



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 17 NOVEMBER 2011

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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, 17 November 2011

HIS Excellency the Governor directs it to be notified for general information that he has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 42 of 2011—Railways (Operations and Access) (Access Regime Review) Amendment Act 2011. An act to amend the Railways (Operations and Access) Act 1997.

No. 43 of 2011—Criminal Law Consolidation (Child Pornography) Amendment Act 2011. An Act to amend the Criminal Law Consolidation Act 1935.

No. 44 of 2011—Natural Resources Management (Commercial Forests) Amendment Act 2011. An Act to amend the Natural Resources Management Act 2004.

By command,

I. K. HUNTER, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 17 November 2011

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the SafeWork SA Advisory Committee, pursuant to the provisions of the Occupational Health, Safety and Welfare Act 1986:

Member: (from 1 December 2011 until 30 November 2014)
Thomas Robin Phillips

Presiding Member: (from 1 December 2011 until 30 November 2014)
Thomas Robin Phillips

By command,

I. K. HUNTER, for Premier

MIR11/029CS

Department of the Premier and Cabinet
Adelaide, 17 November 2011

Erratum

IN *Government Gazette* dated 10 November 2011 on page 4431, Leon William Kennedy Bignell, MP, as Parliamentary Secretary to the Minister for Health and Ageing *should* read Leon William Kennedy Bignell, MP, as Parliamentary Secretary to the Minister for Health and Ageing.

DEVELOPMENT ACT 1993

BOWDEN URBAN VILLAGE AND ENVIRONS (INTERIM POLICY) DEVELOPMENT PLAN AMENDMENT

Prepared by the Minister for Public Consultation

NOTICE is hereby given that the Minister for Planning, pursuant to Sections 24 and 26 of the Development Act 1993, has prepared a Bowden Urban Village and Environs (Interim Policy) Development Plan Amendment (DPA) to amend the Charles Sturt Council Development Plan.

The DPA replaces the current District Centre and Industry Zones that apply over land identified at Bowden, Brompton and Hindmarsh for a transit-oriented development. It also amends the Industry Zone adjacent to the area affected to ensure any proposed industrial development has appropriate regard to the intended future use of the Bowden Urban Village site for a mix of land uses, including high density residential activities.

The policies in the DPA are aimed at ensuring development within and adjacent to the proposed Village site does not compromise the vision for the Village concept when consultation occurs on a separate DPA containing the detailed policy that will guide the land use and built form of the Village.

The DPA will be on public consultation from 17 November 2011 to 6 February 2012.

Copies of the DPA are available during normal office hours at the Department of Planning and Local Government, Level 5, 136 North Terrace, Adelaide and the offices of the City of Charles Sturt, 72 Woodville Road, Woodville.

The DPA can also be viewed on the Internet at www.sa.gov.au/planning/DPAs.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on 6 February 2012. Submissions should be addressed to:

The Presiding Member, Development Policy Advisory Committee, Bowden Urban Village and Environs (Interim Policy) DPA:

- c/o Department of Planning and Local Government;
- Post: G.P.O. Box 1815, Adelaide, S.A. 5001; or
- Email: dpac@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 7 February 2012 until the conclusion of the public meeting, and will also be available for viewing on the www.sa.gov.au/planning/DPAs website. A public meetings will be held at the James Alexander Room, Mercure Grosvenor Hotel, 125 North Terrace, Adelaide at 7 p.m. on 6 March 2012, 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 www.sa.gov.au/planning/DPAs 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 Steven Copus on telephone number 8303 0659 or via email at steven.copus@sa.gov.au.

S. UNDERWOOD, Secretary, Development Policy Advisory Committee

DEVELOPMENT ACT 1993

'CEDUNA KEYS' MARINA AND COMMUNITY CENTRE

Release of the Amendment to the Assessment Report

THE Minister for Planning advises that he has prepared an Amendment to the Assessment Report which assesses the environmental, social and economic impacts associated with amendments made to the previously approved proposal to establish commercial/recreational marina, waterfront residential canal estate and commercial, recreational and tourism uses at Ceduna.

The Report also contains the Ceduna Marina Development Company's response to public submissions and Government agency comments made on the Amendment to the Environmental Impact Statement that was on public exhibition from 9-31 January 2008.

Public Viewing

The Amendment to the Assessment Report can be viewed online or downloaded for free from 2 p.m. on Thursday, 17 November 2011 at the Department of Planning and Local Government website: www.sa.gov.au/planning/cedunamarina.

The Amendment to the Assessment Report will also be available for inspection at the following locations from the above date:

Department of Planning and Local Government (DPLG),
Public Counter,
Level 5,
136 North Terrace, Adelaide
Phone 8303 0724
Open—8.30 a.m. to 5 p.m. weekdays
District Council of Ceduna,
44 O'Loughlin Terrace,
Ceduna, S.A. 5690
Open—8.45 a.m. to 5 p.m. weekdays

Single copies of the Assessment Report are free of charge. Multiple copies cost \$10 per copy and can be purchased from the above addresses or by mail order for an extra \$6 (includes GST and postage) from DPLG (telephone (08) 8303 0724).

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF REGULATED TREES—DEVELOPMENT PLAN AMENDMENT

Notice by the Minister

PURSUANT to Section 28 (1) of the Development Act 1993, I, the Honourable John Rau, Minister for Planning, am of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the Regulated Trees Development Plan Amendment that the Development Plan Amendment should come into operation without delay.

I declare that the Development Plan Amendment will come into operation on an interim basis on the day in which this notice is published.

Dated 4 November 2011.

JOHN RAU, Deputy Premier and Minister for Planning

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF BOWDEN URBAN VILLAGE AND ENVIRONS (INTERIM POLICY)—DEVELOPMENT PLAN AMENDMENT

Notice by the Minister

PURSUANT to Section 28 (1) of the Development Act 1993, I, the Honourable John Rau, Minister for Planning, am of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'Bowden Urban Village and Environs (Interim Policy) Development Plan Amendment' that the Development Plan Amendment should come into operation without delay.

I declare that the Development Plan Amendment will come into operation on an interim basis on the day in which this notice is published.

Dated 10 November 2011.

JOHN RAU, Deputy Premier and Minister for Planning

DEVELOPMENT ACT 1993

REGULATED TREES DEVELOPMENT PLAN AMENDMENT

Prepared by the Minister for Public Consultation

NOTICE is hereby given that the Minister for Planning, pursuant to Sections 24 and 26 of the Development Act 1993, has prepared a Regulated Trees Development Plan Amendment (DPA) to amend the following Development Plans:

Adelaide (City)
Adelaide Hills Council
Burnside (City)
Campbelltown (City)
Charles Sturt Council
Gawler (CT)
Holdfast Bay (City)
Land Not Within a Council Area (Metropolitan)
Light Regional Council
Marion Council
Mitcham (City)
Mount Barker (DC)
Norwood, Payneham & St Peters (City)
Onkaparinga (City)
Playford (City)
Port Adelaide Enfield (City)
Prospect (City)
Salisbury (City)
Tea Tree Gully (City)
Unley (City)
Walkerville Council
West Torrens (CT)

The DPA proposes to introduce Development Plan policy guidance regarding:

- The circumstances under which removal of a regulated tree may be warranted.
- The circumstances under which tree-damaging activity in relation to a regulated tree may be warranted.

The DPA will be on public consultation from 17 November 2011 to 25 January 2012.

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

- The City of Adelaide Offices, Town Hall, 128 King William Street, Adelaide, S.A.
- The Adelaide Hills Council Offices, 26 Onkaparinga Valley Road, Woodside, S.A.
- The City of Burnside Offices, 401 Greenhill Road, Glenside, S.A.
- The City of Campbelltown Offices, 172 Montacute Road, Campbelltown, S.A.
- The City of Charles Sturt Offices, 72 Woodville Road, Woodville, S.A.
- The Town of Gawler Offices, 89 Murray Street, Gawler, S.A.
- The City of Holdfast Bay Offices, 24 Jetty Road, Brighton, S.A.
- The Light Regional Council Offices, 93 Main Street, Kapunda, S.A.
- The City of Marion Offices, 245 Sturt Road, Oaklands Park, S.A.
- The City of Mitcham Offices, 131 Belair Road, Torrens Park, S.A.
- The Mount Barker District Council Offices, 6 Dutton Road, Mount Barker, S.A.
- The City of Norwood, Payneham and St Peters Offices, 175 The Parade, Kent Town, S.A.
- The City of Onkaparinga Offices, Ramsey Place, Noarlunga Centre, S.A.
- The City of Playford Offices, 10 Playford Avenue, Davoren Park, S.A.
- The City of Port Adelaide Enfield Offices, 163 St Vincent Street, Port Adelaide, S.A.
- The City of Prospect Offices, 128 Prospect Road, Prospect, S.A.
- The City of Salisbury Offices, 12 James Street, Salisbury, S.A.
- The City of Tea Tree Gully Offices, 571 Montague Road, Modbury, S.A.
- The City of Unley Offices, 181 Unley Road, Unley, S.A.
- The Walkerville Council Offices, 66 Walkerville Terrace, Walkerville, S.A.
- The West Torrens Council Offices, 165 Sir Donald Bradman Drive, Hilton, S.A.

The DPA can also be viewed on the Internet at www.sa.gov.au/planning/dpas.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on 25 January 2011. Submissions should be addressed to:

The Presiding Member, Development Policy Advisory Committee Regulated Trees Development Plan Amendment:

- c/o Department of Planning and Local Government;
- Post: G.P.O. Box 1815, Adelaide, S.A. 5001; or
- Email: dpac@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 the conclusion of the public consultation period until the conclusion of the public meeting, and will also be available for viewing on the www.sa.gov.au/planning/dpas website.

The public meeting will be held on 17 February 2012 at 7 p.m. in the Graysons Room, Mercure Grosvenor Hotel, 125 North Terrace, Adelaide, 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 www.sa.gov.au/planning/dpas 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 Jason Bailey on telephone number 8303 0741 or via email at jason.bailey@sa.gov.au.

Dated 17 November 2011.

S. UNDERWOOD, Secretary, Development Policy Advisory Committee

DEVELOPMENT ACT 1993: SECTION 48

DECISION BY THE GOVERNOR

Preamble

1. The decision of the Governor under Section 48 of the Development Act 1993, to approve the development of the Ceduna Keys Marina and Community Centre near Ceduna, on the West Coast, was published in the *Gazette* on 15 December 2005.

2. The proposal has been the subject of an Environmental Impact Statement and an Assessment Report under Section 46 and 46B of the Development Act 1993.

3. On 13 December 2007, 22 October 2009 and 3 February 2011 the Development Assessment Commission, as delegate of the Governor under Section 48 of the Development Act 1993, granted approval for variations of the development authorisation which amongst other things provided that if development was not commenced by substantial work on the site by 15 December 2011 (within six years of the date of the original authorisation), the Governor may cancel the authorisation by written notice.

4. In December 2007 the Ceduna Marina Development Company Ltd, the company now having the benefit of the development authorisation, applied for an amendment to the development authorisation comprising a modified route for a realignment of the Eyre Highway, changes to associated roads, a new rail crossing, a new site for a relocation of the PIRSA Quarantine Inspection Station and new road access arrangements for the Denial Bay township, which matters had been reserved by the Governor pursuant to Section 48 (6) of the Development Act 1993, for further assessment.

5. On 9 January 2008 an Environmental Impact Statement Amendment for the development was published in accordance with Section 47 of the Development Act 1993.

6. I am satisfied that an appropriate Amended Environmental Impact Statement and an Amended Assessment Report have been prepared in relation to the proposed amendments to the Major Development, in accordance with Section 47, Division 2 of Part 4 of the Development Act 1993 and have had regard, when considering the proposed amendments, to all relevant matters under Section 48 (5) of the Development Act 1993.

I have decided to grant a variation to the provisional development authorisation for the proposed Major Development under Section 48 (7) and Section 48 (7a) of the Development Act 1993.

Decision

PURSUANT to Section 48 of the Development Act 1993 and with the advice and consent of the Executive Council, upon reaching a decision in respect of matters previously reserved for further assessment and having due regard to the matters set out in Section 48 (5) and all other relevant matters, I:

- (a) vary the provisional development authorisation granted to the Ceduna Keys Marina and Community Centre on 15 December 2005 and varied on 13 December 2007, 22 October 2009 and 3 February 2011 by:
 - (i) revoking all conditions of approval attached to the provisional development authorisation published in the *South Australian Government Gazette* on 3 February 2011;
 - (ii) attaching the conditions of approval set out in this notice below; and

- (iii) revoking the period specified for the purposes of Section 48 (11) (b) by notice in the *South Australian Government Gazette* on 3 February 2011 and specifying for the purposes of Section 48 (11) (b) the period of two years from the date hereof, as the time within which substantial work must be commenced on site, failing which I may cancel this authorisation;

- (b) continue to reserve my decision on the following matter pursuant to Section 48 (6) and Regulation 64 (1):

- (i) compliance with the Building Rules in relation to the staged construction of all built aspects of the proposed amended Major Development relating to building works (refer to Conditions and Notes to Proponent below); and

- (c) specify all matters relating to this provisional development authorisation as varied as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions attached.

CONDITIONS

1. Except where minor amendments may be required by other legislation, or by conditions imposed herein, the proposed Major Development shall be undertaken in strict accordance with the following:

- (a) Environmental Impact Statement, 'Ceduna Keys Marina and Community Centre Development', lodged by the Ceduna Marina Development Company, dated June 2005 (except to the extent that it may be varied by a subsequent document in this paragraph);
- (b) Response to Submissions, 'Response to Submissions: Ceduna Keys, Ceduna Keys Marina and Community Centre Development, Environmental Impact Statement', lodged by the Ceduna Marina Development Company, dated November 2005 (except to the extent that it may be varied by a subsequent document in this paragraph);
- (c) Assessment Report prepared by the Minister for Urban Development and Planning, dated December 2005 (except to the extent that it may be varied by a subsequent document in this paragraph);
- (d) Amended Environmental Impact Statement, 'Ceduna Keys EIS Amendment', lodged by the Ceduna Marina Development Company, dated January 2008 (except to the extent that it may be varied by a subsequent document in this paragraph);
- (e) Response to Submissions, 'Ceduna Keys Marina Development Environmental Impact Statement Amendment Response to Submissions', lodged by the Ceduna Marina Development Company, dated April 2008 (except to the extent that it may be varied by a subsequent document in this paragraph); and
- (f) Amendment to the Assessment Report prepared by the Minister for Planning, dated November 2011.

2. No building work shall be commenced on any stage or part of the proposed Major Development except with the approval in writing of the Governor, or any delegate of the Governor for the purpose of Section 48 (6) in respect of this provisional development authorisation.

3. No construction activities or building works shall commence until a Management, Maintenance and Monitoring Agreement between the Ceduna Marina Development Company and the District Council of Ceduna has been finalised to the reasonable satisfaction of the Development Assessment Commission.

4. No construction activities or building works shall commence until finalised plans, drawings, specifications and financial arrangements for the realignment of the Eyre Highway and associated roads and intersections have been completed to the reasonable satisfaction of the Department for Transport, Energy and Infrastructure and the Commonwealth Department for Infrastructure and Transport. The plans should include as a minimum the following:

- (i) allowances for the largest vehicles (i.e. B-triple trucks or road trains) and over-dimensional vehicles to meet the required horizontal and vertical alignment;

- (ii) design speeds in accordance with the Preliminary Design Road Safety Audit Report (dated November 2007);
- (iii) no direct access to the highway from allotments; and
- (iv) suitable road lighting between the new rail crossing and the Highway One Roadhouse/Motel.

5. No construction activities or building works shall commence until the applicant enters into a Developer Agreement with the Department for Transport, Energy and Infrastructure for all road works associated with the realignment of the Eyre Highway.

6. Road, drainage, footpath, cycleway, road lighting and intersection designs (i.e. engineering construction plans) shall be finalised in accordance with the requirements of the Department for Transport, Energy and Infrastructure and the District Council of Ceduna, prior to construction commencing. Road and drainage designs shall include water table levels, drainage inverts and pavement details to AUSTROADS, Australian (AS) and the Department for Transport, Energy and Infrastructure standards. Traffic control devices shall be designed and constructed in accordance with the Manual of Uniform Traffic Control Devices—AS 1742. The roads and drainage works shall be built in accordance with these designs.

7. All road works shall be designed and constructed to the reasonable satisfaction of the Department for Transport, Energy and Infrastructure, with all costs (including design, construction, project management and any road lighting or stormwater management upgrades required as a result of the development) being borne by the applicant.

8. The new rail crossing associated with the realignment of the Eyre Highway shall be designed and constructed to the reasonable satisfaction of the Department for Transport, Energy and Infrastructure and the Genesee & Wyoming Australia Pty Ltd.

9. No construction activities or building works shall commence until finalised plans, drawings, specifications and financial arrangements for the relocation of the PIRSA Quarantine Inspection Station have been completed to the reasonable satisfaction of the Department for Primary Industries and Resources SA, the Department for Transport, Energy and Infrastructure and the Commonwealth Department for Infrastructure and Transport. All costs associated with the relocation shall be borne by the applicant.

10. No construction activities or building works shall commence until finalised plans, drawings and specifications for the acoustic protection mound have been prepared to the reasonable satisfaction of the Environment Protection Authority and the Department of Planning and Local Government.

11. No construction activities or building works shall commence until a Site Preparation and Landscaping Plan for the acoustic protection mound and the whole of the site has been prepared to the reasonable satisfaction of the District Council of Ceduna and the Department of Planning and Local Government.

12. No construction activities or building works shall commence until a Noise Emission Management Plan for mitigating the impacts of noise generated by the Eyre Highway and railway line has been prepared to the reasonable satisfaction of the Environment Protection Authority and the Department of Planning and Local Government.

13. No construction activities or building works shall commence until a Vegetation Management Plan has been prepared to the reasonable satisfaction of the Native Vegetation Council and the Department of Planning and Local Government.

14. No construction activities or building works shall commence until a Construction Environmental Management and Monitoring Plan (CEMMP) has been prepared to the reasonable satisfaction of the Environment Protection Authority, the District Council of Ceduna and the Development Assessment Commission.

15. No construction activities or building works shall commence until a heritage survey to identify any Aboriginal Sites, Objects or Remains in the site area has been completed to the reasonable satisfaction of the Department of the Premier and Cabinet (Aboriginal Affairs and Reconciliation). Details of the applicant's Heritage Agreement and consultation with the relevant Aboriginal group shall be provided to the Department of the Premier and Cabinet (Aboriginal Affairs and Reconciliation) and the Department of Planning and Local Government. If it is established that construction activities or building works cannot

proceed without damaging, disturbing or interfering with Aboriginal Sites, Objects or Remains, then authorisation from the Minister for Aboriginal Affairs and Reconciliation, under Section 23 of the Aboriginal Heritage Act 1988, will be required.

16. No construction activities or building works shall commence until the Environment Protection Authority and an independent Environmental Auditor (Contaminated Land) have certified and approved the Site Contamination Management Plan to identify any soil or groundwater contamination that could affect the development. Additional investigations shall have been undertaken to assess the extent of soil and groundwater contamination at the proposed development site, soil investigations of the proposed entrance channel and potential impacts from off-site contamination on the proposed development.

17. No construction activities or building works shall commence until a Stormwater Management Plan, detailing the approach to the collection, storage, treatment and reuse of stormwater run-off for all components of the development during the operational phase of the development, has been prepared to the reasonable satisfaction of the Environment Protection Authority, the District Council of Ceduna and the Department of Planning and Local Government.

18. No construction activities or building works shall commence until an Environmental Management Implementation Management Plan (EMIP) has been completed, which shall meet the reasonable satisfaction of the Environment Protection Authority and the Department of Planning and Local Government.

19. Prior to the marina and waterways becoming operational, an Operational Environmental Management and Monitoring Plan (OEMMP) for the operational phase of the development must be prepared to the reasonable satisfaction of the Environment Protection Authority, the District Council of Ceduna and the Development Assessment Commission.

20. All contamination management or remediation works shall be undertaken in accordance with an approved Site Contamination Management Plan (as amended from time to time) and to the satisfaction of the Environment Protection Authority.

21. No construction activities or building works shall commence until designs for the proposed effluent disposal system for the development site and connection to the town's Community Wastewater Management Scheme are finalised to the reasonable satisfaction of the District Council of Ceduna.

22. The wastewater collection and treatment system shall be designed to ensure that the general obligations of the Environment Protection (Water Quality) Policy 2003 are met, and to ensure that effluent does not overflow or escape from drains, pipes, sumps, tanks, storage/treatment basins into any watercourse, or into stormwater drains which do not drain into the effluent collection, treatment and disposal system, except where the effluent complies with criteria in the above Policy.

23. All works and site activities shall be undertaken in accordance with the approved Construction Environmental Management and Monitoring Plan, Environmental Management Implementation Management Plan and Operational Environmental Management and Monitoring Plan.

24. The applicant shall establish minimum site levels of 3 m AHD (minimum floor levels of 3.25 m AHD) for areas within the development that are subject to wave run-up and minimum site levels of 2.70 m AHD (minimum floor levels of 2.95 m AHD) for areas that are not subject to wave run-up, as determined by a registered engineer.

25. Transport routes for the delivery of construction materials shall be selected to the reasonable satisfaction of the District Council of Ceduna.

26. Compaction specifications (certified by a registered engineer), to the reasonable satisfaction of the District Council of Ceduna, for the areas for residential allotments, commercial development, retail development, tourist development, car parks, public boat ramp and hardstand shall be submitted to the Department of Planning and Local Government.

27. Stockpiled soils shall be suitably managed to control dust emissions, erosion and weed infestation.

28. Armour rock used for breakwaters and revetments shall not be contaminated by fine sediment.

29. The applicant shall provide undergrounded public lighting, power supply, water supply and telephone supply to each allotment in accordance with, and to engineering design standard plans approved by the electricity, mains water and telephone public utility authorities.

30. The applicant shall ensure that there is no direct discharge of stormwater into the marina basins, waterways or marine environment for rainfall less than, and including, 1:20 year ARI events.

31. The land to be used for land-based allotments shall be formed to prevent stormwater flows entering into the waterways.

32. Undeveloped allotments shall be left in a neat and tidy condition, with soil surfaces stabilised to minimise erosion.

33. Drainage arrangements for existing roads and the railway line easement must not be altered unless agreed by the owner/operator of the road or railway line.

34. Sufficient land to accommodate a road reserve for future Eyre Highway duplication (60 m) and grade separation of the rail crossing shall be made available, set aside and transferred to the Crown (at no cost) to negate the need for future disruption and land acquisition.

35. Road, intersection and footpath designs shall include measures (including road lighting) for the safe movement of pedestrians and cyclists.

36. All buildings and structures shall be set-back a distance of 2 m from the top of waterway edge treatments (shall the construction of further coastal protection works be required in the future).

37. Appropriate navigational aids shall be erected in prominent locations, in consultation with the Department for Transport, Energy and Infrastructure, prior to use of the facility for boating purposes.

38. Further engineering designs for breakwaters, edge treatments and other waterway related structures, commercial and recreational moorings, boat refuelling facility and marine toilet pump-out/treatment facility shall be prepared and independently certified by a registered engineer, to the reasonable satisfaction of the Department for Transport, Energy and Infrastructure. A certificate as to the structural soundness of the proposed structures shall be submitted to the Department of Planning and Local Government, prior to the commencement of their construction.

39. Access systems for all floating boat moorings shall be capable of adjustment or be readily adaptable to projected long-term sea level rise and all marina mooring structures shall be designed in accordance with the Australian Standard AS3962—1991 Guidelines for Design of Marinas.

40. The boat refuelling dock and marine toilet pump-out facility shall be designed to meet the requirements of the EPA, the Department for Transport, Energy and Infrastructure and the Department of Health respectively.

41. The proponent shall ensure satisfactory oil spill and fire fighting facilities and contingencies, determined in consultation with the Department for Transport, Energy and Infrastructure and the Metropolitan Fire Service (MFS) and/or the Country Fire Service (CFS) respectively, are in place prior to commencement of operation of the marina.

42. The water contained in the marina basin must be kept to a quality appropriate for secondary contact recreation, public amenity and the maintenance of marine aquatic ecosystems, as stipulated from time to time by the ANZECC Australian Water Quality Guidelines for Fresh and Marine Waters.

43. The acoustic protection mound shall be designed and maintained to ensure stormwater run-off is suitably managed to minimize soil erosion and flooding, to provide public access and to result in noise levels from the Eyre Highway and railway that do not exceed:

- (a) 52 dB(A) between the hours of 7 a.m. and 10 p.m. measured and adjusted at the nearest existing residential property in accordance with the Environment Protection (Noise) Policy 2007.
- (b) 45 dB(A) between the hours of 10 p.m. and 7 a.m. measured and adjusted at the nearest existing residential property in accordance with the Environment Protection (Noise) Policy 2007.

(c) a short term typical maximum noise level of 60 dB(A) when measured at the nearest existing residential property.

44. The acoustic protection mound shall be planted with indigenous species and be constructed using suitable materials that are of a quality that would sustain the long-term growth of vegetation.

45. Landscaping and street scaping of the site shall commence prior to the issuing of Certificates of Title for each stage of the land division, and when established must be maintained in good health and condition at all times. A plant must be replaced if or when it dies or becomes seriously diseased within the first growing season after the plant dies or becomes seriously diseased. A weed control program shall also be implemented.

46. The District Council of Ceduna shall be given seven days notice, prior to the commencement of works, and be provided with the name and contact details of the person responsible for coordinating site works covered by this approval.

