



# 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, 29 NOVEMBER 2001

## CONTENTS

	Page		Page
Appointments, Resignations, Etc.....	5190	Private Advertisements.....	5254
Corporations and District Councils—Notices .....	5252	Proclamations .....	5190
Criminal Law (Forensic Procedures) Act 1998—Notice.....	5191	Public Trustee Office—Administration of Estates .....	5254
Crown Lands Act 1929—Notices.....	5192	Real Property Act 1886—Notice.....	5225
Development Act 1993—Notices.....	5192		
Eastern Waste Management Authority Regional Subsidiary Amended Charter .....	5194	<b>REGULATIONS</b>	
Fisheries Act 1982—Notices.....	5203	Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987 (No. 246 of 2001).....	5229
Geographical Names Act 1991—Notice .....	5216	Local Government Finance Authority Act 1983— (No. 247 of 2001) .....	5246
Groundwater (Border Agreement) Act 1985—Notices .....	5216	National Electricity (South Australia) Act 1996— (No. 248 of 2001) .....	5249
Harbors and Navigation Act 1993—Notices .....	5216	Controlled Substances Act 1984 (No. 249 of 2001).....	5250
Housing Improvement Act 1940—Notices.....	5220	Sale of Property—Notice .....	5255
Land and Business (Sale and Conveyancing) Act 1994— Notices.....	5222	Vocational Education, Employment and Training Act 1994—Contracts of Training.....	5227
Liquor Licensing Act 1997—Notices.....	5222	Water Mains and Sewers—Mains Laid, Replaced, Etc.....	5225
Lottery and Gaming Act 1936—Notice.....	5223	Workers Rehabilitation and Compensation Act 1986— Notice .....	5226
Mining Act 1971—Notices .....	5223		
Passenger Transport Act 1994—Notice .....	5224		
Petroleum Act 2000—Notice .....	5224		

## 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](mailto: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.

CROWN LANDS ACT 1929 SECTION 5AA (1) (c): HUNDRED OF YACKAMOORUNDIE—DEDICATED LAND RESUMED

*Proclamation By The Governor*

(L.S.) MARJORIE JACKSON-NELSON

*Preamble*

1. The following land is dedicated for public school purposes, not being intended for ecclesiastical or denominational purposes (see *Gazette* 7 March 1912 p. 454):

Allotments 42 and 43, Town of Yacka, Hundred of Yackamoorundie, being the whole of the land contained in Land Grant Register Book Volume 921, Folio 101.

2. The registered proprietor of the land has consented to the resumption of the land.

*Proclamation*

PURSUANT to section 5AA (1) (c) of the *Crown Lands Act 1929* and with the advice and consent of the Executive Council, I resume the land defined in the preamble to this proclamation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 29 November 2001.

By command,

MARK BRINDAL, for Premier

EH01/0071CS

PROTECTION OF MARINE WATERS (PREVENTION OF POLLUTION FROM SHIPS) (MISCELLANEOUS) AMENDMENT ACT 2001 (Act No. 33 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 6 December 2001 as the day on which the *Protection of Marine Waters (Prevention of Pollution from Ships) (Miscellaneous) Amendment Act 2001* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 29 November 2001.

By command,

MARK BRINDAL, for Premier

C97/15843

STRATA TITLES ACT 1988 SECTION 8(1a): DAY BEFORE WHICH PROCEEDINGS FOR DEPOSIT OF STRATA PLAN MUST BE COMMENCED

*Proclamation By The Governor*

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 8 (1a) of the *Strata Titles Act 1988* and with the advice and consent of the Executive Council, I fix 1 January 2002 as the day before which proceedings for the deposit of a strata plan in the Lands Titles Registration Office must be commenced.

Given under my hand and the Public Seal of South Australia, at Adelaide, 29 November 2001.

By command,

MARK BRINDAL, for Premier

CSA65-01

NATIONAL PARKS AND WILDLIFE ACT 1972 SECTION 30 (1): CONSTITUTION OF WOLSELEY COMMON CONSERVATION PARK

*Proclamation By The Governor*

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 30 (1) of the *National Parks and Wildlife Act 1972*, being of the opinion that the Crown land described in the schedule should be protected and preserved for the purpose of conserving any wildlife and the natural features of the land and with the advice and consent of the Executive Council, I

constitute the Crown land described in the schedule as a conservation park and assign to it the name *Wolseley Common Conservation Park*.

SCHEDULE

Allotment 100 of DP 53044, Hundred of Tatiara, County of Buckingham.

Allotment 1 of DP 55986, Hundred of Tatiara, County of Buckingham.

Allotments 50, 51 and 52 of DP 28840, Hundred of Tatiara, County of Buckingham.

Pieces 20 and 21 of FP 218022, Hundred of Tatiara, County of Buckingham.

Section 1013, Hundred of Tatiara, County of Buckingham.

Given under my hand and the Public Seal of South Australia, at Adelaide, 29 November 2001.

By command,

MARK BRINDAL, for Premier

EH01/0069CS

Department of the Premier and Cabinet  
Adelaide, 27 November 2001

HER Excellency the Governor directs it to be notified that she has been pleased to approve retention of the title Honourable by John Olsen MP.

By command,

ROB KERIN, Premier

DPC 427/75 PtAPt2

Department of the Premier and Cabinet  
Adelaide, 29 November 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Teachers Registration Board, pursuant to the provisions of the Education Act 1972:

Member: (from 29 November 2001 until 30 June 2002)  
Julie Anne Muirson

By command,

MARK BRINDAL, for Premier

MECS 11/01CS

Department of the Premier and Cabinet  
Adelaide, 29 November 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Disaster Committee, pursuant to the provisions of the State Disaster Act 1980:

Member: (from 1 December 2001 until 31 January 2002)  
John Freeman

By command,

MARK BRINDAL, for Premier

CSA 14/00TC1CS

Department of the Premier and Cabinet  
Adelaide, 29 November 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Health Commission, pursuant to the provisions of the South Australian Health Commission Act 1976 and Public Corporations Act Regulations:

Member: (from 1 December 2001 until 30 November 2004)  
Brendon John Kearney

By command,

MARK BRINDAL, for Premier

MHS 26/98CS

Department of the Premier and Cabinet  
Adelaide, 29 November 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Workers Compensation Tribunal, pursuant to the provisions of the Workers Rehabilitation and Compensation Act 1986:

Acting Deputy President: (from 8 December 2001 until 7 March 2002)

Garth Michael Massey Thompson

By command,

MARK BRINDAL, for Premier

MWPR 031/01CS

Department of the Premier and Cabinet  
Adelaide, 29 November 2001

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Construction Industry Long Service Leave Board, pursuant to the provisions of the Construction Industry Long Service Leave Act 1987:

Member: (from 29 November 2001 until 30 June 2002)

Nigel Lean

Deputy Member: (from 29 November 2001 until 30 June 2002)

Robert John Geraghty (Deputy to Lean)

By command,

MARK BRINDAL, for Premier

MWPR 033/01CS

Department of the Premier and Cabinet  
Adelaide, 29 November 2001

HER Excellency the Governor in Executive Council has been pleased to appoint Bruno Krumins, Member of the Order of Australia, as Governor's Deputy of South Australia for a period from 12.45 p.m. on Thursday, 6 December 2001 until 2.25 p.m. on Sunday, 9 December 2001.

By command,

MARK BRINDAL, for Premier

Department of the Premier and Cabinet  
Adelaide, 29 November 2001

HER Excellency the Governor in Executive Council has been pleased to appoint John Gilbert Carey as a Competition Commissioner for the period 1 January 2002 to 31 December 2003, pursuant to section 5 of the Government Business Enterprises (Competition) Act 1996.

By command,

MARK BRINDAL, for Premier

DPC 016/97CS

Department of the Premier and Cabinet  
Adelaide, 29 November 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 Prisoner Movement and In-Court Management services, in accordance with the contract, without pay or other industrial entitlement, staff of Group 4 Correction Services Pty Ltd listed, pursuant to section 68 of the Constitution Act 1934:

Anthony Ellis

Bryan Green

Matthew Wehrmann

By command,

MARK BRINDAL, for Premier

MCS 04/01CS

## CRIMINAL LAW (FORENSIC PROCEDURES) ACT 1998

### *Formal Acknowledgment of Forensic Training by Police*

#### 1. PROPOSAL

That the names of Police Officers who have satisfactorily completed the approved course of training for certain forensic procedures, pursuant to section 33 of the Criminal Law (Forensic Procedures) Act 1998, be published in the *South Australian Government Gazette*.

#### 2. BACKGROUND

2.1 Section 33 of the Criminal Law (Forensic Procedures) Act 1998 states:

*'Who may carry out forensic procedure'*

33. A person who carries out a forensic procedure must be:

(a) a Medical Practitioner; or

(b) a person who is qualified as required by the regulations to carry out forensic procedures of the relevant type.

