



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

ADELAIDE, THURSDAY, 20 DECEMBER 2001

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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@saugov.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.

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 5: ADMINISTRATION OF RAIL TRANSPORT FACILITATION FUND ACT 2001 COMMITTED TO THE MINISTER FOR TRANSPORT AND URBAN PLANNING

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 5 of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I commit the administration of the *Rail Transport Facilitation Fund Act 2001* to the Minister for Transport and Urban Planning.

Given under my hand and the Public Seal of South Australia, at Adelaide, 20 December 2001.

By command,

M. HAMILTON-SMITH, for Premier

TSA C2001/10324

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 5: COMMITTAL OF ACTS TO MINISTER FOR GOVERNMENT ENTERPRISES

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 5 of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I commit the administration of an Act referred to in the schedule to the Minister for Government Enterprises.

SCHEDULE

WorkCover Corporation Act 1994
Workers Rehabilitation and Compensation Act 1986

Given under my hand and the Public Seal of South Australia, at Adelaide, 20 December 2001.

By command,

M. HAMILTON-SMITH, for Premier

DPC 50/96 CS

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 8: CERTAIN REFERENCES TO THE MINISTER FOR GOVERNMENT ENTERPRISES

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 8 of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I direct that a reference to the Minister for Government Enterprises in an instrument, contract, agreement or other document (not being a statutory instrument) made or executed before 4 December 2001 will, if that instrument, contract, agreement or other document is directly relevant to the Ministerial functions and responsibilities assumed by the Minister for Administrative and Information Services on 4 December 2001, have effect as if it were a reference to the Minister for Administrative and Information Services.

Given under my hand and the Public Seal of South Australia, at Adelaide, 20 December 2001.

By command,

M. HAMILTON-SMITH, for Premier

DPC 50/96 CS

PLANNING ACT 1982 SECTION 62(4): REVOCATION OF OPEN SPACE PROCLAMATION BY THE GOVERNOR

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

Preamble

1. On 29 June 1978 the division of certain land in the Hundred of Noarlunga was, by proclamation under the *Planning and Development Act 1966*, prohibited in order to preserve the land for open space (see *Gazette* 29 June 1978 p. 2232).

2. Section 21 of the *Statutes Repeal and Amendment (Development) Act 1993* provides that a proclamation made under section 61 of the *Planning and Development Act 1966* continues in force and effect as if the *Planning Act 1982* had not been repealed, and that the *Planning Act 1982* continues to apply in relation to the proclamation (see also the schedule to the *Planning Act 1982*).

3. It is now desirable to revoke the prohibition insofar as it affects certain land.

Proclamation

PURSUANT to section 62(4) of the *Planning Act 1982* and with the advice and consent of the Executive Council, I revoke the prohibition imposed by the proclamation referred to in clause 1 of the preamble insofar as it affects the land specified in the schedule.

SCHEDULE

The land contained in part of Certificate of Title Register Book Volume 5809 Folio 433 (being part of allotment 429 in Filed Plan 2377 of part section 902, Hundred of Noarlunga), being that part shown by the letter "A" on proposed plan of division Ref. 12885G01 dated 29 October 2001 prepared by Fyfe Surveyors Pty Ltd.

Given under my hand and the Public Seal of South Australia, at Adelaide, 20 December 2001.

By command,

M. HAMILTON-SMITH, for Premier

MFTUP CS 0039/01

RAIL TRANSPORT FACILITATION FUND ACT 2001 (Act No. 54 of 2001): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

WITH the advice and consent of the Executive Council, I fix 20 December 2001 as the day on which the *Rail Transport Facilitation Fund Act 2001* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 20 December 2001.

By command,

M. HAMILTON-SMITH, for Premier

TSA C2001/10324

WEST BEACH RECREATION RESERVE (REVIEW) AMENDMENT ACT 2001 (Act No. 52 of 2001): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

WITH the advice and consent of the Executive Council, I fix 1 January 2002 as the day on which the *West Beach Recreation Reserve (Review) Amendment Act 2001* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 20 December 2001.

By command,

M. HAMILTON-SMITH, for Premier

MFTUP CAB 0047/01

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Outback Areas Community Development Trust, pursuant to the provisions of the Outback Areas Community Development Trust Act 1978:

Member: (from 1 January 2002 until 31 December 2004)
William Raymond McIntosh
Nancy Joy Baluch
Maurice Kenworthy Francis
Gary Colin Fuller
Archie Saunders

Deputy Member: (from 1 January 2002 until 31 December 2004)

Bernadette Elizabeth Giles
Dorothy Anne Stimson

Chairman: (from 1 January 2002 until 31 December 2004)
William Raymond McIntosh

By command,

M. HAMILTON-SMITH, for Premier

MLG 0002/01CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the RESI Corporation Board, pursuant to the provisions of the Electricity Corporations Act 1994:

Director: (from 1 January 2002 until 31 December 2002)
Andrew George Anastasiades

By command,

M. HAMILTON-SMITH, for Premier

TFD 096/00CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Dairy Authority of South Australia, pursuant to the provisions of the Dairy Industry Act 1992:

Member: (from 20 December 2001 until 19 December 2003)
Robert Kenneth John Barker
Valerie Anne Monaghan
Kenneth Smith

Chair: (from 20 December 2001 until 19 December 2003)
Robert Kenneth John Barker

By command,

M. HAMILTON-SMITH, for Premier

MPI 0067/01CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Opera of South Australia Board of Management, pursuant to the provisions of the State Opera of South Australia Act 1976:

Subscriber Representative: (from 20 December 2001 until 30 August 2003)
Robert Pontifex

By command,

M. HAMILTON-SMITH, for Premier

ACD 009/94CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Film Corporation, pursuant to the provisions of the South Australian Film Corporation Act 1972:

Member: (from 20 December 2001 until 15 August 2004)
Ann Walton

By command,

M. HAMILTON-SMITH, for Premier

ACD 007/94CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

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

Member: (from 20 December 2001 until 19 December 2004)
Susan Mary Filby

By command,

M. HAMILTON-SMITH, for Premier

ACD 001/94CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

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

Member: (from 1 January 2002 until 31 December 2002)
Antonio Cocchiaro
John Tzanavaras
Daisy Gan

Member: (from 1 January 2002 until 31 December 2005)
Simon Ckuj
Gina Webling

Chairperson: (from 1 January 2002 until 31 December 2002)
Antonio Cocchiaro

By command,

M. HAMILTON-SMITH, for Premier

DPC 042/95CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the National Electricity Tribunal, pursuant to the provisions of the National Electricity (South Australia) Act 1996:

Chairperson: (from 20 December 2001 until 19 December 2003)
Jerrold Cripps

Deputy Chairperson: (from 20 December 2001 until 19 December 2003)
Douglas Gilbert Williamson
Alan Limbury

Member: (from 20 December 2001 until 19 December 2003)
Hugh Outhred
Gavan John McDonell

By command,

M. HAMILTON-SMITH, for Premier

MME 0066/01CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Environment Protection Authority, pursuant to the provisions of the Environment Protection Act 1993:

Member: (from 25 December 2001 until 24 December 2003)
Barbara Rajkowska

By command,

M. HAMILTON-SMITH, for Premier

MEH 074/01CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint as officers of the Crown for the purpose of providing the range of custodial services for the management of Mount Gambier Prison, in accordance with the contract, without pay or other industrial entitlements, the staff of Group 4 Correction Services Pty Ltd listed, pursuant to section 68 of the Constitution Act 1934:

Bryan Green
Mathew Luke Wehrmann
Anthony Ellis

By command,

M. HAMILTON-SMITH, for Premier

MCS 07/01CS

Department of the Premier and Cabinet
Adelaide, 20 December 2001

HER Excellency the Governor in Executive Council has been pleased to appoint Acting Ministers as listed:

Hon. Dean Craig Brown, MP, Deputy Premier, Minister for Human Services, Minister for Disability Services and Minister for the Ageing to be also Acting Premier, Acting Minister for State and Regional Development and Acting Minister for Multicultural Affairs for the period 3 January 2002 to 9 January 2002 inclusive, during the absence of the Honourable Robert Gerard Kerin, MP.

Hon. Robert Ivan Lucas, MLC, Treasurer, Minister for Industry and Trade and Minister for Government Enterprises to be also Acting Attorney-General, Acting Minister for Consumer Affairs and Acting Minister for Workplace Services for the period 28 December 2001 to 4 January 2002 inclusive, during the absence of the Honourable Robert David Lawson, MLC.

Hon. Robert Ivan Lucas, MLC, Treasurer, Minister for Industry and Trade and Minister for Government Enterprises to be also Acting Minister for Minerals and Energy for the period 7 January 2002 to 20 January 2002 inclusive, during the absence of the Honourable Wayne Anthony Matthew, MP.

Hon. Iain Frederick Evans, MP, Minister for Environment and Heritage to be also Acting Minister for Innovation and Acting Minister for Tourism for the period 26 December 2001 to 4 January 2002 inclusive, during the absence of the Honourable Martin Leslie James Hamilton-Smith, MP.

Hon. Mark Kennion Brindal, MP, Minister for Water Resources, Minister for Employment and Training, Minister for Local Government and Minister for Youth to be also Acting Minister for Education and Children's Services for the period 24 December 2001 to 28 December 2001 inclusive, during the absence of the Honourable Malcolm Robert Buckby, MP.

By command,

M. HAMILTON-SMITH, for Premier

DPC 82/94CS

AERODROME FEES ACT 1998

PARAFIELD AIRPORT

Schedule of Charges

THE following charges apply to the use of Parafield Airport:

(a) Landing Charge:

- (i) For each aircraft weighing more than 10 000 kg MTOW, a charge of \$5.94 per 1 000 kg MTOW pro rata.
- (ii) For aircraft landing at Parafield Airport for the purposes of undergoing substantial maintenance on the airport and weighing less than 10 000 kg MTOW, a single charge of \$5.54 per 1 000 kg MTOW pro rata.
- (iii) For the purposes of an aircraft undergoing substantial maintenance, evidence in the form of a Substantial Maintenance Claim Form must be submitted to the Credit Controller at Parafield Airport Ltd (PAL) within 24 hours of the aircraft landing at Parafield Airport. If PAL is not notified of an aircraft landing for substantial maintenance within 24 hours then a daily charge of \$5.54 per 1 000 kg MTOW pro rata will be levied in addition to the landing charge.

(b) General Aviation Access Charge (GAAC)

For each aircraft not covered by (a) above a GAAC charge of \$5.54 per 1 000 kg MTOW pro rata per day or part of a day, will be made. GAAC may be paid in advance for periods of one month, six months or twelve months. Advance payment will attract a discount as shown in the table below:

	Rate per 1 000 kg MTOW (pro rata) \$	Effective discount rate %
One Month.....	151	10
Six Months.....	809	20
Twelve Months	1 415	30

(MTOW = maximum take-off weight as specified by the manufacturer).

The prices shown in this Schedule are inclusive of GST.

AUTHORISED BETTING OPERATIONS ACT 2000

Notice of approval of contingencies

NO. 4 OF 2001

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

1. *Approval*

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

2. *Revocation and amendment*

This approval of contingencies may be amended or revoked by further notice.

3. *Definitions*

In this Notice—

'Event'—

- (a) means a handicapped foot race run on grass as an open, women's, over 35s, restricted, frontrunners', backmarkers', under 20s or invitation event (or any combination or derivative of these); and
- (b) includes a heat, a semi-final and the final of an event.

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

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

TABLE

Annual 'Bay Sheffield' Carnival conducted by the South Australian Athletics League in accordance with the rules of that League

No.	Description of Event	Approved Contingencies
1.	1 600 metres	Win, place or derivative
2.	800 metres	Win, place or derivative
3.	550 metres	Win, place or derivative
4.	120 metres	Win, place or derivative
5.	70 metres	Win, place or derivative

Dated 19 December 2001.

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

CONTROLLED SUBSTANCES ACT 1984

Revocation of Prohibition Order

TAKE notice that on 14 December 2001, the Minister for Human Services made an order pursuant to section 57(2) of the Controlled Substances Act 1984, in respect of:

Dr Fenella Jane Livesey
9 Ryan Avenue
Firle, S.A. 5070

that the prohibition order dated 16 February 1990, served on Dr Livesey be revoked.

KEITH EVANS, Director, Drugs Strategy and Programs Branch, operating under delegated authority pursuant to the Controlled Substances Act 1984, acting for and on behalf of the Minister for Human Services

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by IAIN EVANS, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Public Purposes Reserve and declare that such land shall be under the care, control and management of The Berri Barmera Council.

The First Schedule

Reserve for Public Purposes, allotment 4 of Deposited Plan No. 26713, Town of Barmera, Nookamka Division, Cobdogla Irrigation Area, County of Hamley, the notice of which, together with other land was published in the *Government Gazette* of 3 May 1990 at page 1229, The First Schedule, being the whole of the land comprised in Crown Record Volume 5504 Folio 318.

The Second Schedule

Pieces 11 and 12 of DP 55629, Town of Barmera, Cobdogla Irrigation Area, exclusive of all necessary roads, subject nevertheless to an existing easement for water supply purposes *vide* SED 26713.

Dated 18 December 2001.

P. M. KENTISH, Surveyor-General

DL 3096/1987

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by IAIN EVANS, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY resume the land defined in The Schedule.

The Schedule

Reserve for Administration and Office Purposes, section 348, Hundred of Lincoln, County of Flinders, the notice of which was published in the *Government Gazette* of 10 September 1987 at page 847, and amended by notice published in the *Government Gazette* of 7 October 1993 at page 1680, being the whole of the land comprised in Crown Record Volume 5616 Folio 539.

Dated 18 December 2001.

P. M. KENTISH, Surveyor-General

DEHAA 08/0516

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by IAIN EVANS, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as a Reserve for Wharf Purposes and declare that such land shall be under the care, control and management of the Land Management Corporation.

The Schedule

Allotment 13 of DP 56988, Hundred of Port Adelaide, County of Adelaide, exclusive of all necessary roads.

Dated 18 December 2001.

P. M. KENTISH, Surveyor-General

DEHAA 17/1108

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF ORGANIC WASTE PROCESSING (COMPOSTING) PLAN AMENDMENT

NOTICE

PURSUANT to section 28 (1) of the Development Act 1993, I, the Governor, with the advice and consent of the Executive Council, being of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'Organic Waste Processing (Composting) Plan Amendment' that the Plan Amendment should come into operation without delay, declare that the Plan Amendment will come into operation on an interim basis on 20 December 2001.

Given under my hand at Adelaide, 13 December 2001.

MARJORIE JACKSON-NELSON, Governor

MTUP-PL 6/01CS

DEVELOPMENT ACT 1993

*Alteration to the Building Code of Australia**Preamble*

1. The Building Code of Australia as in force from time to time is adopted by the Development Regulations 1993, as part of the Building Rules under the Development Act 1993.

2. The Code has been altered.

3. The Development Act 1993, requires that notice of the alteration must be published before the alteration can take effect.

4. In a notice published in the *South Australian Government Gazette* of 9 December 1999, notice was provided that the South Australian Addition to Volume 2, Clause SA 2 Energy Efficiency would take effect on a date to be gazetted. The date has not been gazetted. The South Australian Addition to Volume 2, Clause SA 2 Energy Efficiency has been altered. The altered South Australian Addition to Volume 2, Clause SA 2 Energy Efficiency will take effect on a date to be gazetted.

NOTICE

PURSUANT to sections 4 (7) and 108 (7) of the Development Act 1993, notice is given of an alteration to the 1996 edition of the Building Code of Australia, that alteration being Amendment No. 10, published by the Australian Building Codes Board, as modified by the variations and additions for South Australia contained in the appendix to that Code.

The alterations made by Amendment No. 10 to the Building Code of Australia (other than the alteration to the South Australian Addition to Volume 2, Clause SA 2 Energy Efficiency) will take effect for the purposes of the Development Act 1993, on 1 January 2002.

The South Australian Addition Clause SA 2 Energy Efficiency (as varied by Amendment No. 10 to the Building Code of Australia) will take effect on a date to be gazetted.

Dated 10 December 2001.

DIANA LAIDLAW, Minister for Transport and Urban Planning

DEVELOPMENT ACT 1993

Organic Waste Processing (Composting) Plan Amendment Report Prepared by the Minister—Draft for Public Consultation

NOTICE is hereby given that the Minister for Transport and Urban Planning has, pursuant to sections 24 and 26 of the Development Act 1993, prepared a draft Development Plan Amendment Report to amend a number of Development Plans.

The draft Plan Amendment Report will provide an improved development assessment policy framework for organic waste processing operations sited and located outside of metropolitan Adelaide. The councils affected by this draft Plan Amendment Report are: Adelaide Hills; Alexandrina; Barossa; Berri Barmera; Clare and Gilbert Valleys; Coorong; Goyder; Grant; Karoonda-East Murray; Kingston; Light Regional; Loxton

Waikerie; Mallala; Mid Murray; Mount Barker; Murray Bridge; Naracoorte Lucindale; Renmark Paringa; Robe; Southern Mallee; Tatiara; Victor Harbor; Wakefield Regional; Wattle Range and Yankalilla.

Copies of the draft Plan Amendment Report will be available for public inspection and purchase during normal office hours at the Department for Transport, Urban Planning and the Arts (Planning SA), Level 5, 136 North Terrace, Adelaide (telephone (08) 8303 0724). The draft Plan Amendment Report can also be viewed on the Internet (www.planning.sa.gov.au/organic_waste). Alternatively, the draft Plan Amendment Report can be viewed during office hours at council offices from Thursday, 20 December 2001 to Friday, 8 March 2002.

Enquiries relating to the:

- Purchase of the draft Plan Amendment Report can be directed to Planning SA on telephone (08) 8303 0724.
- Policies proposed in the draft Plan Amendment Report can be directed to Malcolm Govett of Planning SA on telephone (08) 8303 0791.

All submissions regarding the draft Plan Amendment Report should be submitted no later than 5 p.m. on Friday, 8 March 2002. Submissions should be addressed to the Presiding Member, Development Policy Advisory Committee, G.P.O. Box 1815, Adelaide, S.A. 5001 and should clearly indicate whether you wish to be heard in support of your submission. Electronic submissions can be made on the Internet:

(www.planning.sa.gov.au/organic_waste).

Copies of all submissions will be available for inspection by interested persons at the Department for Transport, Urban Planning and The Arts, Level 5, 136 North Terrace, Adelaide, from the expiration of the display period until the conclusion of the public hearing.

A public hearing will be held on Tuesday, 26 March 2002 at the Grosvenor Vista Hotel, Level 1, Pioneer Room, 125 North Terrace, Adelaide at 7.30 p.m. at which time interested persons may appear to be heard in relation to the draft Plan Amendment Report and the submissions. The public hearing will not be held if no submissions are received or if no submission makes a request to be heard.

P. COCKRUM, Secretary, Development Policy Advisory Committee

PARLIAMENTARY COMMITTEES ACT 1991 SECTION 16(1)(b): REFERRAL OF MATTER TO THE ECONOMIC AND FINANCE COMMITTEE

Notice By The Governor

Preamble

1. Section 16(1)(b) of the *Parliamentary Committees Act 1991* provides that the Governor may, by notice published in the *Gazette*, refer a matter relevant to the function of a Committee under that Act to the Committee.

2. On 28 November 2001 the Legislative Council passed a motion relating to the Auditor-General (see *Hansard* 28 November 2001 pp. 2829-2845).

3. I have decided to refer the matters raised by this motion to the Economic and Finance Committee of the Parliament.

4. I consider that these matters are relevant to the functions of that Committee.

NOTICE

PURSUANT to section 16(1)(b) of the *Parliamentary Committees Act 1991* and with the advice and consent of the Executive Council, I refer the matters raised in the resolution of the Legislative Council referred to in clause 2 of the preamble to the Economic and Finance Committee of the Parliament.

Given under my hand at Adelaide, 20 December 2001.

MARJORIE JACKSON-NELSON, Governor

DETERMINATION OF THE REMUNERATION TRIBUNAL

No. 8 OF 2001

MEMBERS OF THE JUDICIARY, MEMBERS OF THE INDUSTRIAL RELATIONS COMMISSION, THE STATE CORONER, COMMISSIONERS OF THE ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT

1. *Scope of Determination*

This Determination applies to the undermentioned Members of the Judiciary and to the undermentioned Statutory Office Holders.

2. *Salary*

2.1 Members of the Judiciary

2.1.1 The annual salaries for the members of the judiciary will be as follows:

Office	Salary \$ per annum
Chief Justice of the Supreme Court.....	244 720
Puisne Judges of the Supreme Court.....	218 500
Masters of the Supreme Court.....	192 970
Chief Judge of the District Court	218 500
Other District Court Judges.....	192 970
Masters of the District Court.....	170 420
Chief Magistrate	173 060
Deputy Chief Magistrate.....	161 330
Supervising Magistrates	157 310
Assisting Supervising Magistrate of the Adelaide Magistrates Court.....	154 150
Stipendiary Magistrates.....	146 660
Supervising Industrial Magistrate	146 660
Other Industrial Magistrates.....	146 660
Stipendiary Magistrate directed by the Chief Magistrate to perform the duties of a Regional Manager paid the salary shown for as long as that person continues to perform such duties.....	157 310
Stipendiary Magistrate directed by the Chief Magistrate to perform the duties of a Magistrate-in-Charge at a particular court paid the salary shown for as long as that person continues to perform such duties	150 820
Stipendiary Magistrate appointed Warden under the Mining Act 1971, as amended, and performing the duties of Senior Warden paid the salary shown for as long as that person continues to perform such duties	150 820
His Honour Judge W. D. Jennings, Senior Judge of the Industrial Relations Court and President of the Industrial Relations Commission paid the salary shown for as long as he continues to perform both functions.....	212 930
Other Judges of the Industrial Relations Court who hold joint commissions in the Australian Industrial Relations Commission and the Industrial Relations Commission of South Australia.....	192 970

2.1.2 Where a person is appointed as Acting Chief Justice of the Supreme Court or as Acting Chief Judge of the District Court and such appointment extends for a continuous period of more than one week, the person appointed shall be paid a salary equal to the salary specified herein for the Chief Justice or the Chief Judge, as appropriate, for the whole of the period the appointment is in effect.

2.2 Statutory Office Holders

The annual salaries for the following statutory office holders will be as follows:

Office	Salary \$ per annum
W. Chivell, State Coroner whilst he continues to perform this function under his current conditions of employment	171 190
Deputy Presidents of the Industrial Relations Commission.....	168 660
Commissioners of the Industrial Relations Commission.....	146 660
Commissioners of the Environment, Resources and Development Court.....	146 660

3. Travelling and Accommodation Allowances

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

4. Telephone Rental and Calls Allowance

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

5. Conveyance Allowances

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

6. Date of Operation

Salaries prescribed in Clause 2 are operative on and from 1 November 2001 and supersede those of all previous Determinations covering persons whose office is listed herein.

Dated 20 December 2001.

H. R. BACHMANN, President

D. FLUX, Member

J. A. MEEKING, Member

REMUNERATION TRIBUNAL

REPORT RELATING TO DETERMINATION NO. 8 OF 2001

1. Introduction

1.1 In accordance with the provisions of the Remuneration Act 1990, the Remuneration Tribunal by letters dated 13 November 2001, invited those members of the judiciary and statutory office holders whose offices are listed under section 13 of the Act, as well as those covered by relevant sections of the Industrial and Employee Relations Act 1994, to make submissions in relation to the remuneration of members of the judiciary and those office holders. The Tribunal also invited the Minister for Workplace Services to make submissions in the public interest.

1.2 On 26 November 2001 the following notice was published in *The Advertiser* newspaper.

REMUNERATION TRIBUNAL

Review of Remuneration for Members of the Judiciary and other Statutory Officers

Section 8 (2) of the Remuneration Act 1990 requires the Tribunal to sit at least once a year to review its previous determinations. Accordingly, the Tribunal is conducting a review of the salaries payable to members of the Judiciary and other Statutory Officers.

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

The closing date is 7 December 2001 and submissions should be forwarded to:

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

Telephone: (08) 8226 4045
Facsimile: (08) 8226 4174

No written submissions were received from the public in response to this notice.

- 1.3 The Tribunal received written submissions from the Judicial Remuneration Co-ordinating Committee (JRCC) on behalf of all the Justices and Masters of the Supreme Court, the Judges and Masters of the District Court, the Judges of the Industrial Relations Court, Stipendiary and Industrial Magistrates, the lay Deputy Presidents and Commissioners of the Industrial Relations Commission, the Commissioners of the Environment Resources and Development Court and the State Coroner.
- 1.4 Separate written submissions were also received from the Minister for Workplace Services on behalf of the Government of South Australia in relation to judicial salaries and the remuneration of the offices of Commissioner and lay Deputy President of the Industrial Relations Commission of South Australia.
- 1.5 Separate written submissions were received from Stipendiary Magistrates, the Lay Members of the Industrial Relations Commission and Commissioner Hodgson for and on behalf of the Commissioners of the Environment, Resources and Development Court.
- 1.6 Mr Moss, Chief Magistrate requested that the relativity of his salary to that of the Magistrates be maintained.
- 1.7 On 12 December 2001, the Tribunal heard oral submissions from C. McCarthy and A. Short on behalf of Stipendiary Magistrates and D. Clayton, QC on behalf of the Minister.
- 1.8 The written submissions from the JRCC and the Minister were directed principally at the salary level of Puisne Judges of the Supreme Court which is consistent with previous enquiries conducted by the Tribunal in relation to judicial remuneration.
- 1.9 The written and oral submissions from the Stipendiary Magistrates related to their salary relativity within the South Australian judicial salary structure and in particular referred to the changes in their duties which they claim had increased the value of their work since the current relativities were set in 1992.

2. Tribunal Procedures

- 2.1 The Minister's representative raised the issue of the need for the copies of submissions received by the Tribunal to be provided to the Minister to enable the Minister to make submissions which were in the public interest.
- 2.2 This matter was further raised on behalf of the Minister for Workplace Services in a letter to the President of the Remuneration Tribunal dated 13 December 2001, requesting that 'a copy of the Magistrates' submission be made available to the Minister along with a copy of the submission from the JRCC. If the Tribunal is of a mind not to release the JRCC submission in full, then I request that the part of the JRCC submission relating to the Magistrates and/or their submission be released to the Minister.'
- 2.3 The Tribunal reiterates the earlier determinations on this matter in particular at paragraph 2.2 of the Report Relating to Determination No. 9 of 1999 (and repeated in Report Relating to Determination No. 2 of 2000) wherein the Tribunal stated:

'the Tribunal reaffirms its oral determination of 3 November 1999 and in particular that it is up to each party to place its views before the Tribunal and to exchange its submissions should it wish to do so. There will be no right of response. Where the Tribunal deems it necessary it will seek information and clarification from the JRCC or the Minister's representative as appropriate. This applies to the written submissions, oral submissions and evidence.'

2.4 As advised to the Minister's representative on 12 December 2001, the Tribunal will continue to operate within the procedures it has previously determined. However, in view of the Magistrates' detailed written submissions, the Tribunal considers it appropriate to provide a copy of that submission to the Minister to enable the Minister to make submissions which are in the public interest. This will occur before the Tribunal gives final consideration to the claims of the Stipendiary Magistrates.

3. Comparison of Federal and State Judicial Salaries

3.1 As in previous reviews the Tribunal examined the Federal and other State judicial salaries. The submissions presented to the Tribunal this year were similar to recent years however the JRCC submission strongly suggested that the Tribunal had breached a 'fundamental principle' of salary fixation in that 'work of equal value should attract the same remuneration'. It was asserted that this breach had occurred as a result of this Tribunal consistently fixing 'South Australian salaries below the norm applicable in any other jurisdiction.'

3.2 The JRCC submitted that 'the level of work value for which South Australian judges should be remunerated is at a higher level than most other States because of a lack of a separate Court of Appeal.' The submission detailed the various interstate jurisdictions and cited the different remuneration arrangements which apply to judges of Courts of Appeal. Attention was also drawn to the dates of operation of determinations of those interstate jurisdictions.

3.3 The Minister's submission supported the Tribunal's approach of using the office of Puisne Judge of the Supreme Court as the basis for comparison with other jurisdictions and fixing a salary that was within the framework of the salaries being paid to Puisne Judges in other States and Territories however the Tribunal 'should place importance on economic factors and indicators which are applicable to the State of South Australia.' This submission reflected that received by the Tribunal in 2000 from the Minister.

3.4 The Tribunal was advised by a statement from Linda Hart, the Director, Economics in the South Australian Department of Treasury and Finance of the Consumer Price Index (CPI) increase from the September 2000 quarter to September 2001 quarter was 2.3 per cent for Adelaide (2.5 per cent for Australia as a whole) and generally wage and salary levels are lower for South Australia than Australia as a whole.

3.5 In addition to this economic advice, the Tribunal was presented by the Minister with:

3.5.1 a market issues survey conducted in June 2001 by William M. Mercer Cullen Egan Dell which stated that for the period 2000-2001 'senior executive' remuneration movements for Australia was 4.6 per cent whilst for South Australia the movement was 4.5 per cent.

3.5.2 advice that public sector executive remuneration was increased by 3 per cent from 1 July 2001;

3.5.3 advice on the salary increases which ranged from 4 per cent to 6.5 per cent per annum, for public service employees subject to the Wages Parity Enterprise Agreement, South Australian Police, nurses, medical officers and teachers together with a report detailing salary movements across the whole of the public sector. The Tribunal notes that these salary increases are paid pursuant to Enterprise Agreements.

3.6 The Tribunal has experienced difficulties in obtaining salary information for the legal profession. The Minister provided a table titled 'Public Sector Lawyers Salaries'. This table indicated that public sector salaried lawyers compared favourably with those paid in other States.

3.7 The Minister's submission stated 'that if there is to be an increase it should be 2.3 per cent, that is an increase which takes account of movements in the CPI in the period since the last review. Such an increase would be appropriate to maintain the real value of judicial salaries.'

3.8 The Tribunal is advised that the present relevant judicial salaries (for the Puisne Judges in States and Territories) are as follows:

Court/State	Salary \$	Operative Date
New South Wales	220 840	1.10.2001
Northern Territory *	221 500	1.10.2001
Australian Capital Territory	221 500	1.10.2001
Western Australia	217 970	1.12.2000
Tasmania	215 222	1.7.2001
Queensland	213 550	1.7.2000
Victoria	210 000	1.1.2001
South Australia	207 500	1.11.2000
Federal Court	221 500	1.10.2001
Family Court	221 500	1.10.2001

*Note: The Northern Territory judges will receive the increase awarded to Federal Court judges but this will be released in March 2002 and be backdated from 1 October 2001.

3.9 Particular mention was made that reviews were underway in Queensland and Western Australia and that Victoria would proceed as soon as new arrangements for a reconstituted Tribunal had been finalised.

3.10 Attraction and Retention Factors

3.10.1 The JRCC submitted that:

'So long as South Australian jurisdictions continue to be and continue to be regarded (as they are) as the 'Cinderella jurisdiction' so far as salaries and conditions are concerned, there is the potential for a grave recruitment problem of deep concern to the South Australian judiciary. The realisation of the problem cannot be in the public interest.'

'So long as judicial salaries and conditions remain relatively depressed, long term recruitment and short and medium term retention problems will face this State. There will not be a shortage of available appointees, but the inevitable effect will be to lower the standard of expertise of the profession from which judges in South Australia can be selected.'

3.10.2 The JRCC advised the Tribunal that of the three judges of the Federal Court resident in South Australia, two were recruited from the Supreme Court and 'in recent years two highly competent female District Court judges have been recruited to the Family Court,' and 'Within the last 12 months, a senior Queen's Counsel in South Australia ... has been appointed to the Supreme Court of the ACT on better conditions generally than he could hope to enjoy in any jurisdiction, other than the Federal or Family Court, in South Australia.'

3.10.3 The Minister however, advised the Tribunal of recent calls for expressions of interest conducted by the Minister for Justice and the Minister for Consumer Affairs for appointment to judicial offices in particular for a:

3.10.3.1 Magistrate on 10 March 2001 with 55 expressions of interest received from the legal profession from which one new Magistrate was appointed.

3.10.3.2 Full time Commissioner in the Environment, Resources and Development Court on 12 May 2001 with 10 expressions of interest received with one appointment being made.

3.10.4 On the basis of the above and the appointment of Anthony Besanko, QC as a Justice of the Supreme Court on 18 October 2001, the Minister submitted that there were no 'exceptional issues arising in respect of the recruitment or retention of judges in South Australia which need to be taken into account by the Tribunal.'

3.10.5 The Tribunal concludes that the approach of setting salaries in a 'national framework' continues to be appropriate and in the public interest to ensure that the JRCC's assertions do not materialise and that the Minister can continue to submit that there are no difficulties in the recruitment or retention of judges in South Australia.

4. *South Australian Economic Circumstances*

4.1 Consistent with the Minister's submission on the quantum of salary increases applicable, the Tribunal was presented with economic data on the Consumer Price Index (CPI), the South Australian Average Weekly Ordinary Time Earnings of Full Time Adults and a signed statement from Linda Hart, Director, Economics in the South Australian Department of Treasury and Finance regarding the South Australian economy.

4.2 As discussed earlier in this Report, the Tribunal was advised that the increase in the CPI between the September quarter 2000 and the September quarter 2001 was 2.5 per cent nationally and 2.3 per cent for Adelaide.

4.3 In respect to wage movements the Tribunal was informed that the Wage Cost Index shows annual wages growth in South Australia was 3.2 per cent from the September quarter 2000 to the September quarter 2001 whilst the annual wages growth nationally was 3.6 per cent.

4.4 Ms Hart's statement also advised the Tribunal that:

'Recent estimates of the level of earnings are available in the ABS Survey of Average Weekly Earnings. The survey shows that for the August 2001 quarter average weekly ordinary time earnings for full-time adults were:

- in the private sector \$753.50 in South Australia and \$818.30 for Australia—South Australian wages are lower by 7.1 per cent;
- in the public sector \$909.90 in South Australia and \$929.00 for Australia—South Australian wages are lower by 2.1 per cent;
- average of both sectors \$791.70 in South Australia, compared with \$838.50 nationally—South Australian wages are lower by 5.6 per cent.'

4.5 The Tribunal concludes based on a comparison of the data provided in 2000 (9.3 per cent for the difference in private sector; 2.3 per cent for public sector difference and 7.1 for the difference in the average of both sectors) that there is a narrowing of the gap in the average weekly ordinary time earnings between South Australia and Australia as a whole.

5. *Other issues before the Tribunal*

5.1 Lay Members of the Industrial Relations Commission:

5.1.1 The Lay Members, whilst not advocating a particular claim, identified the following factors for consideration of the Tribunal:

5.1.1.1 Federal and State appointments and salary relativity in which it was submitted that 'all Lay Members of the IRCSA are now not only dual appointees but are appointed to the Panel system operating within the AIRC. This means that the Lay Members of the IRCSA are now fully responsible for the full range of AIRC matters that are assigned to them by the relevant Panel Head or the President of the Commission.'

5.1.1.2 The submission also identified that the relativity between the salaries is as follows:

	AIRC *	IRCSA
Deputy Presidents	\$210 345	\$160 160
Commissioners	\$147 242	\$139 270

* Note: These new salaries are the result of increases granted by the Federal Remuneration Tribunal earlier this year, to operate as of 1 October 2001. They will apply from that date unless dis-allowed by Federal Parliament.'

5.1.1.3 The 'fixed term appointment' factor in that section 35 of the Industrial and Employee Relations Act 1994, prescribes that an appointment as a Commissioner will be for a term of 6 years which may be renewed for one further term of 6 years.

5.1.1.4 The dual nature of their primary State appointments where the Tribunal was advised that 'all five South Australian Lay Members are now appointed as both Industrial Relations Commissioners and Enterprise Agreement Commissioners pursuant to section 34 (3) of the Industrial and Employee Relations Act 1994. Prior to August 2000 only the (then) two Lay Deputy Presidents were appointed in both capacities. The remaining three Lay Members at that time were only appointed as Industrial Relations Commissioners.'

5.1.2 The Minister's submission reviewed the Tribunal's previous Reports and Determinations on this matter in respect to the above matters and supported 'a flow-on of any general increase determined by the Tribunal for the judiciary to the (lay) Deputy Presidents and to the Commissioners of the Industrial Relations Commission of SA. Any such increase to apply from the same date as is determined for the judiciary.'

5.1.3 The Tribunal examined the work value of the lay members of the IRCSA in February 1999 (refer to Determination and Report No. 1 of 1999). In determining the salary it took into account the submissions made in relation to the lay members holding 'dual appointments' and that 'the lay Commissioners and Deputy Presidents now, on a day to day basis, operate within the two jurisdictions. Their federal work involves unfair dismissal conferences, preliminary points of jurisdiction, arbitrations and membership of appeal benches. They also deal with disputes, award variations and like matters. Unlike the State jurisdiction, the Commissioners are regularly involved in the approval process of certified agreements and disputes relating to the negotiation and renewal of certified agreements. In the State jurisdiction that type of work is confined to Senior Judge Jennings, Deputy President Stevens and Deputy President Hampton.'

5.1.4 In view of the work value analysis undertaken in 1999 and that the 'fixed term appointment factor' has existed since the Industrial and Employee Relations Act 1994, was assented to in 1994, the Tribunal has determined to flow-on the general increase determined by the Tribunal for the judiciary.

5.2 *Comparative Conditions Allowance*

5.2.1 The JRCC submitted that 'Proper application of the work value principle requires that there be a comparison not only of the nature of the work performed (in this case, essentially the level of jurisdiction being exercised) but of the whole range of conditions under which the work is performed. The Tribunal must take as its starting point the fact that certain South Australian conditions are inferior. It should properly make allowance for those conditions in determining the salary. Obviously, if by some other means, the conditions

are changed, that will require an adjustment in the salary for that reason. However, failure to take those conditions differentials into account amounts to an abdication of the proper function of the Tribunal.' 'The Tribunal has a responsibility and an obligation to ensure an adequate level of total remuneration for judges. If it is not prepared to discharge that responsibility (which it has power to do), it has a responsibility at least to warn the Executive Government and/or Parliament that if obvious deficiencies are not remedied, the Tribunal will fix an appropriate allowance for so long as the deficiencies remain.'

5.2.2 The Tribunal has considered similar submissions from the JRCC in 1997, 1998, 1999 and 2000 and repeats that it is not prepared to set an allowance or provide for any other remuneration for such differences in entitlements over which it has no control. If South Australia is so out of line with other jurisdictions it seems more appropriate for these issues to be considered by the Parliament or other determining authorities as appropriate. The Tribunal is concerned that this issue is continuously raised in lieu of it being addressed by Parliament or other appropriate authority.

5.3 Productivity

5.3.1 Consistent with the previously stated view that the Tribunal considers it important to be informed of efficiencies and productivity improvements, the Minister advised that 'the Government is not aware of any new considerations arising in the period under review, with respect to productivity issues.'

5.3.2 The Tribunal's Report Relating to Determination No. 2 of 2000 reported an extensive list of efficiencies and productivity improvements provided by the JRCC. The JRCC submission received this year stated 'Judicial officers participate in a variety of practices and innovations to which reference has been made in past sub-missions which, to a greater or lesser degree, assist in improving their output. However, in almost all cases that is dependent upon provision of resources by other arms of government to the Courts Administration Authority. It cannot be a reason for granting or withholding salary increases.'

5.3.3 The Tribunal has concluded that it is in the public interest to be informed of efficiencies and productivity improvements and intends to continue this practice.

5.4 Salary Packaging

5.5.1 Paragraph 5.5 of the Tribunal's Report Relating to Determination No. 2 of 2000 stated that 'the Tribunal considers it appropriate that salary packaging should be made available to members of the judiciary and statutory office holders covered by this Determination on the same basis available to other public office holders. The Tribunal does not consider it appropriate to include a salary packaging clause in its Determination.'

5.5.2 The Tribunal was advised on 6 July 2001 that there was agreement between the Minister and the JRCC on the proposed Salary Sacrifice Arrangement documentation with further advice provided on 10 August 2001 that an Application for Private Ruling from the Australian Taxation Office (ATO) had been sought. The Tribunal was advised on 12 December 2001 that the ATO had not issued a Private Ruling.

5.5.3 Both the JRCC and the Lay Members of the Industrial Relations Commission made submissions in respect to the delays being experienced and the inability to salary package at the present time. The JRCC submitted that the Tribunal should include in its determination a proposed clause so as these arrangements could be implemented as soon as

practicable and without any further delay. The proposed clause was not in accord with that as previously agreed between the JRCC and the Government as advised to the Tribunal.

5.5.4 The Tribunal accepts that it is not in a position to influence the ATO, but has written to the Minister for Workplace Services requesting that this matter be followed up directly with the ATO. When the ATO has responded the Tribunal will give further consideration to an appropriate clause.

5.6 Telephone Rental and Calls Allowance

5.6.1 The JRCC has again requested variation to provide that all fixed line telephone charges other than ISD calls should be reimbursed and that ISD calls should be reimbursed on the basis of actual call costs incurred on official business.