47. The applicant shall not commence the construction of Stages 6—11 until a Traffic Impact Assessment has been undertaken, to the reasonable satisfaction of the Department for Transport, Energy and Infrastructure and the District Council of Ceduna, to identify any road upgrades required for the intersection of the Eyre Highway, Kuhlmann Street and Poynton Street and for the Eyre Highway in the vicinity of the Ceduna Hospital.

48. The applicant shall not commence the construction of Stages 6—11 until all required road upgrades of the intersection of the Eyre Highway, Kuhlmann Street and Poynton Street and for the Eyre Highway in the vicinity of the Ceduna Hospital have been completed. The applicant shall enter into a Developer Agreement with the Department for Transport, Energy and Infrastructure that details the works required and the funding of works.

NOTES TO PROPONENT

1. Approvals will be required for all components of the development not hereby approved, including:

- the land division;
- the marina moorings and other marina facilities;
- the boat refuelling and boat effluent disposal facility;
- the installation of navigational aids;
- the community/cultural centre; and
- all residential, commercial, retail, tourist related and other buildings.

2. Further design and infrastructure/service plans (i.e. subject to separate applications to Council in the future) would be required should further development approval be sought for the community/cultural centre and for commercial, retail and tourist related buildings.

3. A decision on building rules compliance will only be made after a Building Rules assessment and certification has been undertaken and issued by the District Council of Ceduna, or a private certifier, in accordance with the provisions of the Development Act 1993 and after the Minister for Planning receives a copy of all relevant certification documentation, as outlined in Regulation 64 of the Development Regulations 2008.

4. Pursuant to Development Regulation 64, the proponent is advised that the District Council of Ceduna or private certifier conducting a Building Rules assessment must:

- (a) provide to the Minister a certification in the form set out in Schedule 12A of the Development Regulations 2008, in relation to the building works in question; and
- (b) to the extent that may be relevant and appropriate:
 - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12;
 - (ii) assign a classification of the building under these regulations; and
 - (iii) ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.

Regulation 64 of the Development Regulations 2008, provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Planning.

5. The District Council of Ceduna or private certifier undertaking Building Rules assessments must ensure that the assessment and certification are consistent with this provisional development authorisation (including any Conditions or Notes that apply in relation to this provisional development authorisation).

6. Should the proponent wish to vary the Major Development or any of the components of the Major Development, an application may be submitted, provided that the development application variation remains within the ambit of the Environmental Impact Statement, Assessment Report, Environmental Impact Statement Amendment and Amendment to the Assessment Report referred to in this provisional development authorisation. If an application variation involves substantial changes to the proposal, pursuant to Section 47 of the Development Act 1993, the proponent may be required to prepare an amended Environmental Impact Statement for public inspection and purchase. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and a decision made by the Governor pursuant to Section 48 of the Development Act 1993.

7. The design on the Eyre Highway realignment shall include a 60 m road reserve in order to accommodate future duplication. Sufficient land shall also be set aside for any future grade separation of the rail crossing. Final design must cater for the largest vehicles (i.e. B-triple trucks or road trains) and over-dimensional vehicles to meet the required horizontal and vertical alignment.

8. The design of the relocated PIRSA Quarantine Inspection Station shall meet all necessary operational, road safety, freight transport and occupational health and safety requirements for the facility. The facility shall also include a suitably sized stock yard for road trains and wash down area. The proponent would be responsible for construction of the facility, including the acquisition of land, provision of service infrastructure and native vegetation clearance approvals.

9. Pursuant to the Harbours and Navigation Act 1993, the District Council of Ceduna will need to enter into a licence agreement with the Minister for Transport over adjacent and subjacent land on terms acceptable to the Minister prior to the commencement of construction. Such agreement will require completion of the works to the satisfaction of the Minister, at which time the responsibility and control of the area will be transferred so as to minimise the Minister's ongoing responsibilities. It is currently anticipated that the transfers will be via a sales agreement pertaining to the reclaimed residential, tourist and commercial portions of the land, and undertakings by the Council to accept the groynes/breakwaters as reserve and the remaining area under long term lease.

10. The Construction Environmental Management and Monitoring Plan (CEMMP) shall cover the pre-construction and construction phases of the proposed Major Development and shall consolidate the proponent's previously submitted draft Construction Environmental Management Plan, Coastal Acid Sulphate Soils Management Plan, Soil Erosion and Drainage Management Plan, Spill Contingency Plan and Waste Management Plan. The matters to be addressed in the consolidated CEMMP shall include, but shall not be limited to, the management, mitigation, monitoring, and corrective actions/contingency plans of the following matters during each of these phases:

- dust and sediment control;
- odour emissions;
- surface and ground water management;
- site contamination;
- waste management (for all waste streams) and overall site clean up (including litter);
- chemical, oil, construction-related hazardous substances and fuel use and storage, and other materials that have the potential to contaminate stormwater (including emergency responses);
- noise emissions (including ongoing noise assessment and monitoring to ascertain the effectiveness of noise control measures);
- Aboriginal Heritage requirements in accordance with the Aboriginal Heritage Act 1988, commitments by the applicant and Heritage Agreement;

- vegetation clearance;
- introduced plants and animals;
- impacts on the marine environment (especially turbidity);
- visual impacts (including lighting);
- traffic management strategies;
- impacts on existing infrastructure (including ensuring that works do not compromise the safety and integrity of the Eyre Highway and the existing railway line);
- effect on existing infrastructure;
- impacts on adjacent land users;
- site security, fencing and safety and management of impacts on local amenity for residents, traffic and adjacent land users;
- periods and hours of construction and operation in accordance with Environment Protection Authority requirements;
- management of ongoing earthworks and construction (especially residential and commercial buildings); and
- community complaints register regarding the above matters.

11. The Operational Environmental Management and Monitoring Plan (OEMMP) shall cover the operational phase of the proposed Major Development and shall consolidate the proponent's previously submitted draft Operational Environmental Management Plan, Coastal Acid Sulphate Soils Management Plan, Soil Erosion and Drainage Management Plan, Spill Contingency Plan and Waste Management Plan. The matters to be addressed in the consolidated OEMMP shall include, but shall not be limited to, the management, mitigation, monitoring, and corrective actions/contingency plans of the following matters during each of these phases:

- dust and sediment control;
- surface and ground water management;
- stormwater management, including water-sensitive urban design measures and practices (especially for stormwater capture and reuse);
- waste management (for all waste streams) and overall site clean up (including litter);
- chemical, oil, hazardous substances, fuel use and storage, and management/emergency response plans (including spills of toxic materials from the Eyre Highway realignment);
- safe boating navigation;
- water based activities;
- sand accretion and deposition;
- seagrass wrack accumulation;
- coastal hazards (especially flooding);
- impacts on the coastal and marine environment;
- pest plant and animal species (both terrestrial and marine);
- odour emissions;
- noise emissions (including a monitoring program to ascertain the effectiveness of noise control measures);
- visual impacts (including lighting);
- street scaping, landscaping and revegetation;
- traffic management;
- public access;
- public safety;
- impacts on adjacent land users;
- control of land and water based activities;
- buildings and structures (including private moorings and fencing);
- periods and hours of building construction and operation; and
- community complaints register regarding the above matters.

The expression 'operational' is deemed to be when the marina and waterways are available for use by recreational or commercial vessels (excluding vessels used for construction).

12. The proponent's CEMMP and OEMMP should be prepared taking into consideration, and with explicit reference to, relevant EPA policies and guideline documents, including, but not limited to: the Environment Protection (Air Quality) Policy 1994, the Environment Protection (Water Quality) Policy 2003, the Occupational Health and Safety Regulations, EPA Guidelines on Odour Assessment, using odour source modelling 2007, EPA Handbook for Pollution Avoidance on Commercial and Residential Building Sites 2004, EPA Bunding and Spill Management Guidelines 2007 and the EPA Stormwater Pollution Prevention Codes of Practice, in addition to other legislative requirements and Guidelines/Australian Standards requiring compliance.

13. The following activities in relation to the components of the development hereby approved and/or requiring future approval will require licences under the Environment Protection Act 1993:

- Earthworks Drainage: the conduct of earthworks operations in the course of which more than 100 kilolitres of waste water containing suspended solids in a concentration exceeding 25 milligrams per litre is discharged directly or indirectly to marine waters or inland waters.
- Marinas and Boating Facilities: the conduct of:
 - (a) facilities comprising pontoons, jetties, piers or other structures (whether on water or land) designed or used to provide moorings or dry storage for 50 or more powered vessels at any one time; or
 - (b) works for the repair or maintenance of vessels with the capacity to handle five or more vessels at any one time or vessels 12 m or more in length.
- Dredging: removing solid matter from the bed of any marine waters by any digging or suction apparatus, but excluding works carried out for the establishment of a visual aid to navigation and any lawful fishing or recreational activity.

14. It is likely that as a condition of such licences the Environment Protection Authority will require the licensee to carry out specified environmental monitoring of water quality and to make reports of the results of such monitoring to it.

15. It is also likely that the Environment Protection Authority will require the identification to it of any vessels that visit the marina from international ports or from ports beyond Adelaide and the surrounding area, together with details of the routes travelled by such vessels (for the purpose of identifying the potential introduction of harmful marine species).

16. All works associated with the rehabilitation and remediation of the site must be undertaken in accordance with the General Environmental Duty as defined in Part 4, Section 25 (1) of the Environment Protection Act 1993, the Environment Protection (Water Quality) Policy 2003, and other relevant Environment Protection Policies made under Part 5 of the Environment Protection Act 1993, the ANZECC Best Practice Guidelines for Waste Reception Facilities at Ports, Marinas and Boat Harbours in Australia and New Zealand, draft guideline Environmental Management of On-Site Remediation and other relevant EPA publications and guidelines.

17. The proponent is advised of the General Environmental Duty under Section 25 of the Environment Protection Act 1993, which requires that a person must not undertake any activity, which pollutes, or may pollute; without taking all reasonable and practical measures to prevent or minimise harm to the environment.

18. The management plan for acid sulphate soils should comply with Guidelines issued by the Coast Protection Board.

19. The proponent is reminded of its obligations under the Aboriginal Heritage Act 1988, whereby any 'clearance' work, which may require permission to disturb damage or destroy Aboriginal Sites, must be undertaken with the full authorisation of the Minister for Aboriginal Affairs and Reconciliation, according to Section 23 of the Aboriginal Heritage Act 1988.

20. The proponent, and all agents, employees and contractors, such as construction crews, must be conversant with the provisions of the Aboriginal Heritage Act 1988, particularly the requirement to immediately contact the Department of the Premier and Cabinet (Aboriginal Affairs and Reconciliation) in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.

21. The proponent, and District Council of Ceduna after hand-over of infrastructure, must comply with the Public and Environmental Health Act 1987, in regard to the maintenance of suitable water quality within the marina basin and waterways (and any stormwater holding ponds) to protect public health and amenity.

22. Pedestrian and cyclist facilities must meet the requirements of the District Council of Ceduna Footpaths Strategic Links Plan 2008.

23. The expression 'secondary contact recreation' includes activities such as wading, boating and fishing in which some human contact with the water may occur, but in which the probability of bodily immersion or the intake of significant amounts of water is minimal.

24. If foreign vessels are allowed to berth in the marina the proponent would need to consult with Transport SA (Marine Safety Section) to address any requirements of the Australian Quarantine Inspection Service (AQIS) and Australian Customs Service.

25. The proponent must ensure that finalised plans, drawings, specifications and financial arrangements for the provision of an adequate water supply to the development site are to be prepared to the reasonable satisfaction of SA Water.

26. The proponent must ensure that arrangements for the expansion of the town's effluent lagoons to cater for the increased demand from the development (including the potential long-term demand from the possible residential, commercial, retail and tourist related uses), in relation to which the proponent and the District Council of Ceduna must enter a binding agreement, are to the reasonable satisfaction of the Environment Protection Authority and the Department of Health.

27. It is recommended that the proponent approach the District Council of Ceduna with a view to the Council enacting of by-laws to manage activities associated with:

- the entrance channel and waterways to ensure safe navigation and to protect water quality;
- the boat ramp, wash-down, slip-way and hardstand;
- the refuelling facility and marine toilet pump-out facility; and
- the residential development and reserves (including stormwater management devices).

28. The District Council of Ceduna will need to review and amend the zoning and policies in the relevant Development Plan to reflect any development approved by the Governor and for future assessment and decision-making for buildings and structures not part of this development authorisation.

29. Noise generated from the non-residential components of the development should not exceed:

- (a) 52 dB(A) between the hours of 7 a.m. and 10 p.m. measured and adjusted at the nearest existing residential property in accordance with the Environment Protection (Noise) Policy 2007.
- (b) 45 dB(A) between the hours of 10 p.m. and 7 a.m. measured and adjusted at the nearest existing residential property in accordance with the Environment Protection (Noise) Policy 2007.
- (c) a short term typical maximum noise level of 60 dB(A) when measured at the nearest existing residential property.

30. When preparing development plan policies for the marina site, the District Council of Ceduna will need to adopt the following EPA recommended noise criteria for the design of buildings used for residential or tourist accommodation that are potentially affected by noise impacts from the Eyre Highway and railway:

- (a) internal noise levels ranging from 30-40 dB(A) and 35-45 dB(A) for bedrooms and living areas respectively; and
- (b) indoor noise levels between 30-45 dB(A) for sleep disturbance.

31. When preparing development plan policies for the marina site, the District Council of Ceduna will need to consider the following design requirements for buildings used for residential or tourist accommodation that are affected by noise impacts from the Eyre Highway and railway:

- Use of separation, building orientation, sheds, continuous fencing and mounding to reduce noise levels outside of the residence.
- Locating noise sensitive spaces of the proposed residence away from the highway and railway (with the windows and openings directed away from the noise source) and less sensitive areas such as the kitchen, storage areas and laundry towards the noise source.
- Minimising the size and numbers of windows oriented towards the traffic noise source.
- Windows to noise sensitive spaces be closed during the night time.
- Replacing conventional pitched roof/eaves designs with flat roof/parapet designs.
- Using construction techniques that seal air gaps around doors and windows.
- Relocate conventional wall air vents to areas not facing the traffic noise source.
- Using solid core doors in conjunction with rubber seals and internal doors with rubber seals into habitable rooms to provide an 'acoustic air lock' arrangement.
- Using thicker window glass or double-glazing to noise sensitive spaces, such as bedrooms.
- Providing alternative means of ventilation for rooms where elements such as windows in the dwelling facade are to be closed to provide a minimum acoustic performance.

32. Land division creating allotments extending into the water over the sea bed need to negotiate tenure arrangements with the Minister for Transport. Current policy is that Freehold Title would not be granted if the seabed is alienated. Leasing arrangements are the standard form of tenure for private moorings.

33. It is unlikely that a land division will be approved unless provision is made for a set back distance of two metres from the top of the edge treatments (for the construction of coastal protection works if required in the future).

34. A common building scheme encumbrance or equivalent device for the purpose of ensuring compliance with design standards for residential and other buildings will be required at the land division stage.

35. Binding legal arrangements (e.g. easements, encumbrances, charge-back arrangements etc. as appropriate) as between the proponent and allotment owners must be put in place, prior to application to the Registrar General for the issue of new Certificates of Title, to ensure financial and management responsibilities related to the maintenance of edge treatments, the design and appearance of structures and the installation of future coast protection works are clearly allocated. These arrangements must be to the reasonable satisfaction of the Development Assessment Commission.

36. A Site Audit Report and Statement will be required to be completed by an Environmental Auditor (Contaminated Land) and submitted to the relevant planning authority, prior to the issue of Certificates of Title. The Site Audit Report and Statement should be presented to purchasers of allotments.

37. The Minister has a specific power to require testing, monitoring and auditing under Section 48C of the Development Act 1993.

Given under my hand at Adelaide, 17 November 2011.

KEVIN SCARCE, Governor

GEOGRAPHICAL NAMES ACT 1991

FOR PUBLIC CONSULTATION

Notice of Intention to Discontinue the Name and Boundary of a Place and to Alter the Boundary of Place

NOTICE is hereby given pursuant to the provisions of the above Act, that the Minister for Transport and Infrastructure seeks public comment on a proposal to discontinue the locality of **GREENWAYS LANDING** and to include the land into the locality of **NILDOTTIE**.

Copies of the plan showing the extent of the subject area can be viewed at:

- the office of the Surveyor-General, 101 Grenfell Street, Adelaide;
- the office of the Mid Murray Council; or
- www.landservices.sa.gov.au/1Online_Services/55Place_Names/

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

Dated 3 November 2011.

P. M. KENTISH, Surveyor-General, Department of Planning, Transport and Infrastructure

DTEI.2011/08833/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an estate in fee simple in that piece of land situated at Lot 100 Commercial Road, Edinburgh, S.A. 5011, being a portion of Allotment 100 in Deposited Plan No. 30657 comprised in Certificate of Title Volume 5079, Folio 544 and being the whole of the land delineated as Allotment 32 in the plan D87155 lodged in the Land Titles Office, subject to the existing easements created by T4457263 and TG7251999 respectively.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Lloyd Ioannou,
G.P.O. Box 1533,
Adelaide, S.A. 5001
Phone (08) 8343 2760

Dated 6 October 2011.

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

D. THOMAS, Manager, Transport Property
(Authorised Officer), Department of
Planning, Transport and Infrastructure

DTEI 2011/01645/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an unencumbered estate in fee simple in that piece of land situated at corner of Grand Junction and South Roads, Wingfield, being a portion of Allotment 25 in Deposited Plan No. 85932 comprised in Certificate of Title Volume 6074, Folio 894 and being the whole of the land numbered 28 on the plan numbered D88272 that has been lodged in the Lands Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Peter Lloyd,
G.P.O. Box 1533,
Adelaide, S.A. 5001
Phone (08) 8343 2780

Dated 14 November 2011.

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

D. THOMAS, Manager, Transport Property
(Authorised Officer), Department of
Planning, Transport and Infrastructure

DTEI 2010/15962/02

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

SOUTH AUSTRALIAN WATER CORPORATION (the 'Authority'), SA Water House, 250 Victoria Square, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an unencumbered estate in fee simple in Allotment 100 in Filed Plan 55725 in the area named Gulfview Heights, Hundred of Yatala being a Public Road and being the whole of the land comprised in Certificate of Title Volume 6086, Folio 322.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Jeff Hart,
SA Water Corporation,
250 Victoria Square,
Adelaide, S.A. 5000
Phone (08) 7424 1673

Dated 17 November 2011.

J. W. HART, Property Services Manager,
By Order of the Authority

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Nanakhon Pty Ltd as trustee for the Nanakhon Trading Trust has applied to the Licensing Authority for Entertainment Consent in respect of premises situated at 53 Grey Street, Mount Gambier, S.A. 5290 and known as Banana Tree Cafe.

The application has been set down for hearing on 19 December 2011 at 11.30 a.m.

Conditions

The following licence conditions are sought:

Monday to Thursday: 5 p.m. to midnight.

Friday and Saturday: 5 p.m. to 1 a.m. the following day.

Sunday: 5 p.m. to 10 p.m.

Maundy Thursday: 5 p.m. to midnight.

Christmas Eve: 5 p.m. to midnight.

Sunday Christmas Eve: 5 p.m. to 10 p.m.

New Year's Eve: 5 p.m. to 2 a.m. the following day.

Days preceding other Public Holidays: 5 p.m. to midnight.

Sundays preceding Public Holidays: 5 p.m. to 10 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: 12 December 2011).

The applicant's address for service is c/o P.O. Box 1719, Mount Gambier, S.A. 5290.

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, Chessers House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 14 November 2011.

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 M. & G. Investment Pty Ltd as trustee for Lyrics on Gouger Trust has applied to the Licensing Authority for a variation of Conditions of Licence in respect of premises situated at 1st Floor, 31-39 Gouger Street, Adelaide, S.A. 5000 and known as Lyrics on Gouger.

The application has been set down for hearing on 19 December 2011 at 11 a.m.

Conditions

The following licence conditions are to be deleted:

- Condition 2

From midnight until the last patron has left the premises a uniformed member of staff will ensure that any patron parked to the rear of the premises will leave quietly.

- Condition 10

When DJ entertainment is provided there will be a minimum of one security person at the licensed premises. From 11 p.m. there will be a minimum of one additional security person provided at the licensed premises.

- Condition 11

When DJ entertainment is provided, all patrons entering the premises will be scanned using a metal detector.

• Condition 12

The licensee, following consultation with the officer in charge of the Adelaide local service area, will use its best endeavours to maintain the security cameras currently in use in the premises to continuously capture activities in the licensed areas, at all times while the premises are trading under the licence. The security cameras and recording device installed will be of a quality approved by SAPOL and compatible with current microsoft windows operating systems. Recorded video footage will be retained for at least seven days, and will be supplied to a member of the police force as soon as practicable, upon request.

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: 12 December 2011).

The applicant's address for service is c/o Wallmans Lawyers, G.P.O. Box 1018, Adelaide, S.A. 5001 (Attention: Peter Hoban or Alex Bastian).

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, Chessers House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 14 November 2011.

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 Liam Van Pelt, Vanessa Michelle Robson and Andrew Ramsey have applied to the Licensing Authority for a Producer's Licence with responsible person exemption in respect of premises situated at 16 Weewanda Street, Glenelg South, S.A. 5045 and to be known as Faux Pas Wines.

The application has been set down for hearing on 19 December 2011 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 applicants at the applicants' address, at least seven days before the hearing date (viz: 12 December 2011).

The applicants' address for service is c/o Liam Van Pelt, 20 Albert Street, Clare, S.A. 5453.

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, Chessers House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 November 2011.

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 Vitozzi Pty Ltd as trustee for Vitozzi Family Trust has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 3 Upper Thames Street, Burra, S.A. 5417 and known as La Percora Nera (The Black Sheep).

The application has been set down for hearing on 19 December 2011 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: 12 December 2011).

The applicant's address for service is c/o 9 Upper Thames Street, Burra, S.A. 5417.

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, Chessers House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 November 2011.

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 Carol Elizabeth Dadds has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Shop 5 and 6, 39 Murray Street, Nuriootpa, S.A. 5355 and known as Sweet Blend.

The application has been set down for hearing on 6 December 2011 at 11.30 a.m.

Conditions

The following licence conditions are sought:

- To sell or supply liquor for consumption on the licensed premises to customers attending Sweet Blend, Hair and Beauty Salon.
- The hours sought in the application are Monday to Saturday 9 a.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 one day before the hearing date (viz: 5 December 2011).

The applicant's address for service is c/o Talbot Oliver Lawyers, G.P.O. Box 2569, Perth, W.A. 6000 (Attention: Jarrod Ryan).

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, Chessers House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 November 2011.

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 11 Eleven (SA) Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machines Licence in respect of premises situated at 58 Hindley Street, Adelaide, S.A. 5000 and known as Princes Berkeley.

The application has been set down for hearing on 13 December 2012 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 6 December 2011).

The applicant's address for service is c/o Kelly & Co., G.P.O. Box 286, Adelaide, S.A. 5001 (Attention: Dimitris Parhas).

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, Chessers House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 November 2011.

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 Copestick Murray Australia Pty Ltd has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 175 Fullarton Road, Dulwich, S.A. 5065 and known as Copestick Murray Australia.

The application has been set down for hearing on 20 December 2011 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: 13 December 2011).

The applicant's address for service is c/o Philip Marshall, 175 Fullarton Road, Dulwich, S.A. 5065.

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, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 10 November 2011.

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 BBQ Hill Chinese Restaurant Pty Ltd has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) and Extended Trading Authorisation in respect of premises situated at Shop 53-54 Mount Barker Shopping Centre, Mount Barker, S.A. 5251 and to be known as BBQ Hill Chinese Restaurant.

The application has been set down for hearing on 14 December 2011 at 11 a.m.

Conditions

The following licence conditions are sought:

- Approval under Section 34 (1) (c) to sell liquor for consumption by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- Extended Trading Authorisation is sought in relation to the abovementioned condition for the following day and time:

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: 7 December 2011).

The applicant's address for service is c/o Rinaldo D'Aloia, 208 Carrington 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, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 10 November 2011.

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 Bosmar Pty Ltd has applied to the Licensing Authority for a variation to Entertainment Consent in respect of premises situated at 20 Robert Street, Maitland, S.A. 5573 and known as Yorke Valley Hotel.

The application has been set down for hearing on 19 December 2011 at 10 a.m.

Conditions

The following licence conditions are sought:

- Variation to Entertainment Consent to include Area 4 as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 12 December 2011).

The applicant's address for service is c/o Steven Marks, Yorke Valley Hotel, 20 Robert Street, Maitland, S.A. 5573.

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, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 10 November 2011.

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 Jen Hanna has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 44 High Street, Willunga, S.A. 5172 and known as La Terre Cafe.

The application has been set down for hearing on 8 December 2012 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: 1 December 2011).

The applicant's address for service is c/o Jen Hanna, 44 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, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 October 2011.

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 Anne Hastwell and Phil Harris trading as Cafe Troppo has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 42 Whitmore Square, Adelaide, S.A. 5000 and to be known as Cafe Troppo.

The application has been set down for hearing on 14 December 2011 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: 7 December 2011).

The applicant's address for service is c/o Phil Harris, 33 Gilberton Street, Gilberton, S.A. 5081.

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, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 9 November 2011.

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 Arriba Restaurant Group Pty Ltd has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 78B Prospect Road, Prospect, S.A. 5082 and to be known as Arriba Grill.

The application has been set down for hearing on 13 December 2011 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 6 December 2011).

The applicant's address for service is c/o James Peebles, 78B Prospect Road, 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, Chessers House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 9 November 2011.