2.2 Regulation 4 of the Criminal Law (Forensic Procedures) Regulations 1999, details those persons who are qualified to carry out forensic procedures pursuant to section 33 (b). It states in part:

(c) a Police Officer who has satisfactorily completed a course of training approved for the purpose by the Minister is qualified to carry out:

(i) a forensic procedure consisting of the taking of a sample by buccal swab; or

(ii) a non-intrusive procedure consisting of:

(A) the taking of a sample of hair from a person's body; or

(B) the taking of a sample of fingernail or toenail or material from under a fingernail or toenail; or

(C) the taking of a sample of biological or other material from an external part of the body; or

(D) the taking of an impression or cast of a wound.

2.3 The original proposal (dated 25.5.00) has already been authorised accordingly and a list of officers suitably trained and qualified was approved by the Minister's office for approval and publishing in the *South Australian Government Gazette* dated 29 June 2000.

2.4 On an ongoing basis there will be additional officers who will be trained and further required to be approved and gazetted accordingly.

#### 3. RECOMMENDATION

It is recommended that the names of the Police Officers appearing below be published as being qualified to carry out forensic procedures of the relevant type pursuant to section 33 of the Criminal Law (Forensic Procedures) Act 1998.

Surname	Christian Names	Date Qualified
Conley	Vincent	1 November 2001
Foulis	Peter	1 November 2001
Mitchell	Vincent Bryan	1 November 2001
Standing	Michael John Edwin	1 November 2001
Linton	Phillip Charles	1 November 2001
Martschink	John Gordon	1 November 2001
Rodney	Peter Bruce	1 November 2001
Holder	Tanya Kim	1 November 2001
Marshall	John Scott	1 November 2001

Dated 8 November 2001.

M. HYDE, Commissioner of Police

PCO 3512/98 Vol. 2

## 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 Public Roads.

**The Schedule**

Allotments 202 and 203 of DP 54131, Hundred of Port Adelaide, County of Adelaide, being within the municipality of Port Adelaide Enfield.

Dated 27 November 2001.

P. M. KENTISH, Surveyor-General

DEHAA 17/1100

## 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 Public Roads.

**The Schedule**

Allotments 134 to 148 inclusive of DP 56261, Hundred of Skurray, County of Eyre, being within the Mid Murray Council district.

Dated 27 November 2001.

P. M. KENTISH, Surveyor-General

DENR 11/0300

## 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 lands defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Recreation Reserve and declare that such land shall be under the care, control and management of the District Council of Renmark Paringa.
3. Dedicate the Crown Land defined in The Third Schedule as a Lock Reserve and declare that such land shall be under the care, control and management of the Minister for Government Enterprises.

**The First Schedule**

1. Land vested in the Commissioner of Public Works by virtue of the River Murray Waters Act 1935 (dedicated under the Crown Lands Act 1929 in accordance with Section 32 of the Murray-Darling Basin Act 1993), being section 138, Hundred of Paringa, the proclamation of which was published in the *Government Gazette* of 25 November 1926 at page 1337, being portion of the land comprised in Crown Record Volume 5502 Folio 310.
2. Land vested in the Minister of Works by virtue of the River Murray Waters Act 1935 (dedicated under the Crown Lands Act 1929 in accordance with Section 32 of the Murray-Darling Basin Act 1993), being section 1, Hundred of Paringa, the proclamation of which was published in the *Government Gazette* of 18 February 1960 at page 469, The Second Schedule, being portion of the land comprised in Crown Record Volume 5502 Folio 310.
3. Land vested in the Minister of Works by virtue of the River Murray Waters Act 1935 (dedicated under the Crown Lands Act 1929 in accordance with Section 32 of the Murray-Darling Basin Act 1993), being section 157, Hundred of Paringa, the proclamation of which was published in the *Government Gazette* of 20 September 1962 at page 718, being the whole of the land comprised in Crown Record Volume 5758 Folio 601.

**The Second Schedule**

Allotment 102 of DP 54003, Hundred of Paringa, County of Alfred, exclusive of all necessary roads.

**The Third Schedule**

Allotment 100 of DP 54003, Hundred of Paringa, County of Alfred, exclusive of all necessary roads.

Dated 27 November 2001.

P. M. KENTISH, Surveyor-General

DL 3580/1986

DEVELOPMENT ACT 1993, ADELAIDE HILLS COUNCIL—  
STATE HERITAGE AREA (MOUNT TORRENS) PLAN  
AMENDMENT REPORT PREPARED BY THE MINI-  
STER*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 Plan Amendment Report (PAR) to amend the Adelaide Hills Council Development Plan.

The draft PAR proposes to amend the Development Plan by introducing a State Heritage Area, with associated objectives and principles of development control to guide future development in part of the Mount Torrens township.

The draft PAR will be on public consultation from 29 November 2001 to 15 February 2002.

Copies of the draft PAR are available during normal office hours at the Department for Transport, Urban Planning and the Arts (Planning SA), Level 5, 136 North Terrace, Adelaide, or can be viewed on the Internet (<http://devplan.dhud.sa.gov.au>). Alternatively the draft PAR is available during normal office hours at the Woodside Offices of the Adelaide Hills Council located at 28 Main Street, Woodside.

Written submissions regarding the draft PAR should be submitted no later than 5.00 p.m. on 15 February 2002. All 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.

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 18 February 2002 until the conclusion of the public hearing.

A public hearing will be held on 6 March 2002 at 7.45 p.m. in the Mount Torrens Hall, Townsend Street, Mount Torrens, at which time interested persons may appear to be heard in relation to the draft PAR and the submissions. The public hearing will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the draft PAR, officers from Planning SA will be available at the Mount Torrens Coach House between 3 p.m. and 6 p.m. on Saturday, 19 January 2002, to answer queries or clarify any aspect of the draft PAR. Alternatively you can contact Steven Copus of Planning SA, telephone. 8303 0659 or by email address at [copus.steven@saugov.sa.gov.au](mailto:copus.steven@saugov.sa.gov.au).

P. COCKRUM, Secretary, Development Policy  
Advisory Committee

DEVELOPMENT ACT 1993, SECTION 28(5): DECLARATION OF CESSATION OF INTERIM OPERATION OF THE DISTRICT COUNCIL OF LOXTON WAIKERIE—LOXTON (DC), WAIKERIE (DC) AND BROWN'S WELL (DC) DEVELOPMENT PLANS—GENERAL REVIEW AND CONSOLIDATION PLAN AMENDMENT

*Preamble*

On 23 November 2000 the Governor, under section 28(1), declared the 'District Council of Loxton Waikerie—Loxton (DC), Waikerie (DC) and Brown's Well (DC) Development Plans—General Review and Consolidation Plan Amendment Report' as an amendment to come into interim operation without delay on that day. The 'District Council of Loxton Waikerie—Loxton (DC), Waikerie (DC) and Brown's Well (DC) Development Plans—General Review and Consolidation Plan Amendment', (incorporated into a published Development Plan pursuant to section 31 of the Development Act 1993), incorporated the provisions of the 'General Review and Consolidation Amendment Report'.

The 'District Council of Loxton Waikerie—Loxton (DC), Waikerie (DC) and Brown's Well (DC) Development Plans—General Review and Consolidation Plan Amendment' has not been authorised by the Minister under Section 25 within the required 12-month period.

As of 23 November 2001 the Loxton (DC) Development Plan dated 20 April 2000, the Waikerie (DC) Development Plan dated 20 April 2000 and the Brown's Well (DC) Development Plan dated 13 April 2000 are the operative Development Plans.

NOTICE

PURSUANT to section 28 (4) (c) of the Development Act 1993, the 'District Council of Loxton Waikerie—Loxton (DC), Waikerie (DC) and Brown's Well (DC) Development Plans—General Review and Consolidation Plan Amendment' ceases to operate under the Interim Operation Order proclaimed by the Governor on 23 November 2000.

Dated 29 November 2001.

DIANA LAIDLAW, Minister for Transport and Urban Planning

MFTUP CAB 29/00

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DEVELOPMENT ACT 1993, SECTION 25(17): THE BERRI BARMERA COUNCIL—BERRI (DC) AND BARMERA (DC) DEVELOPMENT PLANS—GENERAL REVIEW AND CONSOLIDATION PLAN AMENDMENT

*Preamble*

1. The Development Plan amendment entitled 'The Berri Barmera Council—Berri (DC) and Barmera (DC) Development Plans—General Review and Consolidation Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

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

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

Dated 29 November 2001.

