Revocation and Expiry

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 6—Bird Scaring Devices 2003.²

4.2 This by-law will expire on 1 January 2018.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. Application

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2010.

5.2 This by-law applies throughout the Council area.

6. Interpretation

In this by-law:

6.1 *Device* means any noise-generating device designed and used for the purpose of scaring birds and/or other animals from land.

6.2 *Activation* is:

6.2.1 For a gas gun, one discharge;

6.2.2 Noise emission from any electronic device/ 'tweeter' which does not exceed 30 seconds duration.

6.3 *Discharge* in the context of a gas gun is a single detonation of the gas gun.

6.4 *Flammable undergrowth* means grass, weeds and other flammable or potentially flammable growth.

6.5 *Horticulture* means the use of land for market gardening, viticulture, floriculture, orchards, wholesale plant nurseries or commercial turf growing.

- 6.6 *Management Plan* means a written plan of activities and strategies to deter birds from causing damage to produce on land.

PART 2—CONTROL OF BIRD SCARING DEVICES

7. *Prohibited Activities*

No person being the owner or occupier of land, shall for the purpose of scaring birds from the land, use or employ any mechanical or other device:

- 7.1 in such a manner as to be, in the opinion of the Council, an unreasonable nuisance or danger to any other person;
- 7.2 on Christmas Day or Good Friday; and
- 7.3 where the device is gas powered:
 - 7.3.1 unless the flammable undergrowth within a 4 m radius of the device is destroyed by cutting, slashing or utilising other means; and
 - 7.3.2 unless other flammable material within a 4 m radius of the device is removed.

8. *Activities Requiring Permission*

8.1 *General*

No person shall without permission:

- 8.1.1 activate a device unless it is operated as part of a Management Plan;
- 8.1.2 activate a device other than during the hours of 6 a.m. to 8.30 p.m.;
- 8.1.3 activate more than one device per 10 hectares of land under the ownership or control of that person;
- 8.1.4 activate a device other than within the confines of an area of the land used for the purposes of horticulture;
- 8.1.5 direct a device towards a dwelling other than that person's dwelling;
- 8.1.6 activate a device within 200 m of a public roadway without first placing notification on the boundary of the property and the public road of the existence of the device;
- 8.1.7 activate a device in a building or structure;
- 8.1.8 activate a device within 300 m of a residence (other than the persons residence);
- 8.1.9 activate a device within 600 m of a Residential or Rural Living Zone boundary, a childcare centre, school or hospital building.

8.2 *Gas Guns*

- 8.2.1 Discharge a gas gun at frequencies greater than five per hour.

8.3 *Electronic Devices*

- 8.3.1 Activate an electronic device for no greater than a 30 second duration.

9. *Marking of Devices*

- 9.1 Any person using a bird scaring device must ensure that the device is clearly marked with the owner's full name and 24 hour contact phone number(s).

PART 3—INTENTION TO USE A DEVICE

10. *Notification of Intention to use a Device*

- 10.1 Any person intending to operate a bird scaring device(s) must notify the Council of their intention to do so outlining:
 - 10.1.1 their name and address;
 - 10.1.2 the number of devices intended to be used;
 - 10.1.3 the type of each device; and
 - 10.1.4 the minimum distance from occupied neighbouring premises.

PART 4—ENFORCEMENT

11. *Notice*

- 11.1 Where there is a breach of any provision of this by-law the Council shall serve notice in writing on the owner or occupier of any land requiring that person to remove the device, and not to replace the device unless in full compliance with this by-law.
- 11.2 The person on whom the notice is served shall comply with the notice.
- 11.3 If the notice is not complied with, the Council shall carry out the requirements of the notice and may recover the cost of so doing from the person to whom the notice was directed.

12. *Exemption*

If an Environment Protection Order issued under Part 7 of the Environment Protection (Noise) Policy 2007 regulates any activities that are the subject of a permit granted by the Council pursuant to Clause 3 of this by-law, the Order prevails to the extent of any inconsistency.

This by-law was duly made and passed at a meeting of the Wakefield Regional Council held on 26 May 2010, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. J. BARRY, Chief Executive Officer

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

Avemarg, Helmut Heinz Otto, late of corner Seaford Road and Grand Boulevard, Seaford, retired driver, who died on 6 November 2009.

Bowden, Olga Karla, late of 3 Metcalfe Avenue, Modbury Heights, home duties, who died on 20 February 2005.

Jungvirt, Vaclav, late of Ward Belt Road, Buchfelde, retired motor mechanic, who died on 11 November 2009.

Laakso, Milka, late of 25 Roopena Street, Ingle Farm, retired cleaner, who died on 24 January 2010.

McLeod, Frances Innes, late of 7 Mona Vale Place, Annandale, Queensland, cleaner and carer, who died on 9 January 2009.

Morriss, Lyl Wilkin, late of 10 Recreation Parade, Semaphore Park, retired taxi driver, who died on 16 January 2010.

Mugge, Audrey, late of 81 Tapleys Hill Road, Hendon, of no occupation, who died on 11 January 2010.

Said, Yolanda Consolata, late of 25 Newton Street, Whyalla, of no occupation, who died on 19 January 2010.

Shone, Dorothy Elizabeth Mary, late of Centenary Avenue, Maitland Avenue, Maitland, retired telephonist, who died on 28 March 2009.

Ward, Gweneth May McDowell, late of Leighton Avenue, Klemzig, widow, who died on 24 January 2010.

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against any of the said estates are required to send, in writing, to the Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 2 July 2010, otherwise they will be excluded from the distribution of the said estates; 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 3 June 2010.

M. I. BODYCOAT, Public Trustee

ATTENTION

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

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