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 Bocce Club Incorporated has applied to the Licensing Authority for a Club Licence in respect of premises situated at Park Road, McLaren Vale, S.A. 5171 and known as McLaren Vale Bocce Club.

The application has been set down for hearing on 12 December 2011 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 5 December 2011).

The applicant's address for service is c/o Martin Lightfoot, P.O. Box 328, 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, Chessers House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 8 November 2011.

Applicant

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2011

	\$		\$
Agents, Ceasing to Act as	45.50	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	30.25
Incorporation.....	23.00	Discontinuance Place of Business.....	30.25
Intention of Incorporation	57.00	Land—Real Property Act:	
Transfer of Properties.....	57.00	Intention to Sell, Notice of.....	57.00
Attorney, Appointment of.....	45.50	Lost Certificate of Title Notices.....	57.00
Bailiff's Sale.....	57.00	Cancellation, Notice of (Strata Plan)	57.00
Cemetery Curator Appointed	33.75	Mortgages:	
Companies:		Caveat Lodgement.....	23.00
Alteration to Constitution.....	45.50	Discharge of.....	24.10
Capital, Increase or Decrease of.....	57.00	Foreclosures.....	23.00
Ceasing to Carry on Business.....	33.75	Transfer of	23.00
Declaration of Dividend.....	33.75	Sublet.....	11.60
Incorporation.....	45.50	Leases—Application for Transfer (2 insertions) each	11.60
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each	33.75
First Name.....	33.75	Licensing	67.50
Each Subsequent Name	11.60	Municipal or District Councils:	
Meeting Final	38.00	Annual Financial Statement—Forms 1 and 2.....	636.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20	452.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name.....	90.50
First Name.....	45.50	Each Subsequent Name	11.60
Each Subsequent Name	11.60	Noxious Trade	33.75
Notices:		Partnership, Dissolution of	33.75
Call.....	57.00	Petitions (small).....	23.00
Change of Name	23.00	Registered Building Societies (from Registrar-General).....	23.00
Creditors.....	45.50	Register of Unclaimed Moneys—First Name	33.75
Creditors Compromise of Arrangement.....	45.50	Each Subsequent Name	11.60
Creditors (extraordinary resolution that 'the Com-		Registers of Members—Three pages and over:	
pany be wound up voluntarily and that a liquidator		Rate per page (in 8pt).....	289.00
be appointed')	57.00	Rate per page (in 6pt).....	382.00
Release of Liquidator—Application—Large Ad.	90.50	Sale of Land by Public Auction	57.50
—Release Granted	57.00	Advertisements	3.20
Receiver and Manager Appointed	52.50	¼ page advertisement.....	135.00
Receiver and Manager Ceasing to Act.....	45.50	½ page advertisement.....	270.00
Restored Name	42.50	Full page advertisement	529.00
Petition to Supreme Court for Winding Up	79.00	Advertisements, other than those listed are charged at \$3.20 per	
Summons in Action	67.50	column line, tabular one-third extra.	
Order of Supreme Court for Winding Up Action	45.50	Notices by Colleges, Universities, Corporations and District	
Register of Interests—Section 84 (1) Exempt	102.00	Councils to be charged at \$3.20 per line.	
Removal of Office	23.00	Where the notice inserted varies significantly in length from	
Proof of Debts	45.50	that which is usually published a charge of \$3.20 per column line	
Sales of Shares and Forfeiture.....	45.50	will be applied in lieu of advertisement rates listed.	
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17-32	3.70	2.30	513-528	39.50	38.25
33-48	4.85	3.45	529-544	41.00	39.50
49-64	6.10	4.70	545-560	42.00	41.00
65-80	7.10	5.90	561-576	43.00	42.00
81-96	8.30	6.85	577-592	44.50	42.50
97-112	9.45	8.10	593-608	45.75	44.00
113-128	10.60	9.30	609-624	46.50	45.50
129-144	11.80	10.50	625-640	47.75	46.00
145-160	13.00	11.60	641-656	49.00	47.75
161-176	14.10	12.80	657-672	49.75	48.25
177-192	15.40	13.90	673-688	51.50	49.75
193-208	16.60	15.30	689-704	52.50	50.50
209-224	17.50	16.20	705-720	53.50	52.00
225-240	18.70	17.30	721-736	55.00	53.00
241-257	20.10	18.30	737-752	55.50	54.00
258-272	21.20	19.40	753-768	57.00	55.00
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353-368	27.75	26.75	849-864	64.00	62.50
369-384	29.25	27.75	865-880	65.50	64.00
385-400	30.50	29.00	881-896	66.00	64.50
401-416	31.75	30.00	897-912	67.50	66.00
417-432	33.00	31.50	913-928	68.00	67.50
433-448	34.00	32.75	929-944	69.00	68.00
449-464	34.75	33.50	945-960	70.00	68.50
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LOCAL GOVERNMENT ACT 1999**NORTHERN ADELAIDE WASTE MANAGEMENT AUTHORITY—
REGIONAL SUBSIDIARY***Charter—February 2011***1. INTRODUCTION**

This Charter governs the affairs of the Northern Adelaide Waste Management Authority (referred to in this Charter as ‘the Authority’) a regional subsidiary established pursuant to Section 43 of the Local Government Act 1999 (‘the Act’).

2. CONSTITUENT COUNCILS

The Authority has been established by the City of Playford, the Town of Gawler and the City of Salisbury (Constituent Councils), which comprise the Northern Adelaide Region of Local Government (“the Region”).

The Constituent Councils have resolved to work together through the Authority to facilitate waste management within the Region.

The Authority is subject to the joint direction of the Constituent Councils.

The establishment of the Authority does not derogate from the power of the Constituent Councils to themselves act in a matter.

3. LOCAL GOVERNMENT ACT

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

4. ABOUT THIS CHARTER

4.1 This Charter is the charter of the Authority

4.2 This Charter binds the Authority and each Constituent Council.

4.3 Despite any other provision in this Charter:

4.3.1 if the Act prohibits a thing being done, the thing may not be done;

4.3.2 if the Act requires a thing to be done, authority is given for that thing to be done; and

4.3.3 if a provision of this Charter is or becomes inconsistent with the Act, that provision must be read down or failing that severed from this Charter to the extent of the inconsistency.

4.4 This Charter may not be amended except as all the Constituent Councils may agree by each passing a resolution in the same terms. An amendment is not effective unless and until published in the *Gazette*.

4.5 The Constituent Councils may review this Charter at any time, but must in any event review this Charter at least once in every 4 years.

5 OBJECTS AND PURPOSE

The Authority is established to:

- 5.1 provide kerbside waste management collection services to the Constituent Councils;
- 5.2 receive and dispose or market waste and recyclables collected from within the Region;
- 5.3 receive and dispose or market waste and recyclables collected from outside the Region;
- 5.4 operate and maintain the Waste Processing Facility at Elizabeth West, South Australia;
- 5.5 operate and maintain the Baled Landfill Facility at Uleybury, South Australia;
- 5.6 undertake regional promotions and education on the principles of the nationally accepted waste management hierarchy to be expanded to councils outside the Region on approval of the Board;
- 5.7 provide customer service to Constituent Councils and residents on all waste management issues to be expanded to councils outside the Region on approval of the Board;
- 5.8 advance the optional use of waste materials as a potential resource for the achievement of the highest net benefit to the Constituent Councils;
- 5.9 oversee infrastructure requirements of local government in establishing, processing and resource recovery operations as appropriate;
- 5.10 proactively manage its business in a competitive and changing environment;
- 5.11 provide a forum for discussion and/or research for the ongoing improvement of management of waste;
- 5.12 associate, collaborate and work in conjunction with other local government bodies for the advancement of matters of common interest; and
- 5.13 be financially self-sufficient.

and in so doing will give due weight to economic, social and environmental considerations.

6 POWERS

- 6.1 The Authority is constituted as a body corporate under the Act and in all things acts through the Board.
- 6.2 Subject to Clause 6.3 the Authority has:
 - 6.2.1 the power to acquire, deal with and dispose of real and personal property (wherever situated) and rights in relation to real and personal property;
 - 6.2.2 the power to sue and be sued in its corporate name;
 - 6.2.3 the power to enter into any kind of contract or arrangement;
 - 6.2.4 the power to return surplus funding revenue to Constituent Councils in such proportions as the Board considers appropriate at the end of any financial year either by way of cash payment or reduction of annual contribution;
 - 6.2.5 the power to set aside surplus revenue for future capital expenditure;
 - 6.2.6 the power to invest funds provided that in doing so it takes into account Part 4 of Chapter 9 of the Act; and
 - 6.2.7 the power to do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.

6.3 The Authority may enter into any contract arrangement or other transaction provided that it is within an approved budget and the Business Plan. Any contract arrangement or other transaction which will incur expenditure by the Authority in excess of \$100 000 and which is not referred to in an approved budget and Business Plan requires the unanimous approval of the Constituent Councils.

6.4 The Authority may operate an overdraft facility as approved by the Constituent Councils.

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

7 BOARD OF MANAGEMENT

7.1 Functions of the Board

- 7.1.1 The formulation of strategic plans including a Long Term Financial Plan and strategies aimed at facilitating the fulfillment of the objects and purpose of the Authority and improving the activities of the Authority.
- 7.1.2 To provide professional input and policy direction to the Authority.
- 7.1.3 Monitoring, overseeing and evaluating the performance of the Executive Officer of the Authority.
- 7.1.4 Ensuring that ethical behavior and integrity is established and maintained by the Authority and its Board Members in all activities undertaken by the Authority.
- 7.1.5 Subject to Clause (7.4.13) ensuring that the activities of the Authority are undertaken in an open and transparent manner.
- 7.1.6 The preparation and development of Business Plans to be considered in consultation with the Constituent Councils.
- 7.1.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

7.2 Membership of the Board

- 7.2.1 Each of the Constituent Councils will appoint three persons to the Board which persons must have skills and/or knowledge in any of the following :

- a) marketing / public relations
- b) finance
- c) legal / governance
- d) business; and
- e) the local community

Each Constituent Council Chief Executive Officer or their delegate will meet to collectively discuss their nominees, prior to final appointment for the purpose of ensuring that the required skill set is satisfied.

7.2.2

- a) Subject to 7.2.2(b) and (c) Members of the Board shall be entitled to a sitting fee as determined by the Board.
- b) Any elected members appointed to the Board are not entitled to a sitting fee by virtue of their allowances paid pursuant to Chapter 5 of the Act.
- c) Any Council employees appointed to the Board are not entitled to a sitting fee.

7.2.3 Each Constituent Council shall appoint a deputy or deputies (to a maximum of three) for their Board members.

7.2.4 An Instrument of Appointment signed by the Chief Executive Officer of the appointing Constituent Council is sufficient evidence of an appointment.

7.2.5 There will be a Chairperson of the Board elected by ballot of the Board for a two year period.

7.2.6 There will be a Deputy Chairperson of the Board elected by ballot of the Board for a two year period.

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

7.3 Term of Office—The Board

7.3.1 Subject only to the following sub-clauses, the term of office of each member of the Board will be determined by the Constituent Council appointing the member.

7.3.2 The term of office of a member of the Board who is not an elected member ceases upon the appointing Constituent Council providing written notice to the Board, or upon the happening of any other event through which the member would be ineligible to remain as a member of the Board.

*(*See Clause 20, Part 2 of Schedule 2)*

7.3.3 The Board may by a two third majority vote of the members present (excluding the member subject to this clause) make a recommendation to the Constituent Council responsible for the appointment of the member requesting that it terminate the appointment of the member in the event of:

- a) any behavior of the member which in the opinion of the Board amounts to impropriety;
- b) serious neglect of duty in attending to the responsibilities of a member of the Board;
- c) breach of fiduciary duty to the Board or a Constituent council;
- d) breach of the duty of confidentiality to the Board and the Constituent Council;
- e) breach of the conflict of interest rules of the Board; or
- f) any other behavior which may discredit the Board.

7.3.4 The Constituent Council which appointed the member whose term of office has become vacant will be responsible to appoint the replacement member.

7.4 Meetings of the Board

- 7.4.1 Subject to 7.4.2 the Board has the power to determine its meeting procedures.
- 7.4.2 However, the provisions of Part 2 of the Local Government (Procedures at Meetings) Regulations 2000 shall, insofar as the same may be applicable and not inconsistent with this Charter or meeting procedures set by the Board apply to the proceedings at and conduct of all meetings of the Board.
- 7.4.3 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the Deputy Chair shall preside. In the event of the Chair and Deputy Chair being absent from a meeting, the Board members present shall appoint a member from amongst them, who shall preside for that meeting or until the Chair or Deputy Chair is present.
- 7.4.4 Subject only to the special provisions of this clause, no meeting of the Board will commence until a quorum of members is present and no meeting may continue unless there is a quorum of members present. A quorum of members is five members of the Board.
- 7.4.5 For the purpose of this clause, the contemporary linking together by a telephone, audio-visual or other instantaneous means ("*telecommunication meeting*") of a number of members of the Board provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board members taking part in the telecommunications meeting must be able to hear and be heard by each of the other Board members present. At the commencement of the meeting, each Board member must announce his/her presence to all other Board members taking part in the meeting. A Board member must not leave a telecommunication meeting by disconnecting his/her telephone, audio visual or other communication equipment, unless that Board member has previously notified the Chairperson of the meeting.
- 7.4.6 In the event that there is not a quorum present at two consecutive meetings of the Board, then an extraordinary meeting of the Board may be convened in the same manner as for a special meeting (see Clause 7.4.10), at which the business which was on the agendas for the two previous but failed meetings may be transacted at the extraordinary meeting of the Board where the requirement for a quorum is that there be at least one member representing each of the Constituent Councils in attendance. Decisions made at such a meeting will be binding on all members of the Board and the Constituent Councils.
- 7.4.7 Subject only to any specific requirement of this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the members present and entitled to vote on the matter. All members present and entitled to vote on a matter are required to cast a vote. All members are entitled only to a deliberative vote. Board members may not vote by proxy.
- 7.4.8 In the event of equality of votes, the Chairperson will not have a casting vote and the matter will be deemed to have lapsed and may at some later time (including at the same meeting) be reconsidered.

- 7.4.9 Meetings of the Board will be held at such time and such place as the Board decides subject only to the requirement that there will be at least one meeting in every two calendar months.
- 7.4.10 A special meeting of the Board may be held at any time and may be called at the request of the Chairperson or at the written request of three members of the Board representing all of the Constituent Councils. The request for a special meeting must be accompanied by the agenda.
- 7.4.11 Notice of all meetings will be given in accordance with the provisions applicable to a committee meeting under Part 2 of Chapter 6 of the Act and any associated regulations.
- 7.4.12 The Executive Officer may indicate on a document (Agenda) or report provided to Board Members that any information or matter contained in or arising from the document/report is confidential until such time as the Board determines whether the document/report will be considered in confidence under Clause 7.4.13
- 7.4.13 The Board may order that the public be excluded from attendance at any meeting in order to enable the Board to consider any information or matter listed in Section 90 (3) of the Act (after taking into account any relevant consideration under that sub-section).
- 7.4.14 All Board members must keep confidential all documents and any information provided to them on a confidential basis for their consideration prior to a meeting of the Board.
- 7.4.15 The Board must ensure that accurate written minutes of its proceedings are kept and are produced for verification at the subsequent meeting of the Board. The Minutes must be prepared and distributed to Board Members and Constituent Councils within 5 business days of the meeting to which they relate.
- 7.4.16 Subject to Clause 7.4.18 a person is entitled to inspect, without payment of a fee:
- a) minutes of a Board meeting;
 - b) reports received by the Board meeting;
 - c) recommendations presented to the Board in writing and adopted by resolution of the Board.
- 7.4.17 Subject to Clause 7.4.18, a person is entitled, on payment to the Board of a fee fixed by the Board, to obtain a copy of any documents available for inspection under Clause 7.4.16.

- 7.4.18** Clauses 7.4.16 and 7.4.17 do not apply in relation to a document or part of a document if:
- a) the document or part of the document relates to a matter of a kind considered by the Board in confidence under clause 7.4.13; and
 - b) the Board orders that the document or part of the document be kept confidential (provided that in so ordering the Board must specify the duration of the order or the circumstances in which it will cease to apply or a period after which it must be reviewed).

7.5 Governance Issues for Members of the Board

- 7.5.1** The principles regarding conflict of interest prescribed in the Act apply to all members of the Board as if they were elected members of a Council.
- 7.5.2** The members of the Board are not required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 7.5.3** The members of the Board will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the Board as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Part 2 of Schedule 2 to the Act.
- 7.5.4** The Board must prepare and adopt and thereafter keep under review policies on:
- 7.5.4.1** contracts and tenders, as would conform to Section 49 of the Act;
 - 7.5.4.2** a code of conduct to be observed by Board members;
 - 7.5.4.3** Governance including as concerns:
 - (a) the operation of any account with a bank or Local Government Finance Authority;
 - (b) human resource management;
 - (c) improper assistance to a prospective contract party;
 - (d) improper offering of inducements to Board members or staff of the Authority;
 - (e) improper lobbying of Board members or staff of the Authority.
 - 7.5.4.4** Occupational Health and Safety
 - 7.5.4.5** Protection of the environment.

8 ADMINISTRATIVE MATTERS

- 8.1** There will be an Executive Officer of the Authority appointed by the Board on terms and conditions to be determined by the Board.
- 8.2** The Executive Officer will be responsible to the Board including for but not limited to the following:
- 8.2.1** ensuring that the policies and lawful decisions of the Authority are implemented in a timely manner;
 - 8.2.2** the efficient and effective management of the operations and affairs of the Authority;
 - 8.2.3** providing advice and reports to the Board on the exercise and performance of the Authority's powers and functions;

- 8.2.4 giving effect to the principles of human resource management generally applicable within the local government industry.
- 8.3 The Executive Officer has such powers, functions and duties prescribed by this clause and as determined necessary by the Board from time to time to ensure the efficient and effective management of the operations and affairs of the Authority. The function of the Executive Officer include, but are not limited to, those outlined in Section 99 of the Local Government Act 1999.
- 8.4 The Board may authorise the Executive Officer to employ such other officers on its behalf as are required for the efficient and effective management of the operations and affairs of the Authority.
- 8.5 In the absence of the Executive Officer for any period exceeding one week an acting Executive Officer will be appointed by the Executive Officer or in his absence by the Board.
- 8.6 The Board may engage professional consultants and it may authorise the Executive Officer to engage professional consultants to provide services to the Authority to ensure the proper execution of its decisions, the efficient and effective management of the operations and affairs of the Authority, and for giving effect to the general management objectives and principles of personal management prescribed by this Charter.

9 DELEGATIONS

As a matter of record, Schedule 2, clause 36 of the Act vests a power of delegation in the Authority. However, the Board may not delegate the following powers or functions:

- 9.1.1 the power to impose charges,
- 9.1.2 the power to enter into transactions in excess of \$100 000 which are not authorised in the Business Plan,
- 9.1.3 the power to borrow money or obtain any other form of financial accommodation which is not authorised in the Business Plan,
- 9.1.4 the power to approve expenditure of money on the work, services or operations of the Authority not set out in a budget approved by the Authority or, where required by this Charter, approved by the Constituent Councils,
- 9.1.5 the power to approve the reimbursement of expenses of payment of allowances to members of the Board,
- 9.1.6 the power to adopt or revise an approved budget,
- 9.1.7 the power to adopt or revise financial estimates or reports, and
- 9.1.8 the power to make any application or recommendation to the Minister.

10 FINANCIAL CONTRIBUTIONS TO THE AUTHORITY

- 10.1 The Board will be responsible to provide the Constituent Councils with sufficient information for each of them to ascertain the level of and understand the reasons behind the funding required in the next financial year. This will be achieved through the Business Plan and the annual budget.

- 10.2** Subject to Clause 10.1 the Board will determine annually the funds required by the Authority to enable it to function. Subject to the Constituent Councils unanimously approving the annual budget, the Constituent Councils shall contribute the funds requested by the Board in the annual budget. The Board may during any year determine that additional funds are required for the continuing function of the Authority. The Board must gain agreement from the Constituent Councils regarding the need for additional funds before the Constituent Councils will be obliged to meet any request for additional funds.
- 10.3** The annual contribution will be paid by each Constituent Council in advance by monthly instalments.
- 10.4** Additional contributions (if any) will be paid by each Constituent Council in the manner and at the time determined by the Board.
- 10.5** The Board is accountable to each Constituent Council to ensure that the Authority functions in accordance with its business plan and approved budgets.

11 BUDGETS

- 11.1** The Authority must prepare a budget for each financial year.
- 11.2** The budget must:
- 11.2.1** deal with each principal activity of the Authority on a separate basis;
 - 11.2.2** be consistent with and account for activities and circumstances referred to in the Authority's business plan;
 - 11.2.3** be submitted in draft form to each Constituent Council for approval before 31 March;
 - 11.2.4** not be adopted until after 31 May but before 30 September; and
 - 11.2.5** identify the amount of and the reasons for the financial contributions to be made by each Constituent Council to the Authority.
- 11.3** The Authority must provide a copy of its budget to each Constituent Council within 5 business days after adoption

(See Clause 25, Part 2, Schedule 2 to the Act for the contents of the Budget.)

12 BUSINESS PLAN

- 12.1** The Authority shall have a Business Plan that continues in force for the period specified in the plan or until the earlier adoption by the Authority of a new Business Plan.
- 12.2** The Authority must, in consultation with the Constituent Councils, review its Business Plan on an annual basis.
- 12.3** The Authority may, after consultation with the Constituent Councils, amend its Business Plan at any time.
- 12.4** The Business Plan must set out to include:
- 12.4.1** the performance targets that the Authority is to pursue,
 - 12.4.2** a statement of the financial and other resources, and internal processes, that will be required to achieve the Authority's performance targets; and
 - 12.4.3** the performance measures that are to be used to monitor and assess performance against targets.

(See clause 24, Part 2, Schedule 2 for the content of the Business Plan).

13 SERVICE AGREEMENT

Where required, by agreement of all three Constituent Councils, the Authority will enter into a service agreement with each of the Constituent Councils in a form and upon terms and conditions agreed by the Constituent Councils.

14 AUDIT

14.1 The Authority shall appoint an auditor in accordance with the Local Government (Financial Management) Regulations 2011, on terms and conditions set by the Board.

14.2 The auditor will have the same powers and responsibilities as set out in the Local Government Act 1999, in relation to a Council.

14.3 The audit of Financial Statements of the Authority, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Constituent Councils.

14.4 The books of account and financial statements shall be audited at least once per year.

14.5 The Authority must establish an audit committee.

(See Clause 30, Part 2, Schedule 2 for the functions of the Audit Committee).

15 FINANCIAL MANAGEMENT

15.1 The Authority shall keep its financial statements in accordance with the requirements of the Local Government (Financial Management) Regulations 2011.

15.2 The Authority must reconsider its budget between 30 September and 31 May (inclusive) in each Financial Year as required by the Local Government (Financial Management) Regulations 2011.

15.3 The Authority's financial statements must be available for inspection by any Board member or authorised representative of any Constituent Council at any time on request.

15.4 The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.

15.5 All cheques must be signed by two persons authorised by resolution of the Board.

15.6 Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior approval of the auditor and been adopted by the Board.

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

15.8 The Board will, at the end of each financial year prepare a schedule of assets and liabilities. In addition, the Board must maintain a record to be known as the "Schedule of Constituent Council's Interest in Net Assets".

15.9 The "Schedule of Interest in Net Assets" will reflect the proportionate contribution each Constituent Council has made to the growth of the net assets of the Authority having regard to the proportionate contribution to subscriptions. The Schedule when updated by the Board at the end of each financial year will reflect the proportionate contribution of each Constituent Council since the commencement of the Authority and once accepted by each Constituent Council will be evidence of the agreed proportion of a Constituent Council's interests in the net assets as at 30 June in that year.

15.10 Where there is any dispute as to the Schedule Clause 20 shall apply.

16 REPORTING

- 16.1** The Board must submit to the Constituent Councils by 30 September in each Financial Year a report on the work and operations of the Authority detailing achievement of the aims and objectives of its Business Plan and incorporating the Audited Financial Statements of the Authority and any other information or reports required by the Constituent Councils.
- 16.2** The Board shall present its audited financial statements in accordance with the Local Government (Financial Management) Regulations 2011 to the Constituent Councils by 15 September of each Financial Year.
- 16.3** The Board shall report at any time on request from a Constituent Council on matters being undertaken by the Authority.

17 ALTERATIONS TO THE CHARTER

- 17.1** This Charter may be amended by a resolution in the same or similar terms passed by each of the Constituent Councils.
- 17.2** The Executive Officer of the Authority must ensure that the amended Charter is published in the *Gazette* and a copy provided to the Minister.
- 17.3** Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendations of the Board.

18 INSURANCE AND SUPERANNUATION REQUIREMENTS

- 18.1** The Authority shall register with the Local Government Mutual Liability Scheme and comply with the rules of that Scheme.
- 18.2** The Authority shall register with the LGAMS Local Government Association Mutual Asset Fund for its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Authority.
- 18.3** If the Authority employs any person it shall register with the Local Government Superannuation Scheme and the Local Government Workers Compensation Scheme and comply with the Rules of those schemes.

19 WITHDRAWAL OF A CONSTITUENT COUNCIL

- 19.1** Subject to the approval of the Minister, a Constituent Council may withdraw from the Authority by giving not less than six months notice of its intention to do so to all other Constituent Councils and the Executive Officer.
- 19.2** In any event a withdrawal cannot become effective until the 30th day of June following the expiry of the six months in the preceding sub-clause. Until withdrawal becomes effective, the Constituent Council proposing withdrawal from the Authority will remain liable for all financial contributions in the remaining period and through its members on the Board, the responsibility of ensuring the continued proper conduct of the affairs of the Authority.