DIANA LAIDLAW, Minister for Transport and Urban Planning

PLN 99/0470

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## **EASTERN WASTE MANAGEMENT AUTHORITY REGIONAL SUBSIDIARY**

### *Amended Charter*

THE Constituent Councils of Eastern Waste Management 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 Eastern Waste Management Authority (referred to as 'the Authority' in this Charter).

##### **1.2 Establishment**

The Authority is a regional subsidiary established by the:

- 1.2.1 City of Burnside;
- 1.2.2 City of Norwood, Payneham and St Peters; and
- 1.2.3 Corporation of the Town of Walkerville,

(referred to as 'the Constituent Councils' in this Charter) pursuant to section 43 of the Local Government Act 1999.

##### **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.

##### **1.4 Purpose For Which The Authority Is Established**

The Authority is established for the following objects and purposes:

- 1.4.1 the collection and disposal of all waste within the areas of the Constituent Councils;
- 1.4.2 the collection and disposal of waste outside the areas of the Constituent Councils;
- 1.4.3 the provision and operation of a place or places for the treatment, recycling and disposal of refuse and waste collected by or on behalf of the Constituent Councils; and
- 1.4.4 the provision of sites both within and outside the areas of the Constituent Councils for the collection, storage and disposal of such wastes.

##### **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 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;
- 1.5.3 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 without the prior approval of the Constituent Councils and must not be used for the purpose of funding operational costs;
- 1.5.4 entering into contracts, purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any personal property or interests therein;
- 1.5.5 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 the written approval of the Constituent Councils is first had and obtained;
- 1.5.6 employing, engaging or dismissing the Manager of the Authority;

- 1.5.7 employing, engaging or retaining professional advisers to the Authority;
- 1.5.8 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 be sufficient to cover the cost to the Authority of providing the service.
- 1.5.9 charging the Constituent Councils fees for services that cover the cost to the Authority of providing the services;
- 1.5.10 determining the types of refuse and waste which shall be received and the method of collection treatment, recycling and disposal of that waste;
- 1.5.11 undertaking all manner of things relating and incidental to the collection, treatment, recycling and disposal of refuse and waste;
- 1.5.12 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;
- 1.5.13 providing a forum for the discussion and consideration of topics related to the Constituent Councils' obligations and responsibilities in respect of refuse and waste; and
- 1.5.14 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:
  - (a) 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
  - (b) the Authority must avoid investments that are speculative or hazardous in nature.

## 1.6 Delegation by the Authority

The Authority may by resolution delegate to the Manager or to any officer 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;
- 1.6.6 a delegation is revocable at will and does not prevent the Board from acting in a matter.

## 1.7 National Competition Policy

The Authority may undertake commercial activities which constitute a significant business activity of the Authority and to which the principles of **competitive** neutrality will apply. The Authority has adopted a National Competition Policy Statement in relation to competitive neutrality which it will adhere to in undertaking any activity which constitutes a significant business activity.

## 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 strategic and 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.
- 2.1.8 Developing and giving effect to policies that reflect the Authority's responsibilities under the National Competition Policy and Trade Practices Act.

## 2.2 Membership of the Board

- 2.2.1 The Board shall consist of five members appointed as follows:
  - 2.2.1.1 one person appointed by each Constituent Council;
  - 2.2.1.2 two persons appointed jointly by the Constituent Councils who are not members or officers of the Constituent Councils but who, in the opinion of the Constituent Councils, have expertise in waste removal, collection and disposal and/or economics or accounting and/or business and commerce.
- 2.2.2 A Board member shall, subject to this Charter, be appointed for a term not exceeding three 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 term of office of a member of the Board will cease upon the council providing written notice to the Board Member and the Board, or upon the happening of any other event through which the Board Member would be ineligible to remain as a member of the Board.
- 2.2.4 The Board may by a two-thirds majority vote of the members present (excluding the member subject to this Clause 2.2.4) make a recommendation to the Constituent Councils seeking the councils approval to terminate the appointment of the member in the event of:
  - 2.2.4.1 any behaviour of the member which in the opinion of the Board amounts to impropriety;
  - 2.2.4.2 serious neglect of duty in attending to the responsibilities of a member of the Board;
  - 2.2.4.3 breach of fiduciary duty to the Board or the Council(s);
  - 2.2.4.4 breach of the duty of confidentiality to the Board and the Council(s);
  - 2.2.4.5 breach of the conflict of interest rules of the Board; or
  - 2.2.4.6 any other behaviour which may discredit the Board.
- 2.2.5 A member may be removed from office as a member of the Board prior to the expiration of a term of appointment only in accordance with the following:
  - 2.2.5.1 a member appointed by a Constituent Council pursuant to Clause 2.2.1.1, by resolution of the Constituent Council which originally appointed the member;
  - 2.2.5.2 a 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.
- 2.2.6 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.
- 2.2.7 If any casual vacancy occurs in the membership of the Board it will be filled in the same manner as the original appointment.
- 2.2.8 Board Members shall be eligible for such allowances from the funds of the Authority as the Board shall determine from time to time by a two-thirds majority resolution.
- 2.2.9 If a Board Member appointed by a Constituent Council pursuant to Clause 2.2 is unable to attend any meeting of the Board, the Constituent Council which appointed the Member may appoint a proxy member of the Board to exercise all rights, privileges and obligations of the Board Member during the absence of that Member.
- 2.2.10 Neither of the two additional Board Members referred to in Clause 2.2.1.2 is permitted to appoint a proxy member of the Board if that Member is unable to attend any meeting of the Board.

## 2.3 Propriety of Members of the Board

- 2.3.1 The principles regarding conflict of interest prescribed in the Act will apply to all Board Members as if they were elected members of a council.
- 2.3.2 The Board Members will not be 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 Board shall elect from amongst the Members appointed by the Constituent Councils pursuant to Clause 2.2.1.1, a Chair who shall hold office for a term of three years or if the Member is an Elected Member of a Constituent Council for a period coinciding with his/her term of office as an Elected Member of the Constituent Council, whichever is the lesser, unless he/she resigns or is removed from office pursuant to Clause 2.2.5.1 or is otherwise no longer eligible to act as a Board Member.
- 2.4.2 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 Members appointed by the Constituent Councils a new Chair who shall hold office for the duration of the original appointment.
- 2.4.3 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the members present shall appoint a member from amongst the Elected Members present, for the purposes of that meeting, who shall preside for that meeting or until the 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 one ordinary meeting of the Board held in each calendar month. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all Board Members.
- 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 members of the Board provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board members taking part in the telecommunications meeting, must 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 disconnecting 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 and to each Constituent Council 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 written notice to the Manager of the Authority require a special meeting of the Board to be held. On receipt of the notice the Manager shall send a notice of the special meeting to all Board Members and to each Constituent Council at least 4 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 notice 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.
- 2.5.7 The quorum for any meeting of the Board is determined by dividing the number of members by two ignoring any fraction resulting from the division and adding one.
- 2.5.8 Every member of the Board, 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.
- 2.5.10 Subject to subclause 2.3.1, all 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 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 proposals relating to the acquisition or disposal of land;
  - 2.5.14.7 information relating to the health or financial position of any person;
  - 2.5.14.8 information given to the Authority on the understanding that it would be treated as confidential; and
  - 2.5.14.9 matters relating to actual or possible litigation involving the Authority or an officer or employee of the Authority;
  - 2.5.14.10 Clause 2.5.14 does not apply to:
    - (a) a member of the Board; 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 member of the Board and each Constituent Council 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.

### 3. STAFFING ISSUES

- 3.1 The Board must appoint a Manager of the Authority to manage the business of the Authority on terms agreed between the Manager and the Board. The Manager may be a natural person or a body corporate.
- 3.2 If the Manager is a natural person, he/she shall be appointed on a fixed term performance based employment contract which does not exceed 5 years in duration. The Board may at the end of the contract term enter into a new contract not exceeding 5 years in duration with the same person.

- 3.3 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.
- 3.4 In the absence of the Manager for any period exceeding one week, a suitable person to act in the position of Manager of the Authority must be appointed by the Board.
- 3.5 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.
- 3.6 The functions of the Manager shall include but are not limited to:
  - 3.6.1 attending at all meetings of the Board unless excluded by resolution of the Board;
  - 3.6.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
  - 3.6.3 providing information to assist the Board to assess the Authority's performance against its Strategic and Business Plans;
  - 3.6.4 appointing, managing, suspending and dismissing all other employees of the Authority;
  - 3.6.5 determining the conditions of employment of all other employees of the Authority, within budgetary constraints set by the Board;
  - 3.6.6 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
  - 3.6.7 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority;
  - 3.6.8 ensuring that the assets and resources of the Authority are properly managed and maintained;
  - 3.6.9 ensuring that records required under the Act or any other legislation are properly kept and maintained;
  - 3.6.10 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
  - 3.6.11 achieving financial outcomes in accordance with adopted plans and budgets of the Authority.
- 3.7 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.
- 3.8 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.
- 3.9 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 Board 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 member of the Board 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 All payments made by Electronic Funds Transfer must be made in accordance with procedures approved by the Audit Committee and endorsed 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 Auditor

- 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 **Audit Committee**

The Authority shall have an Audit Committee comprising three Members of the Board. The functions of the Audit Committee include:

- (a) reviewing annual financial statements to ensure that they provide a timely and fair view of the state of affairs of the subsidiary;
- (b) liaising with external auditors; and
- (c) reviewing the adequacy of the accounting, internal auditing, reporting and other financial management systems and practices of the subsidiary on a regular basis.