5.6.2 Determination No. 2 of 2000 contains the current provisions as follows:

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

5.6.3 When the current arrangement was reviewed in December, 2000 the Tribunal stated in the Report Relating to Determination No. 2 of 2000 'No information was provided to the Tribunal on how many official calls are made from home or on the mobile telephone. One-third of the cost of metered local calls is currently paid and if these calls are now made on a mobile telephone they are then not made from the home telephone. In addition, the Tribunal is aware that many officers in Government who are required to be available are supplied with mobile telephones at public cost for rental and official calls.'

5.6.4 The Tribunal concluded then, as it does now, that in the absence of more detailed information and statistics of calls made etc. the Tribunal is not prepared to vary the current provisions.

5.7 Magistrates Court Relativity

5.7.1 As indicated earlier in this Report, the Tribunal received written and oral submissions from the Magistrates in respect to their relativity in the South Australian judicial salary structure having regard to work value considerations.

5.7.2 The Tribunal will be providing a copy of the written submission to the Minister to enable the Minister to make submissions which are in the public interest.

5.7.3 Accordingly, the Tribunal confirms that it intends to hear further evidence from the parties before it makes a determination on the matter. In addition the Commissioners of the Environment, Resources and Development Court will be invited to make further submissions if the relativity of Magistrates is to be altered. In the meantime the current relativity will be continued in this Determination.

5.8 Conveyance Allowance

5.8.1 Conveyance Allowances for Judges, Statutory Officers and Court Offices are currently prescribed in Determination No. 5 of 2001. These allowances were adjusted in August 2001 and these allowances will remain unaffected by this Determination.

5.9 Travelling and Accommodation Allowances

5.9.1 Travelling and Accommodation Allowances for Judges, Statutory Officers and Court Offices are currently prescribed in Determination No. 2 of 2001. These allowances were adjusted in February 2001.

5.9.2 The Tribunal has recorded in this Report the CPI increases and accordingly will review these allowances in 2002.

6. Determination and Operative Date

6.1 The JRCC submitted the following in relation to the date of operation:

'In the light of the submission made to the Tribunal in support of an interim review, there is every justification for the Tribunal backdating at least part of this determination to 1 January 2001. The Tribunal has power to do so: section 17 Remuneration Act 1990. It is commonly done in other jurisdictions, and in Queensland, retrospectivity of that order is a regular occurrence.

The balance of the determination, and if retrospectivity of the order suggested is considered inappropriate, the whole of the determination should at least take effect from 1 November 2001, that being the anniversary of the date of operation of the last determination.'

- 6.2 The Minister submitted that 'it is reasonable that the 2001 Determination have an operative date of at least 12 months. It is submitted that there is no basis for any substantive period of retrospectivity. The Government submits that an operative date of the first pay period commencing on or after 1 November 2001 would be appropriate.'
- 6.3 Having regard to the submissions made to the Tribunal and section 15 of the Remuneration Act which requires the Tribunal when determining remuneration under this Act to have regard to the constitutional principle of judicial independence, salary levels in other jurisdictions and submissions made in the public interest, the Tribunal has determined that the salary of the Puisne Judge of the Supreme Court will be \$218 500 per annum from 1 November 2001.
- 6.4 The salaries for all other judicial officers listed in the Determination have been increased from the same date to the annual amounts shown in the Determination being pro-rata increases.
- 6.5 The salaries of W. Chivell, State Coroner (for as long as he continues to perform this function with his current conditions of employment), lay Deputy Presidents and Commissioners of the Industrial Relations Commission and Commissioners of the Environment, Resources and Development Court will be increased from the same respective date to the annual amounts shown in the Determination being pro-rata increases.

Dated 20 December 2001.

H. R. BACHMANN, President

ENVIRONMENT PROTECTION ACT 1993

Exemption

THE following persons are exempt from section 75 of the Environment Protection Act 1993, subject to the provisions of Regulation 6 of the Regulations under the Environment Protection Act 1993 dated 27 October 1994, by virtue of owning or possessing equipment containing ozone depleting substances:

Wayne Smith Motors Pty Ltd (6514); Povey Motors (3471); Ross Laird (6400); Parker Appliance & Electrical Pty Ltd (6945); D. A. Newbold (6434); Bob Amos Pty Ltd (6553); Chien Dinh Vu (7004); Christopher Barker (7006); Peter Heaven (7149); Darren Hocking (5806); Malcolm Arthur Walden (7185); Kelvin James Bowden (7234); Fine-Tech Pty Ltd (7260); Peter J. Mosel (7423); D. W. Searle (7433); Troy Ryan (7537); Newton Services Pty Ltd (7542); Maxwell John McCulloch (7546); Feliba Pty Ltd (10039); James G. Poole (10143); John Mokdassi (10188); David Short (10273); Favell Pty Ltd & M. & P. A. Bianco (10334); Gavin Paul Jones (10611); Dale Layton (10989); 3M Pharmaceuticals Pty Ltd (147); Glaxo Smith Kline Australia Pty Ltd (150); Trevor D. McHugh (333); Maitland Motors Pty Ltd (395); Leipus & Holland Pty Ltd (567); Mobile Auto Electrical Pty Ltd (1166); Grande Riviere Pty Ltd (1230); Pfitzner Motor Co. Pty Ltd (2192); George E. Corbin (2305); Lucas Family Pty Ltd

(2436); Stanley Frederick Hawkins (2896); Grand Motors Pty Ltd (3085); Allan William Reimann (3646); Mark Andrew Podlewski (3799); Paul A. Warren and Sharon J. Warren (3775); Shane Jackson (6722); Roderick Hollick and Rosemary Hollick (5603); James Stanley McCabe (7026); City Dismantlers Pty Ltd (7285); John Guerin and Lee Ann Guerin (7321); John Oates and James Edwards (7342); John Kouts (7442); Sheridan Australia Pty Ltd (7491); Christopher Mark Bradley (10874); Matthew Ivan and Cindy Elizabeth Bowman (10901); William John Stringer (10924); Peer Tec (11016); Samuel Smith & Son Pty Ltd (11081); Pooraka Panel Repairs Pty Ltd (2183); Christian Rainer Zimmerman (11146); SJA Airconditioning Pty Ltd (11147); Steven Muller (11145); Pitstop Refrigeration Pty Ltd (91); Saddleworth Pty Ltd (344); Wilpat Investments Pty Ltd (578); Michael Gerard Haarsma (586); North Western Adelaide Health Service (1143); Australian National Container Management Pty Ltd (1360); Airspec Pty Ltd (1440); Douglas William Richey (1587); Raymond John Wright (2065); Gilbert Motors (Strathalbyn) Pty Ltd (2383); Graham Kent (2531); C. M. Heithersay Ind. Pty Ltd (2616); APV Australia Pty Ltd (3669); Mildara Blass Limited (5227); Gregory Galatis (5710); David Koop (6951); David Joppich (6989); George Fountain Jarvis (6999); Nick Karakoulakis (6487); George Pezos (6533); Austrim Nylex Ltd (11014); P. D. Technology Pty Ltd (11148); Shaheen Torabi (7160); Colin Whittington (11149); Adelaide Airconditioning Installations Pty Ltd (11151); Austech Services Pty Ltd (11152); Southway (Sales) Pty Ltd (139); Peter John Holmes (1137); Steven Cornwell (3001); Otis Building Technologies Pty Ltd (3012); Hot Spot Airconditioning Pty Ltd (3490); Brumar Services Pty Ltd (5457); Stan Panteladis (6594); West Star Australia Pty Ltd (2715); Arthur Kaponias (6967); Lidgate Pty Ltd (7047); Mark Anthony Cadd (7414); Clancy (W.A.) Pty Ltd (10839); A. Goninan & Co. Limited (11154); Bruno Davids (286); Hemmes Airconditioning Pty Ltd (11155); Riverland Climate Control Pty Ltd (11157); The K. H. & L. M. Behn Family Trust (3); BOC Gases Australia Ltd (400); Adelaide International Airport (626); LGL Refrigeration Pty Ltd (1131); Nicholas Liemareff (1445); Port Augusta Hospital & Regional Health Services Incorporated (2067); Malcolm Brooksby (2895); South Australian Brewing Company Limited (2952); Andrew Kellis (3000); APV Australia Pty Ltd (3668); Australian Submarine Corp. Pty Ltd (4775); Ian Warren (5273); Ultra-Tune (Glennelg) (6536); Penrice Soda Products Pty Ltd (6829); Peter Briton Jones (7451); Mark Jenkins (7502); Mehrdad Yazdani (7520); Automotive Parts Group Ltd (10354); Allan Penhall (10374); Climat Air Control & Energy Centres Pty Ltd (10395); Mark Alan Scotford (11040); Pierre Geldenhuys (11159); David Trinne (11160); Peter Scholz (11161); JMac Appliance Repairs (11163); Troy Meuris (11164); Michael John Davis (11166); Gary Priest (11167); Brendan Denning (11168); Commercial Fumigation Service Pty Ltd (11170); A. G. O'Connor Pty Ltd (11171); Shillito Pty Ltd (11172); David John Blackmore (11174); Grant Denham Campaign (11175); Rene Johannes Engelsma (11177); Taylor Services SA Pty Ltd (11179); John Andrew Wilby (11180); John David Ryder (11181); Ian Ottery Curtayne (11182); Nick Teligiannidis (11184); Anthony Wise (11185); Paul Alan Murphy (11186); Stephen Gregory Pape (11187); Golden Chef Aust. Pty Ltd (11189); Pasquale Argiro (11190); Derek Lindsay Packer (11195).

G. C. SCLARE, Manager, Licensing and Operations Services

EXPLOSIVES ACT 1936

Appointment

I, ROBERT LAWSON, Attorney-General and Minister for Workplace Services in and for the State of South Australia, hereby appoint the following person as an Authorised Officer under the Explosives Act 1936, in accordance with my delegated authority under section 9 (1) of the Explosives Act 1936:

Adam William Brown

Dated 11 December 2001.

ROBERT LAWSON, Minister for Workplace Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Pondalowie Bay, South Australia on 18 November 2001:

- 1 cane neck, bee hive rock lobster pot with yellow nylon rope, and 1 red buoy.
- 1 plastic hexagonal rock lobster pot with yellow nylon rope and 1 red buoy.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Pondalowie Bay.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead Compliance Office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fishwatch SA

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division, 2 nautical miles west of Western River Cove on 2 November 2001:

- 2 rock lobster pots both with a red plastic entrance funnel, dull green 3 strand nylon rope, 4L float, 2 plastic black bait baskets (per pot).

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession 2 nautical miles west of Western River Cove.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Shack No. 5, Walker's Flat on 15 October 2001:

- 1 wire fish trap made from wire with a length of white rope attached, approximately 1.5 m in length and 0.5 m in width.
- 1 green mesh opera house yabbie pot.
- 1 shrimp trap made from green shade cloth, with a length of string attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Walker's Flat, River Murray.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Wool Flat on the River Murray on 17 November 2001:

- 1 wire fish trap (constructed of chook wire) approximately 1 m in length with one entrance funnel.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Wool Flat at the 132 km mark on the River Murray.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at the 272 km mark on the River Murray on 19 November 2001:

- 1 green mesh opera house yabbie pot (no entrance rings in funnels) with a length of blue and yellow rope attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at the 272 km mark on the River Murray (downstream from Blanchetown).

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Pike River on 20 November 2001:

- 1 black square mesh yabbie pot (rectangle in shape) with a length of orange string attached.
- 1 fish trap constructed of plastic square mesh and two metal rings, with 1 entrance funnel and with a length of black wire and green cord attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Pike River.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at the creek opposite the 548 km mark on the River Murray on 20 November 2001:

- 1 cylindrical yabbie pot constructed of square wire mesh, with 2 entrance funnels and with a length of rope attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession in the backwaters of the River Murray.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Big Toolunka Flat Lagoon at the 373 km mark of the River Murray on 24 October 2001:

- 1 green mesh opera house yabbie pot, with a length of white rope attached.
- 1 green mesh opera house yabbie pot, with a length of black and white rope with a plastic bottle attached as a float.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Big Toolunka Flat Lagoon (River Murray).

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at the 314 km mark of the River Murray on 28 November 2001:

- 1 yabbie pot constructed by a metal frame approximately 1 m in length and 0.5 m in width, covered top and bottom with plastic square mesh and the sides covered with black shade cloth.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at approximately the 314 km mark of the River Murray.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at approximately the 292 km mark of the River Murray on 28 November 2001:

- 1 set line approximately 100 m in length, constructed of black twine with 4 bricks attached as weights (no hooks attached).

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at approximately the 292 km mark of the River Murray.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) (b) of the South Australian Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Chowilla Creek downstream of Chowilla Outstation on 29 November 2001:

- 2 wire fish traps constructed from square wire mesh with one entrance funnel, the bottom of these devices constructed from hexagon shaped mesh.
- 1 wire fish trap constructed from square wire mesh with an entrance funnel.

All traps had a length of black cord attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Chowilla Creek.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 13 December 2001.

B. E. HEMMING, Manager, Fisheries Compliance

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
54 Park Terrace, Gladstone	Allotments 27 and 28 in Deposited Plan 793, Hundred of Booyoolie	5162	959	28.11.91, page 1477	100.00
8 Collins Street, Jamestown	Allotment 2 in Filed Plan 142964, Hundred of Belalie	5263	344	30.8.01, page 3431	65.00
11 Coxe Street, Milang	Allotment 2 in Filed Plan 11475, Hundred of Alexandrina	5376	882	26.6.97, page 3078	100.00
145 Thomas Street, Murray Bridge	Allotment 74 in Deposited Plan 2953, Hundred of Mobilong	5689	129	13.4.89, page 1053	110.00
100 Hill Street, Peterborough	Allotment 143 in Deposited Plan 3224, Hundred of Yongala	5527	738	11.10.90, page 1175	5.00
135 Moscow Street, Peterborough	Allotment 190 in Deposited Plan 3224, Hundred of Yongala	5623	848	29.10.87, page 1494	5.00
3 Threadgold Street, Peterborough	Allotment 350 in Deposited Plan 3523, Hundred of Yongala	5236	16	6.12.90, page 1688	85.00
89 Victoria Street, Peterborough	Allotment 756 in Filed Plan 185648, Hundred of Yongala	5749	370	25.7.96, page 182	45.00
72 Wellington Street, Port Adelaide	Allotments 537 and 538 in Deposited Plan 3, Hundreds of Port Adelaide and Yatala	5425	756	25.10.01, page 4692	95.00
10 Stanley Street, Tailem Bend	Allotment 77 in Deposited Plan 2072, Hundred of Seymour	5067	378	14.11.91, page 1296	90.00
27 Trevena Road, Tailem Bend	Allotment 3 in Filed Plan 107836, Hundred of Seymour	5188	513	25.10.01, page 4692	95.00

Dated at Adelaide, 20 December 2001.

G. BLACK, General Manager, Housing Trust

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
23 Fletcher Road, Elizabeth East	Allotment 520 in Deposited Plan 6433, Hundred of Munno Para	5279	721	30.3.00, page 1908
10 Regent Street, Kensington	Allotment 15 in Filed Plan 139195, Hundred of Adelaide	5549	301	15.8.68, page 411
15 Murray Street, Lower Mitcham	Allotment 70 in Deposited Plan 3007, Hundred of Adelaide	5741	996	29.6.00, page 3453
75 Reservoir Road, Modbury	Allotment 41 in Deposited Plan 6684, Hundred of Yatala	5418	728	27.2.97, page 1054
5 Jones Street, Nailsworth	Allotment 10 in Deposited Plan 1025, Hundred of Yatala	5498	409	7.9.78, page 875
11 Belfast Street, Taperoo	Allotment 149 in Deposited Plan 7611, Hundred of Port Adelaide	5597	277	28.11.96, page 1756
2 Third Avenue, Woodville Gardens	Allotment 3 in Deposited Plan 5101, Hundred of Yatala	5685	957	21.9.00, page 2147

Dated at Adelaide, 20 December 2001.

G. BLACK, General Manager, Housing Trust

HOUSING IMPROVEMENT ACT 1940

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

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
24 Poynton Street	Ceduna	Allotment 52 in Deposited Plan 5211, Hundred of Bonython	5411	157
10 Aberfeldy Avenue	Edwardstown	Allotment 10 in Deposited Plan 2821, Hundred of Adelaide	5739	633
78 Avenue Road	Highgate	Allotment 20 in Filed Plan 14662, Hundred of Adelaide	5664	110
90 Reservoir Road	Modbury	Allotment 12 in Deposited Plan 7262, Hundred of Yatala	5604	125
29 Olive Street	Parkside	Allotment 382 in Deposited Plan 1005, Hundred of Adelaide	5583	250
Flat 1/3 Harrison Road	Pennington	Allotment 36 in Deposited Plan 2679, Hundred of Yatala	5802	974
13 Richard Avenue	Pooraka	Allotment 14 in Deposited Plan 7069, Hundred of Yatala	5350	389
12 Elizabeth Street	Streaky Bay	Allotment 31 in Deposited Plan 2011, Hundred of Ripon	5203	57

Dated at Adelaide, 20 December 2001.

G. BLACK, General Manager, Housing Trust

INDUSTRIAL AND EMPLOYEE RELATIONS ACT 1994

Appointments

I, ROBERT LAWSON, Attorney-General and Minister for Workplace Services in and for the State of South Australia, hereby appoint the undermentioned Officers as Inspectors, pursuant to the Industrial and Employee Relations Act 1994:

Carl Jeremy Jonathon Asker
Kylie Jane Butterick
Stephen John Dohnt
Timothy Mark Eldrick
Emmy Fonteyn
Annette Louise Kappler
Simon George Last
Saody Lee
David Michael Randall
Helen Marie Kelly
Boris Janic

Dated 11 December 2001.

ROBERT LAWSON, Minister for Workplace Services

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that New York Bar & Grill Pty Ltd and B. & S. Matthews Investments Pty Ltd have applied to the Licensing Authority for a Retail Liquor Merchant's Licence in respect of premises to be situated at Shop 1067B, Westfield Marion, 297 Diagonal Road, Oaklands Park, S.A. 5046 and to be known as Marion Cellars.

The application has been set down for hearing on 18 January 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 December 2001.

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 David Mark Nolan and Margaret Joan Nolan, 48 Edgeware Road, Aldgate, S.A. 5154 have applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 48 Edgeware Road, Aldgate, and to be known as ADL Adelaide Direct Liquor.

The application has been set down for hearing on 18 January 2002, at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 December 2001.

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 Anthony Paul Dawson and Marian Dawson, c/o Westley Digiorgio Solicitors, 15 Ormerod Street, Naracoorte, S.A. 5271 have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 39 Victoria Street, Robe, S.A. 5276 and to be known as The Gallerie Robe.

The application has been set down for hearing on 18 January 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

1. The applicants be permitted to sell packaged wine from other local producers to the public from the premises.

2. The applicants be permitted to sell the licensee's product on the licensed premises at any time for consumption off the licensed premises and:

- to sell the licensee's product at any time for consumption in a designated dining area with or ancillary to a meal;
- to sell the licensee's product at any time through direct sales transactions; and
- to sell or supply liquor by way of sample for consumption on a part of the licensed premises.

3. The hours sought including Extended Trading Authorisation are as follows:

Monday to Saturday, 8 a.m.-1.30 a.m. the following day.

Sunday, 8 a.m. to 11 a.m.; 8 p.m. to 1.30 a.m. the following day.

Public Holidays, 8 a.m. to 1.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 December 2001.

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 David James Stark, c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 10 Standish Street, Port MacDonnell, S.A. 5291 and to be known as Stark's Bistro.

The application has been set down for hearing on 18 January 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 December 2001.

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 Velvet International Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at Lot 6, Blewitt Springs Road, McLaren Flat, S.A. 5171 and to be situated at River Road, Hahndorf, S.A. 5245 and known as Velvet International.

The application has been set down for hearing on 18 January 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

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 Turtle Investments Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at 2/289 Flinders Street, Adelaide, S.A. 5000 and to be situated at 111 Sturt Street, Adelaide, S.A. 5000 and known as The Daiquiri Factory.

The application has been set down for hearing on 18 January 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 December 2001.

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 Greg Cornish has applied to the Licensing Authority for the removal of a Direct Sales Licence in respect of premises situated at 20 Windlass Square, Seaford Rise, S.A. 5169 and to be situated at Shop 5, 5-7 Sir James Hardy Way, Woodcroft, S.A. 5162 and known as Vines Premium Wine Auctioneers.

The application has been set down for hearing on 18 January 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

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 The Olympic Employee Plan Pty Ltd, c/o Patsouris & Associates Solicitors, 82 Halifax Street, Adelaide, S.A. 5000 has applied to the Licensing Authority to vary an Extended Trading Authorisation with Entertainment Consent in respect of premises situated at South Road, Darlington, S.A. 5047 and known as Flagstaff Hotel.

The application has been set down for hearing on 18 January 2002 at 9 a.m.

Conditions

The following conditions are sought:

1. To vary Extended Trading Authorisation: Thursday, Friday and Saturday, midnight to 3 a.m. the following day.

2. Entertainment consent is sought for the above hours.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 December 2001.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Jonathan Lindsay Harms, 16 Cambridge Terrace, Kingswood, S.A. 5062 has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 16 Cambridge Terrace, Kingswood, and to be known as Jonathan Lindsay Harms.

The application has been set down for hearing on 18 January 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 December 2001.

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 Robert Johnston has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at 20A Cleland Avenue, Dulwich, S.A. 5065 and to be situated at 2/59 Bridge Street, Kensington, S.A. 5068 and known as Robert Johnson Vineyards.

The application has been set down for hearing on 18 January 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 December 2001.

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 Delta North Pty Ltd (ACN 098 998 620), c/o David Watts & Associates, Liquor Licensing Consultants, 1 Cator Street, Glenside, S.A. 5065, has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 55 Wilpena Terrace, Kilkenny, S.A. 5009 and to be known as Di Loreto Estates.

The application has been set down for hearing on 18 January 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 December 2001.

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 Hoa Au Duong has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at Sunnybrook Plaza, Shop T, 11, corner of Golden Way and Sunnybrook Drive, Wynn Vale, S.A. 5127 and to be known as Patay Thai & Chinese Restaurant.

The application has been set down for hearing on 18 January 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

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 Stefano Digiorgio, Rita Digiorgio, Francesco Robin Digiorgio and Nanni Remi Digiorgio, c/o Emily Stoner of Westley Digiorgio Commercial & Property Lawyers, have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Church Lane, Lucindale, S.A. 5272 and to be known as S. & R. Digiorgio & Sons.

The application has been set down for hearing on 18 January 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 11 December 2001.

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 Lachnah Pty Ltd (ABN 11 096 386 613), c/o Foreman Mead, 26 Mann Street, Mount Barker, S.A. 5251 has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 90 Ormerod Street, Naracoorte, S.A. 5271 and known as Mullingers Restaurant and Function Centre.

The application has been set down for hearing on 18 January 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

1. Extended Trading Authorisation: Monday to Saturday, midnight to 1 a.m. the following day and Sunday, 8 p.m. to 1 a.m. the following day. The extended trading authorisation is sought for the sale of liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons:

- (a) seated at a table; or
- (b) attending a function at which food is provided.

2. Entertainment consent is sought as per plans lodged with the Licensing Authority.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 December 2001.

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 Glenbrook Estate Pty Ltd, R.S.D., 420 Riddoch Highway, Penola, S.A. 5277 has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at R.S.D., 420 Riddoch Highway, Penola, S.A. 5277, section 446, Hundred of Penola and to be known as Glenbrook Estate.

The application has been set down for hearing on 18 January 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

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 Rabo Del Toro Pty Ltd, 1st Floor, 162 Greenhill Road, Parkside, S.A. 5063, c/o Camatta Lempens, Solicitors, 391 Torrens Road, Kilkenny, S.A. 5009 has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 29 Frome Street, Adelaide, S.A. 5000 and known as Amalfi Pizzeria Restaurant.

The application has been set down for hearing on 21 January 2002 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 6 December 2001.

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 Trijad Pty Ltd (ACN 096 379 574), c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000, has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 157 Waymouth Street, Adelaide, S.A. 5000 and known as The Red Room.

The application has been set down for hearing on 21 January 2002 at 10.30 a.m.

Conditions

The following licence conditions are sought:

1. Redefinition of the licensed premises to include the basement.
2. Extended Trading Authorisation (including Entertainment Consent) to apply to the whole of the licensed premises at the following times:
 - (a) Monday to Saturday, midnight to 5 a.m. the following day;
 - (b) Sunday, 8 a.m. to 11 a.m. and 8 p.m. to 5 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 December 2001.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that The Australian Experience Touring Co. Pty Ltd, c/o Phillips Fox, 19-29 Young Street, Adelaide, S.A. 5000 has applied to the Liquor and Gaming Commissioner for the transfer of a Liquor and a Gaming Machine Licence in respect of premises situated at 489 Esplanade, Grange, S.A. 5022 and known as Grange Hotel.

The applications have been set down for hearing on 21 January 2002 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 17 December 2001.

Applicant

LOCAL GOVERNMENT ACT 1999

AMENDED CHARTER OF A REGIONAL SUBSIDIARY

*Flinders Mobile Library Board**Preamble*

A scheme pursuant to section 43 of the local government act, 1999 for the carrying out jointly within the areas of the Northern Areas council, the District Council of Mount Remarkable and the Port Pirie Regional Council of a permanent work of undertaking namely the provision of a public mobile library service for the benefit of the said area:

1. The permanent work of undertaking to be carried out is the provision of a Public Library Service pursuant to section 43 of the Local Government Act 1999.
2. Consequent to the amalgamation of the District Councils of Rocky River, Jamestown and Spalding forming the Northern Areas Council operative from 1 May 1997, and the amalgamation of the District Council of Crystal Brook-Redhill and the Port Pirie City and District Council forming the Port Pirie Regional council, the Constituent Councils shall be the District council of Mount Remarkable, the Northern Areas Council and the Port Pirie Regional Council, with the management and operation of the scheme vested in the Regional Subsidiary called the Flinders Mobile Library Board.
3. The Charter of the Subsidiary shall be as set out hereto.
4. The work or undertaking will be financed by contributions from the constituent members, determined in accordance with the Charter.

THE FLINDERS MOBILE LIBRARY BOARD

*Charter of the Flinders Mobile Library Board a regional subsidiary pursuant to section 43 of the Local Government Act 1999**Title*

1. This Charter may be cited as the Charter of the Flinders Mobile Library Board.

Definitions

2. In these Charter:
 - 'Act' means the Local Government Act 1999.
 - 'Subsidiary' means the Flinders Mobile Library Board.
 - 'Chairperson' means the Chairperson or Acting Chairperson of the Subsidiary.
 - 'Constituent Council' means a Constituent Council under the scheme published by the Minister in the *Government Gazette* on 19 January 1989, page 176.
 - 'Member' means a member of the Subsidiary.
 - 'Secretary' means the Secretary or Acting Secretary of the Subsidiary.
 - 'Board' means Board of Management of the Subsidiary being the governing body of the Subsidiary.

The Function of the Subsidiary

3. The Subsidiary shall provide a permanent work of undertaking namely the provision of a public mobile library service for the areas of the Constituent Councils and may subject

to the provisions of the Act do all such things as it deems necessary and expedient for the purpose of providing that service.

Board of Management

4. Appointment of Members of the Board of Management

- (1) (a) Each Constituent Council shall appoint two persons to be members of the Board of Management of the Subsidiary who shall hold office at the pleasure of that Constituent Council.
- (b) Preferably one member of the Board from each Constituent Council should be a member of the Constituent Council appointing him or her.
- (c) A Board member is, at the expiration of a term of office, eligible for reappointment.
- (d) A Constituent Council may appoint a person suitable to be a deputy of a member of the Board, and that person, while acting in the absence of that member, shall be deemed to be a member of the Board.
- (e) The office of Board member becomes vacant if the Board member:
 - (i) dies; or
 - (ii) completes a term of office and is not re-appointed; or
 - (iii) resigns by written notice addressed to the Constituent Councils and served on any of them; or
 - (iv) becomes a bankrupt or applies for the benefit of a law for the relief of insolvent debtors; or
 - (v) fails to submit a return for the purposes of a Register of Interests in accordance with this Act if such returns are required by the Charter; or
 - (vi) is removed from office by the Constituent Councils by written notice, or in any other manner specified by the charter.
- (f) On the office of a Board member becoming vacant, a person shall be appointed by the relevant Constituent Council to the vacant office.
- (g) A reference in this Charter to a Board member will be taken to include, unless the contrary intention appears, a reference to a deputy while acting as a Board member.
- (h) If a member or employee of a Constituent Council is appointed as a Board member, he or she is not taken to have vacated his or her office as a member of the Constituent Council, or of the staff of the Constituent Council, or to have been invalidly appointed to the Board because:
 - (i) the potential exists for the duties of the two offices to conflict; or
 - (ii) the duties of either office require, by implication, the person's full time attention.
- (i) A Constituent Council may give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility and, if the person concerned complies with those directions, he or she is excused from any breach that would otherwise have occurred.

Register of Interests Returns

- (2) Board members will not be required to submit returns under Chapter 5, Part 4, Division 2 (Register of Interests) of the Act.

Specific Functions of the Board of Management

- (3) (a) The Board is responsible for the administration of the affairs of the Subsidiary.
- (b) The Board must ensure as far as practicable:
 - (i) that the Subsidiary observes all plans, targets, structures, systems and practices required or applied to the Subsidiary by the Constituent Councils; and
 - (ii) that all information furnished to a Constituent Council is accurate; and
 - (iii) that the Constituent Councils are advised, as soon as practicable, of any material development that affects the financial or operating capacity of the Subsidiary or gives rise to the expectation that the Subsidiary may not be able to meet its debts as and when they fall due.
- (c) Anything done by the Board of Management in the administration of the affairs of the Subsidiary is binding on the Subsidiary.

Board Members' Duty of Care, etc.

- (4) (a) A Board member must at all times act with reasonable care and diligence in the performance and discharge of official functions and duties, and (without limiting the effect of the foregoing) for that purpose:
 - (i) must take reasonable steps to inform himself or herself about the Subsidiary and relevant aspects of the operations and activities of the Constituent Councils; and
 - (ii) must take reasonable steps through the processes of the Board to obtain sufficient information and advice about matters to be decided by the Board or pursuant to a delegation to enable him or her to make conscientious and informed decisions; and
 - (iii) must exercise an active discretion with respect to all matters to be decided by the Board or pursuant to a delegation.
- (2) A Board member is not bound to give continuous attention to the affairs of the Subsidiary but is required to exercise reasonable diligence in attendance at and preparation for meetings of the Board.
- (3) In determining the degree of care and diligence required to be exercised by a Board member, regard must be had to the skills, knowledge or acumen possessed by the Board member and the degree of risk involved in a particular circumstance.
- (4) A Board member does not commit a breach of duty under this clause by acting in accordance with a direction from the Constituent Councils.

Board Members' Duties of Honesty

- (5) (a) A Board member of the Subsidiary must at all times act honestly in the performance and discharge of official functions and duties.
- (b) A Board member or former Board member of the Subsidiary must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a Board member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Subsidiary or a council.
- (c) A Board member of the subsidiary must not, whether within or outside the State, make improper use of his or her position as a Board member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Subsidiary or a council.

Protection from Liability

- (6) (a) No civil liability attaches to a Board member of a subsidiary for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or subsidiary's powers, functions or duties.
- (b) A liability that would, but for this clause, attach to a Board member attaches instead to the subsidiary.

Chairperson

5. At the first meeting after periodical council elections and at the next meeting after May in each year when there is no periodical election due, the members of the Board shall choose a Chairperson from amongst their number.

Secretary

6. (1) The Board shall appoint a Secretary who shall be the Chief Executive Officer and be responsible to the Board for the execution of its decisions.

(2) In the absence of leave of the Secretary or where there is a vacancy in the office of Secretary the Board shall appoint an Acting Secretary.

Officers and Employees

7. (1) The Board may appoint such other officers and employees as are necessary for the proper carrying out of the functions of the Subsidiary.

(2) Subject to any relevant Act, award or industrial agreement, the remuneration and other conditions of service of an employee of the Subsidiary will be as determined by the Board.

Common Seal and Execution of Documents

8. (1) The Subsidiary shall have a common seal.

(2) The common seal shall not be affixed to a document except in pursuance of a decision of the Board.

(3) The affixation of the common seal must be attested by the Chairperson and the Secretary or in the absence of one or both, by other Board members authorised by the Board.

(4) The Board may, by instrument under the common seal of the Subsidiary, authorise a Board member, or other person (whether nominated by name or by office or title) to execute documents on behalf of the Subsidiary subject and limitations (if any) specified in the instrument of authority.

(5) Without limiting subclause (4), an authority may be given so to authorise two or more persons to execute documents jointly on behalf of the Subsidiary.

(6) A document is duly executed by the Subsidiary if:

- (a) the common seal of the Subsidiary is affixed to the document in accordance with this clause; or
- (b) the document is signed on behalf of the Subsidiary by a person or persons in accordance with authority conferred under this clause.

Committees

9. (1) The Board may establish committees of its members for the purpose of:

- (a) inquiring into and reporting to the Board on any matters within the ambit of the Authorities responsibilities;
- (b) exercising, performing or discharging any delegated powers, functions or duties.

(2) A member of a committee established under this section holds office as such at the pleasure of the Board.

(3) The Chairperson of the Board shall be, *ex officio*, a member of any committee.

Delegation

10. (1) The Board may by resolution delegate to a committee or to an officer or employee of the Subsidiary any of its powers, functions and duties.

(2) A delegation by the Board may be subject to such limitations and conditions as may be determined by the Board.

(3) A delegation by the Board shall be revocable by resolution of the Board and shall not derogate from the power of the Board to act itself in any matter.

Proceedings of Board of Management

11. (1) Three members of the Board shall constitute a quorum of the Board and no business shall be transacted at a meeting unless a quorum is present.

(2) The Board member appointed to chair the Board will preside at meetings of the Board at which he or she is present and, if that Board member is absent from a meeting, another Board member chosen by the Board members present at the meeting will preside.

(3) A decision carried by a majority of the votes cast by Board members at a meeting is a decision of the Board of Management.

(4) Each Board member present at a meeting of the Board of Management has one vote on a question arising for decision and, if the votes are equal, the Board member presiding at the meeting does not have a second or casting vote.

(5) A telephone or video conference between Board members will, for the purposes of this clause, be taken to be a meeting of the Board of Management at which the participating Board members are present if:

- (a) notice of the conference is given to all Board members in the manner determined by the Board of Management for that purpose; and
- (b) each participating Board member is capable of communicating with every other participating Board member during the conference.

(6) A proposed resolution of the Board of Management becomes a valid decision of the Board of Management despite the fact that it is not voted on at a meeting if:

- (a) notice of the proposed resolution is given to all Board members in accordance with procedures determined by the Board of Management; and
- (b) a majority of the Board members express their concurrence in the proposed resolution by letter, telex, facsimile transmission or other written communication, or electronic communication, setting out the terms of the resolution.

(7) Chapter 6 Part 3 of the Local Government Act 1999 (meetings to be held in public except in special circumstances) extends to a subsidiary as if:

- (a) a subsidiary were a council; and
- (b) the Board members of the subsidiary were members of the council.

(8) A person authorised in writing by a Constituent Council for the purposes of this clause may attend (but not participate in) a meeting of the Board of Management and may have access to papers provided to Board members for the purpose of the meeting.

(9) If the Board considers that a matter dealt with at a meeting attended by a representative of a Constituent Council should be treated as confidential, the Board of Management may advise the Constituent Council of that opinion, giving the reason for the opinion, and the Constituent Council may, subject to subclause (10), act on that advice as the council thinks fit.

(10) If a Constituent Council is satisfied on the basis of the Board of Management's advice under subclause (9) that the subsidiary owes a duty of confidence in respect of a matter, the council must ensure the observance of that duty in respect of the matter, but this subclause does not prevent a disclosure as required in the proper performance of the functions or duties of the council.

(11) The Board of Management must cause accurate minutes to be kept of its proceedings.

(12) Subject to this Charter and to a direction of the Constituent Councils, the provisions of the Local Government (Procedures at Meetings) Regulations 2000 shall apply to the Subsidiary as if the Subsidiary were a council.

Notice of Meetings

12. Notice of every meeting of the Board shall be given to all members of the Board at least 3 clear days prior to the day of the meeting and shall:

- (a) be in writing;
- (b) set out the date, time and place of the meeting;
- (c) be signed by the Secretary; and
- (d) contain or be accompanied by the agenda for the meeting.

Meetings

13. (1) Ordinary meetings of the Board shall be held at times and places appointed by the Board, but there shall be at least one ordinary meeting held in every period of 6 months.

(2) The Secretary shall at the request of the Chairperson or any three members call a special meeting of the Board.

Other Meeting Procedures

14. (1) Each member present at a meeting of the Board shall, subject to any provision of the Act to the contrary, vote on a question arising for decision at that meeting.

Adjournment of Meetings

15. A meeting of the Board or of a committee may be adjourned from time to time and from place to place.

Accounts

16. (1) The Subsidiary shall cause to be kept books containing true accounts of the revenue and expenditure of the Subsidiary, under distinct heads, showing the sources of the revenue and the purposes for which the same has been expended.

(2) The accounts shall be balanced as at 30 June in each year.

(3) On or before the first day of September in every year, the Board shall cause to be prepared financial statements for the preceding financial year and a Balance Sheet as at the last ensuring 30 June.

(4) The financial statements shall be signed by the Secretary and after being audited be laid before the Board.

Audit

17. (1) The Subsidiary must establish and maintain effective auditing of its operations.

(2) The Board shall appoint a person to be the auditor for the Subsidiary.

(3) The auditor must be a registered company auditor or a firm comprising at least one registered company auditor.

(4) The Auditor shall hold office at the pleasure of the Board.

(5) The office of Auditor of the Subsidiary becomes vacant if:

- (a) the auditor dies;
- (b) the auditor resigns by written notice to the person who has been appointed to chair the Board of management of the Subsidiary;
- (c) the auditor is not or ceases to be eligible for appointment as the auditor;
- (d) the auditor accepts remunerated office or employment from the Subsidiary or a Constituent Council;
- (e) the term of appointment of the auditor expires and the auditor is not reappointed; or
- (f) the auditor is removed from office by the Subsidiary for reasonable cause.

(6) Pursuant to Schedule 2 of the Local Government Act 1999 an Audit Committee shall not be established.

Treasurer

18. The Secretary shall be the Treasurer of the Subsidiary.

Method of Keeping Accounts

19. The provisions of Local Government (Financial Management) Regulations 1999 apply to the Subsidiary.

Members Expenses

20. Unless reimbursed by their Constituent Council, a member of the Board shall receive reimbursement from the Subsidiary (subject to approval of the Board) of any expenses actually and necessarily incurred in attending meetings of the Board or its committees or while otherwise engaged in the business of the Board at its request.

Funding

21. (1) Each Constituent Council shall in respect of each financial year pay to the Subsidiary a financial contribution determined in accordance with schedule I to these Rules.

(2) The Subsidiary may raise revenue from other sources and by other methods as determined by the Board, notwithstanding the Board cannot, without approval of the Constituent Council's, raise other revenue from each Constituent Council other than that determined by subclause (1). (Examples of other revenue: book and asset sales, overdue book fines.)

Reporting

22. (1) The Subsidiary must, on or before a day determined by the Constituent Councils, furnish to the Constituent Councils a report on the work and operations of the subsidiary for the preceding financial year.

(2) A report under subclause (1) must:

- (a) incorporate the audited financial statements of the subsidiary for the relevant financial year; and
- (b) contain any other information or report required by the Constituent Council or prescribed by the regulations.

(3) Unless otherwise determined by the Constituent Councils the Board shall, on or before 30 September in each year furnish to the Constituent Councils the report as required by subclause (1).

Investments

23. (1) The Subsidiary may invest money under its control.

(2) The Subsidiary must, in exercising its power of investment:

- (a) exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
- (b) avoid investments that are speculative or hazardous in nature.

(3) Without limiting the matters that the Subsidiary may take into account when exercising its power of investment, the Subsidiary must, so far as may be appropriate in the circumstances, have regard to:

- (a) the purposes of the investment;
- (b) the desirability of diversifying Subsidiary investments;
- (c) the nature of and risk associated with existing Subsidiary investments;
- (d) the desirability of maintaining the real value of the capital and income of the investment;
- (e) the risk of capital or income loss or depreciation;
- (f) the potential for capital appreciation;
- (g) the likely income return and the timing of income return;
- (h) the length of the term of a proposed investment;
- (i) the period for which the investment is likely to be required; or
- (j) the liquidity and marketability of a proposed investment during, and on the determination of, the term of the investment;
- (k) the aggregate value of the assets of the Subsidiary;
- (l) the likelihood of inflation affecting the value of a proposed investment;
- (m) the costs of making a proposed investment;
- (n) the results of any review of existing Subsidiary investments.

(4) The Subsidiary may obtain and consider independent and impartial advice about the investment of funds or the management of its investments from a person whom the Subsidiary reasonably believes to be competent to give the advice.

(5) The Subsidiary must, at least once in each year, review the performance (individually and as a whole) of its investments.