19.3

19.3.1 A withdrawing Council shall indemnify the remaining Councils for all liabilities of the Authority caused or arising prior to the withdrawal taking effect.

19.3.2 The indemnity shall be in the same proportion as the withdrawing Council's interest in the net assets of the Authority calculated as at the date the withdrawal takes effect.

19.4 Upon withdrawal taking effect a Constituent Council will be entitled to be paid not more than 80% of its interest in the net assets of the Authority as determined and agreed under Clause 15. The withdrawing Constituent Council will be entitled to receive that sum by equal quarterly instalments to be paid over a period of two years with the first instalment being due on 1st day of January following the effective date of the withdrawal.

20 ADDITION OF A NEW MEMBER

20.1 The Board may consider the addition of a new member to the Authority.

20.2 The Constituent Councils must resolve unanimously to approve the addition of a new member to the Authority and must obtain Ministerial approval.

20.3 The Charter shall be amended to address the addition of the new member.

21 DISPUTE RESOLUTION

21.1 About this Clause:

21.1.1 The procedure in this clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statute.

21.1.2 The Authority and a Constituent Council must continue to observe and perform this Charter despite the application or operation of this clause.

21.1.3 This clause does not prejudice the right of a party:

a) to require the continuing observance and performance of this Charter by all parties;
or

b) to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.

21.1.4 Pending completion of the procedures set out in this clause, and subject to this clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedures set out in this clause.

21.2 Step 1: Notice of dispute: A party to the dispute must promptly notify each other party to the dispute:

21.2.1 the nature of the dispute, giving reasonable details; and

21.2.2 what action (if any) the party giving notice thinks will resolve the dispute;

but a failure to give such notice does not entitle any other party to damages.

21.3 Step 2: Meeting of the parties: A party to the dispute who complied with the previous step may at the same or a later time notify each other party to the dispute that the first party requires a meeting within 14 business days after the giving of such notice. In that case, each party to the dispute must send to the meeting a senior manager of that party with the Board to resolve the dispute and at the meeting make a good faith attempt to resolve the dispute.

21.4 Step 3: Mediation: Despite whether any previous step was taken, a dispute not resolved within 30 days must be referred to mediation, as to which:

- 21.4.1** the mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 business days, a mediator nominated by the then President of the South Australian Bar Association (or equivalent officer of any successor organisation);
- 21.4.2** the role of a mediator is to assist in negotiating a resolution of a dispute. A mediator may not make a decision binding on a party unless that party has so agreed in writing;
- 21.4.3** the mediation must take place in a location in Adelaide agreed by the parties;
- 21.4.4** a party in dispute must cooperate in arranging and expediting mediation;
- 21.4.5** a party in dispute must send to the mediation a senior manager with authority to resolve the dispute;
- 21.4.6** the mediator may exclude lawyers acting for the parties in dispute and may co-opt expert assistance as the new mediator thinks fit;
- 21.4.7** a party in dispute may withdraw from mediation if there is reason to believe the mediator is not acting in confidence, or with good faith or is acting for the purpose other than resolving the dispute;
- 21.4.8** unless otherwise agreed in writing:
 - a) everything that occurs before the mediator is in confidence and in closed session;
 - b) discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent litigation by a party;
 - c) documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party;
 - d) the parties in dispute must report back to the mediator within 14 business days on actions taken, based on the outcome of the mediation;
- 21.4.9** a party in dispute need not spend more than one day in mediation for a matter under dispute;
- 21.4.10** a party in dispute must bear an equal share of the costs and expenses of the mediator and otherwise bears their own costs.

21.5 Step 4: Arbitration: Despite whether any previous step was taken, a dispute not resolved within 60 days must be referred to arbitration, as to which:

- 21.5.1** there must be only 1 arbitrator and who is a natural person agreed by the parties or, if they cannot agree within 14 business days, an arbitrator nominated by the then Chairperson of The Institute of Arbitrators and Mediators (South Australian Chapter);

- 21.5.2 the role of the arbitrator is to resolve the dispute and make decisions binding on the parties;
- 21.5.3 the arbitration must take place in an agreed location in Adelaide;
- 21.5.4 a party must cooperate in arranging and expositing arbitration;
- 21.5.5 a party must send out to the arbitration a senior manager with authority to resolve the dispute;
- 21.5.6 the parties may provide evidence and given written and verbal submissions to the arbitrator with the time set by the arbitrator;
- 21.5.7 the arbitrator must:
 - a) consider the evidence and submissions;
 - b) decide the dispute; and
 - c) give written reasons to each party;
- 21.5.8 subject to this clause, the arbitration must take place under Rules 5 to 18 (inclusive) of the Rules of the Institute of Arbitrators and Mediators for the Conduct of Commercial Arbitrations and the provisions of the Commercial Arbitration Act 1986 (SA) and which Rules are taken to be incorporated by reference to this clause OR subject to this clause, the arbitrator must fix the rules of arbitration;
- 21.5.9 the costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

22 WINDING UP

The Authority may be wound up in circumstances as Schedule 2, Clause 33 (1) of the Act allows or requires.

23 DISTRIBUTION OF ASSETS AND LIABILITIES ON WINDING UP

In the event the Authority commences to wind up the Authority must divide among the Constituent Council in kind all of the Authority's assets and liabilities in proportion to their interest in the net assets of the Authority as determined and agreed under Clause 15 or as otherwise directed by decision made in the same or similar terms by each of the Constituent Councils.

24 COMMITTEES

24.1 The Board may establish a committee of Board members for the purpose of:

- 24.1.1 enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference by the Board to the committee; or
- 24.1.2 exercising, performing or discharging delegated powers, functions or duties.

24.2 A member of a committee established under this clause holds office at the pleasure of the Board.

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

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

25 COMMON SEAL

- 25.1 The Authority shall have a common seal upon which its corporate name shall appear in legible characters,
- 25.2 The common seal shall not be used without the express authorisation of the Authority and every use of the common seal shall be recorded in the Common Seal Register of the Authority.
- 25.3 The affixing of the common seal shall be witnessed by the Chair or the Deputy Chair and the Executive Officer or any person acting in those offices or other such person as the Authority may appoint for the purpose.
- 25.4 The common seal shall be kept in the custody of the Executive Officer or such other person at the Authority may from time to time decide.

26 SAVING PROVISION

As a matter of record, Schedule 2, Clause 40 of the Act provides that no act or proceeding of the Authority is invalid by reason of:

- 26.1 a vacancy or vacancies in membership of the Board;
- 26.2 a defect in the appointment of a Board Member.

27 PRINCIPAL OFFICE

The Authority's principal office is located at Corner of Peachey and Bellchambers Roads, Elizabeth West, SA 5113 or as the Board may otherwise determine.

28 SERVICE OF DOCUMENTS

A document to be given by the Authority to a Constituent Council, or by a Constituent Council to the Authority may be given in a manner that Section 280 of the Act permits. A written notice given by the Authority to a Constituent Council must be marked "*Attention: Chief Executive Officer*".

29 ACCESS TO INFORMATION/RECORDS

- 29.1 As a matter of record Schedule 2, Clause 27 of the Act entitles each Constituent Council to be furnished with information or records of the Authority.
- 29.2 A Constituent Council and a Board Member each have a right to inspect and take copies of the books and records of the Authority for any proper purpose.

30 CIRCUMSTANCES NOT PROVIDED FOR

- 30.1 If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Chair may decide the action to be taken to ensure achievement of the objects of the Authority and its effective administration.

The Chair shall report any such decision at the next ordinary meeting of the Authority.

BRIAN KING, Executive Officer, NAWMA

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: Daktyloi Metals Pty Ltd
Location: Mount Caernarvon area—Approximately 95 km south-south-east and 120 km south of Leigh Creek.
Pastoral Lease: Mannawarra
Term: 1 year
Area in km²: 244
Ref.: 2009/00361

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: Renaissance Uranium Pty Ltd
Location: Willouran Ranges area—Approximately 20 km west of Marree.
Pastoral Leases: Callanna and Witchelina
Term: 2 years
Area in km²: 933
Ref.: 2011/00012

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: Investigator Resources Limited
Location: Mount Nott area—Approximately 80 km north-east of Kimba.
Pastoral Leases: Thurlga and Mount Ive
Term: 2 years
Area in km²: 312
Ref.: 2011/00016

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: Frome Uranium Pty Ltd
Location: Quinyambie area—Approximately 220 km east of Leigh Creek.
Pastoral Lease: Quinyambie
Term: 2 years
Area in km²: 165
Ref.: 2011/00035

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: Investigator Resources Ltd
Location: Morgans area—Approximately 60 km north-west of Whyalla.
Pastoral Leases: Wartaka, Corunna, Uno and Gilles Downs
Term: 2 years
Area in km²: 236
Ref.: 2011/00076

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

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Grant Anthony Pelton, Director Public Land Management and Operational Support, Regional Services, authorised delegate of the Director of National Parks and Wildlife, grant permission to the whole of Brookfield Conservation Park from 6 p.m. on Sunday, 11 December 2011 until 6 a.m. on Thursday, 15 December 2011.

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

Use of Firearms within the Reserve

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks and Wildlife (National Parks) Regulations 2001, I, Grant Anthony Pelton, Director Public Land Management and Operational Support, Regional Services, authorised delegate of the Director of National Parks and Wildlife, grant permission to members of the Sporting Shooters Association of Australia Hunting & Conservation Branch (SA) Inc. in possession of both a current Hunting Permit and a firearm to enter and remain in the whole of Brookfield Conservation Park from 6 a.m. on Monday, 12 December 2011 until 6 p.m. on Wednesday, 14 December 2011 for the purpose of taking feral animals.

This permission is conditional upon the observance by each of those persons of the requirements of the National Parks and Wildlife Act 1972, National Parks and Wildlife (National Parks) Regulations 2001 and the National Parks and Wildlife (Hunting) Regulations 2011, including those requiring compliance with the Director's requests, requirements and orders of a Warden.

Dated 14 November 2011.

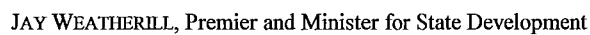
G. A. PELTON, Director, Public Land Management and Operational Support, Regional Services, Department of Environment and Natural Resources

SOUTH AUSTRALIAN MOTOR SPORT ACT 1984: SECTION 20 (1)—DECLARATION OF AREA, PERIOD AND
PRESCRIBED WORKS PERIOD

Notice by the Premier

PURSUANT to Section 20 (1) of the South Australian Motor Sport Act 1984, I, the Minister to whom the administration of that Act has been committed, in respect of the motor sport event promoted by the South Australian Motor Sport Board under the name '2012 Clipsal 500 Adelaide', acting on the recommendation of the Board, declare:

- (a) that the area delineated on the plan in the Schedule will be a declared area under the Act for the purposes of the event;
- (b) that the period commencing on 29 February 2012 and ending on 4 March 2012 (both days inclusive) will be the declared period under the Act for the purposes of the event; and
- (c) that the prescribed works period in respect of works necessary for the purpose of staging the Clipsal 500 Adelaide, be the period commencing on 22 November 2011 and concluding on 15 May 2012.



SOUTH AUSTRALIAN MOTOR SPORT ACT 1984: SECTION 26—AVAILABILITY OF PLANS FOR PUBLIC INSPECTION

Notice by the Deputy Premier

PURSUANT to Section 26 of the South Australian Motor Sport Act 1984, the Minister to whom the administration of that Act has been committed, hereby designate the offices of Kellogg Brown & Root Pty Ltd located at 186 Greenhill Road, Parkside as the place at which may be inspected by members of the public plans of all works proposed to be carried out by the South Australian Motor Sport Board in relation to the event known as the 'Clipsal 500 Adelaide'.

JAY WEATHERILL, Premier and Minister for State Development

SOUTH AUSTRALIAN MOTOR SPORT REGULATIONS 1999: REGULATION 11—OPENING AND CLOSING TIMES OF THE DECLARED AREA

Notice by the South Australian Motor Sport Board

PURSUANT to Regulation 11 of the South Australian Motor Sport Regulations 1999, I, the Minister to whom the administration of that Act has been committed, hereby fix the following opening and closing times in respect of declared areas for each day of the declared period:

Day	Opening Time	Closing Time
Thursday, 1 March 2012	8 a.m.	11.00 p.m.
Friday, 2 March 2012	8 a.m.	11.30 p.m.
Saturday, 3 March 2012	8 a.m.	11.30 p.m.
Sunday, 4 March 2012	8 a.m.	11.30 p.m.

JAY WEATHERILL, Premier and Minister for State Development

SOUTH AUSTRALIAN MOTOR SPORT REGULATIONS 1999: REGULATION 12—DISCLAIMER—CONDITIONS OF SALE AND ENTRY IMPOSED ON TICKETS

Notice by the South Australian Motor Sport Board

PURSUANT to Regulation 12 of the South Australian Motor Sport Regulations 1999, the Minister, to whom the administration of that Act has been committed, hereby impose the following conditions in respect of each of the permits, authorisations and tickets to the event known as the 'Clipsal 500 Adelaide' in addition to the terms and conditions contained on the back of each ticket:

CONDITIONS OF SALE

In addition to the terms and conditions contained on the back of each ticket, the following conditions and rules shall apply:

- Except to the extent permitted by the Trade Practices Act 1974, tickets cannot be exchanged or refunded after purchase. Tickets are non-transferable on the day or during the day of presentation. Upon exit, the Ticketholder's hand must be stamped to regain entry on the same day. The stamp must be shown along with the valid ticket clipped for that day to regain entry. The South Australian Motorsport Board ('the Board') reserves the right to refuse admittance to or evict from the event any person with reasonable cause.
- The Board reserves the right to add, withdraw or substitute any drivers, performers or activities associated with the event, vary programs, seating arrangements, audience capacity, gate opening and closing times and determine and publish additional conditions from time to time.
- A person cannot make, reproduce or use any form of still or moving picture or any sound recording (footage) of the motorsport event as defined in the South Australian Motorsport Act 1984 or any part of it for profit, gain, public advertisement, display or for any other purpose except for the private enjoyment of the person making the footage, without the consent of the Board; and will on demand assign all rights thereto to the Board or its nominees.

Any ticket purchased and the Ticketholder's entry to and presence at the event is subject to these conditions of sale, conditions of entry displayed at the event entrances and the South Australian Motorsport Act 1984, as amended, and its Regulations. Details are freely available from Clipsal 500 Adelaide, P.O. Box V8, Kent Town, S.A. 5071.

Patrons may not, without prior written consent of the Board bring any of the following items into the Event: any alcoholic beverages; any glass bottles or containers or glass objects (excluding sunglasses, binoculars and prescription glasses); any beverage container with the manufacturer's seal broken; any drinks coolers or ice boxes (other than one predominantly constructed of polystyrene); any structure or item that may be used to erect a structure, or which is capable of supporting the weight of a person including, without limitation, any chairs, lounges, benches or stools (other than a folding chair or stool); no animals; no weapons of any kind; no fireworks.

CONDITIONS OF ENTRY

THE SA MOTOR SPORT BOARD (Board) WILL NOT BE LIABLE FOR PERSONAL INJURY OR PROPERTY DAMAGE.

The Ticketholder attending the motor race and other associated events (Events) hereby acknowledges and agrees as follows:

- The Ticketholder has read and understood the Conditions of Sale and Conditions of Entry (Conditions) and agrees to be bound by the Conditions; and intends the Conditions to have full contractual effect.
- Where relevant, the Ticketholder and any third party who purchases a ticket on behalf of the Ticketholder ('the third party') each warrant that the third party had the Ticketholder's full authority to act as the Ticketholder's agent for the purposes of buying the ticket and accepting the Conditions.
- Trackside (General Admission) tickets do not gain access or entry to all grandstand or reserved grandstand seating areas or the Gold Zone of the circuit.

Children aged 12 years and under are provided with free access to the Event in the Trackside area (General Admission) only provided:

- a free of charge children's ticket is obtained by an adult ticket holder from Ticketek prior to or at the event; and
- they are accompanied and supervised at all times by a paying adult aged 18 and over.
- this offer applies to Grandstand and Trackside Ticketek ticket holders only. Corporate and event credential holders are ineligible for this offer.

The free of charge children's tickets provide access to Trackside (General Admission) areas only regardless of whether or not a grandstand ticket or reserved seating area ticket is held by the accompanying adult (unless the child is aged 3 years and under—see further below).

For entry of a child aged between 3 years and 12 years of age (inclusive) into a grandstand or reserved seating area a separate grandstand or reserved seat ticket must be purchased.

Children aged 3 years and under may be provided with free access to the same grandstand or reserved seating area as an accompanying adult (if the adult has an applicable ticket) provided:

- they are accompanied at all times by a paying adult, aged 18 and over;
- when in a grandstand or reserved seating area, they sit at all times on the lap of the accompanying adult and do not occupy their own seat; and
- if a child causes disruption to other patrons in a grandstand or reserved seating area they and their accompanying adult will be required to exit the grandstand at the direction of the Board.
- this offer applies to Grandstand Ticketek ticket holders only. Corporate and event credential holders are ineligible for this offer.

MOTORSPORT IS DANGEROUS

In exchange for being able to attend or participate in the event, (and as a condition of the purchase or issue of a ticket): You agree to release Confederation of Australian Motorsport Ltd ('CAMS') and Australian Motorsport Commission Ltd, promoters, sponsor organisations, land owners and lessees, organisers of the event, their respective servants, officials, representatives and agents (collectively, the 'Associated Entities') from all liability for your death, personal injury (including burns), psychological trauma, loss or damage (including property damage) ('harm') howsoever arising from your participation in or attendance at the event, except to the extent prohibited by law; you agree that CAMS and the Associated Entities do not make any warranty, implied or express, that the event services will be provided with due care and skill or that any materials provided in connection with the services will be fit for the purpose for which they are supplied; and you agree to attend or participate in the event at your own risk.

You acknowledge that the risks associated with attending or participating in the event include the risk that you may suffer harm as a result of: motor vehicles (or parts of them) colliding with other motor vehicles, persons or property; acts of violence and other harmful acts (whether intentional or inadvertent) committed by persons attending or participating in the event; and the failure or unsuitability of facilities (including grand-stands, fences and guard rails) to ensure the safety of persons or property at the event.

You acknowledge that motorsport is dangerous and that accidents causing harm can and do happen and may happen to you. You accept the conditions of, and acknowledge the risks arising from, attending or participating in the event and being provided with the event services by CAMS and the Associated Entities.

HIGH DANGER AREAS

The Ticketholder on entering into pit lane and/or pit paddock: is fully aware and recognises that pit lane and pit paddock are **extremely dangerous** and there is a real possibility of an accident causing injury, death, property damage or other losses in those areas; is fully aware that it is a condition of entry that they enter the pit lane and pit paddock and other high danger areas of the events ground at their own risk.

CHILDREN ARE TO BE SUPERVISED BY ADULTS

The Ticketholder acknowledges that all children attending the Events must be under the supervision of an adult guardian at all times.

SEVERANCE

If anything in these Conditions of Entry is unenforceable, illegal or void then it is severed and the rest of the Conditions of Entry remain in force.

Dated 17 November 2011.

JAY WEATHERILL, Premier and Minister for State Development

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Grant of Petroleum Exploration Licence PEL 514

NOTICE is hereby given that the undermentioned Petroleum Exploration Licence has been granted under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 1 October 2009.

No. of Licence	Licensee	Locality	Expiry
PEL 514	Planet Cooper Basin Pty Limited	Cooper Basin	8 November 2016

Area of PEL 514: 1 917 km² approximately.

Co-ordinates of the licence area of PEL 514 are available at: www.sarig.pir.sa.gov.au.

Dated 9 November 2011.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division
Department for Manufacturing, Innovation, Trade, Resources and Energy
Delegate of the Minister for Mineral Resources and Energy

PLANT HEALTH ACT 2009

PURSUANT to the Plant Health Act 2009, I, Gail Gago, Minister for Agriculture, Food and Fisheries, make the following notice:

1. *Application*

The notice of 27 July 2011 under the Plant Health Act 2009, is hereby revoked.

2. *Interpretation*

In this notice:

‘the Act’ means the Plant Health Act 2009;

‘fruit fly outbreak suspension zone’ means a zone that has been declared, in accordance with the Code of Practice for Queensland fruit fly published by the Interstate Plant Health Regulation Working Group, 1996, as updated or amended from time to time, as a suspension zone in relation to a fruit fly outbreak;

‘inspector’ means an inspector appointed pursuant to Section 41 of the Act;

‘soil’ does not include clean sand;

‘the Standard’ means the document published by Primary Industries and Resources South Australia entitled the ‘Plant Quarantine Standard South Australia’.

3. *Section 4—Declaration of Pests*

3.1 The following are declared to be pests for the purposes of the Act:

(1) The pests specified by Common Name and Scientific Name immediately below:

<i>Common Name</i>	<i>Scientific Name</i>
Bacterial Wilt (of potato)	<i>Ralstonia solanacearum</i>
Black Spot (of citrus)	<i>Guignardia citricarpa</i>
Boil Smut (of maize)	<i>Ustilago maydis</i>
Branched Broomrape	<i>Orobanche ramosa</i>
Chestnut Blight	<i>Cryphonectria parasitica</i>
Citrus Blight	
Citrus Canker	<i>Xanthomonas axonopodis</i>
Citrus Red Mite	<i>Panonychus citri</i>
European House Borer	<i>Hylotrupes bajulus</i>
Fire Blight	<i>Erwinia amylovora</i>
Fruit Flies	pest species of <i>Tephritidae</i> family
Garlic Rust	<i>Puccinia allii</i>
Grapevine Leaf Rust	<i>Phakopsora euviitis</i>
Green Snail	<i>Helix aperta</i>
Java Downy Mildew (of maize)	<i>Peronospora maydis</i>
Myrtle Rust	<i>Uredo rangelii</i>
Melon Thrips	<i>Thrips palmi</i>
Needle Blight	<i>Mycosphaerella pini</i> (syn <i>Dothistroma pini</i>)
Noxious Insects	<i>Chortoicetes terminifera</i> / <i>Austroicetes cruciata</i>
Onion Smut	<i>Urocystis cepulae</i>
Parlatoria Date Scale	<i>Parlatoria blanchardii</i>
Phylloxera	<i>Daktulosphaira vitifoliae</i>
Potato Cyst Nematodes	<i>Globodera pallida</i> and <i>Globodera rostochiensis</i>
Purple Round Scale	<i>Chrysomphalus ficus</i>
Red Imported Fire Ant	<i>Solenopsis invicta</i>
Scab (of citrus)	<i>Elsinoe fawcetti</i>
Sweet Orange Stem Pitting	Citrus Tristeza Virus
White Louse Scale	<i>Unaspis citri</i>
Wilt (of tomato plants)	<i>Fusarium oxysporum</i> Race 3

(2) Any emergent pest that warrants immediate application of the Act and subsequent declaration under sub-paragraph (1).

4. *Section 5—Quarantine Stations*

The following places are declared to be quarantine stations in which a plant or plant related product may, subject to the Act, be held, examined, disinfected, destroyed or otherwise disposed of:

- (1) Biosecurity SA
Ceduna Quarantine Inspection Station
Eyre Highway, Ceduna
- (2) Biosecurity SA
Oodla Wirra Quarantine Inspection Station
Barrier Highway, Oodla Wirra
- (3) Biosecurity SA
Pinnaroo Quarantine Inspection Station
Mallee Highway, Pinnaroo
- (4) Biosecurity SA
Yamba Quarantine Inspection Station
Sturt Highway, Yamba
- (5) Primary Industries and Regions SA
Prosser Street, Port Augusta
- (6) Primary Industries and Regions SA
Riddoch Highway
Struan
- (7) Biosecurity SA
Krummel Street, Mount Gambier
- (8) Primary Industries and Resources SA
Loxton Research Centre
Bookpurnong Road, Loxton
- (9) Biosecurity SA
33 Flemington Street
Glenside
- (10) Primary Industries and Regions SA
Research and Advisory Centre
Research Road, Nuriootpa
- (11) Biosecurity SA
Adelaide Produce Market
Diagonal Road, Pooraka
- (12) Primary Industries and Regions SA
Swamp Road, Lenswood
- (13) Primary Industries and Regions SA
Verran Terrace, Port Lincoln
- (14) Post-Entry Plant Quarantine Station
SARDI Plant Research Centre
Hartley Grove, Urrbrae
- (15) SARDI Entomology
Waite Quarantine Insectary
Waite Road, Urrbrae
- (16) Compartments 2 and 3
Glasshouse 109
Division of Plant Industry
Commonwealth, Scientific and Industrial Research
Organisation
Hartley Grove, Urrbrae
- (17) Scotts Refrigerated Freight Way
Comley Street
Export Park
Adelaide Airport, West Beach
- (18) Swire Cold Storage Pty Ltd
4 Bradford Way, Cavan
- (19) Woolworths Pty Ltd
599 Main North Road, Gepps Cross
- (20) St George Produce
469 Waterloo Corner Road, Burton
- (21) Adelaide Produce Market Ltd
Diagonal Road, Pooraka.

5. *Section 7—Prohibition on Introducing Pest Affected Plants or Plant Related Products*

5.1 A prohibition applies to the importation or introduction into the State of the following:

- (1) any pest declared under this Notice;
- (2) any fruit, plant or soil affected by such a pest and in particular those fruits and plants specified in Condition 1 of the Standard;

- (3) packaging in which any fruit or plant affected by such a pest has been packed; and
- (4) goods with which any fruit or plant affected by such a pest has come into contact.