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;

4.3.2 review the Business Plan annually; and

4.3.3 submit the Business Plan to the Constituent Councils for their approval.

*(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 April 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 Monthly reports summarising the financial position and performance of the Authority shall be prepared and presented to the Board and copies provided to the Constituent Councils.

*(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, at least once yearly, 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 On or before the second Friday in September of each year the Board shall present to the Constituent Councils a balance sheet and full financial report in respect of the previous operating year.

4.5.3 The operating year for the Authority shall be the 1<sup>st</sup> July to 30<sup>th</sup> June.

5. **MISCELLANEOUS**

5.1 **Equitable Interest**

The equitable interest of the Constituent Councils in the Authority is agreed as follows:

- City of Burnside—50.406%
- City of Norwood, Payneham & St Peters—40.357%
- City of Walkerville—9.237%.

**Withdrawal**

5.1.1 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.

5.1.2 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.

5.1.3 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.

5.1.4 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.

5.1.5 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.

## 5.2 New Members

Subject to the provisions of the Act, this Charter may be amended by unanimous agreement of the Constituent Councils to provide for the admission of a new Constituent Council or Councils, with or without conditions of membership.

## 5.3 Financial Contribution by the Authority

The Authority shall pay to each of the Constituent Councils an annual debt guarantee fee in respect of any outstanding loan liability (including overdraft) of the Authority of an amount determined by the Constituent Councils on account of the Constituent Councils guaranteeing the liabilities incurred or assumed by the Authority.

## 5.4 Insurance and Superannuation Requirements

5.4.1 The Authority shall register with the Local Government Mutual Liability Scheme and the Local Government Workers Compensation Scheme and comply with the rules of those Schemes.

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 The Authority shall register with the Local Government Superannuation Scheme and comply with the rules of the Scheme.

## 5.5 Winding Up

5.5.1 The Authority may be wound up by resolution of a majority 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 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 at least every three years.

5.7.2 This Charter may be amended by 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 twenty-one days of the matter being presented to them, the matter will be referred for arbitration by the President (his/her or nominee) of the Institute of Arbitration.

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\* These are alternative clauses

5.8.3 Notwithstanding subclause 5.7.2 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 inquiring 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 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 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.

Dated 9 November 2001.

TREVOR HOCKLEY, Chief Executive Officer

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## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Michael Good of the Water Policy Division, Department for Water Resources, G.P.O. Box 1047, Adelaide, S.A. 5001 or persons acting as his agents (hereinafter referred to as the 'exemption holder') is exempt from the provisions of the Fisheries Act 1982, but only insofar as the exemption holder may engage in the collection of native and introduced fish, including those species protected pursuant to section 42 of the Fisheries Act 1982, from the waters of the Diamantina Creek, Cooper Creek, the Stevenson River, and the Neales River (hereinafter referred to as the 'exempted activity'), using the gear specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of gazettal of this notice until 30 June 2002.

## SCHEDULE 1

- 6 seine nets, maximum length 20 m, minimum mesh size 2 mm.
- 4 fyke nets, maximum dimension 15 m, maximum mesh size 30 mm.
- 6 gill nets, maximum length 36 m, minimum mesh size 30 mm.
- 3 larval trawls, maximum length 2 m, minimum mesh size 500 µm.
- 1 electrofishing set.

## SCHEDULE 2

1. All native fish collected pursuant to this notice not required for scientific evaluation must be returned to the water on completion of the study.

2. Before collecting any specimens pursuant to this notice, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with details of the proposed locations and the dates on which the collections are to be made.

3. While engaging in the permitted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

4. The exemption holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 28 November 2001.

B. HEMMING, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, those persons specified in Schedule 1 (hereinafter referred to as the 'exemption holders'), are exempted from the provisions of Regulations 19 (1) and 19 (5) of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders shall not be guilty of an offence when removing abalone from its shell at sea and having possession, control or custody of abalone that had been removed from its shell, subject to the conditions specified in Schedule 2, from the date of gazettal of this notice until 31 December 2002, unless varied or revoked earlier.

## SCHEDULE 1

Those persons, or their registered masters, who hold a licence pursuant to the Scheme Of Management (Abalone Fisheries) Regulations 1991, for the Central Zone Abalone Fishery.

## SCHEDULE 2

The exemption holders shall not contravene or fail to comply with the Fisheries Act 1982, or any other regulations made under that Act except where specifically exempted by this notice.

Dated 28 November 2001.

B. HEMMING, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Peter Heylen (hereinafter referred to as the 'exemption holder'), 31 Jikara Drive, Glen Osmond, S.A. 5064, is exempt from section 34 of the Fisheries Act 1982, but only insofar as the exemption holder may take non-native fish for sale by the use of 5 purse seine nets, 5 gill nets, 10 drum nets and 10 fyke nets (hereinafter referred to as the 'exempted activity') from the River Torrens within the boundaries of the Adelaide City Council, subject to the conditions set out in the schedule from the date of gazettal of this notice until 30 June 2002, unless revoked or varied earlier.

## SCHEDULE

1. The exemption holder shall ensure that whilst conducting the exempted activity, he meets all conditions and requirements of the Adelaide City Council and follows all reasonable directions from Council officers.

2. All native fish caught must be immediately returned to the water unharmed.

3. All nets must be checked and cleaned within 24 hours of being set.

4. The exemption holder shall provide the following information, which is to be recorded on a daily basis when fishing, and provide this information to the Director of Fisheries on a monthly basis, within 14 days after the completion of the project:

- the weight of catch for each non-native species;
- the time spent searching and fishing (handlining only);
- the type and number of nets used and the duration of each set;
- the number of any native species taken incidentally and returned to the water; and
- the life status of any native fish and wildlife returned to the water.

5. The exempted activity may only be conducted by Peter Heylen and/or the permitted agent of the exemption holder, Lee Saviemini.

6. The exemption holder or his permitted agent may use one person to assist them with the exempted activity, provided that person operates with the exemption holder or the permitted agent and from the same vessel.

7. All fish transported for sale, shall be transported in bins clearly marked with the number MTB1 and the name, Peter Heylen.

8. While engaged in the exempted activity the exemption holder shall have in his possession a copy of this notice and such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

9. The exemption holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act or any condition of this notice, except where specifically exempted by this notice.

Dated 28 November 2001.

W. ZACHARIN, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE note that the notice made under section 59 of the Fisheries Act 1982, and published in the *South Australian Government Gazette* on page number 1271, dated 2 March 2001, being the third notice on the page, referring to Jim Puckridge and the collection of native and introduced fish, is hereby revoked.

Dated 28 November 2001.

B. HEMMING, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE note that the notice made under section 59 of the Fisheries Act 1982, and published in the *South Australian Government Gazette* on page numbers 2591 and 2592, dated 10 July 2001, being the second notice on page 2591, referring to Peter Heylen and the taking of non-native fish from the River Torrens, is hereby revoked.

Dated 14 November 2001.

W. ZACHARIN, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE note that the notice made under section 59 of the Fisheries Act 1982, and published in the *South Australian Government Gazette* on page numbers 2377 and 2378, dated 25 June 2001, being the second notice on page 2377, referring to marine scalefish fishers and the deregistration of commercial boats for recreational use, is hereby revoked.

Dated 28 November 2001.

W. ZACHARIN, Director of Fisheries

## FISHERIES ACT 1982

## MARINE MOLLUSC FARMING LICENCE FM00401

*Licence to Farm Fish under section 53 of the Fisheries Act 1982*

THE Minister for Primary Industries and Resources ('the Minister') hereby grants to:

Michael R. Coates (14409)  
 Jillian L. Coates (14410)  
 Redbart Pty Ltd (26678)  
 Sashimi Tuna Enterprises Pty Ltd (26677)  
 6 Playford Road  
 Mitcham, S.A. 5062

a licence to occupy and use the waters and airspace over the land specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2001 and ending, subject to any earlier termination under this licence, on 30 June 2002 ('the term') subject to the following terms and conditions:

## CONDITIONS OF THIS LICENCE

1. *Marked-off Areas*

- 1.1 Subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site. The rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.
- 1.2 For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site are that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

2. *Permitted Species*

The licensee:

- 2.1 must not farm or introduce any species at the site other than the permitted species referred to in Schedule 2; and
- 2.2 must not take any wild fish from the site except for recreational purposes.

3. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

4. *Permitted Methods*

- 4.1 The licensee must, in undertaking the permitted use, take all reasonable and practicable measures to prevent or minimise damage to the environment. Without limiting the generality of the foregoing, the licensee:

- 4.1.1 must ensure the total length of each unit does not exceed 3 km of longline or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit;
- 4.1.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 4.1.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 4.1.4 must undertake an environmental monitoring program approved by the Minister and as specified in Clause 4.3;
- 4.1.5 must not introduce the permitted species to the site before the approval of the environmental monitoring program referred to in 4.1.4 by the Minister;
- 4.1.6 must comply with the schedule of reporting for the environmental monitoring program as prescribed in Schedule 6 and submit the final results of the environmental monitoring program to the Minister 30 days before expiry of the term of this licence.

4.2 *SASQAP*

- 4.2.1 It is a condition of your licence to farm bivalve molluscs that only shellfish from areas Classified under the South Australian Shellfish Quality Assurance Program (SASQAP) may be sold for human consumption.
- 4.2.2 The licensee must continue to meet all the regulations required under the Food Standards Code to produce a product safe for human consumption.

- 4.3 The licensee must submit a draft environmental monitoring program to the Minister for approval within 60 days of the grant of the licence by the Minister. The draft environmental monitoring program must include the qualifications and experience of the person(s) designing and undertaking the program and address the matters listed in Schedule 5.

5. *Marking and Maintaining the Site*

The licensee:

- 5.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 5.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 5.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 5.4 must mark the site boundary in accordance with the requirements of the Minister for Transport.

6. *Site Inspection and Supervision*

The licensee:

- 6.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 6.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

7. *Fees and Returns*

The licensee:

- 7.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 7.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.



### 8. Public Risk Insurance

The licensee must at its own cost during the term maintain in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister. The limits of public risk must not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such other amount as the Minister may from time to time reasonably require. A policy of insurance or copy thereof or a certificate of insurance must be produced by the licensee to the Minister on written request.

### 9. Guarantee or Indemnity Scheme

The licensee must either:

- 9.1 provide a guarantee from its bankers to the amount specified in Item 3 of Schedule 3; or
- 9.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

### 10. No Assignment

The licensee must not assign or sublet or deal in any other way with any interest in this licence.

### 11. Variation and Cancellation

- 11.1 The Minister may without prior notice vary or cancel this licence immediately during the term for the purposes of preventing or minimising any damage or threat of damage to the environment. For the purpose of this condition the Minister may have regard to but is not limited by the following considerations:
  - 11.1.1 the results of monitoring undertaken pursuant to Clause 4.1.5;
  - 11.1.2 the results of any other monitoring as may from time to time be carried out; or
  - 11.1.3 such other relevant information within the knowledge of the Minister.
- 11.2 Subject to and without limiting Condition 13.1, in the event of breach by the licensee of any term or condition of this licence, the Minister may:
  - 11.2.1 give to the licensee written notice of such breach and the Minister's requirements for rectification thereof; or
  - 11.2.2 cancel this licence for failure to comply with such requirements for rectification.
- 11.3 The Minister may cancel this licence if the licensee is a body corporate, and any of the following occur:
  - 11.3.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
  - 11.3.2 an order is made for the winding up or liquidation of the licensee;
  - 11.3.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
  - 11.3.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
  - 11.3.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets.

- 11.4 The Minister may cancel this licence if the licensee is an individual, and the licensee:
  - 11.4.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
  - 11.4.2 is convicted of an indictable offence.

- 11.5 Cancellation of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 26 November 2001.

I. NIGHTINGALE, General Manager Aquaculture

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectare
AGD 66—Zone 53	
537586E 6172817N	1
537722E 6172664N	
537688E 6172633N	
537552E 6172786N	

All St Andrew's crosses must be marked with the site's unique 'FM number'; that is the licence number.

##### Item 2—Marked-off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee].

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

#### SCHEDULE 2

##### Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

##### Item 2—Permitted Farming Methods

Racks 1  
Longlines

The total length of each unit must not exceed 3 km of longline not less than 3 m apart, or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit.

##### Item 3—Criteria for Development of Marine Aquaculture Sites

Development must have commenced on the site within 12 months of the licence being issued. The minimum level of development on the site must be:

0.1 ha developed with 0.3 km of BST longline or 0.1 km of racking on the site.

#### SCHEDULE 3

##### Item 1—Fees

Annual licence fees are payable as prescribed in the licence renewal.

##### Item 2—Insurance

Ten million dollars (\$10 000 000).

##### Item 3—Guarantee

Ten thousand dollars (\$10 000).

## SCHEDULE 4

*Production Returns*

The licensee must submit production returns to the Minister on or before 30 December and 30 June during the term of this licence. The information contained in these returns will be determined by the Minister. These returns must be forwarded to the General Manager, Aquaculture SA, 14th Floor, 25 Grenfell Street, Adelaide, S.A. 5000.

## SCHEDULE 5

*Environmental Monitoring Program*

## MATTERS TO BE ADDRESSED

The monitoring program should address the following matters in relation to the permitted use:

*Farm Management*

1. Approximate layout of all structures on the site during the term including location, number and size.
2. Growth and condition of the permitted species.
3. Occurrence of disease incidents in the permitted species.

*Water Quality*

1. Phytoplankton including species composition and abundance.
2. Status of the site under the South Australian Shellfish Quality Assurance Program during the term (including closures).

*Feral Oysters*

Presence and numbers of feral oysters.

*Benthic Sediments*

Sedimentation through measuring total organic carbon and particle size analysis of sediment samples.

*Benthic Fauna and Flora*

Benthic macro-flora communities including composition, distribution and abundance.

## METHODOLOGY

*Video Transects*

Video transects should be used to assess broad scale changes in sediment consistency, presence of farming waste and the composition and abundance of macro-flora communities.

Video transects must be collected using equipment capable of producing a clear and well lit image. Transects must extend across the site, including sections under the development, and extend 50 m out both sides of the site. The location of the video transects must be identified on a map attached to the environmental monitoring report. Each transect must be identified on the video with a unique transect number.

*Report*

The environmental monitoring report must be legible and contain a declaration regarding the authenticity and source of all data and results contained in the report. This declaration must be signed by the licence holder and the person(s) conducting the monitoring program.

The report must include an assessment of the results of the monitoring program against the provisions of the Environment Protection (Marine) Policy 1994, and must be accompanied by all raw data, video footage and diver notes.

## SCHEDULE 6

*Schedule of Environmental Monitoring Reports*

The licensee must submit a final environmental monitoring program report within 12 months of the commencement of this licence to the Minister, c/o General Manager Aquaculture SA, 14th Floor, 25 Grenfell Street, G.P.O. Box 1625, Adelaide, S.A. 5000.

## FISHERIES ACT 1982

## MARINE MOLLUSC FARMING LICENCE FM00314

*Licence to Farm Fish under section 53 of the Fisheries Act 1982*

THE Minister for Primary Industries and Resources ('the Minister') hereby grants to:

Brenton J. Lawrence (12174)  
Farm Beach Road  
Coffin Bay, S.A. 5607

a licence to occupy and use the waters and airspace over the land specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2001 and ending, subject to any earlier termination under this licence, on 30 June 2002 ('the term') subject to the following terms and conditions:

## CONDITIONS OF THIS LICENCE

1. *Marked-off Areas*

- 1.1 Subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site. The rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.
- 1.2 For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site are that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

2. *Permitted Species*

The licensee:

- 2.1 must not farm or introduce any species at the site other than the permitted species referred to in Schedule 2; and
- 2.2 must not take any wild fish from the site except for recreational purposes.

3. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

4. *Permitted Methods*

- 4.1 The licensee must, in undertaking the permitted use, take all reasonable and practicable measures to prevent or minimise damage to the environment. Without limiting the generality of the foregoing, the licensee:
  - 4.1.1 must ensure the total length of each unit does not exceed 3 km of longline or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit;
  - 4.1.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
  - 4.1.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
  - 4.1.4 must undertake an environmental monitoring program approved by the Minister and as specified in Clause 4.3;
  - 4.1.5 must not introduce the permitted species to the site before the approval of the environmental monitoring program referred to in 4.1.4 by the Minister;
  - 4.1.6 must comply with the schedule of reporting for the environmental monitoring program as prescribed in Schedule 6 and submit the final results of the environmental monitoring program to the Minister 30 days before expiry of the term of this licence.