Business Plans

24. (1) The Subsidiary must, in consultation with the Constituent Councils, prepare and adopt a business plan.

(2) The business plan of the Subsidiary continues in force for the period specified in the plan or until the earlier adoption by the Subsidiary of a new business plan.

(4) The Subsidiary must, in consultation with the Constituent Councils, review its business plan on an annual basis.

(5) The Subsidiary may, after consultation with the Constituent Councils, amend its business plan at any time.

(6) The business plan must set out or include:

- (a) the performance targets that the Subsidiary is to pursue;
- (b) a statement of the financial and other resources, and internal processes, that will be required to achieve the Subsidiary's performance targets; and
- (c) the performance measures that are to be used to monitor and assess performance against targets.

Budget

25. (1) The Subsidiary must have a budget for each financial year.

(2) Each budget of the Subsidiary:

- (a) must deal with each principal activity of the subsidiary on a separate basis;
- (b) must be consistent with its business plan;
- (c) must comply with standards and principles prescribed by the regulations;
- (d) must be adopted after 31 May for the ensuing financial year, and before a date fixed by the Constituent Councils; and
- (e) must be provided to the chief executive officer of each Constituent Council within five business days after its adoption.

(3) The Subsidiary may, with the approval of the Constituent Councils, amend its budget for a financial year at any time before the year ends.

(4) A Subsidiary may incur, for a purpose of genuine emergency or hardship, spending that is not authorised by its budget.

(5) A Subsidiary may, in a financial year, after consultation with the Constituent Councils, incur spending before adoption of its budget for the year, but the spending must be provided for in the appropriate budget for the year.

Subsidiary Subject to Direction by Councils

26. (1) The Subsidiary is subject to the joint direction and control of the Constituent Councils.

(2) A joint direction shall apply to the Subsidiary if an absolute majority of the Constituent Councils so resolve.

Provision of Information

27. (1) The Subsidiary must, at the written request of a Constituent Council, furnish to the council information or records in the possession or control of the Subsidiary as the council may require in such manner and form as the council may require.

(2) If the Board of the Subsidiary considers that information or a record furnished under this clause contains matters that should be treated as confidential, the Board may advise the Constituent Council of that opinion giving the reason for the opinion and the council may, subject to subclause (3), act on that advice as the council thinks fit.

(3) If the Constituent Council is satisfied on the basis of the Board's advice that the Subsidiary owes a duty of confidence in respect of a matter, the council must ensure the observance of that duty in respect of the matter, but this subclause does not prevent a disclosure as required in the proper performance of the functions or duties of the council.

Winding up

28. (1) The Subsidiary may be wound up:

- (a) by the Minister acting at the request of the Constituent Councils; or
- (b) by the Minister on the ground that there has been a failure to comply with a requirement of the Minister under section 275 of the Act and that the circumstances are, in the opinion of the Minister, sufficiently serious to justify the taking of action to wind up the subsidiary.

(2) The subsidiary is wound up by the Minister publishing a notice in the *Gazette*.

(3) Any assets or liabilities of the subsidiary at the time of winding up vest in or attach to the Constituent Councils on the winding up in accordance with this clause.

(4) In the event of winding up and after payment of all expenses any surplus assets shall be returned to Constituent Councils in proportion to the contribution payable (Schedule 1) in the financial year prior to the passing of the resolution to dissolve.

(5) In the event of winding up where there are insufficient funds to pay all expenses due by the Subsidiary a levy shall be struck to cover the deficiency such levy being in proportion to the contribution payable (Schedule 1) in the financial year prior to dissolution.

Disclosure

29. (1) If a Subsidiary discloses to a person in pursuance of this schedule a matter in respect of which the Subsidiary owes a duty of confidence, the Subsidiary must give notice of the disclosure to the person to whom the duty is owed.

(2) A member of the Board of Management of the Subsidiary does not commit a breach of duty by reporting a matter relating to the affairs of the Subsidiary to a Constituent Council or otherwise in accordance with the provisions of this Act.

Power of Delegation

30. (1) A Subsidiary may delegate a power or function vested or conferred under this or another Act.

(2) A delegation may be made:

- (a) to a committee;
- (b) to an employee of the subsidiary or of a Constituent Council; or
- (c) to a person for the time being occupying a particular office or position.

(3) A delegation:

- (a) is subject to conditions and limitations determined by the subsidiary or specified by the regulations; and
- (b) is revocable at will and does not prevent the subsidiary from acting in a matter.

(4) This clause does not limit or affect a power of delegation under another Act.

Interests in Companies

31. (1) A subsidiary must not:

- (a) participate in the formation of a company; or
- (b) acquire shares in a company.

(2) However, subclause (1) does not limit:

- (a) the investment of money as authorised by the subsidiary's charter; or
- (b) the ability of a regional subsidiary to participate in the formation of, or to become a member of, a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest.

Saving Provision

32. No act or proceeding of a subsidiary is invalid by reason of:
- (a) a vacancy or vacancies in the membership of the Board of Management; or
 - (b) a defect in the appointment of a Board member.

Review of Charter

33. (1) This Charter must be reviewed by the Constituent Councils at least once in every three years.

- (2) The Constituent Councils must, if they amend the Charter:
- (a) furnish a copy of the charter, as amended, to the Minister; and
 - (b) ensure that a copy of the charter, as amended, is published in the *Gazette*.

The Acquisition or Disposal of Assets

34. (1) The acquisition and disposal of land and buildings will be subject to approval by all the Constituent Councils.

(2) The acquisition and disposal of other assets valued over \$10 000 will be subject to approval by all the Constituent Councils.

Disputes between the Constituent Councils

35. It is anticipated that there will be occasions when the views of the Constituent Councils will differ on issues relating to the development and implementation of policy of the Subsidiary. It is legitimate that there will be differing views and Constituent Councils through their Board members are urged to use the processes of investigation, consultation and debate within the meetings of the Subsidiary to achieve the best collective outcome for the Subsidiary:

- (1) Where a dispute situation arises:
- (a) between Constituent Councils regarding the development or implementation of policy of the Subsidiary to the point that in the opinion of the Board the successful operation of Subsidiary is in jeopardy.
 - (b) between a Constituent Council and the Subsidiary regarding the development or implementation of policy to the point that in the opinion of the Board the successful operation of Subsidiary is in jeopardy.

Then the disputing parties are required to submit their dispute to an independent arbitrator.

(2) The independent arbitrator shall be the President of the Local Government Association of South Australia or nominee.

(3) The Constituent Councils and/or the Subsidiary in dispute shall have the opportunity to put their views both in writing and verbally to the independent arbitrator.

(4) The determination of the independent arbitrator shall be binding on the Constituent Councils and/or the Subsidiary in dispute.

(5) All costs of the arbitration process will be at the cost of the Constituent Councils involved in the dispute.

Adding a Constituent Council

36. (1) Any council (not already a Constituent Council) may apply in writing to the Board setting out reasons why the council wishes to become a Constituent Council of the Subsidiary.

(2) The Secretary shall forward the application to every Constituent Council not less than four weeks prior to the general meeting of the Board at which it is to be considered.

(3) The council is recommended to become a Constituent Council if an absolute majority vote of the Constituent Councils so resolve.

(4) The Board shall then put its recommendation for the council to become a Constituent Council to the Minister in accordance with section 44 of the Local Government Act 1999.

Ceasing to be a Constituent Council

37. (1) Subject to first having obtained the approval of the Minister in accordance with the Act, any council may resign from the Subsidiary with six months written notice of such a resignation to the Secretary, provided that the contribution for the year in which the council ceases to be a Constituent Council and any other moneys outstanding has been paid to the Subsidiary.

(2) The withdrawal of any Constituent Council shall not extinguish the liability of that council for the payment of all contributions toward the total income of the Subsidiary for the financial year in which such withdrawal shall take place regardless of whether such contributions fall due after the date of such withdrawal.

(3) The withdrawal of any Constituent Council shall not extinguish the liability of such council for the payment of its contribution toward any actual or contingent deficiency in the net assets of the Subsidiary at the end of the financial year in which such withdrawal shall occur.

(4) The withdrawal of any Constituent Council shall not extinguish the liability of such council to contribute to any loss or liability incurred by the Subsidiary at any time before or after such withdrawal in respect of any act or omission by the Subsidiary prior to such withdrawal.

SCHEDULE 1

Formula for Calculation of Individual Constituent Council Contributions

$$\frac{(E - R - B + b - R + r)}{C} \times \frac{c}{1}$$

Where:

E = Estimated Expenditure for the financial year.

R = Estimated Revenue from all sources other than Constituent Council contributions for the financial year.

B = The surplus or deficit brought forward from the preceding financial year.

b = The deficit brought forward from the preceding financial year.

R = Transfers to Reserves

r = Transfers from Reserves

C = Total population of the townships (provided by PLAIN Central Services) at which the Flinders Mobile Library Van stops for provision of library services, in all Constituent Councils at the last ensuing 30 June.

c = Total population of the townships (provided by PLAIN Central Services) at the last ensuing 30 June at which the Flinders Mobile Library van stops for provision of library services, for a Constituent Council.

MARK BRINDAL, Minister of Local Government

LOCAL GOVERNMENT ACT 1999

SCHEDULE 2

Notice of Amendment of Charter of a Regional Subsidiary

NOTICE is hereby given that the charter of the Murray Mallee Community Transport Scheme has been amended by the Coorong District Council, District Council of Karoonda East Murray and Southern Mallee District Council.

A copy of the amended charter is set out below.

CHARTER OF THE MURRAY MALLEE COMMUNITY TRANSPORT SCHEME REGIONAL SUBSIDIARY CHARTER

1. CONTINUATION

- 1.1 The Murray Mallee Community Transport Scheme ('Transport Scheme') formerly a controlling authority established under Section 200 of the Local Government Act 1934 continues as a regional subsidiary pursuant to Section 43 and Schedule 2 of the Local Government Act 1999 ('the Act') and Section 25 of the Local Government (Implementation) 1999.
- 1.2 This Charter governs the affairs of the Transport Scheme and must be reviewed by the Constituent Councils at least once every three years.
- 1.3 The Transport Scheme is not involved in a significant business activity as defined in Section 4 Government Business Enterprises (Competition) Act 1996.

2. CONSTITUENT COUNCILS

- 2.1 The Transport Scheme has been established by the District Council of Karoonda East Murray, the Southern Mallee District Council and The Coorong District Council (the Constituent Councils)
- 1.3 The Transport Scheme is subject to the joint direction of the Management Board.

3. PURPOSE

- 3.1 The objects of the Transport Scheme shall be:
 - 3.1.1 to identify and assess local transport needs, in areas or at times where conventional transport is difficult to access;
 - 3.1.2 to develop specialised, innovative, and cost effective local solutions which are accessible, affordable and equitable;
 - 3.1.3 to promote efficient use of transport resources in the area by coordinating and encouraging shared use of existing resources, and the integration of community transport services with conventional transport;
 - 3.1.4 to ensure the local community is consulted about its transport needs and participates in service planning and management, so that services developed are responsive to needs;
 - 3.1.5 to provide information, support and expert advice to local residents, councils, and other service providers in relation to transport planning matter and transport service provision.
 - 3.1.6 to provide transport to residents of the Constituent Councils in the following priority order; medical appointments, respite, banking and home business matters, and education.
 - 3.1.7 Subject to the availability of a vehicle and driver, transport may be provided to residents of the Constituent Councils to visit relatives and friends, for essential shopping and for other reasons approved by the co-ordinator who may consult with the President of the Board.

4. BOARD OF MANAGEMENT

- 4.1 The Transport Scheme will be governed by a Board of up to eleven members.
- 4.2 The Board is responsible for the administration of the affairs of the Transport Scheme. The Board must ensure insofar as it is practicable, that the Scheme observes the objectives set out in this Charter, that information provided to Constituent Councils is accurate and that Constituent Councils are kept informed of the solvency of the Transport Scheme and any material developments which may effect the operating capacity and financial affairs of the Transport Scheme.
- 4.3 Each of the Constituent Councils will appoint an Elected Member of Council or Officer of the Council as its representative on the Board.
- 4.4 Each Constituent Council shall appoint a Deputy of their representative appointed to the Board.

- 4.5 Board members shall be nominated by the organisations they represent, such nominations to be received one week prior to the Annual General Meeting.
- Those persons shall represent the following interests:
- 4.5.1 commercial transport operators;
 - 4.5.2 local health service providers
 - 4.5.3 disability service providers;
 - 4.5.4 the interests of consumers of the Transport Scheme service such as an aged persons advocate;
 - 4.5.5 carers;
 - 4.5.6 volunteers;
 - 4.5.7 the veteran community;
 - 4.5.8 The Public Transport Board.
- 4.6 In the event of insufficient nominations as per 4.5 nominations may be taken from the floor.
- 4.7 Following the Annual General Meeting and the receipt of the names of persons approved by the Annual General meeting to join the Board, the Constituent Councils shall jointly appoint eight other persons to be members of the Board in accordance with clause 4.5.
- 4.8 A certificate signed by the Chief Executive Officer of one of the appointing Constituent Councils will be sufficient evidence of appointment to the Board.
- 4.9 There will be a President and Vice-President of the Board elected at the Annual General Meeting by ballot of the Board for a 12 month period.
- 4.10 The outgoing President and Vice-President will be eligible for re-election.
- 4.11 In the absence of the President and Vice-President, the members of the Board will elect a presiding member for the relevant meeting.
- 4.12 The Annual General Meeting will elect a Secretary who is responsible for keeping minutes of all meetings of the Board, distributing those minutes to all members of the Board, and keeping secure the common seal.
- 4.13 The Annual General Meeting will elect a Treasurer who shall assist the Board to fulfil its financial management, budgets and business planning obligations and perform such functions as are delegated in writing by the Board.
- 4.14 The members of the Board will not be required to comply with the Division 2 Chapter 5 of the Act (Register of Interests).

5. TERM OF OFFICE

- 5.1 The term of office of each Elected Member or Officer of Council, representing the Constituent Council, shall be for one year.
- 5.2 The term of office of an Elected Member appointed to the Board ceases immediately on the date of periodic election for the Constituent Council or upon an Elected Member or Deputy Elected Member ceasing to be an Elected Member of the Constituent Council or becoming ineligible for any reason to retain office as an Elected Member of the Constituent Council.
- The term of office of a Council Officer Member ceases immediately that the Officer is no longer employed by the Constituent Council.
- 5.3 A Constituent Council may remove and replace its representative appointed to the Board. Council's representatives to the Board are eligible for re-appointment at the end of term.
- 5.4 The members of the Board jointly appointed by the Constituent Council shall hold office for the term of one year. Members of the Board shall be eligible for re-appointment to the Board in accordance with Clause 4.5
- 5.5 The Board may by a two-thirds majority vote of the members present (excluding the member or deputy member subject to this sub-rule) make a recommendation to the Constituent Council or councils seeking its or their approval to terminate the appointment of a member or deputy member to the Board in the event of any behaviour of the member or deputy member which, in the opinion of the Board amounts to impropriety, serious neglect of duty while attending to the responsibilities as a member of the Board, breach of fiduciary duty to the Board or a Constituent Council, breach of duty of confidentiality to the Board and the Constituent Councils and non-compliance with this Charter or any other behaviour which may discredit the Board.

- 5.6 The Constituent Council or councils which appointed the member whose position has become vacant, will be responsible to appoint a replacement member.
- 5.7 Casual vacancies other than members appointed under Clause 4.3 shall be appointed by the Board.

6. PROCEEDINGS OF THE BOARD

- 6.1 Subject only to the extent they are modified by this clause, the proceedings of the Board will be the same as those for committees of council as defined in Part 2 of Chapter 6 of the Act and in accordance with the Regulations for 'other committees', comprise in Parts 1, 3 and 4 of the Local Government (Proceedings at Meetings) Regulations 2000.

To the extent that this Charter and the Act and its associated Regulations are silent, the Board may determine its own meeting procedures.

- 6.2 Questions concerning the conduct of meetings, the application of the Act and Regulations and the interpretation of this Charter shall be determined by the President of the Board. Unless contested by successful resolution seeking legal advice, the President's decision concerning the conduct of meetings shall be final and binding upon the members of the Board.
- 6.3 No meeting of the Board shall 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 will comprise one half of the members of the Board, ignoring any fraction plus one.
- 6.4 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 to a deliberative vote. Board members may not vote by proxy.
- 6.5 In the event of any equality of votes, the President will not have a casting vote and the matter will be deemed to have lapsed and may at some later time be reconsidered.
- 6.6 Meetings of the Board shall be held at such time and in such places as the Board decides subject to the requirement that there be at least one meeting every three months.
- 6.7 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 the associated Regulations.
- 6.8 Meetings of the Board will not be open to the public unless the Board so resolves.
- 6.9 All members must keep confidential all documents and any information provided to them for their consideration prior to a meeting of the Board.
- 6.10 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.
- 6.11 A special meeting of the Board may be held at any time and may be called at the request of the President or at the written request of three members of the Board.
- 6.12 Each July the Board shall hold an Annual General Meeting, to which members of the public may be invited. The President shall submit an annual report to that meeting including details of the achievements of the aims and objectives of the Transport Scheme's programme.

7. PROPRIETY OF MEMBERS OF THE BOARD

- 7.1 The principles regarding conflict of interest prescribed in the Act will apply to all members of the Board as if they were elected members of a Council.
- 7.2 The members of the Board will not be required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 7.3 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.

8. POWERS OF THE BOARD

- 8.1 The Transport Scheme is constituted as a body corporate under the Act and, in all things, acts as through the Board.
- 8.2 Subject to this Charter, the Transport Scheme will have all of the powers, functions and duties conferred by the Act, including the powers, functions and duties to:
- 8.2.1 apply for grants from other government agencies and enter into agreements;
 - 8.2.2 enter into contracts or similar arrangements in its own right;
 - 8.2.3 engage contractors to manage the operations of the organisation and perform its services;

- 8.2.4 employ staff and appoint Officers as the Board determines are required to carry out the objectives of the Transport Scheme. The conditions of employment of employees will be determined by the Board, all employment will be by contract and subject to ongoing funding being available;
 - 8.2.5 invest funds which are surplus to short term cash requirements in Capital Guaranteed Securities;
 - 8.2.6 Appoint a co-ordinator of the Transport Scheme on terms and conditions and with responsibilities as determined by the Board.
 - 8.2.7 subscribe to, become a member of or co-operate with any other association or organisation whose objectives are altogether or in part similar or complementary to those of the Transport Scheme;
 - 8.2.8 raise revenue through subscriptions or levies and to expend such revenue;
 - 8.2.9 to print or publish any newspapers, periodicals, books, leaflets or any other writing or electronic publication that the Transport Scheme may think desirable for the promotion of its objectives;
 - 8.2.10 appoint such sub-committees as it deems necessary and to define the duties of such sub-committees and the powers under which they may act;
 - 8.2.11 co-opt any member or Officer of a Constituent Council or any appropriate person who is deemed desirable for the efficient function of any sub-committee;
 - 8.2.12 appoint from time to time a solicitor to provide the legal services required by the Transport Scheme or any other consultants as may be necessary to achieve the objectives of the Scheme;
 - 8.2.13 effect and maintain sufficient insurance cover in respect of general property and to indemnify the Transport Scheme, its Constituent Councils and any members, Officers or staff against claims in respect to, public liability and professional indemnity arising out of the operations of the Transport Scheme.
- 8.3 The Constituent Councils may at any stage direct the affairs of the Transport Scheme by each Constituent Council passing an identical resolution which so directs the affairs of the Transport Scheme;
- 8.4 the Transport Scheme will not, without the consent by resolution of all Constituent Councils;
- 8.4.1 raise capital through commercial borrowings of any sort;
 - 8.4.2 acquire or dispose of real property or other non-operating assets, excluding the change over of motor vehicles;
 - 8.4.3 conduct any business operations outside the boundaries of the area of the Constituent Councils;
 - 8.4.4 engage in any new business operations.

9. COMMON SEAL

- 9.1 The Transport Scheme will have a common seal, which may be affixed to documents requiring execution under common seal and must be witnessed by the President of the Board and one other Board member, one of whom must be an Elected Member of a Constituent Council. The common seal may only be affixed to a document to give effect to a resolution of the Board. The Secretary of the Board shall maintain a register of resolutions of the Board giving authority to affix the common seal and details of the documents to which such Seal has been affixed.
- 9.2 The Board may by instrument under seal authorise a person to execute documents on behalf of the Transport Scheme. The Executive Officer will maintain a register of such resolutions and details of any documents executed in this way, together with particulars of the person executing the document.

10. FINANCIAL ARRANGEMENTS

- 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 following financial year. This will be achieved via the business plan and the annual budget.
- 10.2 Subject to 10.1 the Board in consultation with constituent councils will determine annually the funds required by the Transport Scheme to enable it to function. The Board may during any year determine that additional funds are required for the continuing function of the Transport Scheme.
- 10.3 Each of the Constituent Councils agree to contribute to the funds required by the Transport Scheme and as determined by the Board via the business plan and annual budget.
- 10.4 The annual contribution will be paid by each Constituent Council in advance.

- 10.5 Additional contributions (if any) may be paid by each Constituent Council.
- 10.6 The Board is accountable to each Constituent Council to ensure that the Transport Scheme functions in accordance with its business plan and approved budgets.
- 10.7 The Board may seek assistance from one or more of the Constituent Councils for the provision of financial services.

11. BUSINESS PLAN

- 11.1 The Board must, in consultation with the Constituent Councils, prepare and adopt an Annual Business Plan. The Board and the Constituent Councils must ensure that the first Business Plan is prepared within six months after the Transport Scheme is established.
- 11.2 The Business Plan continues in force for the period specified in the Plan or until the earlier adoption by the Board of a new Business Plan.
- 11.3 The Board in consultation with the Constituent Councils must review its Business Plan on an annual basis and may amend it at any time.
- 11.4 The Business Plan must include:
 - 11.4.1 the performance targets that the Transport Scheme is to pursue;
 - 11.4.2 the statement of the financial and other resources and internal processes that will be required to achieve the Transport Scheme's performance targets;
 - 11.4.3 the performance measures that are to be used to monitor and assess performance against targets.

12. BUDGET

- 12.1 The Transport Scheme must have a budget for each financial year prepared in accordance with clause 10. That budget must ensure the following:
 - 12.1.1 that each principal activity of the Transport Scheme is dealt with separately;
 - 12.1.2 the budget is consistent with the Business Plan;
 - 12.1.3 is adopted after 31 May for the ensuing financial year and provided to the Constituent Councils by 15 June.
- 12.2 The Board of the Transport Scheme may, with the approval of the Constituent Councils, amend its budget for the financial year.
- 12.3 The Board of the Transport Scheme must at the written request of the Constituent Council provide to the Council any information or records in its control as required by the Council.

13. AUDITING AND REPORTING

- 13.1 The Board of the Transport Scheme must maintain effective auditing of its operations and for that purpose may use the services of the auditor of a Constituent Council or may appoint an auditor for the purpose.
- 13.2 The Board of the Transport Scheme must, on or before a day determined by the Constituent Councils, provide to the Constituent Councils a report on the work and operations of the subsidiary for the preceding financial year. That report must incorporate the audited financial statements of the subsidiary and contain any other information sought by the council. That report must also be incorporated into the Annual Report of each Constituent Council.
- 13.3 Liabilities incurred or assumed by the Transport Scheme in accordance with the Business Plan are guaranteed by the Constituent Councils.
- 13.4 The Board of the Transport Scheme must maintain financial statements and accounts in accordance with Australian Accounting Standards and Best Practice Principles in accordance with the provisions of The Local Government Act 1999 and the Local Government (Financial Management) Regulations.
- 13.5 The Board is responsible for reporting any significant or unusual matters concerning the day to day operation or financial position of the Transport Scheme in a timely fashion, to all Constituent Councils.

14. DISPUTE RESOLUTION

- 14.1 Should any dispute arise between Constituent Councils in connection with the affairs of the Transport Scheme, the following dispute resolution process shall apply:
 - 14.1.1 the President of the Board shall call a meeting of the Mayor/Chairperson and Chief Executive Officer and council representative on the Board of each of the Constituent Councils. The parties at this meeting will attempt to resolve the dispute through good faith negotiation.

14.1.2 failing resolution of the dispute, the President of the Board shall appoint a suitably qualified person to investigate, reconvene the meeting, report to the meeting and conciliate the dispute.

14.1.3 failing resolution of the dispute through conciliation, the President of the Board shall call upon the Executive Director of the Local Government Association to appoint a suitable person to make decision that is binding on each of the Constituent Councils.

14.2 Any Constituent Council may initiate this dispute resolution process by resolution of the council and written notification to the Board.

15. PARTICIPATION BY CONSTITUENT COUNCILS

15.1 A Constituent Council may withdraw from the Transport Scheme by giving not less than three months notice of its intention to do so to all other Constituent Councils and to the Board.

15.2 Until the expiry of three months from the date of the Constituent Councils notice of its intention to withdraw from the Transport Scheme, that council will remain liable for all financial contributions in the remaining period and, through its member on the Board, will be responsible to ensure the continued proper conduct of the affairs of the Transport Scheme.

15.3 A council may become a Constituent Council of the Transport Scheme at any time and on such terms and conditions as unanimously agreed to by resolution of each of the existing Constituent Councils and with the approval of the Minister.

16. ALTERATION TO THE RULES

16.1 This Charter may be amended by unanimous resolutions of the Constituent Councils.

16.2 Before the Constituent Councils vote on a proposal to alter this Charter, they must take into account any recommendations of the Board.

16.3 The Secretary of the Board must ensure that the amended Charter is provided to the Minister and is published in the *Gazette*.

17. DISSOLUTION

17.1 The Transport Scheme may be wound up;

17.1.1 by the Minister acting at the request of the Constituent Councils;

17.1.2 by the Minister on the ground that there has been a failure to comply with the requirement of the Minister and the circumstances, in the opinion of the Minister, sufficiently serious to justify the taking of action to wind up the subsidiary.

17.2 On winding up the Transport Scheme, the net assets of the Transport Scheme are to be transferred to the Constituent Councils in the same proportion as the financial contributions made by the Constituent Councils in the full financial year prior to the passing of the resolution to wind up.

17.3 In the event of there being an insolvency of the Transport Scheme at the time of winding up, the Constituent Councils will be responsible, jointly and severally, to pay the liabilities of the Transport Scheme and between themselves in the same proportion as reflected in Clause 17.2.

Dated 20 December 2001.

MARK BRINDAL, Minister for Local Government

LOCAL GOVERNMENT ACT 1999

Amendment of Charter of a Regional Subsidiary

THE amended charter of Southern Eyre Peninsula Subsidiary is set out below.

SOUTHERN EYRE PENINSULA SUBSIDIARY

Rules

1. INTERPRETATION

In these Rules, unless the contrary intention appears, 'the Act' means the Local Government Act 1999, as amended:

'Subsidiary' means the Southern Eyre Peninsula Subsidiary;

'the chairperson' means the person from time to time duly appointed to the position of chairperson of the Subsidiary;

'constituent council' means either the District Council of Lower Eyre Peninsula or the District Council of Tumby Bay as the case may require:

'constituent councils' means the District Council of Lower Eyre Peninsula and the District Council of Tumby Bay;

'member' means a member of the Subsidiary as appointed by a constituent council pursuant to these Rules.

'secretary' means the person duly appointed to the position of secretary of the Subsidiary

2. NAME

The name of the Subsidiary is the Southern Eyre Peninsula Subsidiary.

3. ESTABLISHMENT

The Subsidiary has been established as a Regional Subsidiary under section 43 of the Local Government Act 1999 by the District Council of Lower Eyre Peninsula and the District Council of Tumby Bay.

4. OBJECTS

The objects of the Subsidiary shall be:

4.1 to provide operation of a bulldozer and low loader to the constituent councils in an effective and efficient manner.

4.2 to undertake such other services as may be agreed from time to time by the constituent councils.

5. POWERS

The Subsidiary shall have the following powers (in addition to and without prejudice to any other powers herein expressed or implied or by virtue of any legislation applicable):

5.1 to prepare, implement, monitor and review plans for the provision and maintenance of a bulldozer and low loader to the constituent councils;

5.2 to enter into any arrangements with any Government or Subsidiary that are incidental or conducive to the attainment of the objects of the Subsidiary and the exercise of the powers of the Subsidiary.

5.3 to appoint, employ, remunerate, remove or suspend such officers, managers, agents and employees as necessary for the purposes of the Subsidiary;

5.4 subject to prior approval of the constituent councils, to raise revenue including subscriptions and levies from the constituent councils;

5.5 to accept and expend any grants, subsidies, levies and donations or contributions of a pecuniary or non-pecuniary nature from Government or other sources to further the objects of the Subsidiary.

5.6 to purchase, sell, hire, rent or otherwise acquire or dispose of any bulldozer and low loader or interest therein;

5.7 to open and operate bank accounts;

- 5.8 to invest the funds of the Subsidiary in accordance with the Act and to use the interest earned to assist in carrying out the objects of the Subsidiary;
- 5.9 subject to the prior approval of the constituent councils, to borrow money on such terms and conditions as the Subsidiary sees fit;
- 5.10 subject to the prior approval of the constituent councils, to give such security for the discharge of liabilities (including borrowings) incurred by the Subsidiary as the Subsidiary sees fit;
- 5.11 to enter into other contracts that the Subsidiary considers necessary or desirable;
- 5.12 to do all such things as are incidental or conducive to the attainment of the objects, the furtherance of the interests and the exercise of the powers of the Subsidiary;
- 5.13 to expend moneys on all things essential and incidental to the proper management and operations of the Subsidiary;
- 5.14 to insure the assets of the Subsidiary.

6. MEMBERSHIP

- 6.1 The Subsidiary shall consist of two elected members appointed by each constituent council.
- 6.2 The members shall be appointed for a period of one year by the constituent councils but may be removed at the discretion of the relevant council.
- 6.3 Each member may have a proxy member appointed by the constituent council who, when not acting as proxy, may attend meetings of the Subsidiary as an observer without voting rights.
- 6.4 If a casual vacancy occurs in the membership of the Subsidiary the constituent council which appointed the member in respect of whom the vacancy occurs shall, prior to the next meeting of the Subsidiary, appoint another representative to fill that vacancy for the unexpired term of the member originally appointed.
- 6.5 The appointment of a member ceases if that member:
 - 6.5.1 ceases to hold the office of elected member of a constituent council;
 - 6.5.2 dies;
 - 6.5.3 resigns by notice in writing to the secretary and the appointing council;
 - 6.5.4 becomes an officer or employee of the Subsidiary;
 - 6.5.5 is declared bankrupt;
 - 6.5.6 is convicted of an indictable offence;
 - 6.5.7 is convicted of an offence under Section 62 of the Act or
 - 6.5.8 is removed from office by resolution of the constituent council which appointed the member.
- 6.6 Members of the Subsidiary will not be required to submit returns under Chapter 5, Part 4, Division 2 of the Act.

7. SUBSCRIPTIONS AND FINANCES

- 7.1 The Subsidiary shall prepare a budget relating to the Subsidiary's revenues and expenses for each financial year. The budget shall be adopted at a meeting of the Subsidiary before 31 May in the preceding financial year.
- 7.2 Each constituent council shall be liable to contribute monies to the Subsidiary in each financial year.
- 7.3 The amount of the contributions payable by each constituent council in any financial year shall be payable in quarterly instalments in advance on the first day of July, October, January and April.
- 7.4 The amount of contribution to be made by each constituent council shall be on an equal basis unless otherwise agreed by the constituent councils.
- 7.5 The Subsidiary must, in consultation with the constituent council, prepare and adopt a Business Plan which must be reviewed on an annual basis.

The Plan will include:

 - (a) the performance targets that the Subsidiary is to pursue; and
 - (b) a statement of the financial and other resources, and internal processes, that will be required to achieve the Subsidiary's performance targets; and
 - (c) the performance measures that are to be used to monitor and assess performance against targets.

8. RESIGNATION AND WINDING UP

- 8.1 Subject to any legislative requirements the Subsidiary may be wound up by the constituent councils.
- 8.2 In the event of a winding up and after payment of all expenses any surplus assets shall be returned to the constituent councils in equal proportion.
- 8.3 In the event of a winding up where there are insufficient funds to pay all expenses of the Subsidiary a levy shall be struck on the constituent councils to cover the deficiency, such levy being equal proportion.
- 8.4 Subject to any legislative requirements a council may resign as a constituent council by giving a minimum of 12 months notice in writing of such resignation to the secretary with the resignation to take effect on 30 June in any financial year.
- 8.5 The resignation of any constituent council shall not extinguish the liability of that council for the payment of all contributions towards the total estimated expenditure of the Subsidiary for the financial year in which such resignation shall take place regardless of whether such contributions fall due for payment after the date of such resignation.
- 8.6 The resignation of any constituent council shall not extinguish the liability of such council for the payment of its contribution towards any actual or contingent deficiency in the net assets of the Subsidiary at the end of the financial year in which such resignation shall take place.
- 8.7 The resignation of any constituent council shall not extinguish the liability of such council to contribute to any loss or liability incurred by the Subsidiary at any time before or after such resignation in respect of any act or omission by the Subsidiary prior to such resignation.
- 8.8 Subject to any legislative requirement the resignation of a constituent council shall take effect as a winding up of the Subsidiary.

9. MEETINGS AND PROCEEDINGS

- 9.1 The Subsidiary shall elect a chairperson from amongst its members who shall hold office for a term of one year.
- 9.2 The chairperson shall chair all meetings of the Subsidiary.
- 9.3 In the absence of the chairperson the members present at a meeting of the Subsidiary shall elect an acting chairperson for that meeting.
- 9.4 The position of chairperson shall be filled in succeeding years by a member of a different constituent council such that the position of chairperson rotates annually between constituent councils.
- 9.5 Seven days written notice of every meeting and of the business to be transacted at such meeting shall be given to each of the members of the Subsidiary by the secretary.
- 9.6 The members of the Subsidiary shall meet in general meetings for the dispatch of business and such meetings may be held at different times and different locations as agreed by the Subsidiary. The Subsidiary shall meet not less than four times in every year and not less than once in any period of four months.
- 9.7 No business shall be transacted at a meeting of the Subsidiary unless a quorum of present.
- 9.8 The members of the Subsidiary present at any meeting may from time to time adjourn such meeting to a date and time to be fixed.
- 9.9 The secretary shall cause minutes to be kept of the proceedings of every meeting of the Subsidiary and a copy of such minutes shall be forwarded to the constituent councils. The minutes must be signed by the chairperson as a true record at the next meeting of the Subsidiary.
- 9.10 The general provisions of the Regulations (Procedures at Meeting) made under the Local Government Act 1999, relating to the conduct of the meetings of a council committee, shall insofar as the same may be applicable and not inconsistent with these Rules, apply to the proceedings at and conduct of all meetings of the Subsidiary.
- 9.11 Meetings of the Subsidiary shall be open to the public unless the Subsidiary resolves to exclude the public in accordance with the provision of the Act.
- 9.12 The Conflict of Interest provisions of the Act apply as if the Subsidiary were a council pursuant to the Act and the members were members of council pursuant to the Act.
- 9.13 Any questions as to the inconsistency of the Regulations referred to in Rule 9.10 or whether it would be appropriate for a particular provision of those Regulations to apply to any meeting of the Subsidiary shall be determined by the chairperson whose decision on any such matter shall be final.

10. QUORUM

- 10.1 A quorum at any meeting will be constituted by the personal attendance of not less than the prescribed number of members of the Subsidiary.
- 10.2 A reference of the prescribed number in Rule 10.1 is a reference to the number of total members of the Subsidiary at the time being in office, divided by two, ignoring any fraction resulting from the division and adding one.

11. VOTING

- 11.1 Questions arising at all meetings of the Subsidiary will be decided by the vote of the majority of the members present.
- 11.2 Every member of the Subsidiary including the chairperson shall be entitled to a deliberative vote. In the event of an equality of votes the chairperson shall not have a second or casting vote.

12. MANAGEMENT

- 12.1 The Subsidiary shall appoint a secretary.
- 12.2 The secretary shall be responsible to the Subsidiary:
- 12.2.1 for the execution of its decisions;
 - 12.2.2 for the efficient management of the operations and affairs of the Subsidiary;
 - 12.2.3 for giving effect to the general management objectives and principles of personnel management prescribed by the Act.
- 12.3 The secretary has such powers, functions and duties as provided for in these Rules and as determined by the Subsidiary from time to time to ensure the efficient and effective management of the operation and affairs of the Subsidiary.
- 12.4 The Subsidiary may appoint any other officer or employee as considered necessary to carry out the business of the Subsidiary.
- 12.5 It is further agreed between the constituent councils that in the event of a winding up of the Subsidiary all persons who are officers or employees of the Subsidiary shall become officers or employees of the constituent council from which they were transferred.
- 12.6 If any officer or employee of the Subsidiary did not transfer to the Subsidiary in the event of a winding up of the Subsidiary, the constituent councils will determine to which council such officer or employee shall transfer. In the event of a failure to agree between the constituent councils the officer or employees shall be made redundant by the Subsidiary.

13. THE SEAL

- 13.1 The Subsidiary shall have a common seal upon which its corporate name shall appear in legible characters.
- 13.2 The seal shall not be used without the express authorisation of a resolution of the Subsidiary and every use of the seal shall be recorded in the minute book of the Subsidiary. The affixing of the seal shall be witnessed by the chairperson and the secretary.
- 13.3 The seal shall be kept in the custody of the secretary or such other person as the Subsidiary may from time to time determine.

14. ASSETS

All assets held by the Subsidiary will be held by it on behalf of the constituent councils.

15. BANK ACCOUNTS

All moneys received by the Subsidiary shall be paid into a bank account within seven days of receipt. Withdrawals from the bank account shall require the authorisation of any two persons approved by the Subsidiary.

16. FINANCIAL ACCOUNTS AND AUDIT

- 16.1 The secretary shall cause adequate and proper books of account to be kept in relation to all the financial affairs of the Subsidiary.
- 16.2 The Subsidiary shall appoint in writing a duly registered local government auditor.
- 16.3 The auditor may inspect the books of account at any time in order to conduct an audit and must conduct an annual audit of such books of account.

- 16.4 The secretary shall be responsible for the preparation of the Subsidiary's annual financial statements and such statements shall be duly audited in conjunction with the financial statements of the constituent councils. If the auditors appointed by the Subsidiary are different to the auditor appointed by the constituent councils the Subsidiary's auditor shall liaise and consult with those other auditors.
- 16.5 The secretary must at the request of the auditor produce any accounts or other financial records of the Subsidiary for the auditor's inspection.
- 16.6 The secretary must at the request of the auditor provide the auditor with any explanation or information that the auditor requires for the purpose of an audit.
- 16.7 If the secretary without reasonable excuse fails to produce any accounts or other financial records or provide an explanation or information in accordance with a request from the auditor that officer may be subject to disciplinary action by the Subsidiary.
- 16.8 The auditor must immediately refer to the Subsidiary any irregularity in the Subsidiary's accounts or the management of the Subsidiary's financial affairs identified by the auditor in the course of the audit of the Subsidiary's financial statements.
- 16.9 A copy of the auditor's report in relation to the Subsidiary's activities must, at the completion of the audit, be given by the auditor to the chairperson and the constituent councils for subsequent consideration at a meeting of the Subsidiary.
- 16.10 There will be no requirement for the Subsidiary to establish an Audit Committee.

17. ALTERATION TO RULES

- 17.1 The constituent councils will review the rules of the Subsidiary at least once every three years.
- 17.2 Subject to the requirements of the Act any proposed alteration to these Rules shall be made at a special meeting of the Subsidiary called for that purpose and must be approved by an absolute majority of the members of the Subsidiary. Any such proposed alteration shall be referred to the Minister for Local Government and the constituent councils for approval before the alteration becomes effective.
- 17.3 Fourteen days written notice of the special meeting shall be given by the secretary to all members of the Subsidiary setting out the nature of the proposed alteration.

18. CIRCUMSTANCES NOT PROVIDED FOR

If any circumstances arise to which these Rules are silent, incapable of taking effect or being implemented according to their strict provisions, the constituent councils shall have the power to determine what action may be taken to ensure the effective administration of the Subsidiary in accordance with its objects and Part 2 of Schedule 2 of the Local Government Act 1999.

IN WITNESS WHEREOF the parties hereto have executed these Rules of the Southern Eyre Peninsula Controlling Subsidiary.

The Common Seal of the District Council of Lower Eyre Peninsula was hereunto affixed in the presence of:

W. WATKINS, Chairman

P. AIRD, Chief Executive Officer

The Common Seal of the District Council of Tumby Bay was hereunto affixed in the presence of:

IAN PEARSON, Chairman

E. A. ROBERTS, Chief Executive Officer



Christmas/New Year Holiday Publishing Information

Last Gazette for 2001 will be Thursday, 20 December 2001

Closing date for notices for publication will be
4 p.m. Tuesday, 18 December 2001

First Gazette for 2002 will be Thursday, 10 January 2002

Closing date for notices for publication will be
4 p.m. Tuesday, 8 January 2002

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

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Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	65.50
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Each Subsequent Name.....	8.40	Noxious Trade	24.50
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ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@saugov.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.