5.2 The items below must not be imported or introduced into the State unless the provisions of the Standard have been complied with:

- (1) the following host fruits of fruit flies being, in my opinion, fruit of species that are likely to introduce fruit fly into the State:

Common Name	Scientific Name
Abiu	<i>Pouteria caimito</i>
Acerola	<i>Malpighia glabra</i>
Achachairu	<i>Garcinia humilis</i>
Apple	<i>Malus domestica</i>
Apricot	<i>Prunus armeniaca</i>
Avocado	<i>Persea americana</i>
Babaco	<i>Carica pentagona</i>
Banana	<i>Musa acuminata</i>
Blackberry	<i>Rubus fruticosus</i>
Black Sapote	<i>Diospyros ebenum</i>
Blueberry	<i>Vaccinium corymbosum</i>
Brazil Cherry—see Grumichama	<i>Passiflora quadrangularis</i>
Breadfruit	<i>Artocarpus altilis</i>
Caimito	<i>Chrysophyllum cainito</i>
Cape Gooseberry	<i>Physalis peruviana</i>
Capsicum	<i>Capsicum annuum</i> var. <i>grossum</i>
Carambola	<i>Averrhoa carambola</i>
Cashew Apple	<i>Anacardium occidentale</i>
Casimiroa	<i>Casimiroa edulis</i>
Cherimoya	<i>Annona cherimolia</i>
Cherry	<i>Prunus avium</i>
Chilli	<i>Capsicum annuum</i> var. <i>acuminatum</i>
Citron	<i>Citrus medica</i>
Coffee Berry	<i>Coffea species</i>
Custard Apple	<i>Annona squamosa</i>
Date (fresh)	<i>Phoenix dactylifera</i>
Dragon Fruit	<i>Hyloscereus undatus</i>
Durian	<i>Durio zibethinus</i>
Eggplant	<i>Solanum melongena</i>
Feijoa	<i>Feijoa sellowiana</i>
Fig	<i>Ficus carica</i>
Granadilla	<i>Passiflora quadrangularis</i>
Grapefruit	<i>Citrus paradise</i>
Grapes	<i>Vitis species</i>
Grumichama	<i>Eugenia brasiliensis</i>
Guava	<i>Psidium species</i>
Jaboticaba	<i>Myrciaria cauliflora</i>
Jackfruit	<i>Artocarpus heterophyllus</i>
Jambu	<i>Syzygium cumini</i>
Kiwifruit	<i>Actinidia deliciosa</i>
Kumquat	<i>Fortunella japonica</i>
Lemon	<i>Citrus meyeri</i> (Also <i>Citrus limon</i> x <i>citrus chinese</i>)
Lime—West Indian Lime	<i>Citrus aurantiifolia</i>
Lime—Tahitian Lime	<i>Citrus latifolia</i>
Lime—Rangpur Lime	<i>Citrus reticulata</i> var. <i>austera</i>
Loganberry	<i>Rubus loganobaccus</i>
Longan	<i>Euphoria longan</i>
Loofah, Smooth	<i>Luffa cylindrica</i>
Loquat	<i>Eriobotrya japonica</i>
Lychee	<i>Litchii chinensis</i>
Mandarin	<i>Citrus reticulata</i>
Mango	<i>Mangifera indica</i>
Mangosteen	<i>Garcinia mangostana</i>
Mulberry	<i>Morus nigra</i>
Nashi	<i>Pyrus pyrifolia</i> var. <i>culta</i>
Nectarine	<i>Prunus persicae</i> var. <i>nectarina</i>

Common Name	Scientific Name
Olive	<i>Olea europaea</i>
Orange	<i>Citrus aurantium</i> , <i>Citrus sinensis</i>
Passionfruit	<i>Passiflora spp.</i>
Papaw	<i>Carica papaya</i>
Peach	<i>Prunus persica</i>
Peacharine	<i>Prunus nucipersica</i>
Pear	<i>Pyrus communis</i>
Pepino	<i>Solanum muricatum</i>
Persimmon	<i>Diospyros kaki</i>
Plum	<i>Prunus domestica</i>
Plumcot	<i>Prunus domestica</i> x <i>Prunus armeniaca</i>
Pomegranate	<i>Punica granatum</i>
Prickly Pear	<i>Opuntia stricta</i> or <i>O. ficus indica</i>
Pummelo	<i>Citrus grandis</i>
Quince	<i>Cydonia oblonga</i>
Rambutan	<i>Nephelium lappaceum</i>
Raspberry	<i>Rubus idaeus</i>
Rollinia	<i>Rollinia deliciosa</i>
Rose Apple	<i>Syzygium jambos</i>
Santol	<i>Sandoricum indicum</i>
Sapodilla	<i>Manilkara zapota</i>
Sapote	<i>Sapote</i>
Soursop	<i>Annona muricata</i>
Strawberry	<i>Fragaria ananassa</i>
Sweetsop	<i>Annona squamosa</i>
Tamarillo	<i>Cyphomandra betacea</i>
Tangelo	<i>Citrus reticulata</i> x <i>C. paradise</i>
Tangor	<i>Citrus reticulata</i> x <i>C. sinensis</i>
Tomato	<i>Lycopersicon esculentum</i>
Wax Jambu	<i>Eugenia jambos</i>

- (2) The following other fruit, vegetables, plants and plant products being, in my opinion, fruit, vegetables, plants and plant products of species that are likely to introduce a pest into the State:

Allium spp. (onion, garlic, chives, leek, shallots, etc.)

Apple (fruit and plants)

Avocado (fruit and plants)

Babaco

Banana

Beans

Capsicum

Chilli

Carambola

Casimiroa (white sapote)

Citrus (fruit and plants)

Cucumbers

Cucurbits

Custard Apple

Cut Flowers

Date Palm (fruit and plants)

Dragon fruit

Durian

Eggplant

Feijoa

Fig

Fire Blight Hosts

Fodder/Hay

Gourd, Bitter

Grapes and Grape Products (marc, must and juice)

Grapevines (cuttings, rootlings, plants/plant parts and tissue cultures)

Guava

Jackfruit

Kiwifruit (Chinese Gooseberry)

Leaf Vegetables

Lettuce

Loofa (smooth)

Longan

Loquat

Lychee (or Litchi, Lichi)

Maize Seed

Mango
 Mangosteen
 Medlar
 Melons (watermelon, rockmelon, honeydew, etc.)
 Miscellaneous Host Fruits of Fruit Flies
 (*Tephritidae* family)
 Myrtaceae family
 Okra
 Olive
 Passionfruit
 Papaw
 Peas
 Persimmon
Pinus Plants
 Plant Nursery Stock
 Pome Fruits
 Pomegranate
 Potatoes (tubers and plants)
 Prickly Pear
 Pumpkin
 Quince
 Rambutan
 Raspberry
 Rooted Plants and Cuttings
 Root Vegetables
 Sapodilla
 Sapote, black
 Silverbeet
 Soursop
 Spinach
 Squash
 Star Apple
 Stone Fruits
 Strawberry
 Tamarillo
 Timber
 Tobacco
 Tomatoes
 Turf
 Zucchini

- (3) soil;
- (4) any plant growing in soil or to which soil is adhering;
- (5) any equipment (including, but not restricted to) any harvester, machinery, tools, bulk bins, containers or posts that has been used in the production or manipulation of grapes or grapevines in the States of New South Wales, Queensland or Victoria;
- (6) any used agricultural machinery; and
- (7) plant diagnostic samples.

5.3 Sub-paragraph 5.2 does not apply in relation to any item the importation or introduction of which is prohibited under sub-paragraph 5.1.

6. Section 8—Quarantine Areas

6.1 The following areas are declared to be quarantine areas:

- (1) for the purposes of the disease Onion Smut:
 - (i) Hundred of Munno Para—that part registered in Certificate of Title, Volume 2488, Folio 63 and defined by the following co-ordinates:

Latitude	Longitude
34°41'36.6"S	138°34'19.9"E
34°41'12.5"S	138°34'35.9"E
34°41'21.9"S	138°34'57.2"E
34°41'45.4"S	138°34'40.9"E

- (ii) Hundred of Finnis—that part registered in Certificate of Title, Volume 5490, Folio 998 and defined by the following co-ordinates:

Latitude	Longitude
34°52'50.13"S	139°21'26.93"E
34°52'49.11"S	139°21'28.20"E
34°52'47.17"S	139°21'31.45"E
34°52'53.57"S	139°21'35.44"E
34°52'55.12"S	139°21'32.82"E
34°52'53.33"S	139°21'31.63"E
34°52'53.95"S	139°21'30.24"E
34°52'53.86"S	139°21'29.29"E

- (iii) Hundred of Finnis—That part registered in Certificate of Title, Volume 5413, Folio 969 and defined by the following co-ordinates:

Latitude	Longitude
34°58'24.95"S	139°17'59.36"E
34°58'29.47"S	139°17'58.30"E
34°58'23.95"S	139°17'51.45"E
34°58'22.25"S	139°17'52.05"E

- (iv) Hundred of Forster—That part registered in Certificate of Title, Volume 290, Folio 4 and defined by the following co-ordinates:

Latitude	Longitude
34°50'48.6"S	139°36'44.6"E
34°50'52.5"S	139°36'42.9"E
34°50'49.4"S	139°36'36.1"E
34°50'45.6"S	139°36'38.3"E

- (2) in respect of the pest fruit flies, any area within 1.5 km radius of the centre of a fruit fly outbreak, the centre being the point where eggs, larvae or adults of fruit flies have been detected;
- (3) in respect of the pest fruit flies, for the purpose of excluding fruit flies from the Riverland of South Australia:

- (i) the County of Hamley; and
- (ii) the Hundreds of Bookpurnong, Cadell, Gordon, Holder, Katarapko, Loveday, Markaranka, Moorook, Murtho, Parcoola, Paringa, Poogi-nook, Pyap, Stuart, Waikerie, Eba, Fisher, Forster, Hay, Murkbo, Nildottie, Paisley, Ridley and Skurray.

6.2 The quarantine areas established under sub-paragraph 6.1 (1) and indexed by Roman numerals cease to exist on the following dates:

Sub-paragraph (iii) on 14 September 2014;

Sub-paragraph (iv) on 18 October 2014;

Sub-paragraph (v) on 7 December 2016; and

Sub-paragraph (vi) on 3 October 2017.

6.3 Measures to be taken in Quarantine Areas:

- (1) The owner of any commercial premises within a portion of the State declared to be a quarantine area in respect of the pest Onion Smut must take the measures prescribed in the Standard for eradication of that disease.
- (2) The owner of any commercial premises within a portion of the State declared to be a quarantine area in respect of the pest fruit flies must take the measures prescribed in the Standard for the eradication of such flies.

6.4 Measures for the exclusion of fruit flies from the Riverland of South Australia ('the Riverland Fruit Fly Quarantine Areas'):

- (1) Host fruits of fruit flies ('host fruits') as defined in Paragraph 5.2 (1) are prohibited must not be imported or introduced into the quarantine areas declared in Paragraph 6.1 (3) ('the Riverland Fruit Fly Quarantine Areas') unless:
 - (i) if the host fruit was produced in a State or Territory other than South Australia: the host fruit complies with the provisions of the Standard;
 - (ii) if the host fruit was produced in any part of South Australia outside the Riverland Fruit Fly Quarantine Areas: the host fruit has been certified by an inspector under the Act as having been either:
 - grown in an area free of fruit flies as defined by the Standard; or
 - treated against fruit flies by a method set out in the Standard.
 - (iii) if the host fruit was originally produced in the Riverland Fruit Fly Quarantine Areas, but has moved outside those areas and is now proposed to be re-introduced into those areas, the produce must either be:

- be certified by an inspector that it has been maintained in an area free of fruit flies or treated against fruit flies by a method set out in the Standard; or
 - moved under an accreditation arrangement as approved by the Minister under Part 4 Division 2 of the Act and Regulation 7 of the Plant Health Regulations 2009.
- (2) Sub-paragraph (1) (ii) does not apply to host fruit grown for the purpose of sale if that fruit was grown within a fruit fly outbreak suspension zone.
- (3) Sub-paragraph (1) does not apply to host fruits that have been purchased within South Australia and are accompanied by an itemised retail purchase docket applicable to that produce.

7. Section 59—Incorporation of Codes and Standards

7.1 The Plant Quarantine Standard South Australia (the Standard) as in force from time to time is hereby adopted under Section 59 of the Act and provides the basis on which declared pests under 3.1 of this notice are specified, and items listed under 5.2 of this notice may be imported into the State.

7.2 The Plant Health—Plague Locust Control Plan as maintained as part of Primary Industries and Resources South Australia's Emergency Management Documents as in force from time to time is hereby adopted under Section 59 of the Act.

Dated 12 November 2011.

GAIL GAGO, Minister for Agriculture,
Food and Fisheries

ROADS (OPENING AND CLOSING) ACT 1991: SECTION 24

NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER

Road Closure—Concrete Bridge Road, Koppamurra

BY Road Process Order made on 28 July 2011, the Naracoorte Lucindale Council ordered that:

1. Portion of Public Road (Concrete Bridge Road) situate adjoining Allotment 7 in Deposited Plan 62964, more particularly delineated and lettered 'A' in Preliminary Plan No. 10/0045 be closed.

2. The whole of the land subject to closure be transferred to George Robert Hooper in accordance with agreement to transfer dated 24 January 2011, entered into between the Naracoorte Lucindale Council and G. R. Hooper.

On 19 August 2011 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 87633 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 17 November 2011.

P. M. KENTISH, Surveyor-General

WATERWORKS ACT 1932

Removal of Land from Strathalbyn Country Lands Water District and Addition to Strathalbyn Water District

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

- (a) removes from the Strathalbyn Country Lands Water District and adds to the Strathalbyn Water District all the land contained in Deposited Plan 55109; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 10 November 2011.

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

A. SCHIRIPA,
Manager Billing and Collection

In the presence of:

N. HUDSON,
Team Leader Rating

SAWATER 11/06608 W1495

WATERWORKS ACT 1932

Removal of Land from Strathalbyn Country Lands Water District and Addition to Strathalbyn Water District

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

- (a) removes from the Strathalbyn Country Lands Water District and adds to the Strathalbyn Water District all the land contained in Deposited Plan 19038; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 10 November 2011.

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

A. SCHIRIPA,
Manager Billing and Collection

In the presence of:

N. HUDSON,
Team Leader Rating

SAWATER 11/06610 W1496

RULES OF COURT
Magistrates Court of South Australia
Amendment 41 to the *Magistrates Court Rules 1992*

PURSUANT to s 49 of the *Magistrates Court Act 1991* and all other enabling powers, we the undersigned do hereby make the following amendments to the **MAGISTRATES COURT RULES 1992:**

This rule amendment takes effect on the day when the *Intervention Orders (Prevention of Abuse) Act 2009* comes into force.

Rule Amendment 38 is repealed.

Rules 18 and 18A and forms 28, 29, 30, 31, 34A, 34B, 34BA, 34C, 34D, 36, 37, 38, 39, 40, 41, 42, 44, 45 and 46 are repealed and replaced with the following:

18.00 INTERVENTION ORDERS, FOREIGN RESTRAINING ORDERS AND CONSEQUENTIAL ORDERS UNDER THE *INTERVENTION ORDERS (PREVENTION OF ABUSE) ACT 2009*.

- 18.01** Where a police officer issues an interim intervention order he or she must:
- a. state on the interim intervention order her or his identification and rank, the identification of the police officer of or above the rank of sergeant who authorised the issue of the order (if he or she is not of that rank) and the relevant Apprehension Report (AP) number; and
 - b. record in writing the factual matters that were the grounds for issuing the order and provide a copy of those grounds to the defendant at the time of serving the interim order and as soon as practicable to the Commissioner of Police must give a copy of them to the Principal Registrar together with a copy of the interim intervention order and details of the addresses and date of birth of the protected persons and the defendant, and
 - c. at the first return date at court of the interim intervention order advise the court of any relevant orders or agreements under the *Family Law Act 1975* (Cth), *Children's Protection Act 1993* (SA) and other matters under s 20(3) of the Act, and

- d. arrange for relevant witnesses to be available for oral examination by the court to provide evidence to establish the factual matters that were the grounds for issuing the order or provide affidavit evidence of those factual matters, and
 - e. apply to the court prior to the hearing for any protected person who is available to give evidence to do so by audio visual link or other suitable means and the evidence shall then be heard in accordance with any direction of the court.
- 18.02 Where the Commissioner of Police revokes an interim protection order issued by a police officer he must advise the Principal Registrar prior to the first return date with details of the AP number.
- 18.03 At the first return of an interim intervention order issued by a police officer:
 - a. the court will hear evidence about the factual matters that were the grounds for granting the order and must where possible keep an audio visual record of oral evidence so that it can be available to the court in later hearings;
 - b. subject to any order of the court to the contrary, if the defendant contests any factual matter, or the confirmation of the order, any evidence given at the first return will be treated as evidence in chief, and further evidence in chief of the witness(es), cross examination and other evidence on behalf of the applicant or the defendant will be adjourned to a later date to be fixed by the court.
- 18.04 An application for an Intervention Order must comply with form 28.
- 18.05 An affidavit in support of an application for an Intervention Order may comply with form 45.
- 18.06 An Interim Intervention Order must comply with form 29.
- 18.07 An Intervention Order must comply with form 30.
- 18.08 An application for variation or revocation of an Intervention Order must comply with form 31.
- 18.09 An order of variation or revocation of an Intervention Order must comply with form 46.
- 18.10 A Problem Gambling Order and any variation of it must comply with form 36.

- 18.11 Notice of a Problem Gambling Attachment Order must comply with form 37.
- 18.12 Notice of intention to assign a Tenancy must comply with form 38.
- 18.13 A Tenancy Order and any variation of it must comply with form 39.
- 18.14 An application to vary or revoke a Problem Gambling Order or Tenancy Order must comply with form 40.
- 18.15 A request to register a Foreign Intervention Order must comply with form 41.
- 18.16 A notice of registration of a Foreign Intervention Order must comply with form 42.
- 18.17 Any Interim Intervention Order, other than an Interim Intervention Order issued by a police officer, or Intervention Order must be served with a multilingual notice in form 43.
- 18.18 An application by a police officer to extend the time of permitted detention under s 35 of the Act must comply with form 44.
- 18.19 A magistrate may accept an application to make an order by telephone or other electronic means and it shall proceed and be recorded as the magistrate directs. The applicant must first establish to the Magistrate why particular urgency exists and why the matter cannot be dealt with by any other method contemplated by the Act. The magistrate must reduce any order made to writing, forward a copy to the applicant and the Principal Registrar as soon as possible and ensure it is entered into the court record on the next business day.
- 18.20 An applicant who seeks permission to apply for an intervention order on behalf of a person to be protected must file the proposed application with a request that a magistrate give leave for it to be accepted and the application for permission shall be dealt with in accordance with the directions of the magistrate.
- 18.21 Where an applicant for an intervention order intends to apply for a tenancy order the applicant must seek directions of the court in relation to service of form 38 on the Landlord, the existing tenants and assignees.
- 18.22 Unless the court orders otherwise, where any aspect of an Intervention Order involving domestic abuse is contested, after no more than one adjournment it

must be set for a pretrial conference, at which on the first occasion the matter must resolve, or be set for trial.

- 18.23 An applicant for an Intervention Order must investigate whether there are circumstances that may require the court to make special arrangements for the taking of the evidence of a witness and if there are, when the trial date is set, apply to the court to make special arrangements. Where a witness suffers from a physical or mental disability the court may require the applicant to obtain professional advice on how best to facilitate the taking of evidence from the witness and to minimise the witness's embarrassment or distress.
- 18.24 Where a defendant who is not represented by a lawyer contests the granting of an Intervention Order or any of its terms and wishes to ask questions of a person against whom it is alleged he or she has committed or might commit an act of abuse or a relevant child the defendant must submit the proposed questions in writing to the court before the time appointed for the hearing of that evidence. The court may give directions to permit further questions to be submitted as the hearing progresses.
- 18.25 Whenever the court confirms, issues or varies any Intervention Order (including the confirmation of a registered Foreign Intervention Order), the Principal Registrar must fix a date for administrative review of the order, which in the instance of a Foreign Intervention Order must be before any date of expiry of the foreign order. If by the date of administrative review the applicant does not apply to vary or revoke the order the Principal Registrar must fix a further date for administrative review.
- 18.26 Where the court varies or revokes an Intervention Order, the order in its varied form or notice of revocation of the order must be served on the defendant personally or in such other manner as may be authorised by the court.
- 18.27 Where a form in a matter involving domestic abuse is to be served on a defendant the address details of the protected person (including a protected person who is an applicant) are not to be included in any form that is served unless the address forms part of the order.
- 18.28 Where the applicant for an Intervention Order is not a police officer and the allegation is not domestic abuse the court at the earliest possible date must

provide the opportunity for an assessment as to whether mediation is appropriate in accordance with s 21(4)(a).

18A.00 CHILD PROTECTION RESTRAINING ORDERS AND PAEDOPHILE
RESTRAINING ORDERS UNDER THE *SUMMARY PROCEEDURE ACT*
1921.

- 18A.01 A complaint for a Restraining Order pursuant to s 99AA shall comply with form 28A.
- 18A.02 A summons to a defendant on a complaint for a Restraining Order pursuant to s 99AA shall comply with form 29A.
- 18A.03 A complaint for a Restraining Order pursuant to s 99AAC shall comply with form 28B.
- 18A.04 A summons to a defendant on a complaint for a Restraining Order pursuant to s 99AC shall comply with form 29B.
- 18A.05 A Restraining Order made ex parte pursuant to ss 99AA and 99C(2) of the Act and summons to a defendant shall comply with form 31A and a final Restraining Order pursuant to s 99AA(1) shall comply with form 31C.
- 18A.06 A Restraining Order made ex parte pursuant to ss 99AAC and 99C(2) of the Act and summons to a defendant shall comply with form 31B and a final Restraining Order pursuant to s 99AAC(2) shall comply with form 31D.
- 18A.07 An application pursuant to s 99F (1) to vary or revoke a restraining order shall comply with form 32.
- 18A.08 A defendant seeking leave to make such an application shall also file an affidavit setting out details of the substantial change in the relevant circumstances since the order was made or last varied. The Registrar shall serve a copy of the application for leave and affidavit on the complainant by pre-paid post directed to the complainant's last known address. Should leave to make an application to vary or revoke a restraining order be granted, the form 32 filed shall be treated as the application to vary the order and served with the affidavit. The hearing of the application shall be adjourned to enable the Registrar to serve a copy of the form 32 on the

person or persons for whose benefit the order was made (if they are not the complainant) by pre-post directed to their last known address.

18A.09 An application by a complainant or a person for whose benefit the order was made, shall be served by the Registrar on the defendant, the complainant and the person or persons for whose benefit the original order was made (if not the complainant), by pre-paid post directed to their last known address.

18A.10 An order varying a Restraining Order shall comply with form 33.

18A.11 An order revoking a Restraining Order shall comply with form 34.

Signed on the 15th day of NOVEMBER 2011 by:



Elizabeth Mary Bolton
Chief Magistrate



Andrew James Cannon
Deputy Chief Magistrate



Paul Marvin Foley
Stipendiary Magistrate



Kym Andrew Millard
Stipendiary Magistrate

Form 28



**APPLICATION
(INTERVENTION ORDER)
Magistrates Court of South Australia**
www.courts.sa.gov.au
Intervention Orders (Prevention of Abuse) Act 2009
 Section 20

Court Use

Date Filed:

Applicant (Police applicant state rank and number)				
Name	Surname		Given name/s	AP Number
Address	Street		Telephone	Facsimile
	City/Town/Suburb		State	Postcode
	Email Address			
Defendant (Police may provide details separately)				
Name	Surname		Given name/s	DOB
				dd/mm/yyyy
Address	Street			
	City/Town/Suburb		State	Postcode
Proposed Protected Person(s)				
Names	Surname		Given name/s	DOB
				dd/mm/yyyy
	Surname		Given name/s	DOB
				dd/mm/yyyy
Names	Surname		Given name/s	DOB
				dd/mm/yyyy
Names	Surname		Given name/s	DOB
				dd/mm/yyyy
Names	Surname		Given name/s	DOB
				dd/mm/yyyy
The applicant says that the defendant may commit the following act of abuse: <input type="checkbox"/> domestic abuse <input type="checkbox"/> non-domestic abuse				
The applicant seeks the intervention orders on the attached sheet:				
The applicant will seek a tenancy order: Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please give this information)				
Address of premises		Term of lease		
Name of:				
the present tenant(s)		the proposed tenant		
Present rent		How much is the bond		
Name of landlord or agent				
Phone number		Email		
The applicant will seek a problem gambling order: Yes <input type="checkbox"/> No: <input type="checkbox"/>				

You must provide details of the following:

Any children who will not be protected persons but who may be affected by the order:

Name	Age	Name	Age
Name	Age	Name	Age

Any relevant Family Law Act order, Children's Protection Act order or agreement or order for the division of property under the *Family Law Act 1975* (Cth), or the *Domestic Partners Property Act 1996* (SA) or a corresponding law of another jurisdiction, any pending application for such an order, and any other legal proceedings between a person proposed to be protected by the order and the defendant, of which the applicant is aware.