#### 4.2 SASQAP

4.2.1 It is a condition of your licence to farm bivalve molluscs that only shellfish from areas Classified under the South Australian Shellfish Quality Assurance Program (SASQAP) may be sold for human consumption.

4.2.2 The licensee must continue to meet all the regulations required under the Food Standards Code to produce a product safe for human consumption.

4.3 The licensee must submit a draft environmental monitoring program to the Minister for approval within 60 days of the grant of the licence by the Minister. The draft environmental monitoring program must include the qualifications and experience of the person(s) designing and undertaking the program and address the matters listed in Schedule 5.

#### 5. Marking and Maintaining the Site

The licensee:

5.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;

5.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

5.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and

5.4 must mark the site boundary in accordance with the requirements of the Minister for Transport.

#### 6. Site Inspection and Supervision

The licensee:

6.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and

6.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

#### 7. Fees and Returns

The licensee:

7.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;

7.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

#### 8. Public Risk Insurance

The licensee must at its own cost during the term maintain in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister. The limits of public risk must not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such other amount as the Minister may from time to time reasonably require. A policy of insurance or copy thereof or a certificate of insurance must be produced by the licensee to the Minister on written request.

#### 9. Guarantee or Indemnity Scheme

The licensee must either:

9.1 provide a guarantee from its bankers to the amount specified in Item 3 of Schedule 3; or

9.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

#### 10. No Assignment

The licensee must not assign or sublet or deal in any other way with any interest in this licence.

#### 11. Variation and Cancellation

11.1 The Minister may without prior notice vary or cancel this licence immediately during the term for the purposes of preventing or minimising any damage or threat of damage to the environment. For the purpose of this condition the Minister may have regard to but is not limited by the following considerations:

11.1.1 the results of monitoring undertaken pursuant to Clause 4.1.5;

11.1.2 the results of any other monitoring as may from time to time be carried out; or

11.1.3 such other relevant information within the knowledge of the Minister.

11.2 Subject to and without limiting Condition 13.1, in the event of breach by the licensee of any term or condition of this licence, the Minister may:

11.2.1 give to the licensee written notice of such breach and the Minister's requirements for rectification thereof; or

11.2.2 cancel this licence for failure to comply with such requirements for rectification.

11.3 The Minister may cancel this licence if the licensee is a body corporate, and any of the following occur:

11.3.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;

11.3.2 an order is made for the winding up or liquidation of the licensee;

11.3.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

11.3.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

11.3.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets.

11.4 The Minister may cancel this licence if the licensee is an individual, and the licensee:

11.4.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or

11.4.2 is convicted of an indictable offence.

11.5 Cancellation of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 26 November 2001.

I. NIGHTINGALE, General Manager Aquaculture

## SCHEDULE 1

*Item 1—The Site*

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
543574E 6169737N	2
543474E 6169737N	
543474E 6169937N	
543574E 6169937N	

All *St Andrew's crosses* must be marked with the site's unique 'FM number'; that is the licence number.

The interest in this licence (FM00314) cannot be transferred unless attached to FM00050 and FM00145. This licence is part of the overall agreement with the Coffin Bay Oyster Farmers. If sustainability of the Coffin Bay waterways are in question, the minister will conduct a review of the allocation and conditions of the holding sites.

*Item 2—Marked-off Areas*

[Co-ordinates of developed areas within the site to be provided by the licensee].

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

## SCHEDULE 2

*Item 1—Permitted Species*

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

*Item 2—Permitted Farming Methods**Racks*

The total length of each unit must not exceed 3 km of longline not less than 3 m apart, or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit.

*Item 3—Criteria for Development of Marine Aquaculture Sites*

Development must have commenced on the site within 12 months of the licence being issued. The minimum level of development on the site must be:

0.2 ha developed with 0.6 km of BST longline or 0.2 km of racking on the site.

## SCHEDULE 3

*Item 1—Fees*

Annual licence fees are payable as prescribed in the licence renewal.

*Item 2—Insurance*

Ten million dollars (\$10 000 000).

*Item 3—Guarantee*

Ten thousand dollars (\$10 000).

## SCHEDULE 4

*Production Returns*

The licensee must submit production returns to the Minister on or before 30 December and 30 June during the term of this licence. The information contained in these returns will be determined by the Minister. These returns must be forwarded to the General Manager, Aquaculture SA, 14th Floor, 25 Grenfell Street, Adelaide, S.A. 5000.

## SCHEDULE 5

*Environmental Monitoring Program*

## MATTERS TO BE ADDRESSED

The monitoring program should address the following matters in relation to the permitted use:

*Farm Management*

1. Approximate layout of all structures on the site during the term including location, number and size.
2. Growth and condition of the permitted species.
3. Occurrence of disease incidents in the permitted species.

*Water Quality*

1. Phytoplankton including species composition and abundance.
2. Status of the site under the South Australian Shellfish Quality Assurance Program during the term (including closures).

*Feral Oysters*

Presence and numbers of feral oysters.

*Benthic Sediments*

Sedimentation through measuring total organic carbon and particle size analysis of sediment samples.

*Benthic Fauna and Flora*

Benthic macro-flora communities including composition, distribution and abundance.

## METHODOLOGY

*Video Transects*

Video transects should be used to assess broad scale changes in sediment consistency, presence of farming waste and the composition and abundance of macro-flora communities.

Video transects must be collected using equipment capable of producing a clear and well lit image. Transects must extend across the site, including sections under the development, and extend 50 m out both sides of the site. The location of the video transects must be identified on a map attached to the environmental monitoring report. Each transect must be identified on the video with a unique transect number.

*Report*

The environmental monitoring report must be legible and contain a declaration regarding the authenticity and source of all data and results contained in the report. This declaration must be signed by the licence holder and the person(s) conducting the monitoring program.

The report must include an assessment of the results of the monitoring program against the provisions of the Environment Protection (Marine) Policy 1994, and must be accompanied by all raw data, video footage and diver notes.

## SCHEDULE 6

*Schedule of Environmental Monitoring Reports*

The licensee must submit a final environmental monitoring program report within 12 months of the commencement of this licence to the Minister, c/o General Manager Aquaculture SA, 14th Floor, 25 Grenfell Street, G.P.O. Box 1625, Adelaide, S.A. 5000.

## FISHERIES ACT 1982

## MARINE MOLLUSC FARMING LICENCE FM00313

*Licence to Farm Fish under section 53 of the Fisheries Act 1982*

THE Minister for Primary Industries and Resources ('the Minister') hereby grants to:

Michael R. Coates (14409)  
 Jillian L. Coates (14410)  
 Redbart Pty Ltd (26678)  
 Sashimi Tuna Enterprises Pty Ltd (26677)  
 6 Playford Road  
 Mitcham, S.A. 5062

a licence to occupy and use the waters and airspace over the land specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2001 and ending, subject to any earlier termination under this licence, on 30 June 2002 ('the term') subject to the following terms and conditions:

## CONDITIONS OF THIS LICENCE

1. *Marked-off Areas*

- 1.1 Subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site. The rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.
- 1.2 For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site are that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

2. *Permitted Species*

The licensee:

- 2.1 must not farm or introduce any species at the site other than the permitted species referred to in Schedule 2; and
- 2.2 must not take any wild fish from the site except for recreational purposes.

3. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

4. *Permitted Methods*

- 4.1 The licensee must, in undertaking the permitted use, take all reasonable and practicable measures to prevent or minimise damage to the environment. Without limiting the generality of the foregoing, the licensee:
  - 4.1.1 must ensure the total length of each unit does not exceed 3 km of longline or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit;
  - 4.1.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
  - 4.1.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
  - 4.1.4 must undertake an environmental monitoring program approved by the Minister and as specified in Clause 4.3;
  - 4.1.5 must not introduce the permitted species to the site before the approval of the environmental monitoring program referred to in 4.1.4 by the Minister;
  - 4.1.6 must comply with the schedule of reporting for the environmental monitoring program as prescribed in Schedule 6 and submit the final results of the environmental monitoring program to the Minister 30 days before expiry of the term of this licence.
- 4.2 *SASQAP*
  - 4.2.1 It is a condition of your licence to farm bivalve molluscs that only shellfish from areas Classified under the South Australian Shellfish Quality Assurance Program (SASQAP) may be sold for human consumption.
  - 4.2.2 The licensee must continue to meet all the regulations required under the Food Standards Code to produce a product safe for human consumption.
- 4.3 The licensee must submit a draft environmental monitoring program to the Minister for approval within 60 days of the grant of the licence by the Minister. The draft environmental monitoring program must include the qualifications and experience of the person(s) designing and undertaking the program and address the matters listed in Schedule 5.