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Pages	Main	Amends	Pages	Main	Amends
1-16	1.85	0.80	497-512	27.00	26.00
17-32	2.60	1.65	513-528	27.75	26.50
33-48	3.35	2.40	529-544	28.50	27.50
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113-128	7.40	6.45	609-624	32.50	31.75
129-144	8.30	7.30	625-640	33.25	32.25
145-160	9.10	8.05	641-656	34.00	33.00
161-176	9.95	8.90	657-672	34.50	33.75
177-192	10.70	9.75	673-688	36.00	34.50
193-208	11.50	10.60	689-704	36.75	35.50
209-224	12.30	11.30	705-720	37.25	36.50
225-240	13.00	12.10	721-736	38.50	37.00
241-257	13.90	12.80	737-752	39.00	38.00
258-272	14.80	13.60	753-768	40.00	38.50
273-288	15.60	14.60	769-784	40.50	39.75
289-304	16.30	15.30	785-800	41.25	40.50
305-320	17.10	16.10	801-816	42.00	41.00
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LOTTERY AND GAMING ACT 1936, SECTION 57 (2)

NOTICE BY THE MINISTER FOR GAMBLING

Exemption

PURSUANT to section 57 (2) of the Lottery and Gaming Act 1936, I exempt the Murray Bridge Racing Club for the 2001-2002 racing season from the operation of section 57 (1) of that Act subject to the conditions set out in the schedule attached to this notice.

Dated 30 November 2001.

ROBERT BROKENSHIRE, Minister for Gambling

SCHEDULE

1. The exemption only relates to, and is in relation to, a punters' club conducted on behalf of the racing club by a person appointed by the club for that purpose.

2. A punters' club can only be conducted on behalf of a racing club in a racecourse during the holding of a race meeting by that racing club.

3. The person conducting the club must not receive any valuable thing, except money, for investment by the club.

4. A punters' club referred to in this Schedule has the following characteristics:

- (a) a club is made up of persons who purchase tickets issued by the person conducting the club;
- (b) a ticket entitles the holder to membership of a club in respect of the race meeting in relation to which the ticket is issued;
- (c) the money paid for tickets plus any moneys received in the form of sponsorship forms the opening balance which may be invested by the club on races;
- (d) 50% of any winnings from investments are to be paid into a fund and the members of the club are entitled to share the fund in proportion to the number of tickets held by each member.
- (e) 50% of any winnings from investments may be re-invested if it is in the best interests of the members of the punters' club to do so.

5. Tickets printed and issued shall be consecutively numbered and shall show the date designated for such meeting.

6. Tickets cannot be sold by a club after it has invested money on a race.

7. The following information must be announced and displayed at the place at which the operations of the punters' club are conducted:

- (a) the opening balance of the fund which may be invested by the club; and
- (b) the number of tickets issued to members of the punters' club; and
- (c) the bets and the races on which they are placed; and
- (d) the winnings and losses resulting from those bets.

8. The information:

- (a) referred to in clause 7 must be announced on-course and displayed in legible letters and numerals that are of sufficient size to be understood easily by members of the public;
- (b) referred to in clause 7 (c) must be announced on-course and displayed before the race to which it relates is run.

9. The amount to be shared between the members of the punters' club is the amount paid by members for tickets issued by the club plus any moneys received in the form of sponsorship plus 50 per cent of the amount of any winnings in accordance with clause 4 (d) plus any winnings not reinvested in accordance with clause 4 (e) less the amount invested in bets on races. The dividend declared shall be rounded up to the nearest 5 cents.

10. Within 21 days after the holding of a race meeting, the club that has conducted a punters' club must lodge a return with the Office of the Liquor and Gaming Commissioner in the attached form.

11. If at the expiration of two months after a race meeting a punters' club holds unclaimed money on behalf of a member, the club must on the appropriate form provide details of all punters' club tickets that are unclaimed and must pay the money to the Office of the Liquor and Gaming Commissioner.

Punters' Club—Details of Investments

Name of Club:
 Date of Race Meeting:
 No. of tickets sold @ \$ \$
 Sponsorship \$
 Total \$

Plus
 Winnings: Bookmakers
 On-Course Totalizator \$
 Sub Total \$

Less
 Amount Invested: Bookmakers
 On-Course
 Totalizator \$
 Balance \$

Amount to be Distributed to Each Ticket Holder = \$

Race Day Transaction Summary—Totalizator Investments

Code	Race No.	Bet Details	Amount Invested	Winnings

Race Day Transaction Summary—Bookmaker Investments

State	Race No.	Bet Details	Amount Invested	Winnings

.....
 Club Nominee

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Minerals and Energy proposes to grant an Exploration Licence over the under-mentioned area:

Applicant: Anglo American Exploration (Australia) Pty Ltd

Location: Lake Woorong area—Approximately 70 km west-south-west of Coober Pedy, bounded as follows: Commencing at a point being the intersection of latitude 29°00'S and longitude 134°07'E, thence east to longitude 134°17'E, south to latitude 29°18'S, west to longitude 134°12'E, south to latitude 29°27'S, west to longitude 133°56'E, south to latitude 29°28'S, west to longitude 133°47'E, north to latitude 29°25'S, west to longitude 133°33'E, north to latitude 29°14'S, east to longitude 133°47'E, north to latitude 29°03'S, east to longitude 134°00'E, north to latitude 29°01'S, east to longitude 134°07'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and

expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* No. 84 dated 6 October 1966 (AGD66).

Term: 1 year

Area in km²: 2 638

Ref: 77/2001

H. TYRTEOS, Acting Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Minerals and Energy proposes to grant an Exploration Licence over the under-mentioned area:

Applicant: Anglo American Exploration (Australia) Pty Ltd

Location: Coober Pedy area—bounded as follows: Commencing at a point being the intersection of latitude 28°55'S and longitude 134°17'E, thence east to longitude 134°24'E, south to latitude 29°00'S, east to longitude 134°42'E, north to latitude 28°57'S, east to longitude 135°10'E, south to latitude 28°58'S, east to longitude 135°12'E, south to latitude 29°00'S, west to longitude 135°04'E, south to latitude 29°18'S, west to longitude 134°45'E, south to latitude 29°19'S, west to longitude 134°37'E, north to latitude 29°18'S, west to longitude 134°17'E, and north to the point of commencement, but excluding areas reserved (see *Government Gazette* 7.6.1973, 13.11.1975, 13.10.1977, 16.2.1978, 13.7.1978, 5.11.1981, 13.2.1986, 11.12.1986, 25.2.1988, 16.6.1988, 1.9.1988, 16.4.1992 and 12.10.1995) and the surface stratum of the Coober Pedy Precious Stones Field (see *Government Gazette* 18.3.1982), all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 1 year

Area in km²: 2 858

Ref: 78/2001

H. TYRTEOS, Acting Mining Registrar

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

Notice under Section 6 (2) of the National Electricity Law— NSW Full Retail Competition Derogations

NOTICE is hereby given pursuant to section 6 (2) of the National Electricity Law, which forms the Schedule to the National Electricity (South Australia) Act 1996, that the National Electricity Code is amended and a new clause 9.17A is inserted in Part B of Chapter 9 of the National Electricity Code.

These amendments to the National Electricity Code commence on 21 December 2001.

A copy of the ACCC's letter dated 12 December 2001 providing interim authorisation for the amendments to Chapter 9 is set out below.

The amendments referred to above and a copy of the ACCC's letter dated 12 December 2001 providing interim authorisation for these amendments can be viewed in full on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') at www.neca.com.au under 'The Code—Gazette notices' section of that website.

The National Electricity Code can be viewed on the NECA Internet website at www.neca.com.au and at the offices of NECA and National Electricity Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 20 December 2001.

National Electricity Code Administrator

ACCC Letter of Authorisation

12 December 2001

Stephen Kelly
Managing Director
National Electricity Code Administrator
Level 4, 41 Currie Street
ADELAIDE, S.A. 5000

Dear Stephen

Authorisation of Amendments to the New South Wales Derogations

On 5 October 2001, the Australian Competition and Consumer Commission (Commission) received applications for authorisation (Nos A90801, A90802, and A90803) of amendments to the New South Wales derogations to the National Electricity Code. The applications were lodged by your company on behalf of the New South Wales Government.

Pursuant to subsection 91 (2) of the Trade Practices Act (TPA), the Commission hereby grants interim authorisation to the derogations. These applications relate to the metering arrangements of chapter 7 of the code.

These interim authorisations take effect from Wednesday, 12 December 2001 and will lapse when the Commission reaches a final determination in regard to each application.

Please note that under subsection 91 (2) of the TPA, the Commission may revoke an interim authorisation at any time.

Please also find enclosed a copy of the Commission's draft determination in respect of these applications for authorisation. The Commission's draft determination outlines its analysis and views on the amendments to Victoria's derogations. The Commission proposes to grant authorisation.

The Commission invites you, and other interested persons, to notify it within 14 days from 12 December 2001 if you wish the Commission to hold a conference in relation to this draft determination. If NECA, or an interested party, notifies the Commission in writing that it wishes the Commission to hold a conference, that conference is scheduled to be held in Canberra on 22 January 2002. Details of the location of the conference will be determined at a later date should a conference be called.

A representative from your company, interested parties who receive a copy of the draft determination, and any other interested parties whose presence the Commission considers appropriate are entitled to participate in any such conference. Following the conference, the Commission will take into account issues raised at the conference, and any related submissions, and will issue a final determination. If no pre-determination conference is called then this draft determination will become the final determination.

A person dissatisfied with the final determination may apply to the Australian Competition Tribunal for its review.

The Commission has also written to Kim Yeadon, M.P., informing him of the Commission's draft determination.

If you have any queries or require further information please contact Kaye Johnston on (02) 6243 1258.

Yours sincerely,

M. RAWSTRON, General Manager, Regulatory
Affairs—Electricity.

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

Notice under Section 6 (2) of the National Electricity Law and National Electricity Code—Full Retail Competition Code Changes

NOTICE is hereby given pursuant to section 6 (2) of the National Electricity Law, which forms the Schedule to the National Electricity (South Australia) Act 1996; and clause 8.3.9 (d) of the National Electricity Code approved under section 6 of the National Electricity Law, that clauses 2.11, 6.16.1, 7.4.3, 7.9.2 and Schedule 7.4 of the National Electricity Code are amended, new clauses 3.13.12, 3.19 and 7.2.8 are inserted, and new definitions and amendments to existing definitions are inserted in Chapter 10 definitions of the National Electricity Code.

These amendments to the National Electricity Code commence at the beginning of 20 December 2001.

As required by clause 8.3.9 (d) of the National Electricity Code, a copy of the ACCC's letter granting interim authorisation dated 19 December 2001 is set out below.

The amendments referred to above and a copy of the ACCC's letter dated 19 December 2001 can be viewed on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') at www.neca.com.au under 'The Code – Gazette notices' section of that website.

The National Electricity Code can be viewed on the NECA Internet website at www.neca.com.au and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 20 December 2001.

National Electricity Code Administrator

ACCC Letter of Authorisation

19 December 2001

Mr Stephen Kelly
Managing Director
National Electricity Code Administrator
Level 5, 41 Currie Street
ADELAIDE, S.A. 5000

Dear Mr Kelly

Applications for Authorisation of National Electricity Code Changes—Full Retail Competition (A90813-A90815)

I refer to the above applications for authorisation of amendments to the National Electricity Code, lodged with the Commission on 10 December 2001. More particularly, I note your request for interim authorisation.

The Commission has considered this request and decided to, pursuant to subsection 91 (2) of the Trade Practices Act, grant interim authorisation to the applications subject to the following condition:

The Commission requires that proposed wording for clause 6.16.1 (2) be deleted and replaced with:

'The charges to Distribution Customers are to be determined according to use of the distribution network as determined in accordance with a Metrology Procedure or, in the absence of a Metrology Procedure allowing such a determination to be made, by a meter or by agreement between the Distribution Network Service Provider by applying one or more of the following measures ...'

These interim authorisations take effect from Wednesday, 19 December 2001 and will lapse when the Commission reaches a final determination in regard to each application.

The Commission's public consultation process regarding these applications is continuing. The Commission hopes to release its draft determination on the applications in early 2002. Please note that under subsection 91 (2) of the Trade Practices Act, the Commission may revoke an interim authorisation at any time.

If you have any queries about any issue raised in this letter, please contact Donella Greer on (02) 6243 1093.

Yours sincerely,

M. RAWSTRON, General Manager, Regulatory
Affairs—Electricity.

OCCUPATIONAL HEALTH SAFETY AND WELFARE
ACT 1986

Appointments

I, ROBERT LAWSON, Attorney-General and Minister for Workplace Services in and for the State of South Australia, hereby appoint the undermentioned Officers as Inspectors, pursuant to the Occupational Health Safety and Welfare Act 1986:

Carl Jeremy Jonathon Asker
Kylie Jane Butterick
Stephen John Dohnt
Timothy Mark Eldridge
Emmy Fonteyn
Annette Louise Kappler
Simon George Last
Saody Lee
David Michael Randall
Helen Marie Kelly
Valerie Jean O'Keeffe

Dated 11 December 2001.

ROBERT LAWSON, Minister for Workplace Services

PASSENGER TRANSPORT ACT 1994

Appointment

NOTICE is hereby given that the following person has been appointed by the Minister for Transport and Urban Planning under section 53 of the Passenger Transport Act 1994, to be an Authorised Officer under that Act:

Byron Carr

H. WEBSTER, Executive Director,
Passenger Transport Board

PETROLEUM PRODUCTS REGULATION ACT 1995

Appointments

I, ROBERT LAWSON, Attorney-General and Minister for Workplace Services in and for the State of South Australia, hereby appoint the following persons as Authorised Officers under the Petroleum Products Regulation Act 1995, in accordance with my delegated authority under section 49 of the Petroleum Products Regulation Act 1995:

Carl Jeremy Jonathon Asker
Kylie Jane Butterick
Stephen John Dohnt
Timothy Mark Eldridge
Emmy Fonteyn
Annette Louise Kappler
Simon George Last
Saody Lee
David Michael Randall
Helen Marie Kelly

Dated 11 December 2001.

ROBERT LAWSON, Minister for Workplace Services

GRANT OF PRELIMINARY SURVEY LICENCE No. PSL8

Office of Minerals and Energy Resources, Adelaide, 13 December 2001

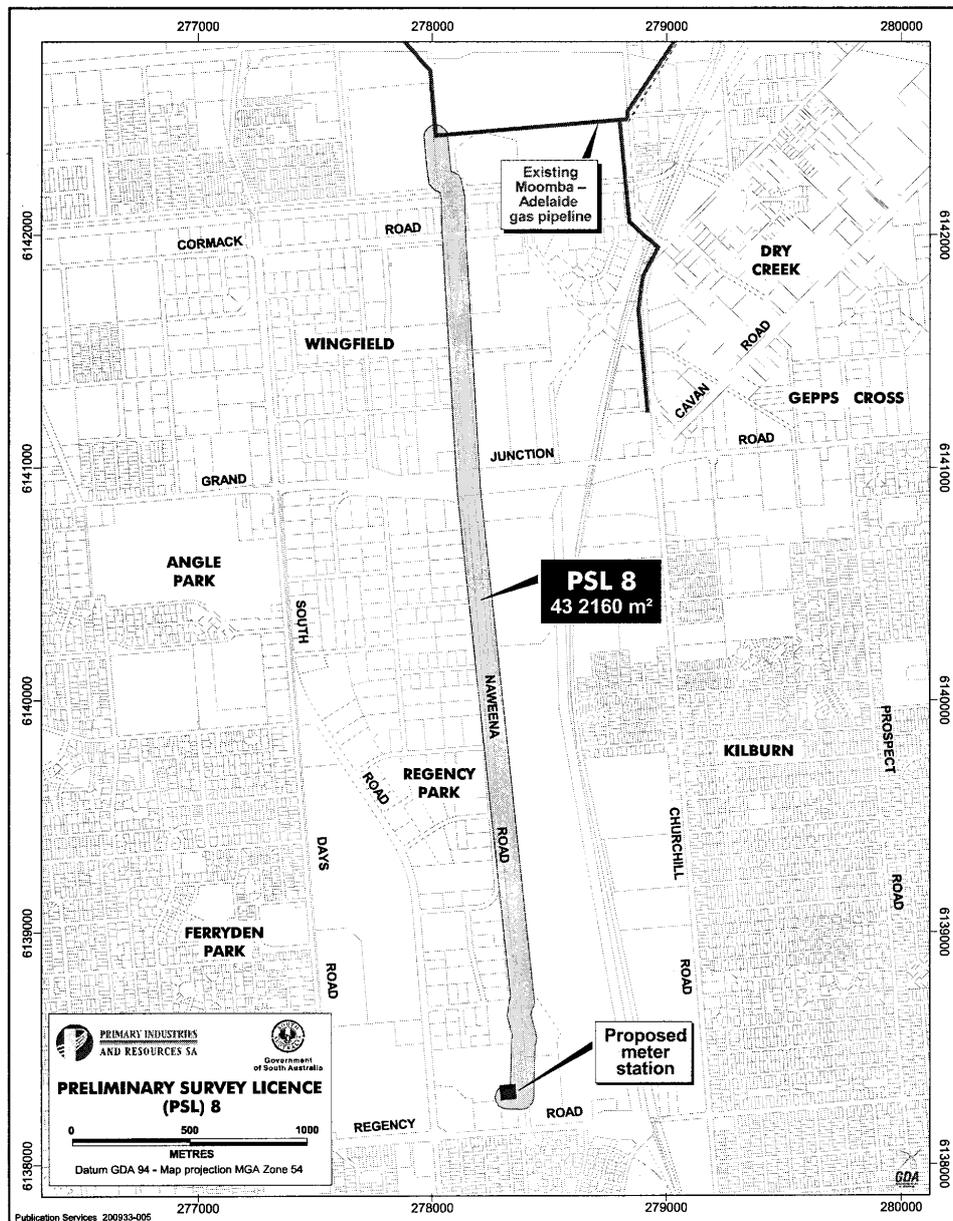
NOTICE is hereby given that the undermentioned preliminary survey licence has been granted under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 25 September 2002, *Gazetted* 28 September 2000, page 2289.

T. AUST, Acting Director Petroleum, Office of Minerals and Energy Resources,
Delegate of the Minister for Minerals and Energy

No. of Licence	Licensee	Locality	Date of Expiry	Area in km ²	Reference
8	Epic Energy South Australia Pty Ltd	Wingfield to Coopers Brewery Site, Regency Park	12 December 2002	0.43 (approx.)	27.2.233

General Description of Pipeline Preliminary Survey Licence Area

Preliminary survey activities are authorised within a 4.3 km long and 100 m wide corridor whose centre line commences at the Moomba to Adelaide pipeline south of Salisbury Highway, Wingfield continuing south along a drainage reserve and terminating at a proposed meter station adjacent to the Coopers Brewery site, as shown in the attached plan.



[REPUBLISHED]

PROOF OF SUNRISE AND SUNSET ACT 1923—ALMANAC FOR JANUARY, FEBRUARY AND MARCH 2002

PURSUANT to the requirements of the Proof of Sunrise and Sunset Act 1923, I, Trevor Noel Argent, Commissioner of Highways, at the direction of the Honourable the Minister for Transport, Urban Planning and the Arts, publish in the Schedule hereto an almanac setting out the times of sunrise and sunset on every day for the three calendar months of January, February and March 2002.

Dated at Adelaide, 14 December 2001.

T. N. ARGENT, Commissioner of Highways

97/03263

THE SCHEDULE

Times of sunrise and sunset during the months of January, February and March 2002.

Month	January		February		March	
Date	Sunrise a.m.	Sunset p.m.	Sunrise a.m.	Sunset p.m.	Sunrise a.m.	Sunset p.m.
1	6.05	8.34	6.35	8.24	7.03	7.54
2	6.06	8.34	6.36	8.23	7.03	7.52
3	6.07	8.34	6.37	8.22	7.04	7.51
4	6.08	8.34	6.38	8.21	7.05	7.50
5	6.09	8.34	6.39	8.20	7.06	7.49
6	6.10	8.34	6.40	8.19	7.07	7.47
7	6.11	8.34	6.41	8.18	7.08	7.46
8	6.12	8.34	6.42	8.17	7.09	7.45
9	6.12	8.34	6.44	8.16	7.10	7.43
10	6.13	8.34	6.45	8.15	7.10	7.42
11	6.14	8.34	6.46	8.14	7.11	7.40
12	6.15	8.34	6.47	8.13	7.12	7.39
13	6.16	8.33	6.48	8.12	7.13	7.38
14	6.17	8.33	6.49	8.11	7.14	7.36
15	6.18	8.33	6.50	8.10	7.15	7.35
16	6.19	8.32	6.51	8.09	7.16	7.34
17	6.20	8.32	6.52	8.08	7.17	7.32
18	6.21	8.31	6.52	8.07	7.17	7.31
19	6.22	8.31	6.53	8.06	7.18	7.29
20	6.23	8.31	6.54	8.05	7.19	7.28
21	6.24	8.30	6.55	8.04	7.20	7.26
22	6.25	8.30	6.56	8.02	7.20	7.25
23	6.26	8.29	6.57	8.01	7.21	7.23
24	6.27	8.29	6.58	8.00	7.22	7.22
25	6.28	8.28	6.59	7.59	7.23	7.21
26	6.29	8.27	7.00	7.57	7.24	7.19
27	6.30	8.27	7.01	7.56	7.25	7.18
28	6.31	8.26	7.02	7.55	7.26	7.17
29	6.32	8.26			7.27	7.15
30	6.33	8.25			7.27	7.14
31	6.34	8.24			6.28	6.12

Note: Under the Daylight Saving Act 1971 all times up to and including 31 March 2002, have been corrected to South Australian Summer Time.

PUBLIC SECTOR MANAGEMENT ACT 1995

Availability of Services

THE following offices will be open and their services will be available to the public on Thursday, 27 December, Friday, 28 December and Monday, 31 December 2001.

Adelaide Shores

Adelaide Shores Holiday Village - (8353 2655; Adelaide Shores Caravan Resort - (8356 7654; Adelaide Shores Golf Park - (8356 4811; Administration Office - (8356 7555.

Administrative and Information Services - Department for

Business Services: Bureau Services, Finance, Information Services, Human Resources, Corporate Projects, and Procurement Support - ☎ 8226 5060; Contract Services - ☎ 8226 5666; Industrial Relations Court and Commission and Workers Compensation Tribunal - ☎ 8207 0999; Building Maintenance, Netley - ☎ 8226 4943; Government Information and Communication Services - ☎ 8226 3558.

Information SA

Information SA - ☎ 8204 1900; Mail Order Service - ☎ 8204 1900; Country Callers - ☎ 1800 182 234.

Land Services Group

Lands Titles Office - ☎ 8226 3983; Valuation enquiries - ☎ 1300 653 346.

Real Estate Management - (8226 5050.

Building Management - FM Contract Hotline only - BMS - ☎ 8226 5293, ☎ 8226 5294; Spotless/Assets - ☎ 8226 5295; Transfield - ☎ 8226 5296.

State Records - Agency Services - (8343 6800; Research and Access - (8226 8000.

Forensic Science - ☎ 8226 7700.

Fleet SA

Short Term Hire Booking Office, Gawler Place - ☎ 8226 7800; Vehicle Distribution, Netley - ☎ 8226 8040; Accident Management, Netley - ☎ 8226 8045; Repair Authorisation Centre, Netley - ☎ 8226 4633 or Country Toll Free Call - ☎ 1800 800 649.

Government Publishing SA (Subscription and Government Gazette) - (8207 1043.

Department of State Aboriginal Affairs

Adelaide Office - ☎ 8226 8900. Services will be available from 9 a.m. – 5 p.m.

Attorney-General's Department

Policy and Legislation Division - ☎ 8207 1723; Minister's Office - ☎ 8207 1723; Attorney-General's (Chief Executive's Office) - ☎ 8207 1555; Justice Portfolio Services (Human Resources Service Unit, Human Resources Management, Administration, Strategic and Financial Services, Business and Financial Services, Information and Knowledge Management, Customer Service Technology, Library and Information Services, Strategic Business and Contract Management, Procurement and Facilities Management) - ☎ 8207 1555; Justice Technology Division - ☎ 8226 5115; Director of Public Prosecutions - ☎ 8207 1529; Public Trustee - ☎ 8226 9200; Office of Consumer and Business Affairs: Executive - ☎ 8204 9588, Education and Information Services - ☎ 8204 9519, Customer Feedback Line - ☎ 8204 9562, Tenancies Branch (Advice) - ☎ 8204 9544, Tenancies Branch (Bonds) - ☎ 8204 9555, Residential Tenancies Tribunal - ☎ 8226 8989, Births, Deaths and Marriages - ☎ 8204 9599; Business and Occupational Services Branch (Builders) - ☎ 8204 9644, Business and Occupational Services Branch (Conveyancers/Land Agents/Second-hand Vehicle Dealers/Security and Investigation Agents/Travel Agents) - ☎ 8204 9686, Business and Occupational Services Branch (Electricians/Gas Fitters/Plumbers) - ☎ 8204 9696, Corporate Affairs and Compliance Branch (Business Names/Associations) - ☎ 8204 9779; Consumer Affairs Branch - ☎ 8204 9777; Consumer Affairs Branch - Regional Offices: Trade Measurement - ☎ 8234 2036, Port Augusta - ☎ 8648 5150, Mount Gambier - ☎ 8735 1377, Berri - ☎ 8595 2343, Whyalla - ☎ 8648 8140; Office of the Liquor and Gambling

Commissioner - ☎ 8226 8410; Crown Solicitor's Office - ☎ 8207 1720; Ombudsman's Office - ☎ 8226 8699; Equal Opportunity Commission - ☎ 8207 1977.

Workplace Services

Workplace Information Service - ☎ 1300 365 255; Emergency After Hours (for serious workplace accidents or incidents only) 24 hours all days (including public holidays) - ☎ 1800 777 209; Adelaide Metro Office - ☎ 8303 0400; Mount Gambier Regional Office - ☎ 8735 1199; Port Pirie Regional Office - ☎ 8638 4778; Whyalla Regional Office - ☎ 8648 8151; Berri Regional Office - ☎ 8595 2199; Workplace Relations Policy Division - ☎ 8303 0276.

Office for Volunteers - ☎ 8226 3742.

Correctional Services - Department of

Adelaide Community Correctional Centre - (8224 2500; Adelaide Pre-Release Centre - (8343 0100; Adelaide Remand Centre - (8216 3200; Adelaide Womens Prison - (8343 0100; Cadell Training Centre - (8540 3275; Ceduna Community Correctional Centre - (8625 2655; Central Office - (8226 9099; Courts Unit - (8204 0638; Elizabeth Community Correctional Centre - (8282 7020; Marla Community Correctional Centre - (8670 7131; Mobilong Prison - (8532 8911; Mount Gambier Community Correctional Centre - (8725 0266; Mount Gambier Prison - (8723 8000; Murray Bridge Community Correctional Centre - (8531 0433; Noarlunga Community Correctional Centre - (8326 0355; North East Community Correctional Centre - (8406 3850; Northern Country Regional Office - (8641 1899; Port Adelaide Community Correctional Centre - (8447 5477; Port Augusta Community Correctional Centre - (8648 5350; Port Augusta Prison - (8648 5400; Port Lincoln Community Correctional Centre - (8683 0266; Port Lincoln Prison - (8683 0766; Port Pirie Community Correctional Centre - (8633 0930; South Western Community Correctional Centre - (8229 6900; Whyalla Community Correctional Centre - (8645 7400; Yatala Labour Prison - (8262 2421.

Country Fire Service

CFS Headquarters - ☎ 8463 4200; State Operations Centre (24 hours) - ☎ 8463 4222, Regional Duty Officers are on call 24 hours a day through State Operations Centre - ☎ 8463 4222.

Courts Administration Authority

Youth Court - ☎ 8204 0331; Information Services Division - ☎ 8207 1900; Coroner's Office - ☎ 8204 0600; All Magistrates Courts and Fine Payment Units including: Adelaide - ☎ 8204 2444, Christies Beach - ☎ 8204 2444, Elizabeth - ☎ 8204 2444, Holden Hill - ☎ 8204 2444, Mount Barker - ☎ 8391 0255, Port Adelaide - ☎ 8204 2444, Berri - ☎ 8595 2060, Ceduna - ☎ 8625 2520, Coober Pedy - ☎ 8672 5601, Kadina - ☎ 8821 2626, Mount Gambier - ☎ 8735 1060, Murray Bridge - ☎ 8535 6060, Naracoorte - ☎ 8762 2174, Port Augusta - ☎ 8646 5120, Port Lincoln - ☎ 8688 3060, Port Pirie - ☎ 8632 3266, Tanunda - ☎ 8563 2026, Whyalla - ☎ 8648 8120.

Education, Training and Employment - Department of

State Office, 31 Flinders Street.
Government Switchboard - ☎ 8226 1000.

Chief Executive and Deputy Chief Executive - ☎ 8226 1466.

Corporate Services

Directorate Support Office - ☎ 8226 1050; Accounting Services - ☎ 8226 3324; Global Budget Unit - ☎ 8226 1381 (Toll Free ☎ 1800 100 191, ☎ 1800 671 157); Payroll Services - ☎ 8226 1198 (Toll Free ☎ 1800 620 425); Risk Management Unit - ☎ 8226 1314; Site Property Services - ☎ 8226 1379; Transport Services Unit - ☎ 8226 1208.

Curriculum Policy Directorate

State Office - ☎ 8226 4393; Languages and Multicultural Unit - ☎ 8366 8555.

District Offices, Family Day Care and Support Services

District Offices - General Enquiries - ☎ 8226 0044; Aboriginal Education Unit - ☎ 8343 6500; District Offices - Barossa/Gawler - ☎ 8256 8111, Beatty Terrace, Murray Bridge - ☎ 8532 0700, Elizabeth House - ☎ 8256 8111, Morphett Vale - ☎ 8392 0520, Norwich Centre, North Adelaide - ☎ 8226 8700, West Terrace, Murray Bridge - ☎ 8532 6455.

Family Day Care - General Enquiries - ☎ 8226 0044; Felixstow - ☎ 8366 8800; Fleurieu - ☎ 8392 0520; Gawler - ☎ 8522 4177; Maitland - ☎ 8832 2825; Langford Drive, Elizabeth - ☎ 8207 9100; Morphett Vale - ☎ 8392 0520; Norwich Centre, North Adelaide - ☎ 8226 8700; Port Lincoln - ☎ 8682 5908; Southern Vales/Southern Ranges - ☎ 8392 0520; Victor Harbor - ☎ 8552 1612; Whyalla - ☎ 8645 6568.

Enterprise and Vocational Education - ☎ 8226 1682.

Executive Support

Executive Support Office - ☎ 8226 1466; Legislation and Legal Services Unit - ☎ 8226 1555; Public Relations Unit - ☎ 8226 1527, Country Callers Free Call - ☎ 1800 088 158.

Human Resources

General Enquiries - ☎ 8226 1499; Equal Opportunity Unit - ☎ 8226 1342; Executive Director's Unit - ☎ 8226 1398; Industrial Relations Unit - ☎ 8226 1858; OHS&W Unit (Claims) - ☎ 8226 1593; OHS&W Unit (General) - ☎ 8226 1440; Special Investigations Unit - ☎ 8226 1604; Staffing - ☎ 8226 1499.

Information Technology Services

General Enquiries - ☎ 8226 1145; Customer Support Centre - ☎ 8204 1866 (Metropolitan), ☎ 1300 363 227 (Country); On-line Services - ☎ 8226 7578.

Strategic Development

Education Development Centre - ☎ 8463 5888.

Strategic Planning and Information - ☎ 8226 3269.

Student and Professional Services

Directorate Support Office - ☎ 8226 1755; Licensing and Standards, Standards and Investigations (Family Day Care), Electronic Resource and Information Service - ☎ 8226 1270; Disability and Professional Services - ☎ 8226 1755; Special Services - ☎ 8226 1323.

Office of Employment and Youth - ☎ 8463 5520.

Office of Vocational Education and Training - ☎ 8226 4372.

Emergency Services Administrative Unit

Head Office - ☎ 8463 4050.

Environment and Heritage - Department for

Minister's Office - ☎ 8463 5680; Chief Executive's Office - ☎ 8204 9320; Deputy Chief Executive's Office - ☎ 8204 2156.

Corporate Strategy and Business Services Division

Corporate IT Help Desk - ☎ 8204 9044 (Emergency - ☎ 0418 806 128); Corporate Information - ☎ 8204 9013 (Emergency - ☎ 0418 834 453); Corporate Development - ☎ 8204 9339; Prudential Management - ☎ 8204 9292; Corporate Finance - ☎ 8204 9362; Environment Policy Office - ☎ 8463 3786.

Business Development Division

Business Development Division (Emergency - ☎ 0401 122 547); Strategic Marketing - ☎ 8226 5724; Crown Lands - ☎ 8204 9201.

Environmental and Geographic Information

Mapland - ☎ 8226 4946; The Environment Shop - ☎ 8204 1916; Lots/Section 7 - ☎ 8204 9005.

Botanic Gardens

Adelaide Botanic Gardens: Switchboard - ☎ 8222 9311, Duty Officer - ☎ 0401 120 913 (Emergency Manager - ☎ 0402 893 268, ☎ 8370 2961); Mount Lofty Botanic Garden: Office - ☎ 8370 8370, Duty Officer - ☎ 0408 840 761 (Emergency Manager - ☎ 0419 808 284, ☎ 8325 1836); Wittunga Botanic Garden: Office - ☎ 8370 8370, Duty Officer - ☎ 0419 808 285 (Emergency - ☎ 0419 808 284, ☎ 8325 1836).

National Parks and Wildlife SA

Directorate - ☎ 8204 9395; Heritage SA - ☎ 8204 9261; Biodiversity Branch - ☎ 8204 8888; Plant Biodiversity Centre - ☎ 8222 9307; Coasts and Marine - ☎ 8204 5000; Black Hill Conservation Park - ☎ 8336 0901; Lofty/Barossa District Office - ☎ 8336 0901; South East Region: Mount Gambier - ☎ 8735 1111, Coorong/Meningie - ☎ 8575 1200, Naracoorte Caves - ☎ 8762 3412, Tantanoola Caves - ☎ 8734 4153, Robe and Canunda - ☎ 8768 2534; North Region: Port Lincoln - ☎ 8688 3111, Ceduna - ☎ 8625 3144, Hawker - ☎ 8648 4244 (open from 9 a.m. to

12 noon), Port Augusta - ☎ 8648 5300; Sturt District: District Administrative Office - ☎ 8278 5477; Fleurieu District Office - ☎ 8552 3677; Deep Creek Conservation Park - ☎ 8598 0263; Yorke District Office - ☎ 8854 3200; Cleland - ☎ 8339 2444; Kangaroo Island East District: Seal Bay Conservation Park - ☎ 8559 4207, Murray Lagoon - ☎ 8553 8233, Cape Willoughby Light Station - ☎ 8553 1191, Discovering Penguins Tours - ☎ 8553 2381, Kingscote Regional Office - ☎ 8553 2381; Kangaroo Island West District: Flinders Chase National Park - ☎ 8559 7220, Kelly Hill Caves Conservation Park - ☎ 8559 7231, Cape Borda Light Station - ☎ 8559 3257.

Government Business Enterprises

ForestrySA

Open for fire protection only - Mount Gambier Plantation Products Office - ☎ 8724 2887, ☎ 0407 719 087; Mount Burr Forest Depot - ☎ 8733 3866, ☎ 0408 849 846; Penola Forest Depot - (☎ 8739 7355, ☎ 0418 849 570; Noolook Forest Depot - ☎ 8768 6212, ☎ 0408 838 076; Kuitpo Forest Information Centre - ☎ 8388 3267; Mount Crawford Forest Information Centre - ☎ 8524 6004; Wirrabara Forest Depot - ☎ 8668 4163; Rangers on duty every day except for Christmas Day at Mount Crawford and Kuitpo. Office Hours: 9 a.m. to 11 a.m. 24 hours emergency numbers - Kuitpo Forest Information Centre - ☎ 8388 3267; Mount Crawford Forest Information Centre - ☎ 8524 6004. Mobile numbers are for fire protection only.

SA Lotteries - Head Office Administration, Head Office Selling Area, Agents (at their discretion) - ☎ 8205 5555.

WorkCover - ☎ 8233 2222; General Enquiries - ☎ 13 1855. Business Hours 8.30 a.m. to 4 p.m.

SA Water Corporation

In emergencies: Metropolitan and Outer Metropolitan South areas - ☎ 8207 1300, (United Water Control Room Thebarton); Country areas see white pages of the local telephone directory.

Head Office - Executive - ☎ 8204 1440; General Enquiries - ☎ 1300 650 950; Australian Water Quality Centre - ☎ 8259 0211; Thebarton Office - Customer Service and Customer Connections - ☎ 1300 650 950; Regional Offices: Port Elliot, Port Lincoln, Berri, River Murray Operations Unit - see White Pages of the local telephone directory.

Human Services - Department of

All offices of the Department will remain open.

Industry and Trade - Department of

Terrace Towers Office - (8303 2400.

Centre for Innovation, Business and Manufacturing (South Terrace site) - (1300 132 403.

Legal Services Commission

Head Office - ☎ 8463 3555; Elizabeth - ☎ 8207 9292; Noarlunga Centre - ☎ 8207 3877; Whyalla - ☎ 8648 8060.

Premier and Cabinet - Department of the

Office of the Premier - ☎ 8303 2290; Chief Executive - ☎ 8226 3560; Cabinet Office - ☎ 8226 3635; Strategic Communications - ☎ 8226 2629; Major Projects - ☎ 8226 2941; Strategic Policy - ☎ 8226 0916; Corporate and Organisational Development - ☎ 8226 3560; Commissioner for Public Employment - ☎ 8226 2941; Division of Multicultural Affairs - ☎ 8226 1944; Interpreting and Translating Centre - ☎ 8226 1990 (seven days a week, 24 hours each day).

Primary Industries and Resources - Department of

Food and Fibre

Agriculture

Ceduna Road Block (24 hours per day service) - ☎ 8625 2108; Oodlawirra Road Block (24 hours per day service) - ☎ 8650 5930; Pest Eradication Unit, Prospect - ☎ 8269 4500; Pinnaroo Road Block (14 hours per day service) - ☎ 8577 8321; Yamba Roadblock (24 hours per day service) - ☎ 8595 5026.

Fisheries

Birkenhead - ☎ 8449 1432; Kadina* - ☎ 8821 3242; Kingscote* - ☎ 8553 2222; Kingston (SE)* - ☎ 8767 2358; Port Lincoln* - ☎ 8688 3488; Port Macdonald (Rural agency)* and Streaky Bay* - ☎ 8626 1247 *(Friday 28.12.01 and Monday 31.12.01 only).

Corporate

Finance and Business Services - 25 Grenfell Street, Corporate Finance - Receiver of Revenue - ☎ 8226 0296; Accounts Payable - ☎ 8226 0399.

Human Resources - 25 Grenfell Street - Emergency only - Senior OHS&W Consultant - ☎ 0401 716 287; HR Group Administrator - ☎ 0412 295 899; Manager Payroll Services - ☎ 0402 284 572.

Information Management - Customer Services, Ground Floor, 101 Grenfell Street - ☎ 8463 3000; Records and Document Services, 101 Grenfell Street - ☎ 8463 4485.

Public Relations and Communications - 25 Grenfell Street - Emergency only - General Manager - ☎ 0401 121 555.

Energy SA

Energy SA - ☎ 8226 5500; Energy Advisory Centre - ☎ 8204 1888.

Food for the Future

Level 17, 25 Grenfell Street - ☎ 8226 0591.

Minerals and Energy Resources

Directorate - Level 7, 101 Grenfell Street - ☎ 8463 3204; Mineral Resources Group - Levels 4 and 5, 101 Grenfell Street - ☎ 8463 3112; Petroleum Group - Level 7, 101 Grenfell Street - ☎ 8463 3204; Coober Pedy - ☎ 8672 5018; Jamestown - ☎ 8664 1408.

Office of the Chief Executive

Level 17, 25 Grenfell Street - ☎ 8226 0556.

SA Research and Development Institute - Emergency Only

Plant Research Centre, Urrbrae: Security 24 hours - ☎ 8303 7200, ☎ 8303 5444, Executive Director SARDI - ☎ 0418 847 950, Facilities Manager - ☎ 0418 853 461, Greenhouse Manager - ☎ 8278 5360, ☎ 0407 184 221; Flaxley Agricultural Centre: Farm Manager - ☎ 0401 122 194, Dairy Leader - ☎ 0401 991 971; Lenswood Agricultural Centre: Farm Manager - ☎ 8389 7096, ☎ 0419 848 731, Operations Manager - ☎ 8389 8416, ☎ 0418 853 002; Loxton Centre: Technical Officer, Farm Operations - ☎ 0401 122 185; Minnipa Agricultural Centre - ☎ 8680 5117, ☎ 0417 876 018, ☎ 8680 5016, ☎ 8680 5139; Nuriootpa Centre - Farm Manager - ☎ 0419 863 537; Struan Research Centre - Farm Manager - ☎ 0428 608 307; Turretfield Research Centre - Farm Manager - ☎ 0401 122 127, ☎ 0429 095 103; Pig and Poultry Production Institute, Roseworthy - Security 24 hours - ☎ 8303 7999; Aquatic Sciences, West Beach - Facility Manager - ☎ 0418 831 458 or Pager - ☎ 8378 1111 and ask for pager number 114736 and leave a message; Aquatic Sciences, Port Lincoln - Lincoln Marine Science Centre - ☎ 0428 832 500.