.....
Date

.....
Applicant

INTERIM INTERVENTION ORDER TERMS REQUESTED

The defendant must not:

- 1 ☐ assault, threaten, harass or intimidate the protected person(s).
- 2 ☐ follow or keep the protected person(s) under surveillance.
- 3 ☐ be within metres of the protected person(s).
- 4 ☐ contact or communicate with the protected person(s) either directly or in any way (including phone, letter, cards, SMS, messages, E-mail, Facsimile etc).
- 5 ☐ enter or remain in the vicinity of the protected person(s) place of residence, place of employment or any other place at which the protected person(s) is staying or working.
- 6 ☐ damage or interfere with the premises where the protected person(s) is staying, residing or is employed.
- 7 ☐ damage or take possession of personal property belonging to the protected person(s) and the following specified property:
- 8 ☐ enter or be in the vicinity of the following locations:
- 9 ☐ enter or be in the vicinity of any education or care facility attended by the protected person(s) and at the moment the protected person(s) are attending these facilities at
- 10 ☐ be in possession of the following weapon(s) or article(s):
- 11 ☐ publish on the internet, by E-mail, SMS or other electronic means any material about the protected person(s).
- 12 ☐ cause, allow or encourage another person to do anything forbidden by this order.
- 13 ☐ other:

(clause 14 is permission to remove property and is a matter for the court)

The defendant must:

- 15 ☐ vacate the premises at _____ forthwith upon service of this order and
not return to those premises unless this term is varied or dismissed by the Court.

Form 29

**INTERIM INTERVENTION ORDER and SUMMONS****Magistrates Court of South Australia**www.courts.sa.gov.au*Intervention Orders (Prevention of Abuse) Act 2009*

Section 21

This document must be served on the defendant personally					
AP Number					
Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb	State	Postcode		
Applicant					
Name	Surname		Given name/s		
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Protected Person(s)					
Name(s)	Surname		Given name/s		DOB dd/mm/yyyy
	Surname		Given name/s		DOB dd/mm/yyyy
	Surname		Given name/s		DOB dd/mm/yyyy
Surname		Given name/s		DOB dd/mm/yyyy	
Surname		Given name/s		DOB dd/mm/yyyy	
Date order made: The Court has heard an application in your absence and is satisfied that there is a reasonable apprehension that you may commit an act of abuse and has made an order against you.					
Intervention order made: The defendant must not:					
1 <input type="checkbox"/> assault, threaten, harass or intimidate the protected person(s). 2 <input type="checkbox"/> follow or keep the protected person(s) under surveillance. 3 <input type="checkbox"/> be within metres of the protected person(s). 4 <input type="checkbox"/> contact or communicate with the protected person(s) either directly or in any way (including phone, letter, cards, SMS, messages, E-mail, Facsimile etc). 5 <input type="checkbox"/> enter or remain in the vicinity of the protected person(s) place of residence, place of employment or any other place at which the protected person(s) is staying or working. 6 <input type="checkbox"/> damage or interfere with the premises where the protected person(s) is staying, residing or is employed.					

- 7 ☐ damage or take possession of personal property belonging to the protected person(s) and the following specified property:
- 8 ☐ enter or be in the vicinity of the following locations:
- 9 ☐ enter or be in the vicinity of any education or care facility attended by the protected person(s) and at the moment the protected person(s) are attending these facilities at
- 10 ☐ be in possession of the following weapon(s) or article(s):
- 11 ☐ publish on the internet, by E-mail, SMS or other electronic means any material about the protected person(s).
- 12 ☐ cause, allow or encourage another person to do anything forbidden by this order.
- 13 ☐ other:

The defendant is:

- 14 ☐ permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order.

The defendant must:

- 15 ☐ vacate the premises at _____ forthwith upon service of this order and not return to those premises unless this term is varied or dismissed by the Court.
- 16 ☐ to contact the nominee of the intervention program manager at phone number _____ and make and attend an appointment for assessment and if assessed as suitable undertake any intervention program that is appropriate for the defendant.

Notwithstanding the other terms of this order contact is permitted:

- 17 ☐ for access to children or at a meeting or hearing ordered by a court exercising jurisdiction under the *Family Law Act 1975* (Cth), the *Children's Protection Act 1993* (SA) at a relevant hearing at the Social Security Appeals Tribunal or a court or tribunal hearing at which both a protected person and the defendant are required to attend.
- 18 ☐ by a solicitor or police
- 19 ☐ other:

Firearms orders (must be made):

- 20 ☐ any firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a fire arm must be surrendered to the Registrar of Firearms forthwith.
- 21 ☐ for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm including in the course of his or her employment.
- 22 ☐ Other

Hearing details	Registry		Date
	Address		Time am/pm
	Telephone	Facsimile	Email Address
<div>.....</div> <div>DateMAGISTRATES COURT</div>			
IMPORTANT NOTICE TO DEFENDANT <ul style="list-style-type: none">• Non-compliance with a served order renders you liable to a term of imprisonment not exceeding 2 years• If you do not appear, an order may be made in your absence• Upon registration, this order is also enforceable in other States and Territories• A copy of any evidence that was relied on to make the order may be obtained from the Registry			

Proof of Service

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the defendant personally.

Certified this day of 20

Note – include instructions to the police officer serving this order**Note – Form 43 Multilingual Notice must be served with this Interim Order**

Form 30

**INTERVENTION ORDER****Magistrates Court of South Australia**www.courts.sa.gov.au*Intervention Orders (Prevention of Abuse) Act 2009*

Section 23

This document must be served on the defendant personally				
AP Number				
Registry			File No	
Address	Street		Telephone	Facsimile
	City/Town/Suburb	State	Postcode	Email Address
Defendant				
Name	Surname		Given name/s	DOB dd/mm/yyyy
Address	Street			
	City/Town/Suburb	State	Postcode	
Applicant				
Name	Surname		Given name/s	
Address	Street		Telephone	Facsimile
	City/Town/Suburb	State	Postcode	Email Address
Protected Person(s)				
Name(s)	Surname		Given name/s	DOB dd/mm/yyyy
	Surname		Given name/s	DOB dd/mm/yyyy
	Surname		Given name/s	DOB dd/mm/yyyy
Intervention order made:				
<input type="checkbox"/> Confirm interim intervention order (s 23(1)(a)) <input type="checkbox"/> Issue intervention order in substitution for interim intervention order (s 23(1)(b))				
Details of intervention order:				
The defendant must not:				
1	<input type="checkbox"/> assault, threaten, harass or intimidate the protected person(s).			
2	<input type="checkbox"/> follow or keep the protected person(s) under surveillance.			
3	<input type="checkbox"/> be within metres of the protected person(s).			
4	<input type="checkbox"/> contact or communicate with the protected person(s) either directly or in any way (including phone, letter, cards, SMS, messages, E-mail, Facsimile etc).			
5	<input type="checkbox"/> enter or remain in the vicinity of the protected person(s) place of residence, place of employment or any other place at which the protected person(s) is staying or working.			
6	<input type="checkbox"/> damage or interfere with the premises where the protected person(s) is staying, residing or is employed.			

- 7 ☐ damage or take possession of personal property belonging to the protected person(s) and the following specified property:
- 8 ☐ enter or be in the vicinity of the following locations:
- 9 ☐ enter or be in the vicinity of any education or care facility attended by the protected person(s) and at the moment the protected person(s) are attending these facilities at
- 10 ☐ be in possession of the following weapon(s) or article(s):
- 11 ☐ publish on the internet, by E-mail, SMS or other electronic means any material about the protected person(s).
- 12 ☐ cause, allow or encourage another person to do anything forbidden by this order.
- 13 ☐ other:

The defendant is:

- 14 ☐ permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order.

The defendant must:

- 15 ☐ vacate the premises at _____ forthwith upon service of this order and not return to those premises unless this term is varied or dismissed by the Court.
- 16 ☐ to contact the nominee of the intervention program manager at phone number _____ and make and attend an appointment for assessment and if assessed as suitable undertake any intervention program that is appropriate for the defendant.

Notwithstanding the other terms of this order contact is permitted:

- 17 ☐ for access to children or at a meeting or hearing ordered by a court exercising jurisdiction under the *Family Law Act 1975* (Cth), the *Children's Protection Act 1993* (SA), at a relevant hearing at the Social Security Appeals Tribunal or a court or tribunal hearing at which both a protected person and the defendant are required to attend.
- 18 ☐ by a solicitor or police
- 19 ☐ other:

Firearms orders (for exceptions see section 14(2)):

- 20 ☐ any firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a fire arm must be surrendered to the Registrar of Firearms forthwith.
- 21 ☐ for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm including in the course of his or her employment.
- 22 ☐ Other

.....
Date

.....
MAGISTRATES COURT

IMPORTANT NOTICE TO DEFENDANT

- **Non-compliance with a served order renders you liable to a term of imprisonment not exceeding 2 years**
- Upon registration, this order is also enforceable in other States and Territories
- A copy of any evidence that was relied on to make the order may be obtained from the Registry
- You cannot apply to the court to vary this order for 12 months or such longer period as the court may have ordered.

Proof of Service (only required for an order made under s 23(1)(b))

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the defendant personally.

Certified this day of 20

Note – include instructions to the police officer serving this order**Note – Form 43 Multilingual Notice must be served with this order**

Form 31



APPLICATION FOR VARIATION OR REVOCATION OF INTERVENTION ORDER

Magistrates Court of South Australia
www.courts.sa.gov.au
Intervention Orders (Prevention of Abuse) Act 2009

Section 26

Court Use

Date Filed:

This document must be served on the defendant personally					
Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb		State	Postcode	Email Address
Applicant					
Name	Surname		Given name/s		AP Number
Address	Street		Telephone		Facsimile
	City/Town/Suburb		State	Postcode	Email Address
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb		State	Postcode	
The applicant seeks to have the intervention order made on file number _____ dated _____ : <input type="checkbox"/> revoked <input type="checkbox"/> varied <input type="checkbox"/> details of variation sought:					
<input type="checkbox"/> a related tenancy order will need to be varied <input type="checkbox"/> a related problem gambling order will need to be varied					
Hearing details	Registry			Date	
	Address			Time am/pm	
	Telephone	Facsimile	Email Address		
..... Date MAGISTRATES COURT					
IMPORTANT NOTICE TO DEFENDANT AND APPLICANT If you do not appear, an order may be made in your absence.					

Proof of Service

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the defendant personally.

Certified this day of 20

Form 31C

**RESTRAINING ORDER (PAEDOPHILE)****Magistrates Court of South Australia**www.courts.sa.gov.au*Summary Procedures Act 1921*

Section 99AA

Court Use

Date Filed:

This document must be served on the defendant personally					
Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Date complaint laid					
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb		State	Postcode	
Complainant					
Name	Surname		Given name/s		Complainant's Reference
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
The defendant is restrained in the following terms:					
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div>..... Date</div> <div>..... MAGISTRATES COURT</div> </div>					
IMPORTANT NOTICE TO DEFENDANT <ul style="list-style-type: none"> • Non-compliance with a served order renders you liable to a term of imprisonment not exceeding 2 years • Upon registration, this order is also enforceable in other States and Territories • A copy of any evidence that was relied on to make the order may be obtained from the Registry • You cannot apply to the court to vary this order for 12 months or such longer period as the court may have ordered. 					

Proof of Service

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the defendant personally.

Certified this day of 20

Date Filed:

- **Non-compliance with a served order renders you liable to a term of imprisonment not exceeding 2 years**
- Upon registration, this order is also enforceable in other States and Territories
- A copy of any evidence that was relied on to make the order may be obtained from the Registry
- You cannot apply to the court to vary this order for 12 months or such longer period as the court may have ordered.

Proof of Service

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the defendant personally.

Certified this day of 20

Form 36

**PROBLEM GAMBLING ORDER****Magistrates Court of South Australia**www.courts.sa.gov.au*Intervention Orders (Prevention of Abuse) Act 2009**Section 24 and the Problem Gambling Family Protection Orders Act 2004*

Registry					File No		
Address	Street			Telephone		Facsimile	
	City/Town/Suburb		State	Postcode	Email Address		
Defendant							
Name	Surname			Given name/s		DOB dd/mm/yyyy	
Address	Street						
	City/Town/Suburb			State	Postcode		
Applicant							
Name	Surname			Given name/s			
Address	Street			Telephone		Facsimile	
	City/Town/Suburb		State	Postcode	Email Address		
<p>An intervention order has been made against the defendant and there is a reasonable apprehension of harm to family members because of problem gambling and this order is appropriate in the circumstances: (note that if this a variation or revocation of an existing order details of that order must be included)</p>							
<p>Interim Attachment Order</p> <p>Insert name: _____ (the third party) of _____</p> <p>has money owing or accruing to the defendant (including money in an ADI account) and it is ordered that this money be retained until further court order.</p>							
<p>.....</p> <p>Date</p>				<p>.....</p> <p>MAGISTRATES COURT</p>			

Proof of Service

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the defendant personally.

Certified this day of 20

Form 37



NOTICE OF PROBLEM GAMBLING ATTACHMENT ORDER

Magistrates Court of South Australia

www.courts.sa.gov.au

Intervention Orders (Prevention of Abuse) Act 2009

Section 24(3) and the Problem Gambling Family Protection Orders Act 2004

Registry				File No		
Address	Street			Telephone	Facsimile	
	City/Town/Suburb	State	Postcode	Email Address		
Defendant						
Name	Surname		Given name/s		DOB dd/mm/yyyy	
Address	Street					
	City/Town/Suburb	State	Postcode			
Applicant						
Name	Surname		Given name/s			
Address	Street			Telephone	Facsimile	
	City/Town/Suburb	State	Postcode	Email Address		
Third party to whom this order is directed						
Name	Surname		Given name/s			
Address	Street					
	City/Town/Suburb	State	Postcode			
<p>The third party has money owing or accruing to the defendant (including money in an ADI account) and it has been ordered that this money be retained until further court order. At the next hearing date the court will decide whether this money should be paid to satisfy a debt owed by the defendant or otherwise applied as ordered by the court.</p> <ul style="list-style-type: none"> • If you do not comply with this order, you will become personally liable for payment to the beneficiaries of the amount unpaid in breach of the order • Where third party is an employer of the defendant, you will be guilty of an offence if you, because of the order: <ul style="list-style-type: none"> - dismiss the employee, - injure the employee in employment, or - alter the employee's position to the employee's prejudice. <p>Maximum Penalty \$10 000</p> <p>Compensation for expenses incurred by the third party may be ordered by the court.</p>						
Hearing details	Registry			Date		
	Address			Time am/pm		
	Telephone	Facsimile	Email Address			
<p>.....</p> <p>Date MAGISTRATES COURT</p>						

Proof of Service

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the defendant personally.

Certified this day of 20

Form 38



NOTICE OF INTENTION TO ASSIGN TENANCY

Magistrates Court of South Australia

www.courts.sa.gov.au

Intervention Orders (Prevention of Abuse) Act 2009

Section 25

Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb	State	Postcode		
Applicant					
Name	Surname		Given name/s		
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Landlord to whom this order is directed					
Name	Surname		Given name/s		
Address	Street				
	City/Town/Suburb	State	Postcode		
Premises					
Address of Premises	Street				
	City/Town/Suburb	State	Postcode		
Tenant	Surname		Given name/s		
Proposed Tenant	Surname		Given name/s		
Rent:			Bond:		
<p>An intervention order has been made against the defendant who has been prohibited from being at the premises and the court has been asked to make an order assigning the defendant's tenancy to (insert name of protected person) in accordance with section 25 of the Act which is attached. You can attend the hearing notified below and be heard as to whether the order should be made. If you do not attend the order may be made in your absence.</p>					
Hearing details	Registry			Date	
	Address			Time am/pm	
	Telephone	Facsimile	Email Address		
<p>.....</p> <p>Date</p> <p>MAGISTRATES COURT</p>					

Proof of Service

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the landlord by the following means.

Certified this day of 20

*INTERVENTION ORDERS (PREVENTION OF ABUSE) ACT 2009***25—Tenancy order**

(1) If—

- (a) the Court confirms an interim intervention order as an intervention order against a defendant or issues an intervention order against a defendant in substitution for an interim intervention order; and
- (b) the intervention order prohibits the defendant from being on premises at which a protected person resides; and
- (c) the defendant and protected person previously resided together on the premises; and
- (d) the premises are subject to a tenancy agreement to which the defendant is a party,

the Court may make an order (a *tenancy order*) that the defendant will be taken to have assigned the defendant's interest in the tenancy agreement to a specified person or persons with the landlord's consent.

(2) However, a tenancy order may only be made if the Court is satisfied that the assignee consents to the assignment and—

- (a) in a case where the landlord is a registered housing co-operative—the assignee is eligible for membership of the co-operative and willing to accept the responsibilities of membership; and
- (b) in a case where the landlord is the South Australian Housing Trust or a subsidiary of the South Australian Housing Trust—the assignee meets the eligibility requirements of the Trust; and
- (c) in any case—the assignee could reasonably be expected to comply with the obligations under the tenancy agreement,

(so that it would be unreasonable for the landlord to withhold consent to the assignment).

(3) A tenancy order takes effect on the day on which it is made or on such later day as is specified in the order.

(4) If a tenancy order is made—

- (a) the effect of the assignment is that the assignee is substituted for the assignor as tenant under the tenancy agreement (but the assignor remains responsible for liabilities that accrued before the date of the assignment); and
- (b) the assignee is liable to indemnify the assignor for liabilities incurred by the assignor to the landlord because of a breach of the tenancy agreement by the assignee; and
- (c) an amount paid by the assignor and held by way of security for the performance of obligations under the tenancy agreement will (unless the parties agree to the contrary) continue to be held as security for the proper performance by the assignee of obligations under the tenancy agreement.

(5) The Registrar must give a copy of a tenancy order to—

- (a) the protected person; and
- (b) the defendant; and
- (c) the landlord; and
- (d) if the assignee is not the protected person—the assignee; and
- (e) the Registrar of the Residential Tenancies Tribunal.

Form 39

**TENANCY ORDER****Magistrates Court of South Australia**www.courts.sa.gov.au**Intervention Orders (Prevention of Abuse) Act 2009**

Section 25

Registry				File No	
Address	Street		Telephone	Facsimile	
	City/Town/Suburb	State	Postcode	Email Address	
Landlord	Surname/Company Name		Given name/s/ACN Number		DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb		State	Postcode	
Premises	Street				
	City/Town/Suburb		State	Postcode	
Tenant/ Assignor	Surname		Given name/s		
Assignee	Surname		Given name/s		
Rent			Bond		
<p>An intervention order has been made against the tenants/assignor and the requirements of s 25 have been satisfied so that the court now orders that the interest of the tenants/assignor in the tenancy at the above premises is assigned to the assignee on the date specified and from that date the assignee is substituted for the assignor as tenant under the tenancy agreement (but the assignor remains responsible for liabilities that accrued before the date of the assignment) and the assignee is liable to indemnify the assignor for liabilities incurred by the assignor to the landlord because of a breach of the tenancy agreement by the assignee. The security bond will (unless the parties agree to the contrary) continue to be held as security for the proper performance by the assignee of obligations under the tenancy agreement.</p> <p>Where it is required the assignee will accept the responsibilities of membership of a registered housing cooperative.</p> <p>The assignee agrees to be bound by and comply with the obligations under the tenancy agreement.</p>					
Specified Date		Rent		Bond	
<p>.....</p> <p>Date MAGISTRATES COURT</p>					
Where this order is made in the absence of the landlord it must be served on the landlord.					

Form 40



APPLICATION TO VARY OR REVOKE A PROBLEM GAMBLING ORDER OR TENANCY ORDER

Magistrates Court of South Australia
www.courts.sa.gov.au
Intervention Orders (Prevention of Abuse) Act 2009
Court Use

Date Filed:

Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Applicant					
Name	Surname		Given name/s		
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Other Party Affected					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb	State	Postcode		
The applicant wishes to vary or revoke the following: <input type="checkbox"/> a tenancy order <input type="checkbox"/> a problem gambling order					
File Number			Date of Order		
Order sought					
This application will be listed for directions as to service, parties to be joined, and generally.					
Hearing details	Registry			Date	
	Address			Time am/pm	
	Telephone	Facsimile	Email Address		
<div style="display: flex; justify-content: space-between;"> Date MAGISTRATES COURT </div>					

Form 41



REQUEST TO REGISTER FOREIGN INTERVENTION ORDER

Magistrates Court of South Australia
www.courts.sa.gov.au
Intervention Orders (Prevention of Abuse) Act 2009

Section 30

Court Use

Date Filed:

Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb	State	Postcode		
Applicant					
Name	Surname		Given name/s		
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Date foreign order made: A certified copy of the foreign order is attached. Please register the order in the Court.					
<div style="text-align: right;"> * Interstate Registrar * Member of the South Australian Police Force * A person for whose benefit the foreign order was made </div> <div> *(strike out whichever is not applicable) </div>					

Section 30

This document must be served on the defendant personally					
Registry				File No	
Address	Street			Telephone	Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb			State	Postcode
Date foreign order registered:					
A certified copy of the foreign order that has been registered is attached.					
That order has been adapted for application in this State, and now restrains you in the following terms:					
Date			MAGISTRATES COURT		
IMPORTANT NOTICE TO DEFENDANT					
<ul style="list-style-type: none">Non-compliance with the order renders you liable to a term of imprisonment not exceeding 2 years.You may apply to the Court to vary or revoke the order.					

Proof of Service

Name of deponent:

Address of deponent:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

I certify that I served the attached document on the defendant personally.

Certified this day of 20

English

Important Information

Form 43

THIS INTERVENTION ORDER PROHIBITS YOU FROM COMMITTING AN ACT OF ABUSE AGAINST THE PROTECTED PERSON(S) NAMED IN THE ORDER.

IT IS AN OFFENCE TO DISOBEY ANY TERM OF AN INTERVENTION ORDER.

THE PENALTY FOR DISOBEYING THE ORDER CAN BE IMPRISONMENT FOR UP TO 2 YEARS.

A PROTECTED PERSON CANNOT GIVE PERMISSION TO DISOBEY THE ORDER.

Legal Advice: call the Legal Services Commission 1300 366 424 9.00 am – 4.30 pm Mon-Fri

Arabic

معلومات هامة

نموذج 43

إنَّ أمر التدخّل هذا يمنعكم من اقتراف أي فعل إساءة ضد الشخص/الأشخاص المحميين المذكورين في هذا الأمر.
إنَّ عدم الإنصياع لأي شرط من شروط أمر التدخّل هذا يعدّ مخالفة قانونية.
قد تصل عقوبة عدم الإنصياع لهذا الأمر إلى السجن لمدة أقصاها سنتان (2).
لا يحقّ للشخص المحمي أن يسمح بمخالفة هذا الأمر.
المشورة القانونية: إتصل هاتفياً بمفوضية الخدمات القانونية على الرقم: 1300 366 424 من الساعة 9 صباحاً إلى الساعة 4:30 عصراً من الإثنين إلى الجمعة.

Chinese

重要信息

Form 43

本限制令禁止你对限制令所保护的對象作出任何违令行为。
违反限制令中的任何一条规定都被视为违法行为。
违反限制令者可面临高达两年的监禁。
受保护者不能擅自允许受限制者违反有关限制令。
法律咨询：致电法律服务委员会，电话号码1300 366 424，周一至周五晨9:00至午4:30。

Croatian

Važna obavijest

Formular 43

OVA NAREDBA ZA INTERVENCIJU VAS SPREČAVA DA POČINITE AKT ZLOSTAVLJANJA NAD ZAŠTIĆENOM OSOBOM ILI OSOBAMA KOJE SU IMENOVANE U NAREDBI.
NE PRIDRŽAVANJE BILO KOJE ODREDBE OVE NAREDBE ZA INTERVENCIJU SMATRA SE KRIVIČNIM DJELOM.
KAZNA ZA NE PRIDRŽAVANJE NAREDBE MOŽE BITI ZATVORSKI PRITVOR U PERIODU DO DVIJE GODINE.
ZAŠTIĆENA OSOBA NE MOŽE DATI DOZVOLU DA SE ODREDBA MOŽE PREKRŠITI.
Pravni savjet: nazovite Legal Services Commission (Komisija za pravne usluge) na broj 1300 366 424 od 9.00 do 16.30 od ponedjeljka do petka.

Dinka

Lëëk Thiekiic

Form 43

YE YÖÖKĖ NĖ YÇOT-THĪN KEE YĪN PEN BA YAAŃ LUÇI RAAN GĖL TÇU RIN NĖ ATHÖR DE YÖÖKIC.
KEE AWĀC BA GUÇOT DE MĖN CĖ TĀĀU DE YÖÖK NĖ YÇOT-THĪNIC DHOŃKÇU.
WEI TĖ DHOŃĖ YÖÖK KÇU KA LĖU BĖ YA MĀNY LÇGUT NĖ RUN KAA 2.
RAAN GĖL KA CĪ LĖU BĪ PÇL BĖ YÖÖK DHOŃKÇU.
JİĖĖM NĖ LÖÖŃ:- ÇOL KÇMĪCON DE LOI KE LÖÖŃ 1300 366 424.
9:00 NĖ RIAL- 4.30 THEĖI, NĖ KÖL DE TÖK - KÖL DE DHIĖC.