5. *Marking and Maintaining the Site*

The licensee:

- 5.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 5.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 5.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 5.4 must mark the site boundary in accordance with the requirements of the Minister for Transport.

6. *Site Inspection and Supervision*

The licensee:

- 6.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 6.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

7. *Fees and Returns*

The licensee:

- 7.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 7.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

8. *Public Risk Insurance*

The licensee must at its own cost during the term maintain in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister. The limits of public risk must not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such other amount as the Minister may from time to time reasonably require. A policy of insurance or copy thereof or a certificate of insurance must be produced by the licensee to the Minister on written request.

9. *Guarantee or Indemnity Scheme*

The licensee must either:

- 9.1 provide a guarantee from its bankers to the amount specified in Item 3 of Schedule 3; or
- 9.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

10. *No Assignment*

The licensee must not assign or sublet or deal in any other way with any interest in this licence.

11. *Variation and Cancellation*

- 11.1 The Minister may without prior notice vary or cancel this licence immediately during the term for the purposes of preventing or minimising any damage or threat of damage to the environment. For the purpose of this condition the Minister may have regard to but is not limited by the following considerations:

- 11.1.1 the results of monitoring undertaken pursuant to Clause 4.1.5;
- 11.1.2 the results of any other monitoring as may from time to time be carried out; or
- 11.1.3 such other relevant information within the knowledge of the Minister.
- 11.2 Subject to and without limiting Condition 13.1, in the event of breach by the licensee of any term or condition of this licence, the Minister may:
- 11.2.1 give to the licensee written notice of such breach and the Minister's requirements for rectification thereof; or
- 11.2.2 cancel this licence for failure to comply with such requirements for rectification.
- 11.3 The Minister may cancel this licence if the licensee is a body corporate, and any of the following occur:
- 11.3.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 11.3.2 an order is made for the winding up or liquidation of the licensee;
- 11.3.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 11.3.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 11.3.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets.
- 11.4 The Minister may cancel this licence if the licensee is an individual, and the licensee:
- 11.4.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
- 11.4.2 is convicted of an indictable offence.
- 11.5 Cancellation of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 26 November 2001.

I. NIGHTINGALE, General Manager Aquaculture

SCHEDULE 1

*Item 1—The Site*

Area applicable to this licence:

Licensed Area	Licensed Hectare
AGD 66—Zone 53	
543589E 6169930N	1
543641E 6169930N	
543641E 6169738N	
543589E 6169738N	

*All St Andrew's crosses must be marked with the site's unique 'FM number'; that is the licence number.*

The interest in this licence (FM00313) cannot be transferred unless attached to FM00156 and FM00149. This licence is part of the overall agreement with the Coffin Bay Oyster Farmers. If sustainability of the Coffin Bay waterways are in question, the Minister will conduct a review of the allocation and conditions of the holding sites.

*Item 2—Marked-off Areas*

[Co-ordinates of developed areas within the site to be provided by the licensee].

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

*Item 1—Permitted Species*

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

*Item 2—Permitted Farming Methods*

*Racks*

The total length of each unit must not exceed 3 km of longline not less than 3 m apart, or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit.

*Item 3—Criteria for Development of Marine Aquaculture Sites*

Development must have commenced on the site within 12 months of the licence being issued. The minimum level of development on the site must be:

0.2 ha developed with 0.6 km of BST longline or 0.2 km of racking on the site.

SCHEDULE 3

*Item 1—Fees*

Annual licence fees are payable as prescribed in the licence renewal.

*Item 2—Insurance*

Ten million dollars (\$10 000 000).

*Item 3—Guarantee*

Ten thousand dollars (\$10 000).

SCHEDULE 4

*Production Returns*

The licensee must submit production returns to the Minister on or before 30 December and 30 June during the term of this licence. The information contained in these returns will be determined by the Minister. These returns must be forwarded to the General Manager, Aquaculture SA, 14th Floor, 25 Grenfell Street, Adelaide, S.A. 5000.

SCHEDULE 5

*Environmental Monitoring Program*

MATTERS TO BE ADDRESSED

The monitoring program should address the following matters in relation to the permitted use:

*Farm Management*

1. Approximate layout of all structures on the site during the term including location, number and size.
2. Growth and condition of the permitted species.
3. Occurrence of disease incidents in the permitted species.

*Water Quality*

1. Phytoplankton including species composition and abundance.
2. Status of the site under the South Australian Shellfish Quality Assurance Program during the term (including closures).

*Feral Oysters*

Presence and numbers of feral oysters.

*Benthic Sediments*

Sedimentation through measuring total organic carbon and particle size analysis of sediment samples.

*Benthic Fauna and Flora*

Benthic macro-flora communities including composition, distribution and abundance.

**METHODOLOGY***Video Transects*

Video transects should be used to assess broad scale changes in sediment consistency, presence of farming waste and the composition and abundance of macro-flora communities.

Video transects must be collected using equipment capable of producing a clear and well lit image. Transects must extend across the site, including sections under the development, and extend 50 m out both sides of the site. The location of the video transects must be identified on a map attached to the environmental monitoring report. Each transect must be identified on the video with a unique transect number.

*Report*

The environmental monitoring report must be legible and contain a declaration regarding the authenticity and source of all data and results contained in the report. This declaration must be signed by the licence holder and the person(s) conducting the monitoring program.

The report must include an assessment of the results of the monitoring program against the provisions of the Environment Protection (Marine) Policy 1994, and must be accompanied by all raw data, video footage and diver notes.

## SCHEDULE 6

*Schedule of Environmental Monitoring Reports*

The licensee must submit a final environmental monitoring program report within 12 months of the commencement of this licence to the Minister, c/o General Manager Aquaculture SA, 14th Floor, 25 Grenfell Street, G.P.O. Box 1625, Adelaide, S.A. 5000.

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00096  
(PREVIOUS LICENCE NO. F772)

*Licence to Farm Fish under section 53 of the Fisheries Act 1982*

THE Minister for Primary Industries and Resources ('the Minister') hereby grants to:

Cowell Properties Pty Ltd (12212)  
4 Shaftesbury Terrace  
Marino, S.A. 5049

a licence to occupy and use the waters and airspace over the land specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2001 and ending, subject to any earlier termination under this licence, on 30 June 2002 ('the term') subject to the following terms and conditions:

## CONDITIONS OF THIS LICENCE

1. *Marked-off Areas*

- 1.1 Subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site. The rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.
- 1.2 For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site are that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

2. *Permitted Species*

The licensee:

- 2.1 must not farm or introduce any species at the site other than the permitted species referred to in Schedule 2; and
- 2.2 must not take any wild fish from the site except for recreational purposes.

3. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

4. *Permitted Methods*

- 4.1 The licensee must, in undertaking the permitted use, take all reasonable and practicable measures to prevent or minimise damage to the environment. Without limiting the generality of the foregoing, the licensee:
  - 4.1.1 must ensure the total length of each unit does not exceed 3 km of longline or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit;
  - 4.1.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
  - 4.1.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
  - 4.1.4 must undertake an environmental monitoring program approved by the Minister and as specified in Clause 4.3;
  - 4.1.5 must not introduce the permitted species to the site before the approval of the environmental monitoring program referred to in 4.1.4 by the Minister;
  - 4.1.6 must comply with the schedule of reporting for the environmental monitoring program as prescribed in Schedule 6 and submit the final results of the environmental monitoring program to the Minister 30 days before expiry of the term of this licence.
- 4.2 *SASQAP*
  - 4.2.1 It is a condition of your licence to farm bivalve molluscs that only shellfish from areas Classified under the South Australian Shellfish Quality Assurance Program (SASQAP) may be sold for human consumption.
  - 4.2.2 The licensee must continue to meet all the regulations required under the Food Standards Code to produce a product safe for human consumption.
- 4.3 The licensee must submit a draft environmental monitoring program to the Minister for approval within 60 days of the grant of the licence by the Minister. The draft environmental monitoring program must include the qualifications and experience of the person(s) designing and undertaking the program and address the matters listed in Schedule 5.

5. *Marking and Maintaining the Site*

The licensee:

- 5.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 5.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 5.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 5.4 must mark the site boundary in accordance with the requirements of the Minister for Transport.

6. *Site Inspection and Supervision*

The licensee:

- 6.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 6.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

### 7. Fees and Returns

The licensee:

- 7.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 7.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

### 8. Public Risk Insurance

The licensee must at its own cost during the term maintain in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister. The limits of public risk must not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such other amount as the Minister may from time to time reasonably require. A policy of insurance or copy thereof or a certificate of insurance must be produced by the licensee to the Minister on written request.