Sustainable Resources

State Flora Nursery, Belair - ☎ 8278 7777.

The office of the Minister for Primary Industries will also be open during this period - ☎ 8226 0322.

Emergency numbers can be found in both city and country editions of the White Pages.

SA Ambulance Services

Head Office, Adelaide - ☎ 136 272; Country Regional Offices: Adelaide - ☎ 8274 0374, Whyalla - ☎ 8645 9344, Berri - ☎ 8582 2419. For Emergency Calls - ☎ 000.

SA Metropolitan Fire Service

All Metropolitan and Country Stations, Fire Safety Department - ☎ 8204 3611; Training Department - ☎ 8204 3876; Administration/Support Services - ☎ 8204 3600.

SA Police

All police stations and service offices will remain open. Emergency contact for offices of the administrative unit - (8207 5000.

State Electoral Office - ☎ 8401 4300.

State Emergency Services

State Headquarters - ☎ 1300 300 177.

Transport, Urban Planning and the Arts - Department for Arts SA

Art Gallery of SA (10 a.m. - 5 p.m.) - ☎ 8207 7000; Carrick Hill (10 a.m. - 5 p.m.) - ☎ 8379 3886; SA Museum (10 a.m. - 5 p.m.) - ☎ 8207 7500; Migration Museum (10 a.m. - 5 p.m.) (public area), (Wednesday 26, Saturday 29, Sunday, 30 December 2001 and Tuesday, 1 January 2002 - 1 p.m. to 5 p.m.) - ☎ 8207 7580; National Motor Museum (9 a.m. - 5 p.m.) - ☎ 8568 5006 (public area); SA Maritime Museum (10 a.m. - 5 p.m.) - ☎ 8207 6265 (public area); State Library of SA (9.30 a.m. - 5 p.m.), (Saturday 29 and Sunday, 30 December 2001 - 12 noon to 5 p.m.) - ☎ 8207 7200.

Office for the Status of Women

Women's Information Service (9 a.m. - 5 p.m.) (including Saturday, 29 December 2001) - ☎ 8303 0590.

Office of the Chief Executive

Level 9, Roma Mitchell House - ☎ 8204 8200.

Passenger Transport Board

Roma Mitchell House - ☎ 8303 0822; Compliance Netley Building 17A - ☎ 8226 4630; Ticketing Netley Building 4 - ☎ 8226 4487, ☎ 8226 4625; Passenger Transport InfoCentre - services will be available 8 a.m. - 8 p.m.; Passenger Transport InfoLine - ☎ 8210 1000 - services will be available from 7 a.m. to 8 p.m. until 31 December 2001, when services are available from 7 a.m. for 24 hours.

Planning SA

Level 5, Roma Mitchell House - ☎ 8303 0601.

Transport SA

Head Office - ☎ 8343 2222; General enquiries - ☎ 1300 360 067; Small Business enquiries - ☎ 1300 360 067; Customer Service Centre enquiries (formerly Registration and Licensing Office) - ☎ 13 10 84. The following emergency services are also provided:- Road Hazards and Traffic Signal Faults (freecall) - ☎ 1800 018 313; Boat Registration and Licensing - ☎ 13 10 84; Credit Card Payments for Recreational Boat Registration Renewals - ☎ 1300 383 805; Boat Control and Safety - ☎ 8347 5043; Marine Qualifications - ☎ 8347 5028; or Country Callers (freecall) - ☎ 1800 182 103; Marine Oil Spills (24 hours) - ☎ 8347 5055; Marine Facilities - ☎ 8343 2947; Ship Survey - ☎ 8347 5082, or Country Callers (freecall) - ☎ 1800 182 103; All Recreational Boating Enquiries can be directed to the nearest Customer Service Centre; Far Northern Road Condition Report - ☎ 1300 361 033; On-Call Service for Ferry Operations: Ferry Crossings - ☎ 8532 8168, ☎ 0408 084 872, Ferry Breakdowns - ☎ 0407 081 861; Murray Bridge Regional Office - ☎ 8532 8111; Murray Bridge (After Hours) Maintenance Depot - Traffic Control Centre, Norwood - ☎ 8226 8340; Naracoorte Works Office (Customer Service Centre) - ☎ 8762 8000; Port Augusta Office - ☎ 8648 5211; Port Lincoln Office will divert to - ☎ 8648 5211; Property Services - Properties affected by current road projects - ☎ 8343 2406, Rental properties - ☎ 8343 2417, After hours emergency property maintenance - ☎ 1800 018 313; Crystal Brook Office - ☎ 8638 5500; Rail Operations and Safety - ☎ 8343 2596; Cycling Information Line - ☎ 8343 2911.

Office of Local Government

Office of Local Government - ☎ 8207 0600; Local Government Grants Commission - ☎ 8207 0651; Outback Areas Community Development Trust - ☎ 8226 0313.

Treasury and Finance - Department of

Financial Management - (8226 9474; Finance Branch - (8226 0535; Corporate Services - (8226 9500; Economics Branch - (8226 9578; Executive - (8226 9869; SA Government Financing Authority - (8226 9444; Revenue SA: Land Tax - (8204 9870, Pay-roll Tax - (8204 9880, Stamp Duties - (8226 3750, - Micro-Economic Reform & Infrastructure - (8204 1727, Tobacco Licensing - (8204 9888, Financial Institutions Duty (FID) - (8204 9888, Debits Tax - (8204 9888, Petrol Licensing - (8204 9888, Compliance/Recovery - (8226 3725; Lottery and Gaming Unit - (8226 9599; First Home Owner Grant - (8226 3750; Super SA - (8207 2094, (1300 369 315; Treasurer's Office - (8226 1866; Funds SA - (8204 2355; Motor Accident Commission - (8221 6377; SA Asset Management Corporation - (8226 3670; SA Independent Industry Regulator - (8463 4444; Govt Accounting and Reporting Branch - (8226 9809.

Water Resources – Department for

General Enquiries - (8463 6800; Groundwater Enquiries - (8463 3005; Water Licences Enquiries - (8463 6815; Water Permit Enquiries - (8463 6810; Corporate Communications - (8463 7916.

CLOSURE OF ADMINISTRATIVE UNITS

The following offices will be closed on Thursday, 27 December, Friday, 28 December and Monday, 31 December 2001.

Administrative and Information Services - Department for

Policy Development

Building Management

Information Economy Policy Office

Major Projects Group

Office for Recreation and Sport - Kidman Park Office, Coaching Resource Centre, Gymnasium, State Association House; (emergency - ☎ 0401 123 998).

Department of State Aboriginal Affairs

The Port Augusta office will be closed.

Attorney-General's Department

Crime Prevention Unit; Office of Crime Statistics; Parliamentary Counsel's Office; Police Complaints Authority; Prudential Management Group; Government Investigations Office; Indigenous Land Use Agreement Negotiation Team; Justice Portfolio Services Division - Justice Strategy Unit; Solicitor-General's Office; Legal Services Commission (Port Adelaide Office, Holden Hill Office).

Auditor-General's Department**Correctional Services – Department of**

Berri Community Correctional Centre; Coober Pedy Community Correctional Centre (note: telephone service available on 27-28 December - (8672 3091).

Courts Administration Authority

Head Office

Sheriff's Office

Family Conference Team

Care and Protection Unit

District Court

Supreme Court

Court Reporting Division

Environment, Resources and Development Court

Education, Training and Employment - Department of

Corporate Services

Business Development Unit, Contract Cleaning Management Unit; Corporate Finance Unit; Distribution Centre, Financial Reporting and Development Unit, Procurement Unit, Records Management Unit, Resource Allocation Unit, Taxation Unit.

There will be either a recorded message giving emergency contact telephone numbers or all telephones will be forwarded to Directorate Support Office for monitoring and continued provision of service.

Country Services

Anangu Education Services at Northfield.

District Offices, Family Day Care and Support Services

(Telephones will be diverted to another location or senior officers who can assist with emergency situations).

District Offices – Clare; Far North; Fleurieu; Flinders Park; Lower North; Mount Gambier; Murraylands; Naracoorte; Noarlunga House site; Port Lincoln; Port Pirie; Riverland; South East; Port Augusta; Whyalla; Yorke.

Family Day Care – Clare; Mount Barker; Mount Gambier; Maitland (31 December only); Murraylands; Naracoorte; Nuriootpa; Port Augusta (Stirling Road); Port Augusta (Rupert Street); Riverland; Roxby Downs; Wudinna; Wynn Vale.

Support Services - Felixstow (East); Elizabeth House (North); Flinders Park (West); Noarlunga House (South). (Support Services offices will be closed, however answering machines will be available and monitored regularly or phones diverted to Family Day Care offices).

Human Resources

Employee Services Unit; Personnel Policy Unit; HR Directorate Services; Workforce Planning Unit.

International Education Services - answering machines will be activated to advise clients of emergency contact numbers.

Legislation Review Unit

Office of Review

Office of Vocational Education and Training

All TAFE Institutes

Partnerships 21 Taskforce

Strategic Development

School/Preschool Technology; DETE Publishing; SA Centre for Leaders; Technology School of the Future; Training and Development Unit.

Student and Professional Services - Library and Information Services.

Environment and Heritage - Department for

National Parks and Wildlife SA - Adelaide Regional Office; Murraylands Region: Burra, Berri, Lamerook; Yorke District Office; Innes National Park; Operations Support Branch; Community Partnerships; Aboriginal Partnerships; Resource Protection/Fire Management (emergency - ☎ 0418 818 522); Business Services - ☎ 8204 9168.

Environment Protection Agency

Environment Protection Agency offices - ☎ 8204 2000 (operated by Link); Environment Protection Agency Support Services (Pollution Incidents) - ☎ 8204 2004 (operated by Link).

Botanic Gardens of Adelaide

Beechwood Heritage Garden.

Industry and Trade - Department of

Centre for Innovation, Business and Manufacturing (Woodville site)

Government Business Enterprises

Land Management Corporation

Industrial and Commercial Premises Corporation

Playford Centre

SA Water

Regional Offices at Mount Gambier, Nuriootpa, Crystal Brook and Murray Bridge.

Premier and Cabinet - Department of the

SA Multicultural and Ethnic Affairs Commission Secretariat

Centenary of Federation

Capital City Committee

SA Centre for Lifelong Learning and Development

Primary Industries and Resources – Department of

Food and Fibre

Food and Fibre Executive; Field Crop Industries Head Office, 101 Grenfell Street.

Agriculture

Glenside (Animal Health, Food Safety/Meat Hygiene, Livestock Industries)

Lenswood (Plant Health, Horticulture Industries)

PIRSA Rural Solutions

Head Offices, 25 Grenfell Street and 101 Grenfell Street; Clare; Cleve; Jamestown; Kadina; Keith; Kingscote; Lamerook; Lenswood; Loxton; Murray Bridge; Mount Gambier; Nuriootpa; Port Augusta; Port Lincoln; Renmark and Waikerie.

Aquaculture SA

Head Office, 25 Grenfell Street and Lincoln Marine Science Centre.

Fisheries

Head Office, 25 Grenfell Street; Kadina* - ☎ 8821 3242; Kingscote* - ☎ 8553 2222; Kingston (SE)* - ☎ 8767 2358; Port Lincoln* - ☎ 8688 3488; Port Macdonald (Rural agency)* and Streaky Bay* - ☎ 8626 1247 *(Thursday 27.12.01 only).

Bio Innovation SA - 25 Grenfell Street

Corporate

Office of the Executive Director, Corporate - 25 Grenfell Street.

Group Manager, Corporate - 25 Grenfell Street.

Corporate Strategy and Policy - Economics; Policy and Strategic Development, 25 Grenfell Street.

Finance and Business Services - Business Services; Rural Finance and Development, 25 Grenfell Street.

Information Management - Corporate and Spatial IT Services; Publishing Services; Spatial Information Services; Strategic Information Management Planning, 101 Grenfell Street; Document Storage Centre, Walkley Heights.

Risk Management and Internal Audit - 25 Grenfell Street.

Mineral Resources

Andamooka; Marla and Mintabie

Office of Regional Development - 25 Grenfell Street.

Sustainable Resources

Animal and Plant Control Commission, Urrbrae; Dog Fence Board, Urrbrae; Land Management and Revegetation, Urrbrae and Murray Bridge; Marine Habitat, 101 Grenfell Street; Mount Lofty Catchment Centre, Mount Barker; Pastoral Management, 101 Grenfell Street; Rural Communities and Education, 101 Grenfell Street and Urrbrae; Strategic and Environment Services, 101 Grenfell Street and Urrbrae; Rural Chemicals, Grenfell Centre; Water Management, Urrbrae.

Transport, Urban Planning and the Arts - Department for*Arts SA*

The Administrative units of Arts SA, History Trust, Artlab, SA Museum and Plain Central Services will be closed.

Office for the Status of Women - Administrative Unit

Transport SA

The Northern and Western Regions - Port Lincoln Office will be diverted to the Port Augusta Office - ☎ 8648 5211.

Passenger Transport Asset Management (PTAM) - Wright Road, Walkley Heights - will be closed. However, one Bus Inspector will be on-call to handle urgent enquiries for PTAM.

Treasury and Finance - Department of*Independent Gambling Authority**SA Government Captive Insurance Corporation**Electricity Supply Industry Planning Council**Government Businesses Group**Office for Government Enterprises*

Given under my hand at Adelaide, 6 December 2001.

ROB KERIN, Premier

REAL PROPERTY ACT NOTICE

WHEREAS the persons named at the foot hereof have each respectively for himself made application to have the land set forth and described before his name at the foot hereof brought under the operation of the Real Property Act: Notice is hereby given that unless caveat be lodged with the Registrar-General by some person having estate or interest in the said lands on or before the expiration of the period herein below for each case specified, the said several pieces of land will be brought under the operation of the said Act as by law directed. Diagrams delineating these parcels of land may be inspected at the Lands Titles Registration Office, Adelaide, and in the offices of the several corporations or district councils in which the lands are situated.

THE SCHEDULE

No. of Application	Description of Property	Name	Residence	Date up to and inclusive of which caveat may be lodged
30989	Portion of town acre 683, City of Adelaide, Hundred of Adelaide more particularly delineated on Filed Plan No. 42614	Pulteney Grammar School Incorporated	190 South Terrace, Adelaide, S.A. 5000	21 February 2002

Dated 20 December 2001, at the Lands Titles Registration Office, Adelaide. J. ZACCARIA, Deputy Registrar-General

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

*Waterview Crescent, Para Hills
Deposited Plan 58373*

BY Road Process Order made on 7 November 2001, The Development Assessment Commission ordered that:

1. Portion of the public road (the eastern end of Waterview Crescent) adjoining allotment 66 (reserve) in Deposited Plan 54624, more particularly delineated and lettered 'A' in Preliminary Plan No. PP32/0628 be closed.

2. The whole of the land subject to closure be transferred to the Land Management Corporation in accordance with agreement for transfer dated 11 September 2001, entered into between the City of Salisbury and the Land Management Corporation.

On 18 December 2001, that order was confirmed by the Minister for Administrative and Information Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

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 20 December 2001.

P. M. KENTISH, Surveyor-General

NOTICE TO MARINERS

No. 59 OF 2001

*South Australia—Gulf of St Vincent—Port Adelaide River—
Channel Width Restrictions*

SHIPS MASTERS are advised that some silting has resulted in width restrictions being imposed in the main channel of the Port Adelaide River between No. 34 beacon and No. 37 beacon until further notice.

Mariners intending to transit this section of the Port Adelaide River should contact the Manager of Marine Operations, Flinders Ports Pty Ltd on (08) 8447 0722 to confirm maximum widths.

Navy charts affected: Aus 137.

Local charts affected: Port Adelaide and Approaches.

Publication affected: Australian Pilot, volume 1 (seventh edition, 1992) pages 125-130.

Dated 14 December 2001.

DIANA LAIDLAW, Minister for Transport
and Urban Planning

TSA 2001/00309

NOTICE TO MARINERS

No. 60 OF 2001

*South Australia—Gulf of St Vincent—West Beach—
Barcoo Outlet*

THE West Cardinal Marker published in notice No. 57 of 2001 is amended to the approximate WGS 84 position as follows:

Latitude: 34°57'40.4"S

Longitude: 138°30'16.8"E

Navy charts affected: Aus 781.

Publication affected: Australian Pilot, volume 1 (seventh edition, 1992) page 125.

Dated 18 December 2001.

DIANA LAIDLAW, Minister for Transport
and Urban Planning

TSA 2001/00309

ROAD TRAFFIC ACT 1961

Operation of Opal Mining Vehicles

PURSUANT to section 161A of the Road Traffic Act 1961, and Regulation 35 of the Road Traffic (Miscellaneous) Regulations 1999, I hereby approve opal mining vehicles which exceed 4.3 m in height, to operate on South Australian roads; and

PURSUANT to section 163AA of the Road Traffic Act 1961, I hereby exempt vehicles used solely for the purpose of mining opal:

From the following provisions of the *Road Traffic (Vehicle Standards) Rules 1999*:

- Part 8—Lights and reflectors;
- Rule 19—Compliance with second edition Australian Design Rules;
- Rule 20—Compliance with third edition Australian Design Rules;
- Rule 28—Turning ability;
- Rule 30—Protrusions;
- Rule 33—Mudguards and spray suppression;
- Rule 38—Automatic transmissions;
- Rule 45—Windscreen wipers and washers;
- Rule 66—Width;
- Rule 72—Height;
- Rule 146—Crank case gases;
- Rule 147—Visible emissions;
- Rule 148—Exhaust systems; and

From the following provisions of the *Road Traffic (Miscellaneous) Regulations 1999*:

- Regulation 25—Modification to motor vehicles;
- Regulation 26—Wheels and tyres;
- Regulation 36—Seat belts and seat belt anchorages;
- Regulation 37—Child restraints; and

From the following provision of the *Road Traffic Act 1961*:

- Section 110B—Motor vehicle or trailer shall bear a vehicle identification plate:

Subject to the following conditions:

1. Special Conditions

- 1.1. This notice or a legible copy shall be carried by the driver of the vehicle at all times when operating under this exemption and be produced when requested by an inspector appointed under the Road Traffic Act 1961 and/or the Motor Vehicles Act 1959, or a Police Officer.
- 1.2. Except as otherwise specified in this exemption notice, the standard form conditions prescribed in the *Road Traffic (Oversize or Overmass Vehicle Exemptions) Regulations 1999* for the purposes of section 115 of the Act, shall not apply.
- 1.3. This notice shall stand alone. It cannot be used in conjunction with any other exemption, notice or permit.

2. Vehicle Description

- 2.1. This notice only applies to vehicles or machines commonly known as blowers, noodling machines, elevators and prospecting drills.

3. Area of Operation

- 3.1 Travel is permitted on roads, other than those maintained by the Commissioner of Highways (although such roads may be crossed) that are within a 150 km radius of Coober Pedy, provided that the lights and reflectors as specified in Clause 11 of this notice are met.
- 3.2 Travel is permitted on roads within a 150 km radius of Coober Pedy and a 150 km radius of Marla including roads maintained by the Commissioner of Highways, provided that the vehicle is fitted with all lights, reflectors and rear marking plates required by Part 8—Lights and Reflectors, of the *Road Traffic (Vehicle Standards) Rules 1999*.

4. Dimensions

- 4.1 The overall width of the vehicle shall not exceed 4 m.
- 4.2 If the vehicle exceeds 5.7 m in height, written approval of the District Council of Coober Pedy is required to determine escort requirements prior to travelling within the local government area of Coober Pedy.

5. Times of Travel

- 5.1 Travel is not permitted between the hours of sunset and sunrise or during periods of low visibility.
- 5.2 For the purposes of this notice 'a period of low visibility' means any time, when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.

6. Warning Signs

- 6.1. When travelling along the Stuart Highway or within the Coober Pedy Township, a warning sign complying with the requirements of Clause 7 of this notice, shall be affixed to the front and rear of the vehicle.

7. Warning Sign Specifications

7.1. Face of warning sign

- 7.1.1. The warning sign shall comply with the following specifications.



- 7.1.2. The face of the warning sign shall have a yellow surface which complies with Class 1 or 2 of Australian/New Zealand Standard AS/NZS 1906.1, 'Retro-reflective Materials and Devices for Road Traffic Control Purposes' Part 1: Retro-reflective Materials.

- 7.1.3. The face of the warning sign shall show the words "OVERSIZE" in black upper-case lettering at least 200 mm high, conforming with Australian Standard AS 1744, 'Forms of Letters and Numerals for Road Signs', in type face Series C(N).

- 7.1.4. The face of the warning sign must have a black border at least 20 mm wide.

- 7.1.5. The outermost edge of the border of the warning sign must be set at least 10 mm in from the edge of the sign unless the sign has been made with a box edge.

7.2. Material for warning signs

- 7.2.1. A warning sign must be made of stiff, flat, weatherproof material, for example zincalume at least 0.8 mm thick or aluminium at least 1.6 mm thick.

- 7.2.2. In spite of Clause 7.2.1. a warning sign may be made of a flexible material provided that it complies with all other requirements as if it were a stiff sign and it is mounted in accordance with Clause 8.4.

8. Mounting of Warning Signs

- 8.1. The warning sign must be mounted in an up right position.
- 8.2. The lower edge of the warning sign shall be:
- 8.2.1. Above the bottom of the bumper bar; or
- 8.2.2. If there is no bumper bar fitted at least 500 mm from ground level.
- 8.3. If the warning sign is split into two parts each part shall be fitted at the same height to each other.
- 8.4. If a flexible warning sign is fitted it shall be:-
- 8.4.1. Held taut and be clearly visible; and
- 8.4.2. Unlikely to become dislocated, furl or otherwise become difficult to read by other road users.

9. Flags

9.1. Brightly coloured red, yellow, or red and yellow flags, at least 450 mm long and at least 450 mm wide shall be attached to the extremities of the vehicle which shall:

9.1.1. Be positioned with one of the flags on each side of the front and rear of any projecting load or if there is no projecting load the flags shall be positioned at the vehicle or vehicle combination extremities; and

9.1.2. Be clearly visible at a distance of 100 m to any person with normal vision.

10. General Conditions

10.1 The person driving the vehicle or combination shall, at regular intervals, when it is practicable to do so and there is not a separate lane available for overtaking, move off the carriageway to allow other vehicles to overtake.

10.2 The driver shall avoid all overhead obstructions.

10.3 Travel is not permitted on wet roads.

10.4 Travel is not permitted in the rain.

10.5 This notice shall operate only with respect to the vehicles, loads, routes and times specified, and does not relieve the owner and/or driver of the duty to observe all other provisions of the Road Traffic Act and Regulations and Local Government by-laws.

11. Lights and Reflectors.

11.1 The vehicle is fitted with rear direction indicator lights, brake lights, parking lights and rear reflector(s).

11.2 Motor vehicles with a Gross Vehicle Mass over 12 tonnes and trailers with a Gross Trailer Mass over 10 tonnes shall be fitted with rear marking plates.

11.3 All lights, reflectors and rear marking plates required by this notice shall meet the location and performance requirements of Part 8—Lights and Reflectors, of the *Road Traffic (Vehicle Standards) Rules 1999*.

Note: Persons operating under the provisions of this notice are advised that some parts of the road system bridges, signs, roadside furniture and vegetation may not provide sufficient clearance for the passage of a vehicle and load at the dimensions permitted by this notice.

Note: Section 106 of the Road Traffic Act—*Damage to roads and works*, includes provisions concerning damage to roads, bridges and culverts, interference with roadside furniture and the obligations of persons causing such damage to notify the appropriate authority.

This exemption expires at midnight on 31 December 2006.

This notice is valid from 1 January 2002 and the notice titled 'Approval for Opal Mining Vehicles to Exceed Width of 2.5 m and Height of 4.3 m and Exemption from Lighting and Other Equipment Requirements' appearing in the *South Australian Government Gazette*, dated 21 December 2000 is revoked at midnight on 31 December 2001.

T. N. ARGENT, Executive Director, Transport SA

SOUTHERN REGION WASTE RESOURCE AUTHORITY REGIONAL SUBSIDIARY

Charter

THE Constituent Councils of Southern Region Waste Resource Authority, a regional subsidiary pursuant to section 43 of the Local Government Act 1999, have resolved to amend the Charter to ensure compliance with the Act. The amended Charter is as follows:

1. INTRODUCTION

1.1 Name

The name of the subsidiary shall be the Southern Region Waste Resource Authority (referred to as 'the Authority' in this Charter).

1.2 Establishment

The Authority is a regional subsidiary established pursuant to section 43 of the Local Government Act 1999 by the:

- 1.2.1 City of Marion;
- 1.2.2 City of Onkaparinga; and
- 1.2.3 City of Holdfast Bay

(referred to as 'the Constituent Councils' in this Charter).

1.3 Local Government Act 1999

This Charter must be read in conjunction with Schedule 2 to the Local Government Act 1999 ('the Act'). The Authority shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter as permitted by Schedule 2.

1.4 Purpose For Which The Authority Is Established

1.4.1 The Authority is established to:

- 1.4.1.1 provide and operate services at a place or places for the management of waste by or on behalf of the Constituent Councils and/or any other approved councils;
- 1.4.1.2 undertake anything relevant (including educational programmes and processes) to the management of waste;
- 1.4.1.3 provide a forum for discussion and/or research for the ongoing improvement of management of waste;
- 1.4.1.4 undertake management of waste on behalf of the Constituent Councils on a competitive basis;
- 1.4.1.5 fulfil, on behalf of the Constituent Councils, any ongoing obligation in relation to rehabilitation and monitoring of waste management facilities under its control;
- 1.4.1.6 develop or facilitate activities or enterprises that result in a beneficial use of waste; and
- 1.4.1.7 be financially self sufficient.

1.4.2 The Authority must in the performance of its role and functions and in all of its plans, policies, and activities give due weight to economic, social and environmental considerations.

1.5 Powers and Functions of the Authority

The powers, functions and duties of the Authority are to be exercised in the performance of the Authority's objects and purposes. The Authority shall have those powers, functions and duties delegated to it by the Constituent Councils from time to time which include but are not limited to:

- 1.5.1 accumulation of surplus funds for investment purposes;
- 1.5.2 the power to invest any of the funds of the Authority in any investment authorised by the Trustee Act 1936 or with the Local Government Finance Authority provided that:
 - 1.5.2.1 in exercising this power of investment the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and

- 1.5.2.2 the Authority must avoid investments that are speculative or hazardous in nature;
- 1.5.3 the power to distribute all or any surplus funds and/or make payment of a dividend to the Constituent Councils provided that such distribution or payment will be made to the Constituent Councils in the proportions of their equitable interest in the Authority in accordance with Clause 5.1;
- 1.5.4 setting aside a reserve fund or funds clearly identified for the upkeep and/or replacement of fixed assets of the Authority or meeting any deferred liability of the Authority;
- 1.5.5 in addition to overdraft facilities that may be required from time to time (and which must not exceed \$50 000 in total without the approval of the Constituent Councils), the Authority may borrow funds from a registered bank or financial institution within Australia. Borrowings must not exceed 25% of net assets (where net assets includes the value of remaining airspace over the Southern Region Waste Disposal Depot) without the prior approval of the Constituent Councils and must not be used for the purpose of funding operational costs;
- 1.5.6 entering into contracts, purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any personal property or interests therein;
- 1.5.7 purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any real property or interests therein, provided that it shall be a condition precedent, that in any such transaction where the Authority will incur a singular or a total liability of \$500 000 or more that the written approval of the Constituent Councils is first had and obtained;
- 1.5.8 employing, engaging or dismissing the Manager of the Authority;
- 1.5.9 employing, engaging or retaining professional advisers to the Authority;
- 1.5.10 charging whatever fees the Authority considers appropriate for services rendered to any person, body or council (other than a Constituent Council) provided that such fees charged by the Authority shall not be less than the cost to the Authority of providing the service except where the Authority considers the circumstances are extraordinary or special;
- 1.5.11 charging the Constituent Councils fees for services that cover the cost to the Authority of providing the services;
- 1.5.12 determining the types of refuse and waste which shall be received and the method of collection treatment, recycling and disposal of that waste;
- 1.5.13 undertaking all manner of things relating and incidental to the collection, treatment, recycling and disposal of refuse and waste;
- 1.5.14 pursuing the concept of co-operative regionalism in the collection, treatment, recycling and disposal of refuse and waste for which the Constituent Councils are or may become responsible and to cause all refuse and waste collected by the Authority to be treated, recycled and disposed of in a sanitary and environmentally acceptable way;
- 1.5.15 providing a forum for the discussion and consideration of topics related to the Constituent Councils' obligations and responsibilities in respect of refuse and waste;
- 1.5.16 the power to adopt and use a trading name provided that the Authority shall first register the trading name with the Office of Consumer and Business Affairs in accordance with the requirements of the Business Names Act; and
- 1.5.17 the power to do anything else necessary or convenient for or incidental to the exercise, performance or discharge of its powers, functions or duties.

1.6 Delegation by the Authority

The Authority may by resolution delegate to the Manager of the Authority any of its powers, functions and duties under this Charter but may not delegate:

- 1.6.1 the power to impose charges;
- 1.6.2 the power to borrow money or obtain any other form of financial accommodation;
- 1.6.3 the power to approve expenditure of money on the works, 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;
- 1.6.4 the power to approve the reimbursement of expenses or payment of allowances to members of the Board of Management;

- 1.6.5 the power to adopt or revise financial estimates and reports; and
- 1.6.6 the power to make any application or recommendation to the Minister.

A delegation is revocable at will and does not prevent the Board from acting in a matter.

1.7 **National Competition Policy**

The Authority does not undertake any commercial activities which constitute a significant business activity of the Authority and to which the principles of competitive neutrality must be applied.

2. **BOARD OF MANAGEMENT**

The Authority is a body corporate and is governed by a Board of Management (referred to as 'the Board' in this Charter) which shall have the responsibility to manage the business and other affairs of the Authority ensuring that the Authority acts in accordance with this Charter.

2.1 **Functions of the Board**

- 2.1.1 The formulation of strategic plans and strategies aimed at improving the business of the Authority.
- 2.1.2 To provide professional input and policy direction to the Authority.
- 2.1.3 Monitoring, overseeing and measuring the performance of the Manager of the Authority.
- 2.1.4 Ensuring that a code of ethical behaviour and integrity is established and implemented in all business dealing of the Authority.
- 2.1.5 Subject to subclause 2.5.14 ensuring that the business of the Authority is undertaken in an open and transparent manner.
- 2.1.6 Assisting in the development of business plans.
- 2.1.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

2.2 **Membership of the Board**

- 2.2.1 The Board shall consist of seven members appointed as follows:
 - 2.2.1.1 two persons appointed by each Constituent Council;
 - 2.2.1.2 one person appointed jointly by the Constituent Councils who is not a member or officer of a Constituent Council but who, in the opinion of the Constituent Councils, has expertise in waste management and/or business.

The expert will be chosen from a list of persons circulated to the Constituent Councils and appointed by a panel comprising the Chief Executive Officer (or nominee) and one other person from each Constituent Council.
- 2.2.2 A Board Member shall, subject to this Charter, be appointed for a term not exceeding 3 years specified in the instrument of appointment and at the expiration of the term of office will be eligible for re-appointment.
- 2.2.3 The Constituent Councils may appoint a Deputy for each Board Member appointed pursuant to Clause 2.2.1.1. In the absence of a Board Member the Deputy will be deemed to be the Board Member for that time and will exercise all rights, privileges and obligations of the Board Member during the absence of that Member.
- 2.2.4 The term of office of a Board Member will terminate upon:
 - 2.2.4.1 the council providing written notice to the Board Member and the Board;
 - 2.2.4.2 if the Board Member is an elected member of a Constituent Council upon ceasing to be an elected member;
 - 2.2.4.3 if the Board Member is an officer of a Constituent Council, upon ceasing to be employed by the council which appointed him/her;
 - 2.2.4.4 upon the Board Member providing his/her resignation in writing to one or more of the Constituent Councils; or
 - 2.2.4.5 upon the happening of any other event through which the Board Member would be ineligible to remain as a member of the Board.

(See Clause 20, Part 2, Schedule 2 of the Act for the grounds which give rise to a vacancy)

- 2.2.5 The Board may by a two thirds majority vote of the Board Members present (excluding the Board Member subject to this Clause 2.2.5) make a recommendation to the relevant Constituent Council seeking the council's approval to terminate the appointment of the Board Member in the event of:
- 2.2.5.1 any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;
 - 2.2.5.2 serious neglect of duty in attending to the responsibilities of a Board Member;
 - 2.2.5.3 breach of fiduciary duty to the Board or the council(s);
 - 2.2.5.4 breach of the duty of confidentiality to the Board and the council(s);
 - 2.2.5.5 breach of the conflict of interest rules of the Board; or
 - 2.2.5.6 any other behaviour which may discredit the Board.
- 2.2.6 A Board Member may be removed from office as a Board Member prior to the expiration of a term of appointment only in accordance with the following:
- 2.2.6.1 a Board Member appointed by a Constituent Council pursuant to Clause 2.2.1.1, by resolution of the Constituent Council which originally appointed the Board Member; and
 - 2.2.6.2 the Board Member appointed jointly by the Constituent Councils pursuant to Clause 2.2.1.2 by a joint resolution being a resolution passed by each of the Constituent Councils.
- 2.2.7 The term of office of a Board Member appointed pursuant to Clause 2.2.1.1, shall terminate if the council appointing him/her shall cease to be a Constituent Council.
- 2.2.8 If any casual vacancy occurs in the membership of the Board it will be filled in the same manner as the original appointment. The person appointed to the Board to fill a casual vacancy will be appointed for the balance of the term of the original appointment.
- 2.2.9 The Board Member appointed pursuant to Clause 2.2.1.2 shall be eligible for such allowance from the funds of the Authority as the Board shall determine from time to time.
- 2.3 Propriety of Members of the Board**
- 2.3.1 The principles regarding conflict of interest prescribed in the Act apply to all Board Members in the same manner as if they were elected members of a council.
 - 2.3.2 The Board Members are not required to comply with Division 2, Chapter 5 (Register of Interests) of the Local Government Act 1999.
 - 2.3.3 The Board Members 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 performance and discharge of official functions and duties as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Part 2 of Schedule 2 to the Local Government Act 1999.
- 2.4 Chair of the Board**
- 2.4.1 The Chair of the Board shall be the person appointed pursuant to Clause 2.2.1.2, who shall hold office for a term of 3 years, unless he/she resigns or is removed from office pursuant to Clause 2.2.5 or is otherwise no longer eligible to act as a Board Member.
 - 2.4.2 The Chair is eligible for re-appointment at the expiration of the term of office.
 - 2.4.3 In the event that the appointed Chair either resigns or is no longer eligible to act as a Board Member prior to the expiration of that persons term, then the Board shall elect from amongst the Board Members appointed by the Constituent Councils a new Chair who shall hold office until a further appointment is made pursuant to Clause 2.2.1.2 whereupon the person so appointed will hold office for the duration of the original appointment.
 - 2.4.4 The Board may choose a person appointed pursuant to Clause 2.2.1.1 to be the Deputy Chair of the Board for a term determined by the Board.
 - 2.4.5 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 and in the event of both the Chair and the 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 the Deputy Chair is present.

2.5 Meetings of the Board

- 2.5.1 The provisions of Part 2 of the Local Government (Procedures at Meetings) Regulations 1999 shall, insofar as the same may be applicable and not inconsistent with this Charter, apply to the proceedings at and conduct of all meetings of the Board.
- 2.5.2 Ordinary meeting of the Board must take place at such times and places as may be fixed by the Board or the Manager of the Authority from time to time. There shall be at least six ordinary meeting of the Board held in each operating year. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all of the Board Members present at the meeting which determines the issue.
- 2.5.3 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Board Members 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 at all times during the telecommunications meeting 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 telecommunications meeting by dis-connecting his/her telephone, audio visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.
- 2.5.4 Notice of ordinary meetings of the Board must be given by the Manager to each Board Member not less than three clear days prior to the holding of the meeting and shall be accompanied by the agenda for the meeting and any written reports.
- 2.5.5 Any Constituent Council or Board Member may by delivering a written request to the Manager of the Authority require a special meeting of the Board to be held. On receipt of the request the Manager shall send a notice of the special meeting to all Board Members at least 24 hours prior to the commencement of the special meeting. Such notice shall specify the date, time and place of the special meeting and be signed by the Manager, and contain, or be accompanied by, the agenda for the meeting.
- 2.5.6 The request to the Manager requiring a special meeting to be held must be accompanied by the agenda for the meeting and any written reports intended to be considered at the meeting (and if an agenda is not provided the request is of no effect).
- 2.5.7 The quorum for any meeting of the Board is a simple majority of the number of members in office.
- 2.5.8 Every Board Member, including the Chair, shall have a deliberative vote. The Chair shall not in the event of an equality of votes have a casting vote.
- 2.5.9 All matters will be decided by a majority of votes of the Board Members present except where this Charter provides otherwise. In the event of an equality of votes the matter will lapse.
- 2.5.10 Subject to subclause 2.3.1, all Board Members present at a meeting shall vote.
- 2.5.11 Any meeting of the Board may be adjourned from time to time and from place to place.
- 2.5.12 Subject to Clause 2.5.14, meetings of the Board must be conducted in a place open to the public.
- 2.5.13 All Board Members must keep confidential all documents and any information provided to them in confidence for their consideration prior to a meeting of the Board.
- 2.5.14 The Board may order that the public be excluded from attendance at any meeting in order to enable the Board to consider in confidence:
- 2.5.14.1 legal or other professional advice;
 - 2.5.14.2 complaints against an officer or employee of the Authority;
 - 2.5.14.3 proposals for the appointment, suspension, demotion, disciplining or dismissal of an officer or employee of the Authority;
 - 2.5.14.4 proposals relating to the remuneration or conditions of service of an officer or employee of the Authority;
 - 2.5.14.5 tenders for the supply of goods or the carrying out of works;

- 2.5.14.6 matters that the Board considers to be of a commercial and/or confidential nature;
- 2.5.14.7 proposals relating to the acquisition or disposal of land;
- 2.5.14.8 information relating to the health or financial position of any person;
- 2.5.14.9 information given to the Authority on the understanding that it would be treated as confidential; and
- 2.5.14.10 matters relating to actual or possible litigation involving the Authority or an officer or employee of the Authority;
- 2.5.14.11 this Clause 2.5.14 does not apply to:
 - (a) a Board Member; or
 - (b) any other person permitted by the Board to remain in the room.
- 2.5.15 Where an order is made under Clause 2.5.14, a note must be made in the minutes of the making of the order and of the grounds on which it was made.
- 2.5.16 The Manager must cause minutes to be kept of the proceedings at every meeting of the Board.
- 2.5.17 Where the Manager is excluded from attendance at a meeting of the Board pursuant to Clause 2.5.14, the person presiding at the meeting shall cause the minutes to be kept.
- 2.5.18 Each Board Member must, notwithstanding an order made pursuant to Clause 2.5.14 be supplied with a copy of all minutes of the proceedings of the meeting.
- 2.5.19 Subject to Clause 2.5.21 a person is entitled to inspect, without payment of a fee, at the office of the Authority:
 - (a) minutes of a Board Meeting;
 - (b) reports to the Board received at a meeting of the Board;
 - (c) recommendations presented to the Board in writing and adopted by resolution of the Board.
- 2.5.20 Subject to Clause 2.5.21, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents available for inspection under Clause 2.5.19.
- 2.5.21 Clauses 2.5.19 and 2.5.20 do not apply in relation to a document or part of a document if:
 - 2.5.21.1 the document or part of the document relates to a matter of a kind referred to in Clause 2.5.14; and
 - 2.5.21.2 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).
- 2.5.22 Subject to this Charter and to any direction of the Constituent Councils the Board may determine its own procedures which must be fair and contribute to free and open decision making.

3. STAFFING ISSUES

- 3.1 The Board must appoint a Manager of the Authority to manage the business of the Board on terms agreed between the Manager and the Board. The Manager may be a natural person or a body corporate.
- 3.2 The Manager shall cause records to be kept of the business and financial affairs of the Authority in accordance with this Charter, in addition to other duties provided for by this Charter and those specified in the terms and conditions of appointment.
- 3.3 In the absence of the Manager for any period exceeding two weeks a suitable person to act in the position of Manager of the Authority must be appointed by the Board.
- 3.4 The Board shall delegate responsibility for the day to day management of the Authority to the Manager, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Authority.