Greek

Σημαντικές Πληροφορίες

Έντυπο 43

ΑΥΤΗ Η ΔΙΑΤΑΓΗ ΠΑΡΕΜΒΑΣΗΣ ΣΑΣ ΑΠΑΓΟΡΕΥΕΙ ΝΑ ΔΙΑΠΡΑΞΕΤΕ ΜΙΑ ΠΡΑΞΗ ΚΑΚΟΜΕΤΑΧΕΙΡΗΣΗΣ ΚΑΤΑ ΤΟΥ/ΤΩΝ ΠΡΟΣΤΑΤΕΥΟΜΕΝΟΥ/ΠΡΟΣΤΑΤΕΥΟΜΕΝΩΝ ΑΤΟΜΩΝ ΠΟΥ ΟΝΟΜΑΖΟΝΤΑΙ ΣΕ ΑΥΤΗ ΤΗ ΔΙΑΤΑΓΗ.
ΑΝΥΠΑΚΟΗ ΣΕ ΟΠΟΙΟΔΗΠΟΤΕ ΟΡΟ ΜΙΑΣ ΔΙΑΤΑΓΗΣ ΠΑΡΕΜΒΑΣΗΣ ΕΙΝΑΙ ΑΔΙΚΗΜΑ.
Η ΠΟΙΝΗ ΓΙΑ ΑΝΥΠΑΚΟΗ ΣΤΗ ΔΙΑΤΑΓΗ ΜΠΟΡΕΙ ΝΑ ΕΙΝΑΙ ΦΥΛΑΚΙΣΗ ΜΕΧΡΙ ΔΥΟ ΧΡΟΝΙΑ.
ΕΝΑ ΠΡΟΣΤΑΤΕΥΟΜΕΝΟ ΑΤΟΜΟ ΔΕΝ ΜΠΟΡΕΙ ΝΑ ΔΩΣΕΙ ΑΔΕΙΑ ΓΙΑ ΑΝΥΠΑΚΟΗ ΤΗΣ ΔΙΑΤΑΓΗΣ.
Νομικές Συμβουλές: τηλεφωνήστε στην Επιτροπή Νομικών Υπηρεσιών (Legal Services Commission) στο 1300 366 424 9.00 πμ – 4.30 μμ Δευτέρα – Παρασκευή.

Italian

Informazioni importanti

Modulo 43

QUESTO ORDINE D'INTERVENTO LE PROIBISCE DI COMMITTERE UN ATTO ABUSIVO CONTRO LA PERSONA(E) NOMINATA IN QUESTO ORDINE.

È UN REATO CONTRAVVENIRE QUALUNQUE CONDIZIONE DI UN ORDINE D'INTERVENTO.

LA PENA PER CONTRAVVENIRE L'ORDINE PUÒ ESSERE UN PERIODO DI FINO A 2 ANNI IN CARCERE.

LA PERSONA PROTETTA NON PUÒ DARE IL PERMESSO PER CONTRAVVENIRE L'ORDINE.

**Assistenza Legale: chiami la Commissione per i Servizi Legali 1300 366 424
9.00 am – 4.30 pm lunedì a venerdì**

Nepali

महत्तो पूर्ण सूचना

ढफा ४३

यो हस्तछेप कारी आदेश हो जुन शुरुआतदेखि भनेर तोकिएको ब्यक्ति को बिरुध्यमा कुनै पनि नराम्रो गाली गलोच वा निजको मान हानि हुने क्रिया कलाप बाट रोक लगाएको हुनेछ

एस किसिम को नियम लाई उलंघन गर्न पाईने छैन

यदि नियम भंग गरेको पाईएमा निज लाई २ बर्ष सम्म को कारागार सजाये हुनेछ

उक्त शुरुक्या दिए को ब्यक्ति ले यो आदेश को उलंघन गर्न स्वीकृति दिन सक्ने छैन

बिस्तृत कानूनी सल्लाह को लागी : कानूनी सेवा आयोग को फोन नौ
१३००१६६४२४ मा सोमबार देखि शुक्रबार सम्म बिहान ९ बजे देखि ४.३० भीत्र सम्पर्क गर्नु होला

Polish

Ważna Informacja

Formularz 43

TEN NAKAZ INTERWENCYJNY ZAKAZUJE CI POPEŁNIENIA AKTU PRZEMOCY WOBEC CHRONIONYCH OSÓB WYMIENIONYCH W TYM NAKAZIE.

NIEZASTOSOWANIE SIĘ DO KTÓREGOKOLWIEK Z WARUNKÓW NAKAZU INTERWENCYJNEGO JEST PRZESTĘPSTWEM.

KARA ZA NIEZASTOSOWANIE SIĘ DO NAKAZU MOŻE BYĆ POZBAWIENIE WOLNOŚCI DO 2 LAT.

CHRONIONA OSOBA NIE MOŻE WYRAZIĆ ZGODY NA NIEZASTOSOWANIE SIĘ DO NAKAZU.

**Porady prawne: zadzwoń do Komisji Usług Prawnych pod numer 1300 366 424
od 09.00 do 16.30 od poniedziałku do piątku**

Serbian

Важне информације

Формулар 43

ОБАЈ НАЛОГ О ЗАБРАНИ КОНТАКТА ВАС СПРЕЧАВА ДА ВРШИТЕ ЧИН НАСИЉА НАД ЛИЦЕМ/ЛИЦИМА КОЈИ СУ ЗАШТИЂЕНИ И ИМЕНОВАНИ У ОВОМ НАЛОГУ.

УЧИНИЋЕТЕ ПРЕКРШАЈ АКО НЕ БУДЕТЕ ПОШТОВАЛИ БИЛО КОЈИ ОД УСЛОВА НАЛОГА О ЗАБРАНИ КОНТАКТА.

КАЗНА ЗА НЕПОШТОВАЊЕ НАЛОГА МОЖЕ ДА БУДЕ ЗАТВОР ДО ДВЕ ГОДИНЕ.

ЛИЦЕ КОЈЕ ЈЕ ЗАШТИЂЕНО НЕ МОЖЕ ДА ВАМ ОДОБРИ ДА НЕ ПОШТУЈЕТЕ НАЛОГ.

Правни савет: назовите Комисију за правне услуге (Legal Services Commission) на број 1300 366 424 од 9.00 – 16.30 часова од понедељка до петка.

Swahili

Habari muhimu

Form 43

AMRI HII KUKINGA INAKUZUIA WEWE KUFANYA TENDO LA UNYANYASAJI DHIDI YA MTU ANAYELINDWA MWENYE JINA LAKE KWENYE MASHTAKA.

NI KOSA KUSHIDWA KUTII AMRI YOYOTE YA KUKINGA.

HUKUMU YA KUSHIDWA KUTII AMRI INAWEZA KUWA KIFUNGO CHA HADI MIAKA 2.

MTU ANAYELIDWA HANA UWEZA WA KUTOA RUHUSA YA KUTOTII AMRI HUSIKA

Ushauri wa Kisheria: Pigia Tume ya Huduma za Kisheria 1300 366 424, 3:00-10:30 Jumatatu-Ijumaa

Vietnamese

Thông Tin Quan Trọng

Mẫu 43

PHÁP LỆNH CAN THIỆP NÀY CẤM QUÝ VỊ CÓ HÀNH ĐỘNG LẠM DỤNG ĐỐI VỚI (NHỮNG) NGƯỜI ĐƯỢC BẢO VỆ CÓ TÊN TRONG PHÁP LỆNH NÀY.

KHÔNG TUÂN THỦ BẤT CỨ ĐIỀU KHOẢN NÀO CỦA MỘT PHÁP LỆNH CAN THIỆP LÀ MỘT HÀNH VI PHẠM PHÁP

HÌNH PHẠT ĐỐI VỚI HÀNH VI BẤT TUÂN PHÁP LỆNH CÓ THỂ LÀ TÙ Ở TỚI 2 NĂM.

NGƯỜI ĐƯỢC PHÁP LỆNH BẢO VỆ KHÔNG THỂ CHO PHÉP NGƯỜI KHÁC BẤT TUÂN PHÁP LỆNH NÀY.

Cố Vấn Pháp Lý: hãy gọi điện thoại cho Hội Đồng Các Dịch Vụ Pháp Lý (Legal Services Commission) 1300 366 424 từ 9 giờ 00 sáng đến 4 giờ 30 chiều từ Thứ Hai đến Thứ Sáu.

Form 44



APPLICATION FOR EXTENSION OF PERIOD OF DETENTION

Magistrates Court of South Australia

www.courts.sa.gov.au

Intervention Orders (Prevention of Abuse) Act 2009

Section 35(2)

Court Use

Date Filed:

Applicant (state rank and number)				
Name	Surname		Given name/s	
Stationed at	Street		Telephone	Facsimile
	City/Town/Suburb		State	Postcode
			Email Address	
Defendant				
Name	Surname		Given name/s	
Address	Street		DOB	
	City/Town/Suburb		State	dd/mm/yyyy
			Postcode	
Details of intervention order:				
Date intervention order made				
AP number				
Person(s) protected				
Time and date of apprehension:				
Time		Date		
Grounds of application:				
Order:				
I am satisfied that it is necessary to detain the defendant to prevent the immediate commission of abuse against a person protected by the order, or to enable measures here specified for the protection of the person specified in the order. I authorise the applicant to detain the person for the following period: (which must not exceed an aggregate of 24 hours):				
Measures specified				
Period of detention				
.....			
Date		MAGISTRATES		

Form 45



AFFIDAVIT
(INTERVENTION ORDER)
Magistrates Court of South Australia
www.courts.sa.gov.au
Intervention Orders (Prevention of Abuse) Act 2009

Court Use

Date Filed:

Registry					File No		
Applicant							
Name	Surname		Given name/s		DOB	dd/mm/yyyy	
Address	Street		Telephone		Facsimile		
	City/Town/Suburb	State	Postcode	Email Address			
Solicitor (if any)							
Defendant							
Name	Surname		Given name/s		DOB	dd/mm/yyyy	
Address	Street						
	City/Town/Suburb	State	Postcode				
Other address at which defendant may be found							
Address	Street						
	City/Town/Suburb	State	Postcode				
Details of Application							
1. Relationship of applicant to defendant							
2. Protected persons							
Name	Address (if different to applicant)		Sex	DOB	Relationship to Applicant		
3. Basis of application (tick appropriate box(es))							
It is reasonable to suspect that the defendant will commit an act of abuse against the protected person by:							
<input type="checkbox"/> causing personal injury;							
<input type="checkbox"/> causing damage to property;							
<input type="checkbox"/> other (specify)							
4. Details of conduct of defendant							
4.1 Brief description of background to relationship							

4.2 Circumstances and dates of incidents leading to this application such as assaults and injuries, damage to property, harm to pets, emotional or psychological harm, denial of financial autonomy, threats, intimidation, publishing harmful matters, stalking and other relevant facts, with details of any supporting witnesses, other evidence and any reports to police.

5. Orders already in force

If there are any relevant restraining or intervention orders between the protected person(s) and the defendant, give details of the date they were granted, who they affect and the court of issue and file number and any other identifying file references.

6. Other court actions

Give details of any relevant *Family Law Act* order, *Children's Protection Act* order or agreement or order for the division of property under the *Family Law Act 1975* (Cth), or the *Domestic Partners Property Act 1996* (SA) or a corresponding law of another jurisdiction, any pending application for such an order, and any other legal proceedings between a person proposed to be protected by the order and the defendant, of which the applicant is aware.

7. Other Information

Give details of any weapons in the defendant's possession

Provide any other relevant information

8. Intervention orders sought (lick the orders you are seeking)

- 1 ☐ assault, threaten, harass or intimidate the protected person(s).
- 2 ☐ follow or keep the protected person(s) under surveillance.
- 3 ☐ be within metres of the protected person(s).
- 4 ☐ contact or communicate with the protected person(s) either directly or in any way (including phone, letter, cards, SMS, messages, email, facsimile etc).
- 5 ☐ enter or remain in the vicinity of the protected person(s) place of residence, place of employment or any other place at which the protected person(s) is staying or working.
- 6 ☐ damage or interfere with the premises where the protected person(s) is staying, residing or is employed.
- 7 ☐ damage or take possession of personal property belonging to the protected person(s) and the following specified property:
- 8 ☐ enter or be in the vicinity of the following locations:
- 9 ☐ enter or be in the vicinity of any education or care facility attended by the protected person(s) and at the moment the protected person(s) are attending these facilities at
- 10 ☐ be in possession of the following weapon(s) or article(s):
- 11 ☐ publish on the internet, by email, SMS or other electronic means any material about the protected person(s).
- 12 ☐ cause, allow or encourage another person to do anything forbidden by this order.
- 13 ☐ other:

(clause 14 is permission to remove property and is a matter for the court)

The defendant must:

- 15 ☐ vacate the premises at _____ forthwith upon service of
this order and not return to those premises unless this term is varied or dismissed by the Court.

I, the applicant whose name and particulars appear above, swear/affirm that the contents of this affidavit are true and correct to the best of my knowledge and belief.

Sworn/affirmed by the applicant at:

In the State of South Australia this day of 20

Applicant

Before me:-

Justice of the Peace/
Commissioner for taking affidavits

Note to applicant – a copy of this affidavit will be given to the defendant.

Section 26

This document must be served on the defendant personally					
AP Number					
Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname <i>Surname</i>		Given name/s <i>Given name/s</i>		DOB <i>dd/mm/yyyy</i>
Address	Street <i>Street</i>				
	City/Town/Suburb <i>City/Town/Suburb</i>		State <i>State</i>	Postcode <i>Postcode</i>	
Applicant					
Name	Surname <i>Surname</i>		Given name/s <i>Given name/s</i>		
Address	Street <i>Street</i>		Telephone <i>Telephone</i>		Facsimile <i>Facsimile</i>
	City/Town/Suburb <i>City/Town/Suburb</i>	State <i>State</i>	Postcode <i>Postcode</i>	Email Address <i>Email Address</i>	
The intervention order made on file number _____ dated _____ is hereby:					
<input type="checkbox"/> revoked <input type="checkbox"/> varied					
Details of variation of intervention order:					
<input type="checkbox"/> a variation or revocation of a related tenancy order has been made separately <input type="checkbox"/> a variation or revocation of a problem gambling order has been made separately					
Date			MAGISTRATES COURT		

South Australia

Supreme Court Civil Rules 2006 (Amendment No. 17)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935 and all other enabling powers, we, Judges of the Supreme Court of South Australia, make the following Supreme Court Civil Rules 2006 (Amendment No 17):

1. These Rules may be cited as the Supreme Court Civil Rules 2006 (Amendment No. 17).

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

3. This amendment will commence on 1 December 2011, or upon its *gazettal*, whichever is the later.

4. Rule 58 is amended by inserting in subrule (4) (b) (ii) after the words "Service and Execution of Process Act 1992 (Cth)" the words "or the Trans-Tasman Proceedings Act 2010 (Cth)";

5. Rule 59 (3) is amended by:

(1) inserting immediately after "Service and Execution of Process Act 1992 (Cth)" in subrule (3) the words "and 30 working days if service was effected on the defendant under the Trans-Tasman Proceedings Act 2010 (Cth)";

(2) inserting immediately after subrule (3) the following note:

"Note: 'Working day' is defined in Section 4 of the Trans-Tasman Proceedings Act 2010 (Commonwealth) to mean a day on which documents may be filed in the registry of the court or tribunal for the proceeding."

6. Rule 287 is amended by deleting subrule (4) and inserting in its place the following:

“(4) An appellant discontinuing an appeal is, subject to any contrary order of the Court, liable to the other parties to the appeal for the costs arising from the appeal.”

7. Rule 311 is amended by deleting subrule (5).

8. Rule 315 is deleted and a new rule 315 inserted as follows:

“315—*Trans-Tasman Proceedings Act 2010 (Commonwealth)*

(1) In this rule “Act” means the Trans-Tasman Proceedings Act 2010 (Cth);

(2) An application under sections 12(2), 13(3), 15(1), 17(1), 35, 48, 67, 72 and 76 must be made by an interlocutory application under rule 131 using the approved form for such an application.

(3) Except in proceedings to which rule 2.9 of the Corporations Rules (South Australia) applies, an appearance filed under s 13 of the Act must comply with the requirements of rule 58 and be in the approved form for notices of address for service.

(4) A party or intended party seeking interim relief under s 25 of the Act must file a summons in accordance with rule 34.

(5) An application for permission to serve a subpoena in New Zealand under the Act in relation to current proceedings in the Court must be made by interlocutory application in accordance with rule 131 and must be supported by an affidavit exhibiting a copy of the subpoena in respect of which permission to serve is sought and addressing the following matters:

(a) the name, occupation and address of the proposed addressee;

(b) whether the addressee is over 18 years old;

(c) the nature and significance of the evidence to be given, or the document or thing to be produced, by the addressee;

- (d) details of the steps taken (if any) to ascertain whether the evidence, document or thing could be obtained by other means without significantly greater expense, and with less inconvenience, to the addressee;
 - (e) the date by which it is intended to serve the subpoena in New Zealand;
 - (f) details of the amounts to be tendered to the addressee to meet the addressee's reasonable expenses of complying with the subpoena;
 - (g) details of the way in which the amounts mentioned in subrule (f) are to be given to the addressee;
 - (h) if the subpoena requires a specified person to attend to give evidence, an estimate of the time during which the addressee will be required to attend; and
 - (i) any facts or matters known to the applicant which may constitute grounds for an application by the addressee to have the subpoena set aside under subs 36 (2) or (3) of the Act.
- (6) In cases to which subrule (5) does not apply, an application to serve a subpoena in New Zealand under the Act must be made in proceedings commenced under rule 34 and must be supported by an affidavit addressing the matters listed in subrule (5)."

9. Schedule 3 is deleted.

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 31st day of October 2011.

(L.S.)

J. J. DOYLE, CJ
T. A. GRAY, J
J. R. SULAN, J
A. M. VANSTONE, J
R. C. WHITE, J
M. DAVID, J
P. KELLY, J
C. KOURAKIS, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J

South Australia

Public Sector (Reorganisation of Public Sector Operations) Notice 2011

under section 9(1) of the *Public Sector Act 2009*

1—Short title

This notice may be cited as the *Public Sector (Reorganisation of Public Sector Operations) Notice 2011*.

2—Commencement

This notice will come into operation on 1 December 2011.

3—Transfer of employees

An employee listed in column 1 of the table below is transferred to employment in the public sector agency listed in column 2 opposite the reference to the employee on the same basis of engagement as applied before the transfer.

Employees	Public sector agency
Department of Planning and Local Government employees assigned to work— (a) in the Office for Recreation and Sport; (b) in the Office for Racing.	Department of Planning, Transport and Infrastructure
Department of the Premier and Cabinet employees assigned to work in the Social Inclusion Unit	Department for Communities and Social Inclusion

Made by the Premier

on 17 November 2011

DPC11/047CS

South Australia

Development (Regulated Trees) Amendment Act (Commencement) Proclamation 2011

1—Short title

This proclamation may be cited as the *Development (Regulated Trees) Amendment Act (Commencement) Proclamation 2011*.

2—Commencement of Act

The *Development (Regulated Trees) Amendment Act 2009* (No 56 of 2009) will come into operation on 17 November 2011.

Made by the Governor

with the advice and consent of the Executive Council
on 17 November 2011

MUDP10/004CS

South Australia

Public Sector (Administrative Units—Alteration of Titles and Responsible Minister) Proclamation 2011

under sections 26 and 28 of the *Public Sector Act 2009*

1—Short title

This proclamation may be cited as the *Public Sector (Administrative Units—Alteration of Titles and Responsible Minister) Proclamation 2011*.

2—Commencement

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

3—Alteration of titles

The title of an existing department listed in the table in Schedule 1 is altered to the title listed in the table opposite the reference to the department.

4—Alteration of Minister responsible for Defence SA

The Minister for State Development is designated as Defence SA's Minister with responsibility for the department.

Schedule 1—Alteration of titles

<u>Existing department</u>	<u>New title</u>
Department of Education and Child Development	Department for Education and Child Development
Department of Manufacturing, Innovation, Trade and Resources	Department for Manufacturing, Innovation, Trade, Resources and Energy

Made by the Governor

with the advice and consent of the Executive Council
on 17 November 2011

DPC11/047CS

South Australia

Development (Regulated Trees) Variation Regulations 2011

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 2008*

- 4 Substitution of regulation 6A
 - 6A Regulated and significant trees
 - 5 Variation of regulation 18—Notification of application of tree-damaging activity to owner of land
 - 6 Variation of regulation 32—Public notice categories
 - 7 Insertion of regulation 117
 - 117 Regulated and significant trees—further provisions
 - 8 Variation of Schedule 3—Acts and activities which are not development
 - 17 Removal of trees in certain cases
 - 9 Variation of Schedule 5—Requirements as to plans and specifications
 - 10 Variation of Schedule 9—Public notice categories
 - 11 Variation of Schedule 10—Decisions by Development Assessment Commission
 - 12 Variation of Schedule 14—State agency development exempt from approval
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Regulated Trees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on the day on which the *Development (Regulated Trees) Amendment Act 2009* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Development Regulations 2008*

4—Substitution of regulation 6A

Regulation 6A—delete the regulation and substitute:

6A—Regulated and significant trees

- (1) Subject to this regulation, the following are declared to constitute classes of regulated trees for the purposes of paragraph (a) of the definition of *regulated tree* in section 4(1) of the Act, namely trees within the designated area under subregulation (3) that have a trunk with a circumference of 2 metres or more or, in the case of trees with multiple trunks, that have trunks with a total circumference of 2 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level.
- (2) Subject to this regulation—
 - (a) a prescribed criterion for the purposes of paragraph (b) of the definition of *significant tree* in section 4(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 3 metres or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level; and
 - (b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.
- (3) For the purposes of subregulation (1), the designated area will be constituted by—
 - (a) the whole of Metropolitan Adelaide, other than—
 - (i) those parts of the area of the Adelaide Hills Council within the Extractive Industry Zone, the Public Purpose Zone or the Watershed (Primary Production) Zone in the Development Plan that relates to that area; and
 - (ii) those parts of the area of the City of Playford within the Watershed Zone or the Mount Lofty Ranges Rural Zone on the eastern side of the Hills Face Zone in the Development Plan that relates to that area; and
 - (b) any part of the area of the Adelaide Hills Council outside Metropolitan Adelaide that is within a Country Township Zone in the Development Plan that relates to that area; and
 - (c) the whole of The District Council of Mount Barker other than those parts of the area of The District Council of Mount Barker within the Industry (Kanmantoo) Zone, the Rural Watershed Protection Zone, the Rural (Mount Barker) Zone, the Rural (Kanmantoo) Zone or the Rural (Kondoparinga) Zone in the Development Plan that relates to that area.

- (4) For the purposes of subregulations (1) and (2), the measurement of the circumference of the trunks of a tree with multiple trunks is to be undertaken on the basis of the actual circumference of each trunk and without taking into account any space between the trunks.
- (5) Subregulations (1) and (2) do not apply—
- (a) to a tree located within 10 metres of an existing dwelling or an existing in-ground swimming pool, other than a tree within 1 of the following species of trees:
- Agonis flexuosa (Willow Myrtle)
Eucalyptus (any tree of the species); or
- (b) to a tree within 1 of the following species of trees:
- Acer negundo (Box Elder)
Acer saccharinum (Silver Maple)
Ailanthus altissima (Tree of heaven)
Alnus acuminate subsp. Glabrata (Evergreen Alder)
Celtis australis (European Nettle Tree)
Celtis sinensis (Chinese Nettle Tree)
Cinnamomum camphora (Camphor Laurel)
Cupressus macrocarpa (Monterey Cypress)
Ficus spp. (Figs), other than Ficus macrophylla (Morton bay fig) located more than 15 metres from a dwelling
Fraxinus angustifolia (Narrow-leaved Ash)
Fraxinus angustifolia ssp. Oxycarpa (desert ash)
Pinus Radiata (Radiata Pine / Monterey Pine)
Platanus x acerifolia (London Plane)
Populus alba (White poplar)
Populus nigra var. italica (Lombardy Poplar)
Robinia pseudoacacia (Black Locust)
Salix babylonica (Weeping Willow)
Salix chilensis 'Fastigiata' (Chilean Willow, Evergreen Willow, Pencil Willow)
Salix fragilis (Crack Willow)
Salix X rubens (White Crack Willow, Basket Willow)
Salix X sepulcralis var. chrysocoma (Golden Weeping Willow)
Schinus areira (Peppercorn Tree); or
- (c) to a tree belonging to a class of plants to which a declaration by the Minister under Chapter 8 Part 1 of the *Natural Resources Management Act 2004* applies; or

- (d) to a tree that may not be cleared without the consent of the Native Vegetation Council under the *Native Vegetation Act 1991*; or
 - (e) to a tree planted as part of a woodlot, orchard or other form of plantation created for the purpose of growing and then harvesting trees or any produce; or
 - (f) to a tree if the tree is located at a site where it is proposed to undertake development that has been approved by the State Coordinator-General for the purposes of the Commonwealth Nation Building Program or the Local Government Infrastructure Program, other than where the site is a site where a State heritage place is situated.
- (6) Subregulation (5)(f) expires on 31 December 2012.
- (7) For the purposes of subregulation (5), the distance between a dwelling or swimming pool and a tree will be measured from the base of the trunk of the tree (or the nearest trunk of the tree to the dwelling or swimming pool) to the nearest part of the dwelling or swimming pool at natural ground level.

Note—

The scheme set out in subregulations (1) to (7) relates to the declaration of trees to be regulated trees or significant trees by regulations under the Act. A tree may also be declared to be a significant tree by the relevant Development Plan, and such a declaration has effect independently from those subregulations.

- (8) For the purposes of the definition of *tree damaging activity* in section 4(1) of the Act, pruning—
- (a) that does not remove more than 30% of the crown of the tree; and
 - (b) that is required to remove—
 - (i) dead or diseased wood; or
 - (ii) branches that pose a material risk to a building; or
 - (iii) branches to a tree that is located in an area frequently used by people and the branches pose a material risk to such people,

is excluded from the ambit of that definition.