- 3.5 The functions of the Manager shall be specified in the terms and conditions of appointment and shall include but are not limited to:
- 3.5.1 attending at all meetings of the Board unless excluded by resolution of the Board;
 - 3.5.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
 - 3.5.3 providing information to assist the Board to assess the Authority's performance against its Strategic and Business Plans;
 - 3.5.4 appointing, managing, suspending and dismissing employees of the Authority;
 - 3.5.5 determining the conditions of employment of employees of the Authority, within budgetary constraints set by the Board;
 - 3.5.6 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
 - 3.5.7 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority;
 - 3.5.8 ensuring that the assets and resources of the Authority are properly managed and maintained;
 - 3.5.9 ensuring that records required under the Act or any other legislation are properly kept and maintained;
 - 3.5.10 exercising, performing or discharging other powers, functions or duties conferred on the Manager by or under the Act or any other Act, and performing other functions lawfully directed by the Board; and
 - 3.5.11 achieving financial outcomes in accordance with adopted plans and budgets of the Authority.
- 3.6 The Manager may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the Manager. Such delegation or sub-delegation may be subject to any conditions or limitations as determined by the Manager.
- 3.7 Where a power or function is delegated to an employee, the employee is responsible to the Manager for the efficient and effective exercise or performance of that power or function.
- 3.8 A written record of all delegations and sub-delegations must be kept by the Manager at all times.

4. MANAGEMENT

4.1 Financial Management

- 4.1.1 The Authority shall keep proper books of accounts in accordance with the requirements of the Local Government (Financial Management) Regulations 1999.
- 4.1.2 The Authority's books of account must be available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.
- 4.1.3 The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 4.1.4 All cheques must be signed by two persons authorised by resolution of the Board.
- 4.1.5 Any payments made by Electronic Funds Transfer must be made in accordance with procedures approved by the Auditor.

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

4.2 Audit

- 4.2.1 The Board shall appoint an auditor in accordance with the Local Government (Financial Management) Regulations 1999.
- 4.2.2 The Auditor will have the same powers and responsibilities as set out in the Local Government Act 1999 in relation to a council.
- 4.2.3 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.
- 4.2.4 The books of account and financial statements shall be audited at least once per year.
- 4.2.5 The Authority is not required to establish an audit committee.

4.3 **Business Plan**

The Authority shall:

- 4.3.1 prepare a three year Business Plan linking the core business activities of the Authority to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;s
- 4.3.2 review the Business Plan annually; and
- 4.3.3 consult with the Constituent Councils prior to adopting or amending the Business Plan.

(See Clause 24, Part 2, Schedule 2 to the Act for the contents of the Business Plan)

4.4 **Annual Budget**

- 4.4.1 The Authority shall, before the end of June each year, prepare and adopt an annual budget for the ensuing financial year in accordance with the Local Government Act 1999.
- 4.4.2 The Authority must provide a copy of its annual budget to the Constituent Councils within five business days after adoption.
- 4.4.3 Reports summarising the financial position and performance of the Authority against the annual budget shall be prepared and presented to the Board every three calendar months and copies provided to the Constituent Councils within five days of the Board meeting to which they have been presented.

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

4.5 **Reporting**

- 4.5.1 The Authority must submit to the Constituent Councils by 30 September in each year in respect of the immediately preceding operating 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 report as required by the Constituent Councils.
- 4.5.2 The Board shall present a balance sheet and full financial report to the Constituent Councils at the end of each operating year.
- 4.5.3 The operating year for the Authority shall be the 1 July to 30 June in each year.

5. **MISCELLANEOUS**

5.1 **Equitable Interest**

- 5.1.1 Subject to clause 5.1.2 the equitable interest of the Constituent Councils in the Authority is agreed as follows:
 - (a) City of Holdfast Bay—15%
 - (b) City of Marion—30%
 - (c) City of Onkaparinga—55%.
- 5.1.2 The equitable interest of the Constituent Councils in the Authority as set out at Clause 5.1.1 may be varied by agreement of the Constituent Councils and will be varied where a new Constituent Council or councils is admitted pursuant to Clause 5.3.

5.2 **Withdrawal**

- 5.2.1 A Constituent Council may not withdraw from the Authority except with the approval of the Minister and subject to the Local Government Act and this Charter.
- 5.2.2 A Constituent Council which intends to withdraw from the Authority shall give to the Board written notice of such intention, specifying the date of intended withdrawal. The notice shall be a minimum of 24 months notice expiring on 30 June of the subsequent financial year.
- 5.2.3 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of the Authority at the end of the financial year in which such withdrawal occurs.
- 5.2.4 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the Authority at any time before or after such withdrawal in respect of any act or omission by the Authority prior to such withdrawal.

5.2.5 Payment by or to the withdrawing Constituent Council must be fully paid by 30 June of the financial year following 30 June of the year in which the withdrawal occurs unless there is common agreement of alternative payment arrangements by the Constituent Councils.

5.3 **New Members**

Subject to the provisions of the Act, this Charter may be amended by the unanimous agreement of the Constituent Councils to provide for the admission of a new Constituent Council or councils, with or without conditions of membership.

5.4 **Insurance and Superannuation Requirements**

5.4.1 The Authority shall register with the Local Government Mutual Liability Scheme and comply with the rules of that Scheme.

5.4.2 The Authority shall advise the Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Authority.

5.4.3 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.

5.5 **Winding Up**

5.5.1 The Authority may be wound up by unanimous resolution of the Constituent Councils and with the consent of the Minister.

5.5.2 On winding up of the Authority, the surplus assets or liabilities of the Authority, as the case may be, shall be distributed between or become the responsibility of the Constituent Councils in the proportions of their equitable interest in the Authority in accordance with Clause 5.1.

5.6 **Direction by Constituent Councils**

5.6.1 The establishment of the Authority does not derogate from the power of the Constituent Councils to jointly act in any manner prudent to the sound management and operation of the Authority, provided that the Constituent Councils have first agreed by unanimous resolution of each Constituent Council as to the action to be taken.

5.6.2 For the purpose of subclause 5.6.1, any direction given by the Constituent Councils must be given in writing to the Manager of the Authority.

5.7 **Review of Charter**

5.7.1 This Charter will be reviewed by the Constituent Councils acting in concurrence at least once in every three years.

5.7.2 This Charter may be amended by unanimous resolution of the Constituent Councils.

5.7.3 The Manager must ensure that the amended Charter is published in the *Gazette* and a copy of the amended Charter provided to the Minister.

5.7.4 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendation of the Board.

5.8 **Disputes Between Constituent Councils**

5.8.1 The Constituent Councils agree to work together in good faith to resolve any matter requiring their direction or resolution.

5.8.2 Where the Constituent Councils are unable to resolve a matter within 28 days of the matter being presented to them, the matter will be referred for arbitration by the President (or his/her nominee) of the Institute of Arbitration.

5.8.3 Notwithstanding subclause 5.9.2 the Constituent Councils agree to be bound by the decision of the Arbitrator (except in relation to any decision relating to the acquisition or disposal of any real property) and will endeavour to work together in good faith in the implementation of that decision.

5.8.4 The costs of arbitration shall be borne equally by the Constituent Councils.

5.9 Committees

- 5.9.1 The Board may establish a committee of Board Members for the purpose of:
- 5.9.1.1 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 given by the Board to the Committee;
 - 5.9.1.2 exercising, performing or discharging delegated powers, functions or duties.
- 5.9.2 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 5.9.3 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.
- 5.9.4 A member of an advisory committee established under this clause holds office at the pleasure of the Board.
- 5.9.5 The Chair of the Board is an *ex-officio* a member of any committee or advisory committee established by the Board.

5.10 Common Seal

- 5.10.1 The Authority will have a common seal, which may be affixed to documents requiring execution under seal and where affixed must be witnessed by two Board Members or where authority has been conferred by instrument executed under the common seal of the Authority, by the Chair of the Board and the Manager.
- 5.10.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board.
- 5.10.3 The Manager must maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of persons who witnessed the fixing of the seal and the date that the seal was affixed.
- 5.10.4 The Board may by instrument under seal authorise a person to execute documents on behalf of the Authority.

5.11 Circumstances Not Provided For

If any circumstances arise about which this Constitution is silent, incapable of taking effect or being implemented according to its strict provisions, the Board has the power to consider the circumstance and determine the action to be taken.

Dated 20 December 2001.

LES PERRY, Manager

WATER RESOURCES ACT 1997

Declaration of Penalty in Relation to the Unauthorised Taking of Water

I, MARK KENNION BRINDAL, Minister for Water Resources, to whom administration of the Water Resources Act 1997 (the Act) is committed, hereby declare that pursuant to section 132 of the Act, the following penalties are payable in relation to the unauthorised taking of water:

1. Where a licensee takes water from a prescribed well in the Northern Adelaide Plains Prescribed Wells Area in excess of the water allocation endorsed on the water licence:

- (a) a rate of 30 cents per kilolitre for all water taken in excess of the water allocation endorsed on the licence, up to and including a quantity equal to 10% of the water allocation endorsed on the water licence; and
- (b) a rate of \$1 per kilolitre for all water taken in excess of the quantity of water referred to in paragraph (a).

2. Where, in the Barossa Prescribed Water Resources Area:

- water is taken by a licensee from a prescribed well or watercourse; or
- surface water is taken by a licensee,

in excess of the water allocation endorsed on the water licence:

- (a) a rate of \$1 per kilolitre for all water taken in excess of the water allocation endorsed on the licence, up to and including a quantity equal to 10% of the water allocation endorsed on the water licence; and
- (b) a rate of \$1.50 per kilolitre for all water taken in excess of the quantity of water referred to in paragraph (a).

3. Where a licensee takes water from the River Murray Prescribed Watercourse or from a prescribed well in the Angas Bremer Prescribed Wells Area or in the Mallee Prescribed Wells Area in excess of the water allocation endorsed on the water licence:

- (a) a rate of 15 cents per kilolitre for all water taken in excess of the water allocation endorsed on the licence, up to and including a quantity equal to 10% of the water allocation endorsed on the water licence; and
- (b) a rate of 30 cents per kilolitre for all water taken in excess of the quantity referred to in paragraph (a).

4. Where a licensee takes water from a prescribed well in the Southern Basins Prescribed Wells Area or from the Musgrave Prescribed Wells Area in excess of the water allocation endorsed on the water licence:

- (a) a rate of 15 cents per kilolitre for all water taken in excess of the water allocation endorsed on the licence, up to and including a quantity equal to 10% of the water allocation endorsed on the water licence; and
- (b) a rate of \$1 per kilolitre for all water taken in excess of the quantity referred to in paragraph (a).

5. Where a licensee takes water from a prescribed well in the McLaren Vale Prescribed Wells Area in excess of the water allocation endorsed on the water licence:

- (a) a rate of \$3 per kilolitre for all water taken in excess of the water allocation endorsed on the licence, up to and including a quantity equal to 10% of the water allocation endorsed on the water licence; and
- (b) a rate of \$10 per kilolitre for all water taken in excess of the quantity of water referred to in paragraph (a).

6. Where a licensee takes water from a prescribed well in the Comaum-Caroline Prescribed Wells Area or the Lacepede Kongorong Prescribed Wells Area or the Naracoorte Ranges Prescribed Wells Area or the Padthaway Prescribed Wells Area or the Tatiara Prescribed Wells Area, in excess of the water allocation endorsed on the water licence:

- (a) a rate of 50 cents per kilolitre for all water taken in excess of the water allocation endorsed on the licence, up to and including a quantity equal to 10% of the water allocation endorsed on the water licence; and
- (b) a rate of \$1 per kilolitre for all water taken in excess of the quantity of water referred to in paragraph (a).

7. Where water is taken from the prescribed water resource in the Northern Adelaide Plains Prescribed Wells Area or the River Murray Prescribed Watercourse or the Angas Bremer Prescribed Wells Area or the Mallee Prescribed Wells Area or the Southern Basins Prescribed Wells Area or the Musgrave Prescribed Wells Area or the Comaum-Caroline Prescribed Wells Area or the Lacepede Kongorong Prescribed Wells Area or the Naracoorte Ranges Prescribed Wells Area or the Padthaway Prescribed Wells Area or the Tatiara Prescribed Wells Area or the Clare Prescribed Water Resources Area by a person who is not the holder of a water licence and who is not authorised under section 11 of the Act to take the water:

A rate of \$5 per kilolitre of water determined or assessed to have been taken in accordance with section 126 of the Act.

8. Where water is taken from the prescribed water resource in the Barossa Prescribed Water Resources Area or the McLaren Vale Prescribed Wells Area, by a person who is not the holder of a water licence and who is not authorised under section 11 of the Act to take the water:

A rate of \$15 per kilolitre of water determined or assessed to have been taken in accordance with section 126 of the Act.

Clauses 1, 2, 3, 4, 5, 6 and 7 apply in relation to water taken during the consumption period that corresponds to the financial year commencing on 1 July 2001.

Clause 8 applies in relation to water taken during the financial year commencing on 1 July 2001.

In this notice:

‘the Northern Adelaide Plains Prescribed Wells Area’ means the area declared to be the Northern Adelaide Plains Proclaimed Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 13 May 1976, page 2459);

‘the River Murray Prescribed Watercourse’ means the watercourses and lakes declared to be the River Murray Proclaimed Watercourse by proclamation under section 25 of the Water Resources Act 1976 (see *Gazette* 10 August 1978, page 467);

‘the Angas Bremer Prescribed Wells Area’ means the area declared to be the Angas Bremer Proclaimed Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 23 October 1980, page 1192);

‘the Mallee Prescribed Wells Area’ means the area declared to be the Mallee Proclaimed Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 28 July 1983 and varied on 9 January 1986, page 19);

‘the Barossa Prescribed Water Resources Area’ means the area bounded by the bold broken line in G.R.O. Plan No. 327 of 1992;

‘the Southern Basins Prescribed Wells Area’ means the area declared to be the Southern Basins Proclaimed Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 12 March 1987, page 596);

‘the Musgrave Prescribed Wells Area’ means the area declared to be the Musgrave Proclaimed Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 12 March 1987, page 596);

‘the McLaren Vale Prescribed Wells Area’ means the area gazetted on 7 January 1999, page 13, under the provisions of the Water Resources Act 1997;

'the Clare Prescribed Water Resources Area' means the area bounded by the bold unbroken line in G.R.O. Plan No. 368/96, prescribed on 25 July 1996 under the provisions of the Water Resources Act 1990;

'the Comaum-Caroline Prescribed Wells Area' means the area declared to be Comaum-Caroline Prescribed Wells Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 9 January 1986, page 19);

'the Lacepede Kongorong Prescribed Wells Area' means the area declared to be the Lacepede Kongorong Prescribed Wells Region by proclamation under section 33 of the Water Resources Act 1990 (see *Gazette* 20 March 1997, page 1293);

'the Naracoorte Ranges Prescribed Wells Area' means the area declared to be the Naracoorte Prescribed Wells Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 9 January 1986, page 19);

'the Padthaway Prescribed Wells Area' means the area declared to be the Padthaway Proclaimed Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 13 May 1976);

'the Tatiara Prescribed Wells Area' means the area declared to be the Tatiara Proclaimed Region by proclamation under section 41 of the Water Resources Act 1976 (see *Gazette* 12 July 1984, page 134, as varied on 9 January 1986, page 64 and varied on 30 January 1986, page 206).

A reference in this notice to a water licence is a reference to a water licence that authorises the taking of water from the water resource to which the reference relates.

Dated 14 December 2001.

MARK BRINDAL, Minister for Water Resources

WATER RESOURCES ACT 1997

Notice of Restriction on Water Use in the Tintinara-Coonalpyn Area

PURSUANT to section 16(1) of the Water Resources Act 1997, I Mark Kennion Brindal, Minister for Water Resources, being of the opinion that the rate at which water is being taken from wells obtaining access to the upper unconfined aquifer in the Murray Group Formation and the lower confined aquifer in the Renmark Beds ('the wells') in the area described in Schedule 1 ('the area') is such that:

- (a) there is a risk that the available water will not be sufficient to meet future demand; and
- (b) it is likely to affect the quality of water in the underground aquifers;

hereby prohibit the taking of water from 'the wells' subject to the exceptions specified in Schedule 2.

SCHEDULE 1

The Hundreds of Livingston, Carcuma, Coneybeer, Lewis, Richards, Coombe, Archibald, Makin, and McCallum.

SCHEDULE 2

1. A person authorised in writing by either the Minister for Environment and Heritage, or the Minister for Water Resources, or delegate pursuant to any of the following notices:

- (a) notice of Restriction of Water Use in the Tintinara-Coonalpyn Area published in the *Government Gazette* on 30 December 1998 at page 2089 ('the 1998 Notice');

- (b) notice of Restriction of Water Use in the Tintinara-Coonalpyn Area published in the *Government Gazette* on 23 December 1999 at page 3856 ('the 1999 Notice'); or

- (c) notice of Variation to the Notice of Restriction in the Tintinara-Coonalpyn Area published in the *Government Gazette* on 1 June 2000 at page 2904 ('the 2000 Notice of Variation');

may take water at the same rate or volume, for the same purpose and subject to the same conditions as are endorsed on that authorisation.

2. This prohibition does not apply to the taking of water pursuant to section 7 (5) of the Act for domestic purposes or watering stock (other than stock subject to intensive farming) or to taking of water for firefighting, public road making, or reticulating supplies of potable water for townships in the area.

This notice will remain in effect until 1 November 2002, unless earlier varied or revoked.

Dated 19 December 2001.

MARK BRINDAL, Minister for Water Resources

WATER RESOURCES ACT 1997

Notice of Intent to Prescribe Wells in the Far North, pursuant to Section 8 (4) of the Water Resources Act 1997

I MARK KENNION BRINDAL, Minister for Water Resources in the State of South Australia, give notice that I propose to recommend to the Governor that she declare by regulation that the wells within the area bounded by the bold line in GRO Plan No. 593/2001 (the 'defined area') be prescribed wells, pursuant to section 8 (2) of the Water Resources Act 1997 (the Act).

I propose that the defined area be known as the Far North Prescribed Wells Area. Under the proposal all wells in the defined area will be prescribed wells, except wells used solely for the purpose of taking water under a Special Water Licence issued pursuant to the indenture ratified and approved by the Roxby Downs (Indenture Ratification) Act 1982.

I also propose that the regulation declaring the wells within the defined area to be prescribed wells will exclude the operation of subsection (5) of section 7 of the Act. Hence water taken for stock and domestic use from any of the wells to be prescribed under the proposal will also require authorisation.

The proposal will enable the underground water in the 'defined area' to be managed and used in a sustainable manner so that the quantity, quality and pressure of the resources are maintained to maximise the socio-economic, environmental and cultural heritage values.

I invite all interested persons to make written submissions to me in relation to this proposal. The closing date for submissions will be Friday, 5 April 2002.

Dated 20 December 2001.

MARK BRINDAL, Minister for Water Resources

All submissions and enquiries should be addressed to:

Birgitte Sorensen
Department for Water Resources
G.P.O. Box 2834
Adelaide, S.A. 5001
Telephone: (08) 8463 6857

VOCATIONAL EDUCATION, EMPLOYMENT AND TRAINING ACT 1994

PART 4 - CONTRACTS OF TRAINING

Pursuant to the provisions of the Vocational Education, Employment and Training Act (VEET Act), the Accreditation and Registration Council (ARC) gives notice that it has determined the following:

Occupations that Constitute Trades and Other Declared Vocations

The following schedule is additional to the gazettals of:

- | | | |
|--------------------------------------|---|--|
| 1. 24 April 1996 (pg 2045) | 31. 27 May 1999 (Errata) (pg 2723) | 61. 19 July 2001 (Errata) (pg 2713) |
| 2. 31 October 1996 (pg 1544) | 32. 17 June 1999 (pg 3123) | 62. 26 July 2001 (pg 2785) |
| 3. 5 December 1996 (pg 1818) | 33. 24 June 1999 (pg 3261) | 63. 16 August 2001 (pg 3091) |
| 4. 6 February 1997 (pg 830) | 34. 1 July 1999 (pg 22) | 64. 20 September 2001 (pg 4268) |
| 5. 17 April 1997 (pg 1571) | 35. 29 July 1999 (pg 602) | 65. 27 September 2001 (pg 4316) |
| 6. 29 May 1997 (pg 2758) | 36. 30 September 1999 (pg 1364) | 66. 11 October 2001 (Errata) (pg 4466) |
| 7. 12 June 1997 (pg 2984) | 37. 14 October 1999 (pg 1973) | 67. 15 November 2001 (pg 5041) |
| 8. 3 July 1997 (pg 33) | 38. 11 November 1999 (pg 2327) | 68. 29 November 2001 (pg 5227) |
| 9. 7 August 1997 (pg 311) | 39. 6 January 2000 (pg 1169) | 69. 13 December 2001 (pg 5385) |
| 10. 18 December 1997 (pg 1677) | 40. 30 March 2000 (pg 1921) | |
| 11. 22 December 1997 (pg 1776) | 41. 6 April 2000 (pg 2047) | |
| 12. 23 April 1998 (pg 1959) | 42. 13 April 2000 (Errata) (pg 2167) | |
| 13. 18 June 1998 (pg 2594) | 43. 4 May 2000 (pg 2416) | |
| 14. 6 August 1998 (pg 339) | 44. 18 May 2000 (pg 2606) Errata (pg 2609) | |
| 15. 24 September 1998 (pg 990) | 45. 15 June 2000 (pg 3282) Errata (pg 3285) | |
| 16. 1 October 1998 (pg 1038) | 46. 29 June 2000 (pg 3490) | |
| 17. 15 October 1998 (pg 1150) | 47. 6 July 2000 (pg 22) Errata (pg 24) | |
| 18. 12 November 1998 (pg 1389) | 48. 20 July 2000 (pg 267) | |
| 19. 19 November 1998 (pg 1583) | 49. 10 August 2000 (pg 467) | |
| 20. 3 December 1998 (pg 1742) | 50. 24 August 2000 (pg 643) | |
| 21. 10 December 1998 (pg 1870) | 51. 14 September 2000 (pg 2002) | |
| 22. 17 December 1998 (pg 1954) | 52. 12 October 2000 (pg 2475) Errata (pg 2480) | |
| 23. 23 December 1998 (pg 2039) | 53. 16 November 2000 (pg 3208) Errata (pg 3211) | |
| 24. 11 March 1999 (pg 1359) | 54. 7 December 2000 (pg 3461) Errata (pg 3467) | |
| 25. 25 March 1999 (pg 1480) | 55. 15 February 2001 (pg 641) Errata (pg 647) | |
| 26. 1 April 1999 (Errata) (pg 1605) | 56. 5 April 2001 (pg 1561) | |
| 27. 22 April 1999 (pg 2219) | 57. 19 April 2001 (pg 1645) | |
| 28. 29 April 1999 (Errata) (pg 2381) | 58. 31 May 2001 (pg 1914) | |
| 29. 6 May 1999 (pg 2482) | 59. 28 June 2001 (pg 2416) | |
| 30. 13 May 1999 (pg 2595) | 60. 12 July 2001 (Errata) (pg 2610) | |

which set out the occupations that constitute trades and other declared vocations and the terms and conditions applicable to such declared vocations.

SCHEDULE - DECLARED VOCATIONS, REQUIRED COURSES OF INSTRUCTION AND ASSOCIATED CONDITIONS
Changes to courses and conditions determined by ARC for existing Declared Vocations appear in Bold.

Errata

- (1) In the Government Gazette of 20 September 2001, the information appearing on page 4269-4274 incorrectly stated a part time Nominal Term of Contract of Training for a contract of training relating to the Declared Vocations of *Butchering and/or Slaughtering and Butchering and/or Smallgoods Making*, and the part time Probationary Periods for contracts of training relating to *the Declared Vocations of Butchering and/or Slaughtering, Butchering and/or Smallgoods Making, Meat Processing (Abattoirs) and Meat Processing (Smallgoods Manufacturing)*, as follows:

Butchering and/or Slaughtering

- MTM20300 - Certificate II in Meat Processing (Meat Retailing) - 12 months full time or 24 months part time - 616 hours –
1 month full time or 1 month part time
- MTM30800 - Certificate III in Meat Processing (Meat Retailing) - 48 months full time or 72 months part time - 954 hours –
3 months full time or 3 months part time

Butchering and/or Smallgoods Making

- MTM10100 - Certificate I in Meat Processing (Smallgoods) - 12 months full time or 36 months part time - 280 hours –
1 month full time or 1 month part time
- MTM20200 - Certificate II in Meat Processing (Smallgoods) - 24 months full time or 36 months part time - 560 hours –
2 months full time or 2 months part time
- MTM20300 - Certificate II in Meat Processing (Meat Retailing) - 12 months full time or 24 months part time - 616 hours –
1 month full time or 1 month part time
- MTM30700 - Certificate III in Meat Processing (Smallgoods) - 36 months full time or 72 months part time - 920 hours –
3 months full time or 3 months part time
- MTM30800 - Certificate III in Meat Processing (Meat Retailing) - 48 months full time or 72 months part time - 954 hours –
3 months full time or 3 months part time
- MTM40100 - Certificate IV in Meat Processing (Leadership) - 24 months full time or 36 months part time - 700 hours –
2 months full time or 2 months part time
- MTM40300 - Certificate IV in Meat Processing (Quality Assurance) - 36 months full time or 72 months part time - 890-1080 hours –
3 months full time or 3 months part time
- MTM50100 - Diploma of Meat Processing - 36 months full time or 72 months part time - 860 hours –
3 months full time or 3 months part time
- MTM60100 - Advanced Diploma of Meat Processing - 48 months full time or 72 months part time - 1250 hours –
3 months full time or 3 months part time

Meat Processing (Abattoirs)

- MTM20100 - Certificate II in Meat Processing (Abattoirs) - 12 months full time or 36 months part time - 400 hours –
1 month full time or 1 month part time
- MTM20400 - Certificate II in Meat Processing (Food Services) - 12 months full time or 36 months part time - 400 hours –
1 month full time or 1 month part time
- MTM30100 - Certificate III in Meat Processing (Boning) - 24 months full time or 36 months part time - 500 hours –
2 months full time or 2 months part time
- MTM30200 - Certificate III in Meat Processing (Food Services) - 24 months full time or 36 months part time - 550 hours –
2 months full time or 2 months part time
- MTM30300 - Certificate III in Meat Processing (Meat Safety) - 24 months full time or 36 months part time - 590 hours –
2 months full time or 2 months part time
- MTM30400 - Certificate III in Meat Processing (Rendering) - 24 months full time or 36 months part time - 500 hours –
2 months full time or 2 months part time
- MTM30500 - Certificate III in Meat Processing (Slaughtering) - 24 months full time or 36 months part time - 500 hours –
2 months full time or 2 months part time
- MTM30600 - Certificate III in Meat Processing (General) - 24 months full time or 36 months part time - 500 hours –
2 months full time or 2 months part time
- MTM40100 - Certificate IV in Meat Processing (Leadership) - 24 months full time or 36 months part time - 700 hours –
2 months full time or 2 months part time
- MTM40200 - Certificate IV in Meat Processing (Meat Safety) - 36 months full time or 72 months part time - 1050 hours –
3 months full time or 3 months part time
- MTM40300 - Certificate IV in Meat Processing (Quality Assurance) - 36 months full time or 72 months part time - 890-1080 hours –
3 months full time or 3 months part time
- MTM40400 - Certificate IV in Meat Processing (General) - 24 months full time or 36 months part time - 700 hours –
2 months full time or 2 months part time
- MTM50100 - Diploma of Meat Processing - 36 months full time or 72 months part time - 860 hours –
3 months full time or 3 months part time
- MTM60100 - Advanced Diploma of Meat Processing - 48 months full time or 72 months part time - 1250 hours –
3 months full time or 3 months part time

Meat Processing (Smallgoods Manufacturing)

- MTM10100 - Certificate I in Meat Processing (Smallgoods) - 12 months full time or 36 months part time - 280 hours –
1 month full time or 1 month part time

- MTM20200 - Certificate II in Meat Processing (Smallgoods) - 24 months full time or 36 months part time - 560 hours –
2 months full time or 2 months part time
- MTM30700 - Certificate III in Meat Processing (Smallgoods) - 36 months full time or 72 months part time - 920 hours –
3 months full time or 3 months part time
- MTM40100 - Certificate IV in Meat Processing (Leadership) - 24 months full time or 36 months part time - 700 hours –
2 months full time or 2 months part time
- MTM40300 - Certificate IV in Meat Processing (Quality Assurance) - 36 months full time or 72 months part time - 890-1080 hours –
3 months full time or 3 months part time
- MTM50100 - Diploma of Meat Processing - 36 months full time or 72 months part time - 860 hours –
3 months full time or 3 months part time
- MTM60100 - Advanced Diploma of Meat Processing - 48 months full time or 72 months part time - 1250 hours –
3 months full time or 3 months part time

Corrections should now appear as:

Butchering and/or Slaughtering

- MTM20300 - Certificate II in Meat Processing (Meat Retailing) - 12 months full time or **36 months part time** - 616 hours –
1 month full time or **3 months part time**
- MTM30800 - Certificate III in Meat Processing (Meat Retailing) - 48 months full time or 72 months part time - 954 hours –
3 months full time or **6 months part time**

Butchering and/or Smallgoods Making

- MTM10100 - Certificate I in Meat Processing (Smallgoods) - 12 months full time or 36 months part time - 280 hours –
1 month full time or **3 months part time**
- MTM20200 - Certificate II in Meat Processing (Smallgoods) - 24 months full time or 36 months part time - 560 hours –
2 months full time or **3 months part time**
- MTM20300 - Certificate II in Meat Processing (Meat Retailing) - 12 months full time or **36 months part time** - 616 hours –
1 month full time or **3 months part time**
- MTM30700 - Certificate III in Meat Processing (Smallgoods) - 36 months full time or 72 months part time - 920 hours –
3 months full time or **6 months part time**
- MTM30800 - Certificate III in Meat Processing (Meat Retailing) - 48 months full time or 72 months part time - 954 hours –
3 months full time or **6 months part time**
- MTM40100 - Certificate IV in Meat Processing (Leadership) - 24 months full time or 36 months part time - 700 hours –
2 months full time or **3 months part time**

- MTM40300 - Certificate IV in Meat Processing (Quality Assurance) - 36 months full time or 72 months part time - 890-1080 hours –
3 months full time or **6 months part time**
- MTM50100 - Diploma of Meat Processing - 36 months full time or 72 months part time - 860 hours –
3 months full time or **6 months part time**
- MTM60100 - Advanced Diploma of Meat Processing - 48 months full time or 72 months part time - 1250 hours –
3 months full time or **6 months part time**

Meat Processing (Abattoirs)

- MTM20100 - Certificate II in Meat Processing (Abattoirs) - 12 months full time or 36 months part time - 400 hours –
1 month full time or **3 months part time**
- MTM20400 - Certificate II in Meat Processing (Food Services) - 12 months full time or 36 months part time - 400 hours –
1 month full time or **3 months part time**
- MTM30100 - Certificate III in Meat Processing (Boning) - 24 months full time or 36 months part time - 500 hours –
2 months full time or **3 months part time**
- MTM30200 - Certificate III in Meat Processing (Food Services) - 24 months full time or 36 months part time - 550 hours –
2 months full time or **3 months part time**
- MTM30300 - Certificate III in Meat Processing (Meat Safety) - 24 months full time or 36 months part time - 590 hours –
2 months full time or **3 months part time**
- MTM30400 - Certificate III in Meat Processing (Rendering) - 24 months full time or 36 months part time - 500 hours –
2 months full time or **3 months part time**
- MTM30500 - Certificate III in Meat Processing (Slaughtering) - 24 months full time or 36 months part time - 500 hours –
2 months full time or **3 months part time**
- MTM30600 - Certificate III in Meat Processing (General) - 24 months full time or 36 months part time - 500 hours –
2 months full time or **3 months part time**
- MTM40100 - Certificate IV in Meat Processing (Leadership) - 24 months full time or 36 months part time - 700 hours –
2 months full time or **3 months part time**
- MTM40200 - Certificate IV in Meat Processing (Meat Safety) - 36 months full time or 72 months part time - 1050 hours –
3 months full time or **6 months part time**
- MTM40300 - Certificate IV in Meat Processing (Quality Assurance) - 36 months full time or 72 months part time - 890-1080 hours –
3 months full time or **6 months part time**
- MTM40400 - Certificate IV in Meat Processing (General) - 24 months full time or 36 months part time - 700 hours –
2 months full time or **3 months part time**
- MTM50100 - Diploma of Meat Processing - 36 months full time or 72 months part time - 860 hours –
3 months full time or **6 months part time**

- MTM60100 - Advanced Diploma of Meat Processing - 48 months full time or 72 months part time - 1250 hours –
3 months full time or **6 months part time**

Meat Processing (Smallgoods Manufacturing)

- MTM10100 - Certificate I in Meat Processing (Smallgoods) - 12 months full time or 36 months part time - 280 hours –
1 month full time or **3 months part time**
- MTM20200 - Certificate II in Meat Processing (Smallgoods) - 24 months full time or 36 months part time - 560 hours –
2 months full time or **3 months part time**
- MTM30700 - Certificate III in Meat Processing (Smallgoods) - 36 months full time or 72 months part time - 920 hours –
3 months full time or **6 months part time**
- MTM40100 - Certificate IV in Meat Processing (Leadership) - 24 months full time or 36 months part time - 700 hours –
2 months full time or **3 months part time**
- MTM40300 - Certificate IV in Meat Processing (Quality Assurance) - 36 months full time or 72 months part time - 890-1080 hours –
3 months full time or **6 months part time**
- MTM50100 - Diploma of Meat Processing - 36 months full time or 72 months part time - 860 hours –
3 months full time or **6 months part time**
- MTM60100 - Advanced Diploma of Meat Processing - 48 months full time or 72 months part time - 1250 hours –
3 months full time or **6 months part time**

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
* Butchering and/or Slaughtering ARC August 2001	Endorsed to 31 Mar 02 MTM20300	Australian Meat Industry Training Package Certificate II in Meat Processing (Meat Retailing)	12 months full time or 36 months part time	616 hours	1 month full time or 3 months part time
ARC August 2001	MTM30800	Certificate III in Meat Processing (Meat Retailing)	48 months full time or 72 months part time	954 hours	3 months full time or 6 months part time

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
* Butchering and/or Smallgoods Making ARC August 2001	Endorsed to 31 Mar 02 MTM10100	Australian Meat Industry Training Package Certificate I in Meat Processing (Smallgoods)	12 months full time or 36 months part time	280 hours	1 month full time or 3 months part time
ARC August 2001	MTM20200	Certificate II in Meat Processing (Smallgoods)	24 months full time or 36 months part time	560 hours	2 months full time or 3 months part time
ARC August 2001	MTM20300	Certificate II in Meat Processing (Meat Retailing)	12 months full time or 36 months part time	616 hours	1 month full time or 3 months part time
ARC August 2001	MTM30700	Certificate III in Meat Processing (Smallgoods)	36 months full time or 72 months part time	920 hours	3 months full time or 6 months part time
ARC August 2001	MTM30800	Certificate III in Meat Processing (Meat Retailing)	48 months full time or 72 months part time	954 hours	3 months full time or 6 months part time
ARC August 2001	MTM40100	Certificate IV in Meat Processing (Leadership)	24 months full time or 36 months part time	700 hours	2 months full time or 3 months part time
ARC August 2001	MTM40300	Certificate IV in Meat Processing (Quality Assurance)	36 months full time or 72 months part time	890-1080 hours	3 months full time or 6 months part time
ARC August 2001	MTM50100	Diploma of Meat Processing	36 months full time or 72 months part time	860 hours	3 months full time or 6 months part time

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
ARC August 2001	MTM60100	Advanced Diploma of Meat Processing	48 months full time or 72 months part time	1250 hours	3 months full time or 6 months part time
# Meat Processing (Abattoirs)		Hours shown for this vocation are the maximum for the qualification. In the majority of cases the hours will be less subject to choice of electives Australian Meat Industry Training Package			
ARC August 2001	Endorsed to 31 Mar 02 MTM20100	Certificate II in Meat Processing (Abattoirs)	12 months full time or 36 months part time	400 hours	1 month full time or 3 months part time
ARC August 2001	MTM20400	Certificate II in Meat Processing (Food Services)	12 months full time or 36 months part time	400 hours	1 month full time or 3 months part time
ARC August 2001	MTM30100	Certificate III in Meat Processing (Boning)	24 months full time or 36 months part time	500 hours	2 months full time or 3 months part time
ARC August 2001	MTM30200	Certificate III in Meat Processing (Food Services)	24 months full time or 36 months part time	550 hours	2 months full time or 3 months part time
ARC December 1998 ARC August 2001	MTM30298 MTM30300	Certificate III in Meat Processing (Laboratory) Certificate III in Meat Processing (Meat Safety)	24 months 24 months full time or 36 months part time	570 hours 590 hours	2 months 2 months full time or 3 months part time
ARC August 2001	MTM30400	Certificate III in Meat Processing (Rendering)	24 months full time or 36 months part time	500 hours	2 months full time or 3 months part time

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
ARC August 2001	MTM30500	Certificate III in Meat Processing (Slaughtering)	24 months full time or 36 months part time	500 hours	2 months full time or 3 months part time
ARC August 2001	MTM30600	Certificate III in Meat Processing (General)	24 months full time or 36 months part time	500 hours	2 months full time or 3 months part time
ARC August 2001	MTM40100	Certificate IV in Meat Processing (Leadership)	24 months full time or 36 months part time	700 hours	2 months full time or 3 months part time
ARC August 2001	MTM40200	Certificate IV in Meat Processing (Meat Safety)	36 months full time or 72 months part time	1050 hours	3 months full time or 6 months part time
ARC August 2001	MTM40300	Certificate IV in Meat Processing (Quality Assurance)	36 months full time or 72 months part time	890-1080 hours	3 months full time or 6 months part time
ARC August 2001	MTM40400	Certificate IV in Meat Processing (General)	24 months full time or 36 months part time	700 hours	2 months full time or 3 months part time
ARC August 2001	MTM50100	Diploma of Meat Processing	36 months full time or 72 months part time	860 hours	3 months full time or 6 months part time
ARC August 2001	MTM60100	Advanced Diploma of Meat Processing	48 months full time or 72 months part time	1250 hours	3 months full time or 6 months part time

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
# Meat Processing (Smallgoods Manufacturing) ARC August 2001	Endorsed to 31 Mar 02 MTM10100	Australian Meat Industry Training Package Certificate I in Meat Processing (Smallgoods)	12 months full time or 36 months part time	280 hours	1 month full time or 3 months part time
ARC August 2001	MTM20200	Certificate II in Meat Processing (Smallgoods)	24 months full time or 36 months part time	560 hours	2 months full time or 3 months part time
ARC August 2001	MTM30700	Certificate III in Meat Processing (Smallgoods)	36 months full time or 72 months part time	920 hours	3 months full time or 6 months part time
ARC August 2001	MTM40100	Certificate IV in Meat Processing (Leadership)	24 months full time or 36 months part time	700 hours	2 months full time or 3 months part time
ARC August 2001	MTM40300	Certificate IV in Meat Processing (Quality Assurance)	36 months full time or 72 months part time	890-1080 hours	3 months full time or 6 months part time
ARC December 1998	MTM40598	Certificate IV in Meat Processing (Smallgoods Manufacturing)	36 months	1198 hours	3 months
ARC August 2001	MTM50100	Diploma of Meat Processing	36 months full time or 72 months part time	860 hours	3 months full time or 6 months part time
ARC August 2001	MTM60100	Advanced Diploma of Meat Processing	48 months full time or 72 months part time	1250 hours	3 months full time or 6 months part time

REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 264 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROBERT LAWSON, Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Long Term Dry Areas

Citation

1. The *Liquor Licensing (Dry Areas—Long Term) Regulations 1997* (see *Gazette* 6 November 1997 p. 1217), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched. 1—Long Term Dry Areas

3. Schedule 1 of the principal regulations is varied by inserting in the column headed "*Period*" in the item headed "**Port Pirie—Area 1**" "(but excluding the period between 10 p.m. on 31 December 2001 and 1 a.m. on 1 January 2002)" after "3 June 2003".

LLCS7/95

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 265 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROBERT LAWSON, Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Long Term Dry Areas

Citation

1. The *Liquor Licensing (Dry Areas—Long Term) Regulations 1997* (see *Gazette* 6 November 1997 p. 1217), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched. 1—Long Term Dry Areas

3. Schedule 1 of the principal regulations is varied—

- (a) by striking out from the column headed "*Period*" in the item headed "**Port Adelaide—Area 1**" "2001" and substituting "2004";
- (b) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Port Adelaide—Area 1**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited";
- (c) by striking out from the column headed "*Period*" in the item headed "**Port Adelaide—Area 2**" "2001" and substituting "2004";
- (d) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Port Adelaide—Area 2**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited";
- (e) by striking out from the column headed "*Period*" in the item headed "**Port Adelaide—Area 3**" "2001" and substituting "2004";
- (f) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Port Adelaide—Area 3**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited";

- (g) by striking out from the column headed "*Period*" in the item headed "**Semaphore—Area 1**" "2001" and substituting "2004";
- (h) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Semaphore—Area 1**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited".