5—Variation of regulation 18—Notification of application of tree-damaging activity to owner of land

Regulation 18—delete "significant tree" and substitute:
regulated tree

6—Variation of regulation 32—Public notice categories

Regulation 32(6)—after "*residential code* development" insert:
or a tree-damaging activity

7—Insertion of regulation 117

After regulation 116 insert:

117—Regulated and significant trees—further provisions

- (1) For the purposes of subsection (3a) and (3b) of section 39 of the Act, the qualifications of a person providing an expert or technical report within the contemplation of either subsection is Certificate V in Horticulture (Arbor culture), or a comparable or higher qualification.
- (2) For the purposes of section 42(4) of the Act, the prescribed number of trees is—
 - (a) if the development authorisation relates to a regulated tree—
2 trees to replace the regulated tree;
 - (b) if the development authorisation relates to a significant tree—
3 trees to replace the significant tree.
- (3) For the purposes of section 42(5), the following criteria are prescribed:
 - (a) the tree cannot be a tree within a species specified under regulation 6A(5)(b);
 - (b) the tree cannot be planted within 10 metres of an existing dwelling or an existing in-ground swimming pool.
- (4) For the purposes of section 42(6) of the Act, the amount payable will be \$75 for each replacement tree that is not planted.

8—Variation of Schedule 3—Acts and activities which are not development

Schedule 3—after clause 16 insert:

17—Removal of trees in certain cases

- (1) A tree-damaging activity in relation to a regulated tree (including a tree that also constitutes a significant tree) if—
 - (a) the tree is within 1 of the following species of trees:
Melaleuca styphelioides (Prickly-leaved Paperbark)
Lagunaria patersonia (Norfolk Island Hibiscus); or
 - (b) the tree is within 20 metres of a dwelling in a Bushfire Protection Area identified as Medium Bushfire Risk or High Bushfire Risk in the relevant Development Plan; or
 - (c) the tree is on land under the care and control of the Minister who has primary responsibility for the environment and conservation in the State; or
 - (d) the tree is on land under the care and control of the Board of the Botanic Gardens and State Herbarium; or
 - (e) the tree is dead.
- (2) For the purposes of subclause (1)(b), the distance between a dwelling and a tree will be measured from the base of the trunk of the tree (or the nearest trunk of the tree to the dwelling) to the nearest part of the dwelling at natural ground level.

9—Variation of Schedule 5—Requirements as to plans and specifications

- (1) Schedule 5, clause A1(a)(iv)—delete "significant tree" and substitute:
regulated tree
- (2) Schedule 5, clause A2(a)(iii)—delete "significant tree" and substitute:
regulated tree
- (3) Schedule 5, clause 1(1)(vc)—delete "significant tree" and substitute:
regulated tree

10—Variation of Schedule 9—Public notice categories

- (1) Schedule 9, clause 13—delete "significant tree" and substitute:
regulated tree
- (2) Schedule 9, clause 25—delete "significant tree" and substitute:
regulated tree

11—Variation of Schedule 10—Decisions by Development Assessment Commission

- Schedule 10, clause 1(1)(v)—delete "significant tree" and substitute:
regulated tree

12—Variation of Schedule 14—State agency development exempt from approval

- (1) Schedule 14, clause 1(b)(vii)—delete "significant tree" and substitute:
regulated tree
- (2) Schedule 14, clause 1(b)(viii)—delete "significant tree" and substitute:
regulated tree
- (3) Schedule 14, clause 1(b)(ix)—delete "significant tree" and substitute:
regulated tree
- (4) Schedule 14, clause 4(b)(vi)—delete "significant tree" and substitute:
regulated tree

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 10 November 2011

No 237 of 2011

MUDP10/004CS

South Australia

Aquaculture (Fees) Variation Regulations 2011

under the *Aquaculture Act 2001*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Aquaculture Regulations 2005*

- 4 Substitution of Schedule 1
- Schedule 1—Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Aquaculture (Fees) Variation Regulations 2011*.

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 *Aquaculture Regulations 2005*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

Part 1—Application fees

- 1 On application for consent to transfer a development lease (section 36)—
 - (a) if a corresponding licence authorises the farming of oysters \$1 537
 - (b) in any other case \$581

- 2 On application for an aquaculture licence (section 49)—
 - (a) in the case of a corresponding licence within an aquaculture zone—
 - (i) administrative component \$2 232
 - (ii) advertising component \$1 338
 - (b) in the case of a corresponding licence outside of an aquaculture zone—
 - (i) administrative component \$3 804
 - (ii) advertising component \$1 338
 - (c) in the case of a licence other than a corresponding licence—
 - (i) for a low risk (*category A*) licence—
 - (A) administrative component \$1 495
 - (B) advertising component \$1 338
 - (ii) for a medium risk (*category B*) licence—
 - (A) administrative component \$1 788
 - (B) advertising component \$1 338
 - (iii) for a high risk (*category C*) licence—
 - (A) administrative component \$2 818
 - (B) advertising component \$1 338
- 3 On application to vary the conditions of an aquaculture licence (section 52)—
 - (a) in the case of a corresponding licence that authorises the farming of oysters—
 - (i) for a simple variation \$1 329
 - (ii) for a standard variation \$1 760
 - (iii) for a complex variation \$3 331
 - (b) in the case of any other corresponding licence—
 - (i) for a simple variation \$942
 - (ii) for a standard variation \$1 246
 - (iii) for a complex variation \$2 359
 - (c) in the case of a licence other than a corresponding licence—
 - (i) for a simple variation \$670
 - (ii) for a standard variation \$786
 - (iii) for a complex variation \$2 011
- 4 On application for renewal of an aquaculture licence (section 53) \$465
- 5 On application for consent to transfer an aquaculture licence (section 55)—
 - (a) in the case of a corresponding licence that authorises the farming of oysters \$1 794
 - (b) in the case of any other corresponding licence \$537

	(c) in the case of a licence other than a corresponding licence	\$443
6	On application for consent to surrender an aquaculture licence other than a corresponding licence (section 56)	\$327
7	On application for the division of a lease area into separate lease areas (regulation 28A)	
	(a) if a corresponding licence authorises the farming of oysters	\$2 818
	(b) in any other case	\$1 113
8	On application for the division of a licence area into separate licence areas (regulation 28B)—	
	(a) in the case of a licence that authorises the farming of oysters	\$1 537
	(b) in any other case	\$847
9	On application for renewal of an aquaculture lease (<i>Aquaculture (Standard Lease Conditions) Policy 2005</i>)—	
	(a) if a corresponding licence authorises the farming of oysters	\$739
	(b) in any other case	\$488
10	On application to vary an aquaculture lease or its conditions (<i>Aquaculture (Standard Lease Conditions) Policy 2005</i>)—	
	(a) for a variation consisting of or involving—	
	(i) the substitution of the lease area (within or outside of an aquaculture zone) where at least 80% of the lease area will remain the same	\$1 179
	(ii) the substitution of the lease area within an aquaculture zone (other than a variation of a kind referred to in subparagraph (i))	\$1 988
	(iii) the substitution of the lease area outside of an aquaculture zone (other than a variation of a kind referred to in subparagraph (i))	\$2 813
	(b) for a variation of any other kind	\$720

Part 2—Periodic fees for corresponding licences for the financial year 2010/11 and for each subsequent financial year

11	For an aquaculture licence to farm prescribed wild caught tuna	\$5 539
12	For an aquaculture licence to farm finfish other than prescribed wild caught tuna	\$1 884
13	For an aquaculture licence to farm abalone in a subtidal area	\$2 467
14	For an aquaculture licence to farm mussels in a subtidal area	\$2 088
15	For an aquaculture licence to farm molluscs (other than abalone and mussels) in a subtidal area	\$1 853
16	For an aquaculture licence to farm molluscs (including abalone, but not including oysters) in an intertidal area	\$1 821

17	For an aquaculture licence to farm oysters in an intertidal area	\$368 plus \$209 for each hectare (rounded to 2 decimal places) in the licence area
18	For an aquaculture licence to farm algae	\$1 691
19	For an aquaculture licence authorising the storage of sea cages	\$1 691
Part 3—Periodic fees for licences other than corresponding licences for the financial year 2010/11 and for each subsequent financial year		
20	For a low risk (<i>category A</i>) licence	\$313
21	For a medium risk (<i>category B</i>) licence—	
	(a) in the case of a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters or the use of a farming structure designed to be transported by road or rail	\$345
	(b) in any other case	\$330
22	For a high risk (<i>category C</i>) licence—	
	(a) in the case of a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters or the use of a farming structure designed to be transported by road or rail	\$4 565
	(b) in any other case	\$345

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 17 November 2011

No 238 of 2011

MAFF11/18CS

South Australia

Supreme Court Variation Regulations 2011

under the *Supreme Court Act 1935*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Supreme Court Regulations 2005*

- 4 Variation of regulation 4—Definition of prescribed court (section 39)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Supreme Court Variation Regulations 2011*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

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 *Supreme Court Regulations 2005*

4—Variation of regulation 4—Definition of prescribed court (section 39)

Regulation 4—after paragraph (b) insert:

- (c) Equal Opportunity Tribunal.

Made by the Governor

with the advice and consent of the Executive Council
on 17 November 2011

No 239 of 2011

AGO0261/11CS

South Australia

Gaming Machines Variation Regulations 2011

under the *Gaming Machines Act 1992*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Gaming Machines Regulations 2005*

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

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Gaming Machines Variation Regulations 2011*.

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 *Gaming Machines Regulations 2005*

4—Variation of regulation 10—Minister may grant exemptions

Regulation 10—after subregulation (4b) insert:

- (4ba) The Minister may grant exemptions from such provisions of the Act as may be necessary for the purpose of enabling—
 - (a) the holder of a gaming machine dealer's licence to sell or supply gaming machines, prescribed gaming machine components and gaming equipment to the holder of the casino licence under the *Casino Act 1997* as if the holder of the casino licence held a gaming machine licence; and
 - (b) gaming machines owned by the holder of the casino licence under the *Casino Act 1997* to be stored at a secure location by a person who does not hold a licence.

- (4bb) Without limiting the conditions that may be imposed under subregulation (4c), an exemption under subregulation (4ba)(b) is subject to the following conditions:
- (a) the person storing the gaming machines and the premises at which the gaming machines are stored must be approved by the Commissioner;
 - (b) a gaming machine must not be transferred to the approved premises unless the Commissioner has been given notice in writing of the details of the gaming machine and the date and time of its proposed transfer;
 - (c) a gaming machine must not be disposed of at, or removed from, the approved premises unless the Commissioner has been given notice in writing of—
 - (i) the details of the gaming machine; and
 - (ii) if the machine is to be disposed of—the proposed method, date and time of disposal; and
 - (iii) if the machine is to be removed—the purpose of its removal, the place to which it is to be removed and the date and time of its proposed removal;
 - (d) an authorised officer may exercise powers for the purposes of ascertaining whether the conditions of the exemption are being complied with as if those powers were being exercised under the Act, the approved premises were premises used in the course of a business carried on under a licence and the officer were ascertaining whether the provisions of the licence were being complied with, and a person—
 - (i) must not, without reasonable excuse, hinder or obstruct the authorised officer in the exercise of the powers; or
 - (ii) fail to answer a question put by the authorised officer to the best of his or her knowledge, information or belief; or
 - (iii) fail to comply with any other lawful requirement or direction of the authorised officer; or
 - (iv) use abusive, threatening or insulting language to the authorised officer or a person assisting the authorised officer.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 17 November 2011

No 240 of 2011

11MGA0004CS

South Australia

Health Services Charitable Gifts Variation Regulations 2011

under the *Health Services Charitable Gifts Act 2011*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Health Services Charitable Gifts Regulations 2011*

- 4 Insertion of regulations 5 to 7
 - 5 Property to which section 16(1) of Act does not apply
 - 6 Advisory committee
 - 7 Reports
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Health Services Charitable Gifts Variation Regulations 2011*.

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 *Health Services Charitable Gifts Regulations 2011*

4—Insertion of regulations 5 to 7

After regulation 4 insert:

5—Property to which section 16(1) of Act does not apply

- (1) For the purposes of section 16(3)(b) of the Act, any property given to a public health entity from income of a medical officer employed or otherwise engaged by or on behalf of the Crown for medical services performed by the officer is property of a prescribed kind.

- (2) Property referred to in subregulation (1) is given to the public health entity in a prescribed manner if the medical officer gives the property to the public health entity under an arrangement between the officer and the entity.

6—Advisory committee

- (1) For the purposes of section 24(2) of the Act, the Minister may, in directing the Board to establish the committee, specify the qualifications to be held by members nominated by the Board.
- (2) For the purposes of section 24(4)(a) of the Act, a committee must meet at least twice a year.

7—Reports

For the purposes of section 30(3)(c) of the Act, the following information is to be included in the Board's annual report in relation to the relevant financial year:

- (a) a summary of the Board's investment portfolio, investment objectives and strategies;
- (b) the names of the public health entities to which a portion of the charitable assets has been applied;
- (c) the purposes for which portions of the charitable assets have been applied and the total amount applied for each purpose;
- (d) if the Board holds property on trust for the purposes of a charitable health trust under section 20 of the Act—the purposes for which trust money has been applied;
- (e) a summary of the activities of, and advice given to the Board by, a committee established under section 24 of the Act.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 17 November 2011

No 241 of 2011

HEAC-2011-00047

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CITY OF PORT ADELAIDE ENFIELD

*Results of Supplementary Election for Councillor in Parks Ward
Conducted on Monday, 7 November 2011*

Formal Ballot Papers: 3 131

Informal Ballot Papers: 14

Quota: 1 566

Candidates	First Preference Votes	Result after Distribution of Preferences
Wilcock, Guy	2 085	Elected
Croci, John Alexander.....	1 046	

K. MOUSLEY, Returning Officer

CITY OF PORT LINCOLN

DEVELOPMENT ACT 1993

*Industry, Commercial and Bulky Goods
Retailing Development Plan Amendment (DPA)—
Change of Public Hearing Date*

NOTICE is hereby given that the public hearing to be held on Monday, 28 November 2011 at 7.30 p.m. has been rescheduled to Tuesday, 29 November 2011 at 7.30 p.m. at the City of Port Lincoln Council Chambers, Level One, 60 Tasman Terrace, Port Lincoln.

G. DODD, Chief Executive Officer

ADELAIDE HILLS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Tabor lane, Lobethal

NOTICE is hereby given pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the Adelaide Hills Council proposes to make a Road process order to open as road land more particularly delineated and numbered '1' and '2' being portions of Allotment Pieces 301 and 302 in Preliminary Plan No. 11/0047, to close and merge portion of the public road Tabor Lane with Allotment Piece 302 in DP 57287 situated adjoining the southern boundary of the said Allotment, more particularly deleated and lettered 'A' in Preliminary Plan No. 11/0047.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Adelaide Hills Council, 63 Mount Barker Road, Stirling and 28 Main Street, Woodside and the office of the Surveyor-General, 101 Grenfell Street, Adelaide, 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 Adelaide Hills Council, P.O. Box 44, Woodside, S.A. 5244, 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 10 November 2011.

P. PEPPIN, Chief Executive Officer

CORPORATION OF THE TOWN OF WALKERVILLE

*Supplementary Election for Area Councillor**Nominations Received*

AT the close of nominations at 12 noon on Thursday, 10 November 2011 the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper.

Area Councillor—1 Vacancy
Bernardi, Sinead
Pilch, Leszek
Symonds, Robert

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday, 22 November 2011 and Monday, 28 November 2011 to every person or designated person of a body corporate or group listed on the voters roll at roll close on Friday, 30 September 2011. Voting is voluntary.

A person who has not received voting material by Monday, 28 November 2011 and believes they are entitled to vote should contact the Deputy Returning Officer on (08) 7424 7421.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Monday, 12 December 2011.

A ballot box will be provided at the Council Office, 66 Walkerville Terrace, Gilberton for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at Walkerville Town Hall, 66 Walkerville Terrace, Gilberton, as soon as practicable after 12 noon on Monday, 12 December 2011. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a Campaign Donations Return to the Council Chief Executive Officer within 30 days after the conclusion of the election.

K. MOUSLEY, Returning Officer

ADELAIDE HILLS COUNCIL

Change to Road Name—Forrest Road, Carey Gully

NOTICE is hereby given that at a meeting of Council held on 8 March 2011, Council resolved pursuant to Section 219 (1) of the Local Government Act 1999, to rename the following:

The southern section of Mewett Road, Kersbrook, between Hill Road to 640 m of made road, be renamed Redgum Lane.

The private road in Cherryville, commencing at the end of the made portion of Fernhurst Road, be named Fernhurst Lane.

The private road from Montacute Road, Montacute, commonly known as Smiths Gully Road, be named Smiths Gully Road.

The private road from Smiths Gully Road, Montacute, commonly known as Trebilcock Road, be named Trebilcock Road.

P. MULLER, Technical Officer

ALEXANDRINA COUNCIL

LOCAL GOVERNMENT ACT 1934

*Road Closure—Byrnes Road between New Orleans Street
and Boston Street, Goolwa North*

NOTICE is hereby given, that in accordance with Section 359 of the Local Government Act 1934, as amended, Council excludes all vehicles, with the exception of Council vehicles, emergency services vehicles and service provider vehicles approved by Council from that portion of Byrnes Road between New Orleans Street and Boston Street, following the Council meeting held on Monday, 7 November 2011.

P. DINNING, Chief Executive

ALEXANDRINA COUNCIL
LOCAL GOVERNMENT ACT 1934

*Road Closure—Government Road ('Regulator Road'),
Hindmarsh Island*

NOTICE is hereby given, that in accordance with Section 359 of the Local Government Act 1934, as amended, Council, excludes all vehicles, with the exception of Council vehicles, emergency services vehicles, vehicles owned or operated by or on behalf of CATCON Civil & Allied Technical Construction Pty Ltd, vehicles authorised by Council and vehicles operated by the land owners of Section 126, Government Road, LTO Plan H150800, CT5531/702, Hundred of Nangkita and the land owners of Section 130, Government Road, LTO Plan F125770, CT5226/651, Hundred of Nangkita, from Government Road (known locally as 'Regulator Road') Hindmarsh Island, following the Council meeting held on Monday, 7 November 2011.

P. DINNING, Chief Executive

DISTRICT COUNCIL OF CLEVE
Change of Council Meeting Date

NOTICE is hereby given that the normal December Council Meeting will now commence at 9 a.m. in lieu of 9.30 a.m. in the Council Chambers, Main Street, Cleve on Wednesday, 14 December 2011.

P. J. CAMERON, Chief Executive Officer.

LIGHT REGIONAL COUNCIL
Conversion of Private Road to Public Road

NOTICE is hereby given pursuant to Section 210 of the Local Government Act 1999, that at a future meeting of the Council, Light Regional Council intends to declare portion of Sections 1401 and 1489, Hundred of Kapunda, being the land marked 'A' in the Lands Titles Office, Deposited Plan 85459 and known commonly as Gawler Street, to be public road known as Gawler Street.

B. CARR, Chief Executive Officer

DISTRICT COUNCIL OF ROBE
Temporary Road Closures

NOTICE is hereby given that pursuant to the powers conferred on the Minister for Transport by Section 33 of the Road Traffic Act 1961 and delegated to Councils by the Minister on 12 March 2001, the District Council of Robe hereby advises that the event known as 'Mayoral Christmas Parade' to be an event to which Section 33 of the Road Traffic Act 1961 applies and makes this order, temporarily closing the following street in the Robe Township.

The following roads will be closed to traffic from 4 p.m. to 10 p.m. on Sunday, 18 December 2011:

- Mundy Terrace: from Morphet Street to Davenport Street
- Bagot Street: from Smillie Street to Mundy Terrace

Makes an order exempting persons participating in the event from the following Australian Road Rules:

- 230 Crossing a road [general].
- 238 Pedestrians travelling along a road [except in or on a wheeled recreational device or toy].
- 268 How persons must travel in a vehicle do not exceed the speed of 25km/hr on the portions of the road described above during the period specified above.
- 298 Driving with a person in a trailer only when the participating vehicles do not exceed the speed of 25km/hr on the portion of the road described above and during the period above.

Notice is hereby given that pursuant to the powers conferred on the Minister for Transport in Section 33 of the Road Traffic Act 1961 and delegated to Councils by the Minister on 12 March 2001, the District Council of Robe hereby advises that the event known as the 'Great Southern Ocean Boat and Fishing Show 2012' be an event to which Section 33 of the Road Traffic Act 1961 applies and makes this order, temporarily closing the following streets in the Robe Township.

The following roads will be closed to traffic between 7 a.m. on Friday, 20 January 2012 and 7 p.m. on Sunday, 22 January 2012:

- Royal Circus—From Mundy Terrace to Lipson Terrace, and from Cooper Street to Lipson Terrace;
- Lipson Terrace to Hagen Street; and
- Hagen Street to Smillie Street.

One Way Traffic:

- Royal Circus to Cooper Street.

The following road will be closed to traffic between 7 a.m. and 5 p.m. on Saturday, 21 January 2012:

- Victoria Street, between Smillie/ Victoria Street intersection and Bagot Street/ Mundy Terrace.

Makes an order exempting persons participating in the event from the following Australian Road Rules:

- 230 Crossing a road [general].
- 238 Pedestrians travelling along a road [except in or on a wheeled recreational device or toy].
- 268 How persons must travel in a vehicle do not exceed the speed of 25km/hr on the portions of the road described above during the period specified above.

Notice is hereby given that pursuant to the powers conferred on the Minister for Transport in Section 33 of the Road Traffic Act 1961 and delegated to Councils by the Minister on 12 March 2001, the District Council of Robe hereby advises that the event known as the 'Australia Day Ceremony 2012' be an event to which Section 33 of the Road Traffic Act 1961 applies and makes this order, temporarily closing the following streets in the Robe Township.

The following roads will be closed to traffic between 6 p.m. and 12 p.m. on Thursday, 26 January 2012:

- Royal Circus—between Mundy Terrace and Lipson Terrace (southern side); and
- Cooper Street, from Royal Circus to Smillie Street.

Makes an order exempting persons participating in the event from the following Australian Road Rules:

- 230 Crossing a road [general].
- 238 Pedestrians travelling along a road [except in or on a wheeled recreational device or toy].
- 268 How persons must travel in a vehicle do not exceed the speed of 25km/hr on the portions of the road described above during the period specified above.

B. HENDER, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

Supplementary Election for Councillor in Western Ward

NOMINATIONS to be a candidate for election as a member of Wakefield Regional Council will be received between Thursday, 24 November 2011 and 12 noon on Thursday, 8 December 2011. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from the Council office, Scotland Place, Balaklava.

A briefing session for intending candidates will be held at 6.30 p.m. on Monday, 28 November 2011 at the Civic Centre, Scotland Place, Balaklava.

K. MOUSLEY, Returning Officer

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

- Addington, Ernest Stanley*, late of Foggie Street, Tarlee, retired boilermaker, who died on 18 August 2011.
Baehnisch, Kevin Lionel, late of 2 Dalton Street, Evanston, retired groundsman, who died on 25 August 2011.
Cummings, Clair, late of 14-22 King William Road, Wayville, of no occupation, who died on 30 August 2011.
Dewhirst, Coral Ruth, late of 4 Valmai Avenue, Kings Park, retired public servant, who died on 23 July 2011.
Flavel, Barbara Ann, late of 81-89 Woodend Road, Trott Park, of no occupation, who died on 22 August 2011.
Gibbons, Leonora Claire, late of 61 Silkes Road, Paradise, of no occupation, who died on 21 August 2011.
Goldsmith, Pamela Lee, late of 14 Bedwin Street, Salisbury North, home duties, who died on 10 October 2008.
Griffiths, John, late of 25 Leader Street, Rosewater, retired taxi driver, who died on 4 December 2006.
Guerin, Christopher Leonard, late of 3 Hamilton Court, Salisbury Heights, civil labourer, who died on 11 June 2011.
Hamilton, Della Ruth, late of 5 Rubin Street, Hallett Cove, home duties, who died on 6 August 2011.
Holmes, Raymond Frank, late of 120 Monash Avenue, Nedlands, Western Australia, retired corporate planning officer, who died on 25 July 2011.
McGillivray, Cambell Stewart, late of 200 Fosters Road, Oakden, retired storeman, who died on 6 April 2011.
Mitchell, Constance, late of 470 Churchill Road, Kilburn, of no occupation, who died on 30 August 2011.
Sampson, Elisa Montero, late of 19 Burns Avenue, Pooraka, home duties, who died on 30 November 2009.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 16 December 2011, otherwise they will be excluded from the distribution of the said estates; and notice is also hereby given that all persons 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 same to the Public Trustee.

Dated 17 November 2011.

D. A. CONTALA, Public Trustee

MICAN PTY LTD

(ACN 004 645 470)

NOTICE is hereby given that a final meeting of the members of the above Company will be on 3 January 2012 at the premises of Focus Partners Chartered Accountants, 550 Smollett Street Albury, at 11 a.m.

Agenda

1. To lay before the meeting an account showing the winding up has been conducted and the property of the Company disposed of.
2. Any other items.

Dated 15 November 2011.

D. M. BOWYER, Liquidator

SALE OF PROPERTY

Auction Date: Thursday, 1 December 2011 at 11 a.m.

Location: 4 Customline Drive, Port Willunga

AMENDED Notice: Notice is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the Magistrates Court, Action No. CHBCI 22 of 2011 directed to the Sheriff of South Australia in an action wherein Graham John Warburton is the Plaintiff and Alfred William Wolferstan is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendant The Alternative Webb as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Port Willunga, being 4 Customline Drive, Port Willunga, in the area named Port Willunga, Hundred of Willunga, being the property comprised in Certificate of Title Register Book Volume 5343, Folio 434.

Further particulars from the auctioneers:

Griffin Real Estate
 8 Greenhill Road
 Wayville, S.A. 5034
 Telephone: (08) 8372 7872

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