LLCS17/94TC

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 266 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROBERT LAWSON, Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Long Term Dry Areas

Citation

1. The *Liquor Licensing (Dry Areas—Long Term) Regulations 1997* (see *Gazette* 6 November 1997 p. 1217), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched. 1—Long Term Dry Areas

3. Schedule 1 of the principal regulations is varied—

(a) by striking out from the column headed "*Period*" in the item headed "**Naracoorte—Area 1**" "2001" and substituting "2002";

(b) by striking out from the column headed "*Period*" in the item headed "**Naracoorte—Area 2**" "2001" and substituting "2002".

LLC16/94TC1

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 267 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROBERT LAWSON, Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Short Term Dry Areas
4. Variation of Sched. 2—Plans of Short Term Dry Areas

Citation

1. The *Liquor Licensing (Dry Areas—Short Term) Regulations 1997* (see *Gazette* 2 October 1997 p. 965), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched. 1—Short Term Dry Areas

3. Schedule 1 of the principal regulations is varied—

- (a) By striking out from the column headed "*Period*" in the item headed "**Alexandrina Council—Area 1 (Chiton Rocks)**" "2000" and "2001" and substituting, respectively, "2001" and "2002";
- (b) by striking out from the column headed "*Period*" in the item headed "**Alexandrina Council—Area 2 (Port Elliot)**" "2000" and "2001" and substituting, respectively, "2001" and "2002";
- (c) by striking out from the column headed "*Period*" in the item headed "**Alexandrina Council—Area 3 (Middleton)**" "2000" and "2001" and substituting, respectively, "2001" and "2002";
- (d) by striking out from the column headed "*Period*" in the item headed "**Alexandrina Council—Area 4 (Goolwa Beach Carpark)**" "2000" and "2001" and substituting, respectively, "2001" and "2002";
- (e) by striking out from the column headed "*Period*" in the item headed "**Alexandrina Council—Area 5 (Rotunda Reserve Area)**" "2000" and "2001" and substituting, respectively, "2001" and "2002";
- (f) by striking out from the column headed "*Period*" in the item headed "**Beachport—Area 1**" "2000" and "2001" and substituting, respectively, "2001" and "2002";
- (g) by striking out from the column headed "*Period*" in the item headed "**Glenelg—Area 1**" "2000" and "2001" and substituting, respectively, "2001" and "2002";

- (h) by striking out the items headed "**Port Augusta—Area 1**", "**Port Augusta—Area 2**", "**Robe—Area 1**", "**Robe—Area 2**" and "**Robe—Area 3**" and substituting the following items:

Peterborough—Area 1

(there is no plan for this area)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Chinner Street between Kitchener Street and Main Street.	6.00 p.m. on 21 December 2001 to 12.00 midnight on 21 December 2001.	The consumption of liquor is prohibited and the possession of liquor is prohibited.
Meadows Street between Kitchener Street and Main Street.		
Railway Street between Kitchener Street and Main Street.		
Jervois Street between Kitchener Street and Main Street.		
High Street between Kitchener Street and Main Street.		
Main Street between Hurlstone Street and Edith Street.		
Mill Street between Main Street and Railway Terrace.		

Peterborough—Area 2

(there is no plan for this area)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area in Peterborough bounded on the north by Main Street, on the east by Mill Street, on the south by the northern boundary of the railway line and on the west by Hurlstone Street.	6.00 p.m. on 21 December 2001 to 12.00 midnight on 21 December 2001.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Robe—Area 1

(see schedule 2: Robe—Plan 1, Area "A")

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area in Robe known as Lipson Park, with adjacent land, bounded on the south by Sturt Street, on the east by Hagen Street, on the north by the prolongation (westerly) in a straight line of the southern boundary of Smillie Street, on the north-west by the low water mark on Lake Butler and on the west by the fence line of the adjoining private land.	1.00 p.m. on 31 December 2001 to 9.00 a.m. on 2 January 2002.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Robe—Area 2*(see schedule 2: Robe—Plan 1, Area "B")*

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area in Robe as follows: commencing at the point at which the north-easterly prolongation in a straight line of the eastern boundary of Lot 3 of DP 33446, Hundred of Waterhouse, intersects the low water mark, then generally easterly, south-easterly, easterly and north-easterly along the low water mark to the point at which the north-easterly prolongation in a straight line of the property line of the properties bordering the Town Beach intersects the low water mark (adjacent to Robe Point), then generally south-westerly and westerly along that prolongation and property line to the eastern boundary of Section 526, Hundred of Waterhouse, then generally south-westerly along that boundary of Section 526 and the prolongation in a straight line of that boundary to the southern boundary of Mundy Terrace, then generally north-westerly, westerly, south-westerly and north-westerly along that boundary of Mundy Terrace and Royal Circus to the point at which that boundary of Royal Circus meets the eastern boundary of Lot 4 of DP 33446, Hundred of Waterhouse (adjacent to Lipson Terrace), then north-easterly along that boundary of Lot 4 and of Lot 3 of DP 33446, Hundred of Waterhouse, to the point of commencement.	1.00 p.m. on 31 December 2001 to 9.00 a.m. on 2 January 2002.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Robe—Area 3*(see schedule 2: Robe—Plan 1, Area "C")*

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area in Robe (known as the Institute Reserve) bounded on the south by Smillie Street, on the west by Bagot Street and on the north-east by Mundy Terrace.	1.00 p.m. on 31 December 2001 to 9.00 a.m. on 2 January 2002.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Robe—Area 4*(see schedule 2: Robe—Plan 1, Area "D")*

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area in Robe (known as Lannam Park) bounded on the south by Main Road, on the east by the prolongation in a straight line of the eastern boundary of Robson Street, on the north by Ryan Terrace and on the west by Domaschenz Street.	1.00 p.m. on 31 December 2001 to 9.00 a.m. on 2 January 2002.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Robe—Area 5*(see schedule 2: Robe—Plan 2)*

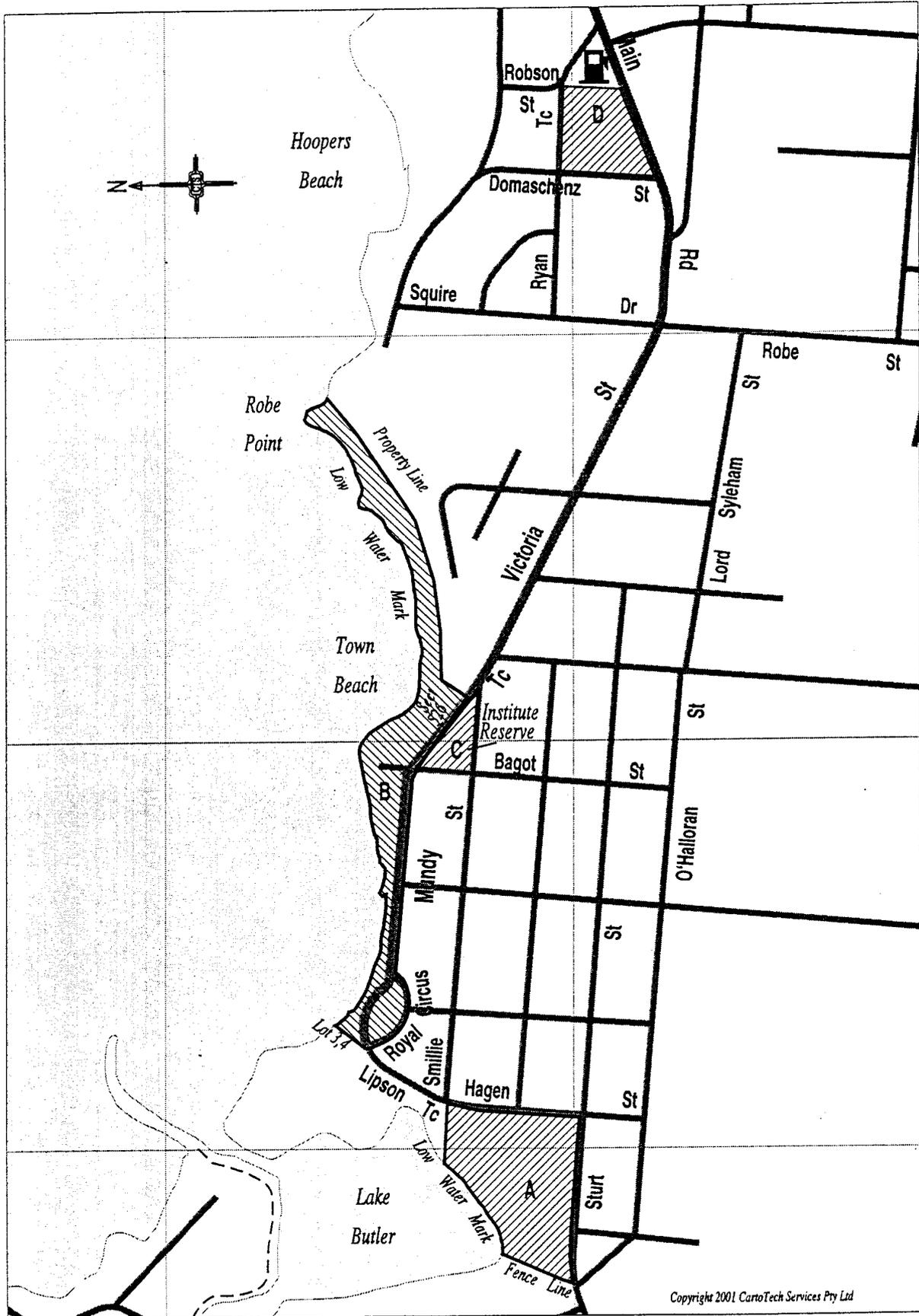
<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area in Robe (known as Long Beach Foreshore Reserve) as follows: commencing at the point at which the prolongation in a straight line of the western boundary of Laurel Terrace intersects the low water mark, then southerly along that prolongation to the northern boundary of the Esplanade, then generally south-westerly, north-westerly, south-westerly and north-westerly along that boundary of the Esplanade to the western boundary of Section 523, Hundred of Waterhouse, then generally northerly along that boundary and the prolongation in a straight line of that boundary to the low water mark, then generally north-easterly along the low water mark to the point of commencement.	1.00 p.m. on 31 December 2001 to 9.00 a.m. on 2 January 2002.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

- (i) by striking out from the column headed "*Period*" in item headed "**Tumby Bay—Area 1**" "6.00 p.m. on each day to 6.00 a.m. on the following day, from 6.00 p.m. on 10 January 2000 to 6.00 a.m. on 14 January 2000" and substituting "6.00 p.m. on 7 January 2002 to 6.00 a.m. on 12 January 2002".

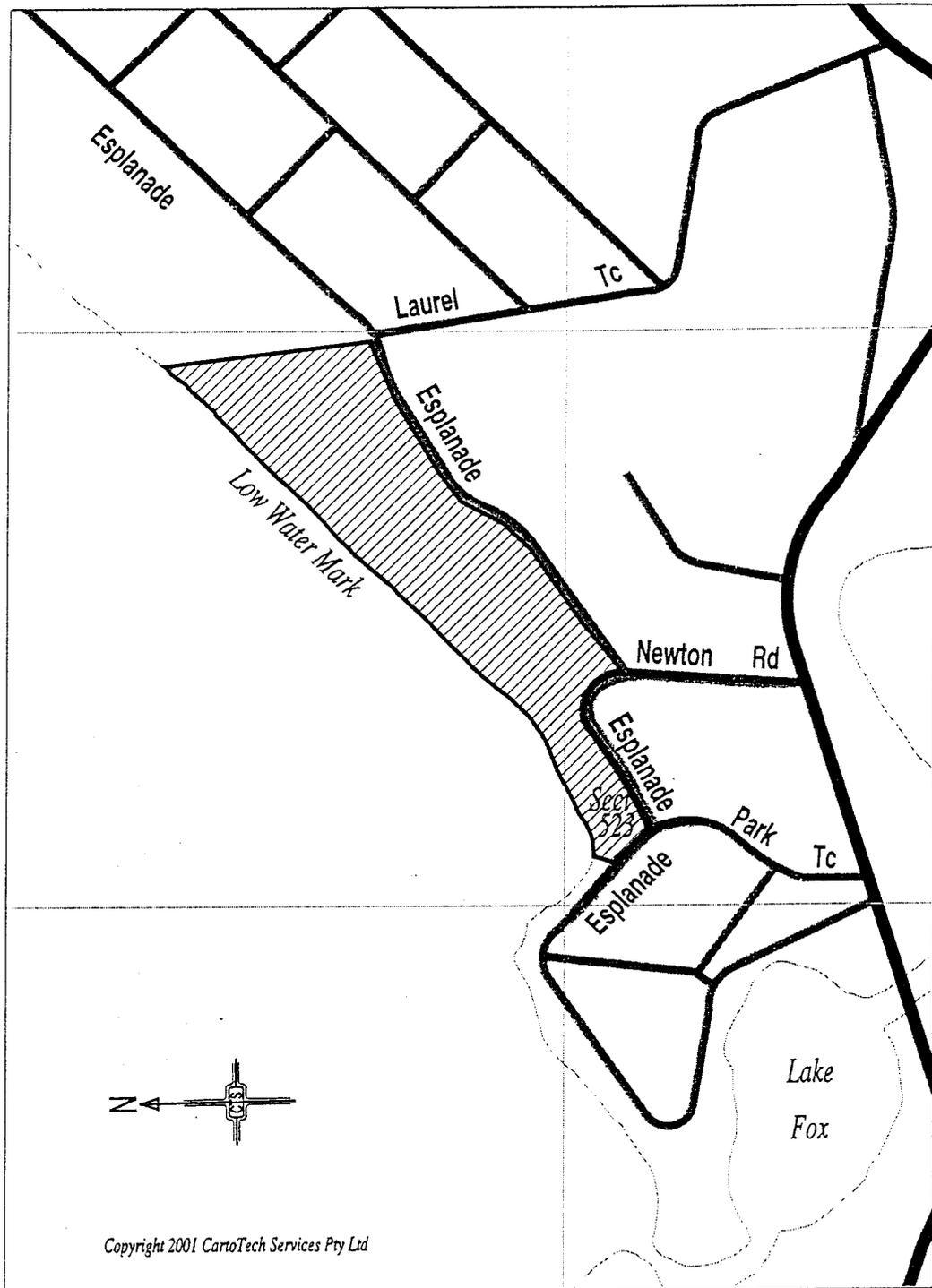
Variation of Sched. 2—Plans of Short Term Dry Areas

4. Schedule 2 of the principal regulations is varied by striking out the plans headed "**Port Augusta—Plan 1**", "**Port Augusta—Plan 2**", "**Robe—Plan 1**" and "**Robe—Plan 2**" and substituting the following plans:

Robe—Plan 1



Robe—Plan 2



- LLCS 2/94
- LLCS 13/94
- LLCS 14/95
- LLCS 5/99
- LLCS 6/99
- OLGC 4/2001

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE LOTTERY AND GAMING ACT 1936

No. 268 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Lottery And Gaming Act 1936* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROB LUCAS, Treasurer

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 22—Instant lottery rules

Citation

1. The *Lottery And Gaming Regulations 1993* (see *Gazette* 27 October 1993, p. 1901), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of reg. 22—Instant lottery rules

3. Regulation 22 of the principal regulations is varied—

(a) by striking out from paragraph (e) "10" and substituting "15";

(b) by striking out paragraph (f).

T&F 01/052CS

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE PUBLIC CORPORATIONS ACT 1993

No. 269 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Public Corporations Act 1993* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROB LUCAS, Treasurer

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Revocation

Citation

1. These regulations may be cited as the *Public Corporations (West Beach Trust - Revocation of Application of Act) Regulations 2001*.

Commencement

2. These regulations come into operation on the day on which section 12 of the *West Beach Recreation Reserve (Review) Amendment Act 2001* comes into operation.

Revocation

3. The *Public Corporations (West Beach Trust—Tax and Other Liabilities) Regulations 1997* (see *Gazette* 30 January 1997 p. 724) are revoked.

MFTUP 0047/01 CS

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE STOCK FOODS ACT 1941

No. 270 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Stock Foods Act 1941* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

CAROLINE V. SCHAEFER, Minister for Primary Industries

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 4—Interpretation
4. Insertion of reg. 8A
 - 8A. Restricted animal material in stock food
5. Revocation of reg. 10A
6. Variation of reg. 10B—Label or invoice on sale of stock food
7. Insertion of regs. 10C and 10D
 - 10C. Label or invoice on sale of stock food containing restricted animal material
 - 10D. Label or invoice on sale of stock food not containing restricted animal material
8. Variation of Sched. 1—Substances that may not be contained in stock food

Citation

1. The *Stock Foods Regulations 1996* (see *Gazette* 29 August 1996 p. 992), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 20 December 2001.

Variation of reg. 4—Interpretation

3. Regulation 4 of the principal regulations is varied by striking out the definition of "**mammalian material**" and substituting the following definition:

"**restricted animal material**" means material derived, wholly or in part, from a vertebrate but does not include milk, milk products, gelatine, tallow or extracted oils;

Insertion of reg. 8A

4. The following regulation is inserted after regulation 8 of the principal regulations:

Restricted animal material in stock food

8A. (1) Stock food intended for ruminants must not consist of, contain or be derived from restricted animal material.

(2) Stock food intended for stock other than ruminants or dogs must not consist of, contain or be derived from restricted animal material derived from a placental mammal unless that material has been treated or processed in a manner approved by the Chief Inspector (within the meaning of the *Livestock Act 1997*) as rendering it suitable for animal consumption.

Revocation of reg. 10A

5. Regulation 10A of the principal regulations is revoked.

Variation of reg. 10B—Label or invoice on sale of stock food

6. Regulation 10B of the principal regulations is varied—

(a) by striking out from subregulation (1) "Part" and substituting "regulation";

(b) by inserting after subregulation (2) the following subregulation:

(3) This regulation only applies to stock food—

(a) that consists of or contains material from animals other than fish or birds; and

(b) that is not supplied as food for dogs or pigeons; and

(c) that was produced or manufactured before 20 December 2001.

Insertion of regs. 10C and 10D

7. The following regulations are inserted after regulation 10B of the principal regulations:

Label or invoice on sale of stock food containing restricted animal material

10C. (1) For the purposes of section 5(2)(d) of the Act, if stock food manufactured or produced on or after 20 December 2001 is, contains or is derived from restricted animal material, the following statement must be prominently displayed on the label or invoice certificate:

This product contains restricted animal material DO NOT FEED TO CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS

(2) This regulation does not apply in relation to stock food intended for dogs.

Label or invoice on sale of stock food not containing restricted animal material

10D. (1) For the purposes of section 5(2)(d) of the Act, if stock food manufactured or produced on or after 20 December 2001 is not, does not contain and is not derived from restricted animal material, the following statement must be prominently displayed on the label or invoice certificate:

This product does not contain restricted animal material.

(2) This regulation does not apply in relation to stock food intended for dogs.

Variation of Sched. 1—Substances that may not be contained in stock food

8. Schedule 1 of the principal regulations is varied by striking out the entry "Substances consisting of, or containing, ruminant material (except in stock food intended for non-ruminants)".

REGULATIONS UNDER THE LIVESTOCK ACT 1997

No. 271 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Livestock Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

CAROLINE V. SCHAEFER, Minister for Primary Industries

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 5—Exemptions
4. Insertion of Part 9

PART 9**FEEDING OF LIVESTOCK**

35. Feeding of animal material in certain circumstances

Citation

1. The *Livestock Regulations 1998* (see *Gazette* 22 January 1998 p. 288), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 20 December 2001.

Variation of reg. 5—Exemptions

3. Regulation 5 of the principal regulations is varied—

- (a) by striking out from subregulation (1) "dogs or cats" and substituting "ruminants, dogs or cats";
- (b) by striking out from subregulation (2) "Section 46(1) (c) of the Act does" and substituting "Section 46(1) (a) to (d) (inclusive) of the Act do";
- (c) by striking out paragraphs (c) and (d) of subregulation (2).

Insertion of Part 9

4. The following Part is inserted after regulation 34 of the principal regulations:

PART 9**FEEDING OF LIVESTOCK****Feeding of animal material in certain circumstances**

35. (1) A person must not—

- (a) feed to ruminants or permit ruminants to feed on restricted animal material (whether or not the material has been rendered suitable for animal consumption);
or

- (b) dispose of restricted animal material (whether or not the material has been rendered suitable for animal consumption) in a manner that ruminants may gain access to it.

Maximum penalty: \$10 000.

(2) In this regulation—

"restricted animal material" means material that is derived, wholly or in part, from a vertebrate (other than a ruminant) but does not include milk, milk products, gelatine, tallow or extracted oils.

MPI 01/0054 CS

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE DEVELOPMENT ACT 1993

No. 272 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Development Act 1993* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DIANA LAIDLAW, Minister for Transport and Urban Planning

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 4—Adoption of Building Code
4. Variation of reg. 38—Determination of Commission as relevant authority
5. Variation of Schedule 3
 5. Use of land and buildings
6. Variation of Schedule 4
7. Variation of Schedule 5
 - 6a. Activities of environmental significance
8. Variation of Schedule 8
9. Variation of Schedule 9
10. Variation of Schedule 14

Citation

1. The *Development Regulations 1993* (see *Gazette* 27 October 1993 p. 1954), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of reg. 4—Adoption of Building Code

3. Regulation 4 of the principal regulations is varied—

(a) by striking out subregulation (2) and substituting the following subregulation:

(2) The Building Code is, for the purposes of its adoption by these regulations, modified in its application to a strata scheme under the *Strata Titles Act 1988* or a community scheme under the *Community Titles Act 1996* to the extent that a boundary—

(a) between a unit and common property that consists of or includes a road, driveway, walkway or other thoroughfare, carpark, garden or open space adjoining the boundary with the unit; or

(b) between two units, or between a unit and common property, where the units or the unit and common property (as the case may be) are within the one building,

will be disregarded as a fire source feature for the purposes of determining requirements for fire—resistance of building elements.;

- (b) by inserting in subregulation (3) ", or a boundary between two units that is not within a building" after "adjoining the allotment".

Variation of reg. 38—Determination of Commission as relevant authority

4. Regulation 38 of the principal regulations is varied by inserting after subregulation (3) the following subregulation:

(4) If—

- (a) the Development Assessment Commission is the relevant authority under section 34(1)(b)(iv) of the Act; and
- (b) the proposed development is to be undertaken within one kilometre of a boundary with a council,

the Development Assessment Commission must give that council a reasonable opportunity to provide the Development Assessment Commission with comments on the proposed development (but if such comments are not received by the Development Assessment Commission within six weeks after the council is invited to provide them, or within such longer period as the Development Assessment Commission may allow, the Development Assessment Commission may assume that the council does not desire to provide any comments).

Variation of Schedule 3

5. Schedule 3 of the principal regulations is varied by striking out clause 5 and substituting the following clause:

Use of land and buildings

5. (1) The use of land and the use of any lawfully-erected building which is ordinarily regarded as (and is in fact) reasonably incidental to any particular use of the land and the building, or the land or the building, and which is for the substantial benefit of the person or persons who, in any capacity, are making use of the land and the building, or the land or the building.

(2) The following uses of land or buildings (whether or not within the ambit of subclause (1)):

- (a) the carrying on of a home activity on land used for residential purposes; or
- (b) the use of any land or building for the supply, conversion, transformation or control of electricity by one or more transformers or by any switchgear or other equipment used wholly or partly for supplying electricity to any part of such land or building; or
- (c) the keeping of animals, birds, or other livestock (other than horses, sheep, cattle, pigs, goats, donkeys and wild animals) solely for the domestic needs or enjoyment of the occupants of a dwelling (and land appurtenant to a dwelling), other than the use of land for the keeping of free-flying birds within Area A or Area C described in a map entitled "Airport Building Heights" if that map is contained in the relevant Development Plan; or
- (d) the parking of any vehicle not exceeding 3 000 kilograms in weight (including the weight of any attached trailer) on land used for residential purposes; or
- (e) the parking of a caravan or motor-home of any weight on land used for residential purposes by a person who is an occupant of a dwelling situated on that land.

Variation of Schedule 4

6. Schedule 4 of the principal regulations is varied by inserting alphabetically in the list in paragraph (d) of clause 7 of Part 2 the following item:

District Council of Barunga West.

Variation of Schedule 5

7. Schedule 5 of the principal regulations is varied by inserting after clause 6 the following clause:

Activities of environmental significance

6a. (1) This clause applies with respect to an application that involves a development that must be referred to the Environment Protection Authority under item 10 or 11 of Schedule 8.

(2) An application to which this clause applies must be accompanied by—

- (a) a site plan, drawn to a scale of not less than 1:500, showing—
- (i) the boundaries and dimensions of the site; and
 - (ii) the location of the proposed development and, as relevant, any place on the site where an activity specified in Schedule 21 or 22 is to be carried out; and
 - (iii) the positions, dimensions and uses of any proposed or existing structures (including fences and retaining walls), and the location and nature of any proposed or existing easements; and
 - (iv) any significant topographical features (including any creek or flood plain); and
 - (v) the levels and slope of the site; and
 - (vi) the method of drainage, and the direction of any stormwater, and any works or services that are proposed to be installed or used in connection with the management of water; and
 - (vii) the location and size of any proposed or existing dams or bores; and
 - (viii) the location and nature of any proposed or existing effluent disposal facilities that are not to be connected to disposal or treatment services; and
 - (ix) the internal layout of any proposed or existing building to be used in connection with an activity specified in Schedule 21 or 22, and where each such activity is to be carried out; and
 - (x) the approximate north point; and
- (b) a plan or description of the surrounding area that identifies or describes—
- (i) the location of the site in relation to adjacent land; and
 - (ii) the distance to the nearest building (if any) on each piece of adjacent land; and
 - (iii) the use of each piece of adjacent land; and
 - (iv) the location of any lake, creek, dam or other form of surface water within 500 metres of a boundary of the site; and

- (c) a detailed description of the activities to be undertaken in the site, and information on each of the following (insofar as may be relevant):
- (i) methods to be used to minimise potential impacts (including noise, odours, fumes, dust and other airborne emissions);
 - (ii) the type of waste to be generated on the site;
 - (iii) arrangements for the storage and disposal of waste, stormwater and sewage;
 - (iv) the type and number of vehicles using the site, traffic movements into, out of and around the site, and the kind of surfaces on which vehicles will be moving;
 - (v) the hours and days of operation or trading;
 - (vi) the excavations, earthworks or embankments to be undertaken or created for the purposes of the development, and how soil erosion will be prevented.

Variation of Schedule 8

8. Schedule 8 of the principal regulations is varied by striking out paragraph A of item 18 and substituting the following paragraph:

- A. Dwellings, tourist accommodation and other forms of habitable buildings in a bushfire prone area identified by the relevant Development Plan.

Variation of Schedule 9

9. Schedule 9 of the principal regulations is varied by inserting after paragraph (a) of clause 1 of Part 2 the following paragraph:

- (ab) two or more detached dwellings on the same site where at least one of those dwellings is two storeys high, but no residential building is to be more than two storeys high; or.

Variation of Schedule 14

10. Schedule 14 of the principal regulations is varied—

- (a) by inserting after subparagraph (viii) of paragraph (b) of clause 1 the following word and subparagraph:

or

- (ix) building work associated with the alteration of, or addition to, a classroom within the area of an existing school, other than—
 - (A) where the work will result in the building exceeding one storey in height; or
 - (B) where the classroom is, or will be when the building work is completed, within 20 metres of a boundary of the area of the school; or
 - (C) where the building work would affect a local heritage place; or
 - (D) where the relevant work would affect a significant tree; or

(b) by inserting after paragraph (n) of clause 1 the following word and paragraphs:

or

- (o) the construction of information or directional signs (whether attached to a structure or freestanding) that are associated with a development approved under section 49 of the Act, and directly related to an activity carried out at the site of the development, or on account of the development; or
- (p) the construction of any of the following, if carried out by a State agency within the meaning of section 49 of the Act:
 - (i) tourist information or interpretative signs;
 - (ii) billboards and other structures at roadside information bays;
 - (iii) shade-cloth structures for tertiary educational institutions, schools, kindergartens, or child care centres;
 - (iv) a post and wire fence, including a chain mesh fence.

MFTUP21/01CS

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE FISHERIES ACT 1982

No. 273 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Fisheries Act 1982* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

CAROLINE V. SCHAEFER, Minister for Primary Industries

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Substitution of reg. 11
 11. Individual giant crab catch quota system
4. Variation of Sched. 4—Fees
5. Insertion of Sched. 5

SCHEDULE 5*Licences to which giant crab units must be allocated***Citation**

1. The *Scheme of Management (Miscellaneous Fishery) Regulations 2000* (see *Gazette* 31 August 2000 p. 1222), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 15 January 2002.

Substitution of reg. 11

3. Regulation 11 of the principal regulations is revoked and the following regulation is substituted:

Individual giant crab catch quota system

11. (1) In this regulation—

"**giant crab**" means giant crab (*Pseudocarcinus gigas*);

"**giant crab fishing zone**" means the Northern Zone or Southern Zone;

"**giant crab quota**"—

(a) in relation to a licence in respect of the fishery and a giant crab fishing zone, means the maximum number of kilograms of giant crab that may be lawfully taken by the holder of the licence in that zone during a licence period, being the product of—

(i) the unit entitlement of that licence in respect of that zone; and

- (ii) the unit value for that zone and that licence period,

subject to any variation of the giant crab quota of the licence applying during that licence period;

- (b) in relation to a licence in respect of a rock lobster fishery—has the same meaning as in regulation 14B of the *Scheme of Management (Rock Lobster Fisheries) Regulations 1991*;

"**Northern Zone**", "**rock lobster fishery**" and "**Southern Zone**" have the same respective meanings as in the *Scheme of Management (Rock Lobster Fisheries) Regulations 1991*;

"**unit entitlement**"—

- (a) in relation to a licence in respect of the fishery and a giant crab fishing zone—means the number of giant crab units for the time being allocated to the licence in respect of that zone;
- (b) in relation to a licence in respect of a rock lobster fishery—has the same meaning as in regulation 14B of the *Scheme of Management (Rock Lobster Fisheries) Regulations 1991*;

"**unit value**" means the number of kilograms of giant crab determined by the Director to be the value of a giant crab unit for a giant crab fishing zone and a licence period.

(2) For the purposes of the formula set out in subregulation (3)(a), the following fishing periods are prescribed:

- (a) in relation to the Northern Zone—
 - (i) the period commencing on 1 January 1997 and ending on 31 May 1997; and
 - (ii) the period commencing on 1 November 1997 and ending on 31 May 1998; and
 - (iii) the period commencing on 1 November 1998 and ending on 31 May 1999; and
 - (iv) the period commencing on 1 November 1999 and ending on 31 May 2000;
- (b) in relation to the Southern Zone—
 - (i) the period commencing on 1 January 1997 and ending on 30 April 1997; and
 - (ii) the period commencing on 1 October 1997 and ending on 30 April 1998; and
 - (iii) the period commencing on 1 October 1998 and ending on 30 April 1999; and
 - (iv) the period commencing on 1 October 1999 and ending on 30 April 2000.

(3) The Director may impose or vary conditions on licences in respect of the fishery fixing or varying giant crab quotas (and may vary conditions on licences in respect of a rock lobster fishery varying giant crab quotas) as follows:

- (a) on the commencement of this regulation each of the two licences referred to in Schedule 5 must be allocated a number of giant crab units in respect of each giant crab fishing zone determined in accordance with the following formula:

$$A = \left(\frac{B}{B + C} \right) \times 600$$

where—

- A is the number of giant crab units to be allocated to the licence in respect of a zone (rounded up to two decimal points)
- B is the aggregate number of kilograms of giant crab taken pursuant to the licence in both zones during prescribed fishing periods (as recorded on completed returns lodged under regulation 16 before 31 May 2001)
- C is the aggregate number of kilograms of giant crab taken pursuant to the other licence in both zones during prescribed fishing periods (as recorded on completed returns lodged under regulation 16 before 31 May 2001);
- (b) during the licence period ending on 30 June 2002, the conditions of each licence referred to in Schedule 5 must be varied so as to reduce the giant crab quota of the licence for that licence period by one kilogram for each kilogram of giant crab taken pursuant to the licence during the period commencing on 1 July 2001 and ending on 14 January 2002 (as recorded on completed returns lodged under regulation 16);
- (c) the Director must, on the commencement of this regulation, determine the number of kilograms of giant crab that is to be the value of a giant crab unit for a giant crab fishing zone and the licence period ending on 30 June 2002;
- (d) the Director must, on the commencement of each licence period, determine the number of kilograms of giant crab that is to be the value of a giant crab unit for a giant crab fishing zone and the licence period;
- (e) on application made to the Director by the holders of the licences referred to in Schedule 5, the conditions of the licences may be varied so as to increase the unit entitlement of one of the licences and decrease the unit entitlement of the other licence by a corresponding number of units;

- (f) on application made by a holder of a licence in respect of the fishery referred to in Schedule 5 (the "**first licence**") and the holder of a licence in respect of the Northern Zone Rock Lobster Fishery endorsed with a condition fixing a giant crab quota on the licence (the "**second licence**")—
- (i) the conditions of the first licence may be varied so as to decrease the unit entitlement of that licence in respect of the Northern Zone and the conditions of the second licence may be varied so as to increase the unit entitlement of that licence by a corresponding number of units; or
 - (ii) the conditions of the first licence may be varied so as to increase the unit entitlement of that licence in respect of the Northern Zone and the conditions of the second licence may be varied so as to decrease the unit entitlement of that licence by a corresponding number of units;
- (g) on application made by the holder a licence in respect of the fishery referred to in Schedule 5 (the "**first licence**") and the holder of a licence in respect of the Southern Zone Rock Lobster Fishery endorsed with a condition fixing a giant crab quota on the licence (the "**second licence**")—
- (i) the conditions of the first licence may be varied so as to decrease the unit entitlement of that licence in respect of the Southern Zone and the conditions of the second licence may be varied so as to increase the unit entitlement of that licence by a corresponding number of units; or
 - (ii) the conditions of the first licence may be varied so as to increase the unit entitlement of that licence in respect of the Southern Zone and the conditions of the second licence may be varied so as to decrease the unit entitlement of that licence by a corresponding number of units;
- (h) the Director may, if the total giant crab catch taken pursuant to a licence referred to in Schedule 5 during a licence period exceeded the giant crab quota of the licence for that licence period, vary the conditions of the licence so as to decrease the quota—
- (i) if the catch exceeded the quota by not more than 20 kilograms of giant crab—by one kilogram for each kilogram in excess of the quota; or
 - (ii) if the catch exceeded the quota by more than 20 kilograms but not more than 50 kilograms—by two kilograms for each kilogram in excess of the quota;
- (i) any variation of a giant crab quota made under paragraph (h) must be expressed to apply only for the licence period during which the variation is made;
- (j) unit entitlements and giant crab quotas must not be varied except as provided by this regulation or the *Scheme of Management (Rock Lobster Fisheries) Regulations 1991*.
- (4) If—
- (a) a court convicts the holder of a licence in respect of the fishery of an offence of contravening a condition of the licence imposing a giant crab quota on the licence; and

- (b) the conduct constituting the offence involved the taking of more than 50 kilograms of giant crab in excess of the quota,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the giant crab quota of the licence for three licence periods following the conviction by one kilogram for each kilogram in excess of the quota for the licence period during which the offence was committed.

(5) An application under subregulation (3)(e), (f) or (g) must be made in a manner and form approved by the Director.

(6) A variation of a unit entitlement under subregulation (3)(e), (f) or (g) cannot take effect before 1 July 2002.

Variation of Sched. 4—Fees

4. Schedule 4 of the principal regulations is varied by striking out paragraph (b) of clause 1 and substituting the following paragraph:

- (b) on application under regulation 11 by the holder of a licence in respect of the fishery to vary the conditions of the licence so as to decrease the unit entitlement of the licence in respect of giant crab and increase the unit entitlement of another licence in respect of the fishery or one or more licences in respect of a rock lobster fishery—\$100 plus a fee of an amount obtained by multiplying \$20 by the number of licences the unit entitlements of which are to be increased.

Insertion of Sched. 5

5. The following Schedule is inserted after Schedule 4 of the principal regulations:

SCHEDULE 5

Licences to which giant crab units must be allocated

Miscellaneous Fishery licence number
Y072
Y073

REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 274 of 2001

At the Executive Council Office at Adelaide, 20 December 2001

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROBERT LAWSON, Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Long Term Dry Areas

Citation

1. The *Liquor Licensing (Dry Areas—Long Term) Regulations 1997* (see *Gazette* 6 November 1997 p. 1217), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched. 1—Long Term Dry Areas

3. Schedule 1 of the principal regulations is varied—

- (a) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Port Augusta—Area 1**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited";
- (b) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Port Augusta—Area 2**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited";
- (c) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Port Augusta—Area 3**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited";
- (d) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Port Augusta—Area 4**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited";
- (e) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Port Augusta—Area 5**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited".

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CITY OF MOUNT GAMBIER

Supplementary Election for South East Ward

NOMINATIONS are hereby invited and will be received at the Australian Electoral Commission Divisional Office of Barker, 2 Mitchell Street, Mount Gambier, from Thursday, 3 January 2002 until 12 noon on Thursday, 24 January 2002, from any person eligible to be a candidate for election to the vacancy.

Nomination forms and candidate's handbooks may be obtained from the Australian Electoral Commission at the above address between 9 a.m. and 5 p.m., Monday to Friday, or requested by telephone on 8723 1366.

A candidate must submit a profile of not more than 150 words with the nomination form.

A candidate photograph of predominantly the head and shoulders, taken within the preceding 12 months, may also be submitted.

A briefing session for prospective candidates will be conducted at 5.30 p.m. on Monday, 21 January 2002 at the Council Offices, Civic Centre, 10 Watson Terrace, Mount Gambier.

If more than the required number of nominations are received for the vacancy, an election will be conducted entirely by postal ballot with the return of the completed ballot papers to reach the Deputy Returning Officer no later than 12 noon on Monday, 25 February 2002.

S. H. TULLY, Returning Officer

CITY OF MOUNT GAMBIER

DECLARATION OF PUBLIC ROADS

Erratum

NOTICE is hereby given that council pursuant to sections 208 and 219 of the Local Government Act 1999, has resolved to declare the following lands as public roads and assign names thereto:

1. Section of land being Allotment 2 in Deposited Plan 58379 and assign the name Avey Road.

2. Section of land being Allotment 61 in Deposited Plan 58592 and assign the name Wehl Street North.

This notice corrects errors in the notices published by council for the above declarations as follows:

1. Avey Road notice of 8 November 2001 at page 4948.

2. Wehl Street North notice of 29 November 2001 at page 5252.

G. MULLER, Chief Executive Officer

LOCAL GOVERNMENT ACT 1934: SECTION 671 (3)

Certificate of Validity

I, PAUL ST LEGER KELLY, 45 Pirie Street, Adelaide, S.A. 5000, being a legal practitioner within the meaning of the Legal Practitioners Act 1981, declare that I have examined the following by-law which the City of Onkaparinga intends to make, and do certify that in my opinion:

(a) the said council has power to make by the by-law, by virtue of the following statutory powers:

Local Government Act 1934, as amended, section 667 (1), paragraphs 4I, 6I and 9XVI;

Acts Interpretation Act 1915, section 39;

(b) the by-law is not in conflict with the Local Government Act 1934.

Dated 29 November 2002.

PAUL ST LEGER KELLY, Legal Practitioner

CITY OF ONKAPARINGA

By law No. 5—Bird Scaring

THE purpose of this by-law is to regulate the use of bird scaring devices to prevent nuisances but at the same time enables land owners reasonable means by which to protect crops, and further encourages land owners and occupiers to use a wide range of bird control techniques.

Definition

1. In this by-law:

(1) 'Device' means any noise-generating device designed and used for the purpose of scaring birds from land.

(2) 'Activation' is:

(a) for a gas gun, one discharge;

(b) noise emission from any electronic device/ 'tweeter' which does not exceed 30 seconds duration.

(3) 'Discharge' is in the context of a gas gun is a single detonation of the gas gun.

(4) 'Horticulture' means the use of land for market gardening, viticulture, floriculture, orchards, wholesale plant nurseries or commercial turf growing.

Prohibited Activities

2. No person being the owner or occupier of land, shall for the purpose of scaring birds from the land, use or employ any mechanical or other device in such a manner as to be, in the opinion of the council, an unreasonable nuisance or danger to any other person.

Activities Requiring Permission

3. No person shall without permission:

General

(1) activate a device other than during the hours of 7 a.m. to 7 p.m.;

(2) activate more than one device per 4 ha of land under the ownership or control of that person;

(3) activate a device other than within the confines of an area of the land used for the purposes of horticulture;

Gas Guns

(4) discharge a gas gun at frequencies greater than 5 per hour;

(5) activate a gas gun within 300 m of a residence (other than that person's residence) a childcare centre, school or hospital building;

Electronic Devices

(6) activate an electronic device with an interval between activation of less than 15 seconds;

(7) activate an electronic device within 200 m of a residence (other than that person's residence) a childcare centre, school or hospital building;

Marking of Devices

4. Any person using a bird scaring device must ensure that the device is clearly marked with the owners full name and 24 hour contact phone number(s).

Notice

5. (1) Where there is a breach of any provision of this by-law the council shall serve notice in writing on the owner or occupier of any land requiring that person to remove the device, and not to replace the device unless in full compliance with this by-law.

(2) The person on whom the notice is served shall comply with the notice.

(3) If the notice is not complied with, the council shall carry out the requirements of the notice and may recover the cost of so doing from the person to whom the notice was directed.

Protection of Council

6. The council shall not be liable for any loss caused in exercising its power under this by-law.

The foregoing by-law was duly made and passed at a meeting of the City of Onkaparinga held on 11 December 2001, by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

J. TATE, City Manager

CITY OF PORT AUGUSTA

Authorised Officer

NOTICE is hereby given that at its meeting held on 10 December 2001, the City of Port Augusta appointed Alan Dowling as an Authorised Officer within the following areas:

- as a Dog Management Officer under sections 26 and 27 of the Dog and Cat Management Act 1995;
- as a Cat Management Officer under section 68 of the Dog and Cat Management Act 1995;
- as an Authorised Officer pursuant to section 260 of the Local Government Act 1999, as amended, and section 85 of the Environment Protection Act 1993, as amended;
- as a Ranger under section 14 of the Impounding Act 1920, as amended.

Dated 18 December 2001.

J. G. STEPHENS, City Manager

CITY OF PROSPECT

Temporary Street Closure

NOTICE is hereby given that in the interests of traffic control and public safety and pursuant to powers contained in section 359 of the Local Government Act 1934, as amended, all classes of motor vehicles, with the exception of emergency vehicles and vehicles of residents of the closed section of Rose Street, Prospect, be excluded from Rose Street, Prospect (Horne's Lane to Braund Road), between the hours of 6 p.m. to midnight on Saturday, 22 December 2001, for the purpose of holding a street party.

M. LLEWELLYN-SMITH, City Manager

CITY OF PROSPECT

Temporary Street Closure

NOTICE is hereby given that in the interests of traffic control and public safety and pursuant to powers contained in section 359 of the Local Government Act 1934, as amended, all classes of motor vehicles, with the exception of emergency vehicles and vehicles of residents of the closed section of Victoria Street, Prospect, be excluded from Victoria Street, Prospect (Connaught Street to Edinburgh Street), between the hours of 6 p.m. on Monday, 31 December 2001 and 1 a.m. on Tuesday, 1 January 2002, for the purpose of holding a street party.

M. LLEWELLYN-SMITH, City Manager

CITY OF SALISBURY

ROADS (OPENING AND CLOSING) ACT 1991

*Walkway between Malbanda Avenue and Kalina Avenue,
Para Vista*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Salisbury proposes to make a Road Process Order to close a portion of the public road subject to any easements that may be required. The portion of public road to be closed is situated between allotments 1 in Filed Plan 15924 and 94 in Deposited Plan 7683 and Allotments 238 and 239 in Deposited Plan 7874 and is more particularly delineated in Preliminary Plan No. PP01/0705 ('the plan').

The portion of public road to be closed marked 'Y' on the plan is to be merged with the adjoining land (Allotment 94 in Deposited Plan 7683, CT 5589/519) held by Clive Raymond Arthur and Marian Joy Arthur, and portion of the public road to be closed marked 'Z' on the plan is to be merged with the adjoining land (Allotment 238 in Deposited Plan 7874, CT 5374/440) held by Darryl Stewart Woolford and Helen Marie Woolford.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, 12 James Street, Salisbury, S.A. 5108 between the hours of 8.30 a.m. and 5 p.m. weekdays only and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000, during normal office hours.

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

The application for easement or objection must be made in writing to the Council, P.O. Box 8, Salisbury, S.A. 5108, within 28 days of the public notice on 19 December 2001, and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1534, Adelaide, S.A. 5001. Where a submission is made, the council will give notification of a meeting at which the matter will be considered.

Dated 20 December 2001.

S. HAINS, City Manager

LOCAL GOVERNMENT ACT 1999: SECTION 249

Certificate of Validity

I, ELIZABETH DOWD, 45 Pirie Street, Adelaide, S.A. 5000, being a legal practitioner within the meaning of the Legal Practitioners Act 1981, declare that I have examined the following by-law which the City of Tea Tree Gully, intends to make, and do certify that in my opinion:

- (a) the said council has power to make by the by-law, by virtue of the following statutory provisions:
 - Local Government Act 1934, as amended, section 667 (1), paragraphs 3.LIV, 9.XVIII;
 - Local Government Act 1999, section 246 (3) (g);
 - Acts Interpretation Act 1915, section 39;
- (b) the by-law is not in conflict with the Local Government Act 1999, or any other Act.

Dated 20 November 2001.

E. DOWD, Legal Practitioner

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

TO create a permit system for council by-laws and to fix penalties for breaches of by-laws and to clarify the construction of such by-laws and to repeal by-laws.

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

Definitions

1. In any by-law:
 - (1) unless contrary intention is clearly indicated the word 'permission' or 'permit' means the permission or permit of the council given in writing;
 - (2) 'council' means the City of Tea Tree Gully;
 - (3) 'object' means any object, article or thing, but does not include a moveable sign;
 - (4) 'authorised person' means a person appointed as an authorised person pursuant to section 260 of the Local Government Act 1999 and with the powers limited and prescribed by sections 261 and 262 within the same Act;

- (5) the council may attach such conditions including the setting of a fee to its permit or permission as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the holder of the permit or permission;
- (6) the council may revoke a permit or permission at any time by written notice to the holder of the permit or permission;
- (7) the holder of a permit or permission must comply with conditions imposed in the permit or permission.

Penalties

2. (1) Any person who commits a breach of any by-law of the council is guilty of an offence and is liable to a penalty being the maximum amount referred to in the Local Government 1999, that can be prescribed by by-law for any breach of a by-law.

(2) Any person who commits a breach of any by-law of the council is liable, in addition to any other penalty that may be imposed, to a further penalty for every day on which the offence is continued, such penalty being the maximum amount referred to in the Local Government Act 1934, as amended, and/or Local Government Act 1999, which may be prescribed by by-law for offences of a continuing matter.

(3) The minimum amount for breach of any by-law is \$200.

Construction

3. Every by-law of the council shall be subject to any Act of Parliament ad Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully held on 11 December 2001, by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

G. J. PERKIN, Chief Executive Officer

LOCAL GOVERNMENT ACT 1999: SECTION 249

Certificate of Validity

I, ELIZABETH DOWD, 45 Pirie Street, Adelaide, S.A. 5000, being a legal practitioner within the meaning of the Legal Practitioners Act 1981, declare that I have examined the following by-law which the City of Tea Tree Gully, intends to make, and do certify that in my opinion:

(a) the said council has power to make by the by-law, by virtue of the following statutory provisions:

Local Government Act 1999, section 239 (1) (b), 239 (1) (c), 239 (1) (d), 239 (1) (e), 239 (1) (f), 240, 246 (1) (b), 246 (3) (c), 246 (3) (e);

Local Government Act 1934, as amended, section 667 (1) paragraphs 7.v, 7.vi;

Local Government (Implementation) Regulations 1999, Regulation 13 (1) (d);

Acts Interpretation Act 1915, section 39;

(b) the by-law is not in conflict with the Local Government Act 1999, or any other Act.

Dated 20 November 2001.

E. DOWD, Legal Practitioner

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Roads

TO promote the good management of activities on roads.

Definitions

1. In this by-law:

(1) 'Road' has the same meaning as in the Local Government Act 1999 and includes a footpath.

(2) 'Emergency Vehicle' has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999.

(3) 'Traffic Control Device' has the same meaning as in the Road Traffic Act 1961.

(4) 'Animal' includes birds and poultry but does not include dog.

Activities Requiring Permission

2. No person shall without a permit, on any road:

Vehicles Generally

(1) being the driver of a vehicle, fail to obey the indications given by any Traffic Control Device or any sign erected by or with the authority of council, for regulating traffic or indicating the direction or route to be followed by traffic on that land;

(2) drive or propel a vehicle where the council has excluded vehicles generally pursuant to section 359 of the Local Government Act 1934, as amended, or sections 32 or 33 of the Road Traffic Act 1961 or section 59 of the Summary Offences Act 1953;

Working on Vehicles

(3) perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle except for running repairs in the case of a breakdown;

Amplification

(4) use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound in connection with the broadcasting of an announcement or advertisement;

Exhibit or display

(5) conduct any public exhibition or display;

Donations

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

Preaching

(7) preach or harangue;

Posting of Bills etc.

(8) post any bills, advertisements, or other messages, papers or items on a building or structure on a road;

Canvassing

(9) give out or distribute to any bystander or passer-by any pamphlet, handbill, book, notice, or other printed matter, provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with the authority of a candidate during the course of a Federal, State or Local Government election or to a handbill or leaflet given out or distributed during the course and for the purposes of a referendum;

Animals on Roads

(10) allow or permit any animal or bird, to wander on any road except where the council has set aside a track or other area for use by or in connection with an animal or bird of that kind and then only if under the person's effective control.

Removal of Animals and Persons

3. (1) If an animal or bird is found on a road in breach of a by-law:

(a) any person in charge of the animal or bird shall remove it on the request of an authorised person; and

(b) an authorised person may remove the animal or bird if a person fails to comply with the request, or if no person is in charge of the animal or bird.

(2) Any authorised person may remove any person from a road who is found committing a breach of a by-law but not so as to use force in doing so.

Exemptions

4. The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the council and while acting under the supervision of a Council Officer, or to an emergency worker when driving an emergency vehicle.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully held on 11 December 2001, by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

G. J. PERKIN, Chief Executive Officer

LOCAL GOVERNMENT ACT 1999: SECTION 249

Certificate of Validity

I, ELIZABETH DOWD, 45 Pirie Street, Adelaide, S.A. 5000, being a legal practitioner within the meaning of the Legal Practitioners Act 1981, declare that I have examined the following by-law which the City of Tea Tree Gully, intends to make, and do certify that in my opinion:

(a) the said council has power to make by the by-law, by virtue of the following statutory provisions:

Local Government Act 1999, section 238 (1), 238 (2), 240, 246 (1) (b), 246 (3) (c), 246 (3) (e);

Local Government (Implementation) Regulations 1999, Regulation 13 (1) (d);

Local Government Act 1934, as amended, section 667 (1) paragraph 8.XXXII;

Acts Interpretation Act 1915, section 39;

(b) the by-law is not in conflict with the Local Government Act 1999 or any other Act.

Dated 20 November 2001.

E. DOWD, Legal Practitioner

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Local Government Land

FOR the management and regulation of the use of and access to local government land (other than streets and roads) vested in or under the control of the council, including the prohibition and regulation of particular activities on local government land.

Definitions

1. In this by-law:

- (1) 'Building' includes any structure and/or fixture of any kind whether for human habitation or not.
- (2) 'Firearm' means any gun or device including an airgun, spear gun, crossbow or slingshot from or by which any kind of shot, bullet or missile can be discharged.
- (3) 'Liquor' has the same meaning as defined in the Liquor Licensing Act 1997.
- (4) 'Local government land' means all land owned by the council or under the council's care, control and management except roads.
- (5) 'Offensive' includes threatening, abusive, insulting or annoying behaviour and 'offend' has a complementary meaning.
- (6) 'Parkland' means local government land declared as such by the council.
- (7) 'Public Place' means a place (including a place on private land) to which the public has access (except a street or road).
- (8) 'Reserve' means local government land declared as such by the council.

(9) 'Road' has the same meaning as in the Local Government Act 1999, and includes a footpath.

(10) A 'vehicle' includes:

- (a) a motor vehicle, motor cycle, motor scooter, trailer, caravan and tram;
- (b) a bicycle;
- (c) an animal-drawn vehicle and an animal that is being ridden or drawing a vehicle;
- (d) any combination thereof; and
- (e) a motorised wheelchair that can travel at over 10 km/h (on level ground),

but does not include another kind of wheelchair, a train, or a wheeled recreational device or wheeled toy.

Activities Requiring Permission

2. No person shall without permission on any local government land:

Litter

- (1) (a) throw, cast, place, deposit or leave any rubbish, dirt or refuse of any kind whatsoever except in a garbage container provided for that purpose;
- (b) deposit any soil, clay, stone, gravel, green waste or other putrescible waste or any other matter;

Annoyance

- (2) do anything likely to offend or unreasonably interfere with any other person:
 - (a) using that land or reserve; or
 - (b) occupying nearby premises, by making a noise or creating a disturbance;

Smoking

- (3) smoke tobacco or any other substance where a sign indicates it is prohibited to do so;

Liquor

- (4) consume, carry or be in possession or in charge of any liquor on any parkland or reserve and where a sign indicates it is prohibited to do so;

Damaging surfaces

- (5) damage or remove any soil, surface or footway;

Damaging trees

- (6) damage or remove a tree, plant or lawn;

Damaging property

- (7) damage, alter, interfere with or remove a building, structure or fixture;

Playing games

- (8) play or practice any athletic sport or game on any local government land indicated by a sign and:
 - (a) which is likely to cause damage to the local government land or anything in it; or
 - (b) which endangers the safety or interferes with the comfort of any person; or
 - (c) play or practice golf;

Closed areas

- (9) (a) enter or be in an area at anytime during which the council has declared that it shall be closed to the public and which is indicated by a sign adjacent to the entrance to that effect;
- (b) where the land is enclosed with fences and/or walls, and gates at any time when the gates have been closed and locked; or
- (c) where admission charges are payable, enter without paying those charges;

Toilets

- (10) use any building, structure or public toilet for any purpose other than its intended purpose. In any public convenience on local government land:

- (a) urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- (b) deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- (c) use it for a purpose for which it was not designed or constructed;
- (d) enter any toilet that is set aside for use of the opposite sex except:
 - (i) where a child under the age of eight years is accompanied by an adult person of that sex; and/or
 - (ii) to provide assistance to a disabled person;

Cemeteries

- (11) on any local government land comprising a cemetery:
 - (a) bury or inter any humans or animal remains;
 - (b) erect any memorial;
 - (c) drive or propel any vehicle except on paths or roads constructed and set aside for that purpose and in compliance with any signs that have been erected;

Entertainment and distribution

- (12)(a) sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
- (b) preach or harangue;
- (c) use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;
- (d) conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any similar activity;
- (e) give out or distribute to any bystander or passer-by any pamphlet, handbill, book, notice or other printed material, provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with authority of a candidate during the course of a Federal, State or Local Government election or to a handbill or leaflet given out or distributed during the course and for the purpose of a referendum;
- (f) convey any advertising, religious or other message to any bystander, passer-by or other person except for any message or material conveyed for the purpose of a Local, State or Federal election;

Working on vehicle

- (13) perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown;

Horses

- (14) ride, lead or drive a horse, cattle or sheep, except on a track set aside by the council and which is signposted as being for the use by that kind of animal;

Depasturing

- (15) allow a horse, cattle or sheep to depasture;

Use of areas

- (16) use local government land in a manner:
 - (a) likely to damage its surface; or
 - (b) inconsistent with its intended purpose, as indicated by a nearby sign;

Camping

- (17) camp or remain overnight or pitch a tent;

Fires/fireworks

- (18) light a fire or discharge any fireworks except:
 - (a) in a place provided by council for that purpose; or
 - (b) in a portable barbeque as long as the barbeque is used in an area that is clear of flammable material;

Attachments to trees etc.

- (19) Attach, hang or fix anything to a tree, plant or structure or fixture, which belongs to the council and is located on local government land;

Climbing trees

- (20) climb a tree;

Swimming etc.

- (21) enter any waters, or swim or use a boat or other object in or on water except:
 - (a) in an area where a nearby sign states that such an activity is allowed; and
 - (b) in accordance with any conditions stated in the sign;

Model aircraft/boats

- (22) fly or operate a model aircraft or boat;

Weddings

- (23) conduct or participate in a marriage ceremony on any parkland or reserve;

Animals in ponds

- (24) allow any animal to enter or remain in a pond or lake on local government land;

Picking fruit

- (25) pick fruit, nuts, berries, olives or other produce from any trees or bushes or remove such fallen items from the ground;

Flora and fauna

- (26) subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1973:
 - (1) damage, pick or interfere with any plant or flower;
 - (2) tease, or cause harm to any animal, bird or marine creature;

Digging soil/burning timber

- (27) carry away or remove any soil, sand, timber, stones, pebbles or other similar materials;
- (28) burn any timber or dead wood;

Donations

- (29) ask for or receive or indicate that he or she desires a donation of money or any other thing;

Advertising

- (30) display any sign hoarding or notice for the purpose of advertising.

Vehicles

3. Obey signs

- (1) The driver of a vehicle on local government land shall obey the indications given by any traffic control device (within the meaning of the Road Traffic Act 1961) or any sign erected by or with the authority of the council, for regulating traffic or indicating the direction or route to be followed by traffic on that land;

Vehicles excluded

- (2) (i) no person shall drive or propel a vehicle on any local government land where the council has excluded vehicles generally pursuant to section 359 of the Local Government Act 1934, as amended, or section 32 or section 33 of the Road Traffic Act 1961;
- (ii) no person shall drive or propel a vehicle of a class on any local government land where the council has excluded vehicles of that class pursuant to section 359 of the Local Government Act 1934, as amended, or sections 32 or 33 of the Road Traffic Act 1961 or section 59 of the Summary Offences Act 1953;

Vehicles on parklands

- (3) on any local government land comprising parklands or reserves no person shall:

- (a) drive or propel a motor vehicle thereon, unless on an area or road constructed or set aside by the council for the parking or travelling of motor vehicles;
- (b) ride, drive or propel a bicycle or a skateboard thereon except upon paths or areas set aside for that purpose;
- (c) except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles or bicycles take part;
- (d) drive or propel a motor vehicle on any part thereof without payment of the fee for the entry of motor vehicles to that part, where the council has authorised a fee to be charged for that purpose.

Prohibited Activities

4. No person on local government land shall:

Firearms

- (1) shoot or discharge any firearm, or throw project or discharge any stone or other missile;

Use of equipment

- (2) use any item of equipment and/or facilities or other council property other than in the manner and for the purpose for which it was designed or set aside.

Directions

5. Any person on local government land must comply with any reasonable direction or request from an authorised person relating to:

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

Removal of Animals and Persons

(1) If an animal is found on local government land in breach of a by-law:

- (a) any person in charge of the animal shall remove it on the request of an authorised person; and
- (b) an authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.

(2) Any authorised person may remove any person from local government land who is found committing a breach of a by-law but may not use force in doing so.

Council Employees, Authorised Officers and Exempt Vehicles

7.(1) The restrictions in this by-law do not apply to any Council officer or employee acting in course and within the scope of that person's authorised duties.

(2) Drivers of emergency vehicles (as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules 1999) and vehicles used by an officer or employee of the council in the course of normal duties are exempt from this by-law.

Application of this by-law

8. Any of paragraphs 2 (3), 2 (4), 2 (8), 2 (9) (a) and 2 (14) of this by-law shall apply only in such portion or portion of the area as the council may by resolution direct (in accordance with section 246 (3) (e) of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully held on 11 December 2001, by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

G. J. PERKIN, Chief Executive Officer

LOCAL GOVERNMENT ACT 1999: SECTION 249

Certificate of Validity

I, ELIZABETH DOWD, 45 Pirie Street, Adelaide, S.A. 5000, being a legal practitioner within the meaning of the Legal Practitioners Act 1981, declare that I have examined the following by-law which the City of Tea Tree Gully, intends to make, and do certify that in my opinion:

- (a) the said council has power to make by the by-law, by virtue of the following statutory provisions:
Local Government Act 1999, section 239 (1) (a);
Acts Interpretation Act 1915, section 39;
- (b) the by-law is not in conflict with the Local Government Act 1999, or any other Act.

Dated 20 November 2001.

E. DOWD, Legal Practitioner

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 5—Moveable Signs on Roads and Footpaths

TO protect visual amenity and public safety on roads and footpaths by setting standards for moveable signs and regulating their placement in a manner which recognises the advertising needs of businesses to maximise economic viability.

Definitions

1. In this by-law:

- (1) 'Business' means the business to which a moveable sign relates.
- (2) 'Footpath' means the part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary.
- (3) 'Moveable sign' has the same meaning attributed to that term in section 4 of the Local Government Act 1999.
- (4) 'Premises' means the premises from which a business is conducted.
- (5) 'Road' means public streets and public roads.

Design and Construction

2. A moveable sign displayed on a public road or footpath:

- (1) must be constructed so as not to present a hazard to any member of the public;
- (2) must be constructed so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- (3) must not be unsightly or offensive in appearance or content;
- (4) must not contain flashing or moving parts;
- (5) must not have attached to it any object;
- (6) must not be more than 1 200 mm high, 800 mm wide and 800 mm deep;
- (7) must have a display area not exceeding 1 m² in total or, if the sign is two sided, 1 m² on each side.

Placement

3. A moveable sign displayed on a public road or footpath:

- (1) must not be placed anywhere except on the footpath;
- (2) must not be placed on a footpath that is less than 2.5 m wide;
- (3) must not be placed on a sealed part of a footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 m wide;
- (4) must be placed at least 1 500 mm from the kerb (or, if there is no kerb, from the edge of the roadway) unless this cannot be done without contravening subparagraph 3;

- (5) must not be placed on a landscaped area, other than on landscaping that comprises only lawn;
- (6) must not be placed on a designated parking area or within 1 m of an entrance to premises;
- (7) must not be fixed, tied or chained to, leaned against or placed closer than 2 m to any other structure, object or plant (including another moveable sign).

Restrictions

4. A moveable sign displayed on a public road or footpath is subject to the following restrictions:

- (1) it must only contain material which advertises a business being conducted on premises adjacent to the sign or the goods and services available from that business;
- (2) no more than one moveable sign is to be displayed in relation to a business premises;
- (3) the sign must not be in place unless the business to which it relates is open to the public;
- (4) the sign must not be displayed in a wind unless it is constructed and sited so as to be able to withstand the wind;
- (5) during the hours of darkness it must be clearly visible.

Electoral Signs

5. The restrictions contained in paragraph 4 do not apply to a sign designed to promote a candidate in a Local Government election, provided that the sign complies with the following restrictions:

- (1) if the date of the election is fixed by law, then the sign must only be displayed during the period of six weeks immediately preceding the election;
- (2) if the date of the election is not fixed by law, then the sign must only be displayed during the period between the date on which the election is called and the date on which it is held;
- (3) the sign must not be placed within 1 km of any other moveable sign relating to the same candidate.

Exemptions

6. This by-law does not apply to a moveable sign which:

- (1) directs people to premises that are open for inspection for sale;
- (2) directs people to a garage sale that is being held on residential premises on the day the sign is displayed, provided the address is included on the sign;
- (3) as a directional sign to an event run by an incorporated association or charitable body;
- (4) is erected with permission; and

is not placed on the carriageway of a road.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully held on 11 December 2001, by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

G. J. PERKIN, Chief Executive Officer

CORPORATION OF THE TOWN OF WALKERVILLE

Supplementary Election for Councillor in Walkerville Ward

NOMINATIONS are hereby invited and will be received at the Corporation of the Town of Walkerville, located at 66 Walkerville Terrace, Gilberton, from Thursday, 3 January 2002 until 12 noon Thursday, 24 January 2002, from any person eligible to be a candidate for election to the vacancy.

Nomination forms and candidate's handbooks are available from 66 Walkerville Terrace, Gilberton.

A candidate must submit a profile of not more than 150 words with the nomination form.

A candidate photograph of predominantly the head and shoulders, taken within the preceding 12 months, may also be submitted.

A briefing session for prospective candidates will be conducted at 7.00 p.m. on Monday, 14 January 2002 at 66 Walkerville Terrace, Gilberton.

If more than the required number of nominations are received for the vacancy, an election will be conducted entirely by postal ballot with the return of the completed ballot papers to reach the Returning Officer no later than 12 noon on Monday, 25 February 2002.

S. H. TULLY, Returning Officer

THE BAROSSA COUNCIL

Naming of Road

NOTICE is hereby given that pursuant to section 219 of the Local Government Act 1999, council on 20 November 2001, resolved that the un-named government road from the Needles Road, Williamstown junction to the northern boundary of RP8075, be named Pappin Road.

J. G. JONES, Chief Executive Officer

CLARE AND GILBERT VALLEYS COUNCIL

Exclusion of Land from Classification as Community Land

NOTICE is hereby given that the Clare and Gilbert Valleys Council at its meeting held on 10 December 2001, resolved pursuant to section 193 of the Local Government Act 1999, to exclude the following parcel of land from the Classification as Community Land:

Land situated at Main North Road, Clare, Allotment 364 in Filed Plan 190926, Hundred of Clare, being the land comprised in certificate of title volume 5690, folio 543.

M. J. ANDERSON, Chief Executive Officer

DISTRICT COUNCIL OF COOBER PEDY

General Plan Amendment Report—Draft for Public Consultation

NOTICE is hereby given that the District Council of Coober Pedy has, pursuant to section 25 of the Development Act 1993, prepared a draft Plan Amendment Report.

The draft Plan Amendment Report will replace the Development Plan for the District Council of Coober Pedy.

Copies of this draft Plan Amendment Report will be available for public inspection and purchase during normal office hours at the District Council of Coober Pedy or can be viewed on the internet (www.opalcapitaloftheworld.com.au).

The draft Plan Amendment Report will be on display from the date of this notice until 8 March 2002.

Written submission regarding the draft Plan Amendment Report should be submitted no later than 8 March 2002. All submissions should be addressed to the District Council of Coober Pedy, P.O. Box 265, Coober Pedy, S.A. 5723 and should clearly indicate whether you wish to be heard in support of your submission.

Copies of all submissions will be available for inspection by interested persons at the District Council of Coober Pedy from 11 March 2002 until the conclusion of the public hearing.

The public hearing will be held on 15 March 2002, in the offices of Professional Building Services Australia Pty Ltd, 3rd Floor, 47 South Terrace, Adelaide, S.A. 5000, commencing at 2 p.m., at which time interested persons may appear to be heard in relation to the draft General Plan Amendment Report and the submissions. The public hearing will not be held if no submissions are received, or no submission makes a request to be heard.

Please note that this is a re-notification and any submissions previously lodged will be considered as part of this notification process.

T. MCLEOD, Chief Executive Officer

FLINDERS RANGES COUNCIL

Temporary Road Closure

NOTICE is hereby given that at the council meeting held on Tuesday, 11 December 2001, council passed a resolution in accordance with section 33 of the Road Traffic Act 1961, that Seventh Street, adjacent to Lots 161 (Visitor Information Centre), to and including the intersection of Seventh and First Streets, and First Street from the same intersection to a point adjacent to Lot 138, First Street (old State Bank) and entrances to roads named, be closed to all vehicles, excluding council and emergency vehicles between 3.30 p.m. and 11 p.m. on Monday, 24 December 2001, for the purpose of conducting Quorn's Christmas Eve Street Party.

D. A. CEARNS, Chief Executive Officer

Appointment

NOTICE is hereby given that at the council meeting held on Tuesday, 11 December 2001, Patsy Kwaterski was appointed Acting Chief Executive Officer for the period from Wednesday, 18 December 2001 to Friday, 18 January 2002 (inclusive) while the Chief Executive Officer is on annual leave.

D. A. CEARNS, Chief Executive Officer

DISTRICT COUNCIL OF FRANKLIN HARBOUR

Supplementary Election for Area Councillor

NOMINATIONS are hereby invited and will be received at the District Council of Franklin Harbour located at 6 Main Street, Cowell, from Thursday, 3 January 2002 until 12 noon on Thursday, 24 January 2002, from any person eligible to be a candidate for election to the vacancy.

Nomination forms and candidate's handbooks are available from 6 Main Street, Cowell.

A candidate must submit a profile of not more than 150 words with the nomination form.

A candidate photograph of predominantly the head and shoulders, taken within the preceding 12 months, may also be submitted.

A briefing session for prospective candidates will be conducted at 7.30 p.m. on Monday, 14 January 2002 at 6 Main Street, Cowell.

If more than the required number of nominations are received for the vacancy, an election will be conducted entirely by postal ballot with the return of the completed ballot papers to reach the Returning Officer no later than 12 noon on Monday, 25 February 2002.

S. H. TULLY, Returning Officer

DISTRICT COUNCIL OF GRANT

Erratum

IN *Government Gazette*, dated 6 December 2001, page 5310, seventh notice appearing, 'Declaration of Public Road' *should* read pursuant to section 208 of the Local Government Act 1999, instead of pursuant to section 219 of the Local Government Act 1999.

Dated 13 December 2001.

R. J. PEATE, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Office Closure—Christmas/New Year Period

NOTICE is hereby given that at a meeting held on 14 November 2001, council resolved that pursuant to section 45 of the Local Government Act 1999, the council office will be closed over the Christmas/New Year Period from 5 p.m. on Friday, 21 December 2001, through until 8.30 a.m. on Wednesday, 2 January 2002.

Temporary Street Closures—Christmas Festivals

Notice is hereby given that at a meeting held on 14 November 2001, council resolved to exercise the power, pursuant to section 33 of the Road Traffic Act 1961 and Clause F of the Instrument

of General Approval of the Minister dated 12 March 2001 accordingly, council pursuant to section 33 (1) (a) of the Road Traffic Act 1961, declares that the event to be conducted, being a Christmas Street Party, is an event to which section 33 of the Road Traffic Act 1961 applies and as such, makes an order that High Street, Kimba, between Martin Terrace and North Terrace will be closed for traffic from 5 p.m. and midnight on Monday, 24 December 2001.

Pursuant to section 33 (1) (b) of the Road Traffic Act 1961, make an order directing that persons taking part in the event be exempted, in relation to roads, from the duty to observe the Australian Road Rules specified and attached to the exemption:

Rule 230—Crossing a Road—General.

Rule 298—Driving with a person in a trailer provided the speed of the vehicle does not exceed 25 km/h.

Naming of Road

Notice is hereby given that pursuant to section 219 of the Local Government Act 1999, council resolved to name the unnamed road running in an easterly direction off Pile Pudla Road and which meets Wilcherry Road, as Moseley Road.

S. R. CHERITON, Chief Executive Officer

LIGHT REGIONAL COUNCIL

*Revocation of Temporary Road Closure
Argent Road, Concordia*

NOTICE is hereby given that, pursuant to the provisions of section 359 of the Local Government Act 1934, as amended, council has now revoked the temporary road closure imposed on Argent Road at Concordia (Gawler), effective from 21 December 2001.

P. J. BEARE, Chief Executive Officer

MID MURRAY COUNCIL

DEVELOPMENT ACT 1993

Rural Zone Plan Amendment Report

NOTICE is hereby given that the Mid Murray Council has prepared a Plan Amendment Report (PAR) to amend the Development Plan based on a review of a development policy affecting the rural area of the council area.

The PAR is available for public inspection during normal office hours at the Mid Murray Council Offices, 49 Adelaide Road, Mannum; Main Street, Cambrai; 10 Fourth Street, Morgan and Moorundie Street, Truro. The PAR will be on display from 20 December 2001 to 27 February 2002 and can be purchased for \$5 each.

Written submissions regarding the PAR should be submitted no later than 27 February 2002. All submissions should be addressed to the Chief Executive Officer, Mid Murray Council, P.O. Box 28, Mannum, S.A. 5238 and should clearly indicate whether there is an intention to be heard in support of a submission.

A public hearing will be held at the Council office at Cambrai on Wednesday, 6 March 2002 commencing at 7.30 p.m. At the meeting all interested persons are welcome to attend to comment on proposed Plan Amendments or be heard in relation to their submission.

Copies of all submissions received will be available for inspection by any interested person at the Council offices from 27 February 2002 until the public hearing.

G. BRUS, Chief Executive Officer

DISTRICT COUNCIL OF RENMARK PARINGA

Exclusion of Land from Community Land Classification

ERRATUM

IN *Government Gazette* dated 6 December 2001 on page 5311, fourth notice appearing on that page, last line should read B. HURST, Chief Executive Officer *not* DR ALI KHAN, Chief Executive Officer.

[*]

DISTRICT COUNCIL OF TATIARA

*Supplementary Election for One Councillor to Represent
East Ward*

NOMINATIONS are hereby invited and will be received at the District Council of Tatiara, 43 Woolshed Street, Bordertown, from Thursday, 3 January 2002 until 12 noon on Thursday, 24 January 2002, from any person eligible to be a candidate for election to the vacancy.

Nomination forms and candidate's handbooks are available from the District Council of Tatiara's Bordertown office.

A candidate must submit a profile of not more than 150 words with the nomination form.

A candidate photograph of predominantly the head and shoulders, taken within the preceding 12 months, may also be submitted.

A briefing session for prospective candidates will be conducted at 5.30 p.m. on Friday, 11 January 2002 at the Council Office, 43 Woolshed Street, Bordertown.

If more than the required number of nominations are received for the vacancy, an election will be conducted entirely by postal ballot with the return of the completed ballot papers to reach the Deputy Returning Officer no later than 12 noon on Monday, 25 February 2002.

S. H. TULLY, Returning Officer

DISTRICT COUNCIL OF TATIARA

*Supplementary Election for One Councillor to Represent
West Ward*

NOMINATIONS are hereby invited and will be received at the District Council of Tatiara's two offices, 43 Woolshed Street, Bordertown, and 34 Hender Street, Keith, from Thursday, 3 January 2002 until 12 noon on Thursday, 24 January 2002, from any person eligible to be a candidate for election to the vacancy.

Nomination forms and candidate's handbooks are available from the District Council of Tatiara's Bordertown and Keith offices.

A candidate must submit a profile of not more than 150 words with the nomination form.

A candidate photograph of predominantly the head and shoulders, taken within the preceding 12 months, may also be submitted.

A briefing session for prospective candidates will be conducted at 5.30 p.m. on Friday, 11 January 2002 at the Council Office, 43 Woolshed Street, Bordertown.

If more than the required number of nominations are received for the vacancy, an election will be conducted entirely by postal ballot with the return of the completed ballot papers to reach the Deputy Returning Officer no later than 12 noon on Monday, 25 February 2002.

S. H. TULLY, Returning Officer

WAKEFIELD REGIONAL COUNCIL

Renaming of Public Road

NOTICE is hereby given in accordance with section 219 of the Local Government Act 1999, that the Wakefield Regional Council, at its ordinary meeting held on 14 November 2001, approved the change in name of a public road as follows:

- Hundred of Blyth—renaming of Churinga Road to Pine Hill Road.

P. BARRY, Chief Executive Officer

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

Archer, Freda Adelaide, late of 18 Cudmore Terrace, Marleston, of no occupation, who died on 20 October 2001.

Ball, Patricia, late of 6 Motcombe Road, Salisbury North, aged care nurse, who died on 4 October 2001.

Brown, Thomas Milton, late of 9 Mellor Street, Port Augusta West, retired investigation officer, who died on 15 October 2001.

Clarke, Horace, late of 416 Regency Road, Blair Athol, retired examiner, who died on 10 November 2001.

Cooke George Wesley, late of 218 Glynburn Road, Tranmere, retired company manager, who died on 4 October 2001.

Craick, Dorothy Sophie, late of 19 Sprod Avenue, Toorak Gardens, married woman, who died on 22 August 2001.

Dale, Ernest Palmer, late of 14 Frew Street, Fullarton, retired shop proprietor, who died on 6 November 2001.

Duncan, Jacqueline Gwendolyn, late of 1099 Grand Junction Road, Holden Hill, of no occupation, who died on 12 November 2001.

Glover, Hazel Evelyn, late of 342 Marion Road, North Plympton, of no occupation, who died on 5 October 2001.

Grimes, Alan Robert, late of 7 Raymond Grove, Glenelg, retired leading hand carpenter, who died on 21 October 2001.

Jeanes, Gordon Gilbert, late of 35 Dudley Avenue, North Plympton, retired curator, who died on 7 October 2001.

Johnson, Mary, late of 25 Newton Street, Whyalla, widow, who died on 20 October 2001.

Lawrence, Marjorie Jean, late of 27 Lansdowne Terrace, Vale Park, retired shopkeeper, who died on 6 October 2001.

Love, Mary, late of 125 Gage Street, Firlie, widow, who died on 30 September 2001.

Medlen, Peter James, late of 2 Jelley Street, Woodville, of no occupation, who died on 11 November 2000.

Munro, David Jolliffe Robert, late of 26 Shipsters Road, Kensington Park, retired bus operator, who died on 28 September 2001.

Neil, John William, late of 10 Burns Street, Whyalla Norrie, retired labourer, who died on 17 October 2001.

Nicholls, Doreen Catherine Bell, late of 22 Norman Street, Port Pirie, widow, who died on 3 November 2001.

Paynter, Robert Lawrence, late of 84 Reservoir Road, Modbury, retired storeman, who died on 15 October 2001.

Peters, Nellie Jean, late of 366 The Parade, Kensington Park, of no occupation, who died on 24 October 2001.

Piercey, John Raymond, late of 61 Sutherland Avenue, Hayborough, of no occupation, who died on 13 September 2001.

Price, Ella Matilda, late of 27 Way Street, Kilburn, home duties, who died on 2 October 2001.

Punter, Patricia Maureen, late of 7 Lancelot Drive, Daw Park, of no occupation, who died on 13 September 2001.

Roe, Valerie Marjorie, late of 86 Oaklands Road, Glengowrie, of no occupation, who died on 10 October 2001.

Sellick, Douglas Leonard, late of 695 Lower North East Road, Paradise, retired librarian, who died on 1 November 2001.

Sierp, Ernest Frank, late of 366 The Parade, Kensington Park, retired aircraft maintenance worker, who died on 20 October 2001.

Wallman, Stanley Edgar, late of 54 Morea Street, Osborne, retired carpenter, who died on 20 August 2001.

Wride, Harold Gordon Mason, late of 2 Vancouver Avenue, Panorama, retired secretary, who died on 3 November 2001.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 18 January 2002, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 20 December 2001.

J. H. WORRALL, Public Trustee

SOUTH AUSTRALIA—In the Supreme Court. No. 1080 of 1998. In the matter of C. E. Simpson Transport Pty Ltd (in liquidation) (ACN 079 055 593) and in the matter of the Corporations Act 2001.

Notice by a Liquidator of His Intention to Seek His Release

Take notice that I, Austin Robert Meerten Taylor of Grant Thornton, 67 Greenhill Road, Wayville, the liquidator of the abovenamed company, intend to make application to the Supreme Court of South Australia for my release as the liquidator of the abovenamed company.

And further take notice that if you have any objection to the granting of my release you must file at the Supreme Court and also forward to me within 21 days of the publication in the *Gazette* of the notice of my intention to apply for a release a notice of objection in the form laid down by the Corporations (South Australia) Rules 1993. A summary of my receipts and payments as liquidator is available from my office.

Dated 15 December 2001.

A. R. M. TAYLOR, Liquidator

Note: Section 481 of the Corporations Act 2001 enacts that an order of the Court releasing a liquidator shall discharge him/her in the administration of the affairs of the company, or otherwise in relation to his or her conduct as liquidator, but any such order may be revoked on proof that it was obtained by fraud or by suppression or by concealment of any material fact.

SOUTH AUSTRALIA—In the Supreme Court. No. 995 of 1998. In the matter of Power Data Systems Pty Ltd (ACN 007 959 917) and in the matter of the Corporations Act 2001.

Notice by a Liquidator of His Intention to Seek His Release and Dissolution of the Company

Take notice that, I, Bruce James Carter, of Ferrier Hodgson, Level 6, 81 Flinders Street, Adelaide, S.A. 5000 the liquidator of the abovenamed company, intend to make application to the Supreme Court of South Australia for my release as the liquidator and dissolution of the abovenamed company.

And take further notice that if you have any objection to the granting of my release you must file at the Supreme Court and also forward to me within 21 days a notice of objection in the form laid down by the Corporation (South Australia) Rules 1993.

Dated 13 December 2001.

B. J. CARTER, Liquidator

Note: Section 481 of the Corporations Act enacts that an order of the Court releasing a liquidator shall discharge him/her in the administration of the affairs of the company, or otherwise in relation to his or her conduct as liquidator, but any such order may be revoked on proof that it was obtained by fraud or by suppression or by concealment of any material fact.

SALE OF PROPERTY

Auction Date: Wednesday, 6 February 2002 at 7 p.m.

Location: Lakes Resort Hotel, 141 Brebner Drive, West Lakes

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 of South Australia, Action No. AMCCI 4326 of 2001, directed to the Sheriff of South Australia in an Action wherein Connolly & Co., are the Plaintiffs and Eric Peter Gianakos is the Defendant, I, Tim Goodes, Sheriff of the State of South Australia, will by my auctioneers, L. J. Hooker Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendant Eric Peter Gianakos as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Price, being sections 224-230, Hundred of Cunningham, being the property comprised in Crown Lease register book, volume 1569, folio 14.

Further particulars from the auctioneers:

L. J. Hooker
38 First Street
Ardrossan
Telephone: (08) 8837 3620

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before 10 a.m. on Thursday**.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

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NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.

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