### 9. Guarantee or Indemnity Scheme

The licensee must either:

- 9.1 provide a guarantee from its bankers to the amount specified in Item 3 of Schedule 3; or
- 9.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

### 10. No Assignment

The licensee must not assign or sublet or deal in any other way with any interest in this licence.

### 11. Variation and Cancellation

- 11.1 The Minister may without prior notice vary or cancel this licence immediately during the term for the purposes of preventing or minimising any damage or threat of damage to the environment. For the purpose of this condition the Minister may have regard to but is not limited by the following considerations:
  - 11.1.1 the results of monitoring undertaken pursuant to Clause 4.1.5;
  - 11.1.2 the results of any other monitoring as may from time to time be carried out; or
  - 11.1.3 such other relevant information within the knowledge of the Minister.
- 11.2 Subject to and without limiting Condition 13.1, in the event of breach by the licensee of any term or condition of this licence, the Minister may:
  - 11.2.1 give to the licensee written notice of such breach and the Minister's requirements for rectification thereof; or
  - 11.2.2 cancel this licence for failure to comply with such requirements for rectification.
- 11.3 The Minister may cancel this licence if the licensee is a body corporate, and any of the following occur:
  - 11.3.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
  - 11.3.2 an order is made for the winding up or liquidation of the licensee;
  - 11.3.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
  - 11.3.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

11.3.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets.

11.4 The Minister may cancel this licence if the licensee is an individual, and the licensee:

- 11.4.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
- 11.4.2 is convicted of an indictable offence.

11.5 Cancellation of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 26 November 2001.

I. NIGHTINGALE, General Manager Aquaculture

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Area	Licensed Hectares
AGD 66—Zone 53		
676184E 6266519N		10
676480E 6266741N		
676753E 6266963N		
676844E 6266849N		
676631E 6266566N		
676288E 6266450N		

All *St Andrew's crosses* must be marked with the site's unique 'FM number'; that is the licence number.

##### Item 2—Marked-off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee].

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

#### SCHEDULE 2

##### Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

##### Item 2—Permitted Farming Methods

##### Longlines

The total length of each unit must not exceed 3 km of longline not less than 3 m apart, or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit.

##### Item 3—Criteria for Development of Marine Aquaculture Sites

Development must have commenced on the site within 12 months of the licence being issued. The minimum level of development on the site must be:

1 ha developed by 30 June 2002.

#### SCHEDULE 3

##### Item 1—Fees

Annual licence fees are payable as prescribed in the licence renewal.

##### Item 2—Insurance

Ten million dollars (\$10 000 000).

##### Item 3—Guarantee

Ten thousand dollars (\$10 000).



## SCHEDULE 4

*Production Returns*

The licensee must submit production returns to the Minister on or before 30 December and 30 June during the term of this licence. The information contained in these returns will be determined by the Minister. These returns must be forwarded to the General Manager, Aquaculture SA, 14th Floor, 25 Grenfell Street, Adelaide, S.A. 5000.

## SCHEDULE 5

*Environmental Monitoring Program*

## MATTERS TO BE ADDRESSED

The monitoring program should address the following matters in relation to the permitted use:

*Farm Management*

1. Approximate layout of all structures on the site during the term including location, number and size.
2. Growth and condition of the permitted species.
3. Occurrence of disease incidents in the permitted species.

*Water Quality*

1. Phytoplankton including species composition and abundance.
2. Status of the site under the South Australian Shellfish Quality Assurance Program during the term (including closures).

*Feral Oysters*

Presence and numbers of feral oysters.

*Benthic Sediments*

Sedimentation through measuring total organic carbon and particle size analysis of sediment samples.

*Benthic Fauna and Flora*

Benthic macro-flora communities including composition, distribution and abundance.

## METHODOLOGY

*Video Transects*

Video transects should be used to assess broad scale changes in sediment consistency, presence of farming waste and the composition and abundance of macro-flora communities.

Video transects must be collected using equipment capable of producing a clear and well lit image. Transects must extend across the site, including sections under the development, and extend 50 m out both sides of the site. The location of the video transects must be identified on a map attached to the environmental monitoring report. Each transect must be identified on the video with a unique transect number.

*Report*

The environmental monitoring report must be legible and contain a declaration regarding the authenticity and source of all data and results contained in the report. This declaration must be signed by the licence holder and the person(s) conducting the monitoring program.

The report must include an assessment of the results of the monitoring program against the provisions of the Environment Protection (Marine) Policy 1994, and must be accompanied by all raw data, video footage and diver notes.

## SCHEDULE 6

*Schedule of Environmental Monitoring Reports*

The licensee must submit a final environmental monitoring program report within 12 months of the commencement of this licence to the Minister, c/o General Manager Aquaculture SA, 14th Floor, 25 Grenfell Street, G.P.O. Box 1625, Adelaide, S.A. 5000.

## FISHERIES ACT 1982

## MARINE MOLLUSC FARMING LICENCE FM00402

*Licence to Farm Fish under section 53 of the Fisheries Act 1982*

THE Minister for Primary Industries and Resources ('the Minister') hereby grants to:

Paul J. Dennis (19813)  
Sally M. Dennis (14232)  
21 Normandy Place  
Port Lincoln, S.A. 5606

a licence to occupy and use the waters and airspace over the land specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2001 and ending, subject to any earlier termination under this licence, on 30 June 2002 ('the term') subject to the following terms and conditions:

## CONDITIONS OF THIS LICENCE

1. *Marked-off Areas*

- 1.1 Subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site. The rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.
- 1.2 For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site are that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

2. *Permitted Species*

The licensee:

- 2.1 must not farm or introduce any species at the site other than the permitted species referred to in Schedule 2; and
- 2.2 must not take any wild fish from the site except for recreational purposes.

3. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

4. *Permitted Methods*

- 4.1 The licensee must, in undertaking the permitted use, take all reasonable and practicable measures to prevent or minimise damage to the environment. Without limiting the generality of the foregoing, the licensee:
  - 4.1.1 must ensure the total length of each unit does not exceed 3 km of longline or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit;
  - 4.1.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
  - 4.1.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
  - 4.1.4 must undertake an environmental monitoring program approved by the Minister and as specified in Clause 4.3;
  - 4.1.5 must not introduce the permitted species to the site before the approval of the environmental monitoring program referred to in 4.1.4 by the Minister;
  - 4.1.6 must comply with the schedule of reporting for the environmental monitoring program as prescribed in Schedule 6 and submit the final results of the environmental monitoring program to the Minister 30 days before expiry of the term of this licence.

#### 4.2 SASQAP

4.2.1 It is a condition of your licence to farm bivalve molluscs that only shellfish from areas Classified under the South Australian Shellfish Quality Assurance Program (SASQAP) may be sold for human consumption.

4.2.2 The licensee must continue to meet all the regulations required under the Food Standards Code to produce a product safe for human consumption.

4.3 The licensee must submit a draft environmental monitoring program to the Minister for approval within 60 days of the grant of the licence by the Minister. The draft environmental monitoring program must include the qualifications and experience of the person(s) designing and undertaking the program and address the matters listed in Schedule 5.

#### 5. Marking and Maintaining the Site

The licensee:

5.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;

5.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

5.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and

5.4 must mark the site boundary in accordance with the requirements of the Minister for Transport.

#### 6. Site Inspection and Supervision

The licensee:

6.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and

6.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

#### 7. Fees and Returns

The licensee:

7.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;

7.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

#### 8. Public Risk Insurance

The licensee must at its own cost during the term maintain in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister. The limits of public risk must not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such other amount as the Minister may from time to time reasonably require. A policy of insurance or copy thereof or a certificate of insurance must be produced by the licensee to the Minister on written request.

#### 9. Guarantee or Indemnity Scheme

The licensee must either:

9.1 provide a guarantee from its bankers to the amount specified in Item 3 of Schedule 3; or

9.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

#### 10. No Assignment

The licensee must not assign or sublet or deal in any other way with any interest in this licence.

#### 11. Variation and Cancellation

11.1 The Minister may without prior notice vary or cancel this licence immediately during the term for the purposes of preventing or minimising any damage or threat of damage to the environment. For the purpose of this condition the Minister may have regard to but is not limited by the following considerations:

11.1.1 the results of monitoring undertaken pursuant to Clause 4.1.5;

11.1.2 the results of any other monitoring as may from time to time be carried out; or

11.1.3 such other relevant information within the knowledge of the Minister.

11.2 Subject to and without limiting Condition 13.1, in the event of breach by the licensee of any term or condition of this licence, the Minister may:

11.2.1 give to the licensee written notice of such breach and the Minister's requirements for rectification thereof; or

11.2.2 cancel this licence for failure to comply with such requirements for rectification.

11.3 The Minister may cancel this licence if the licensee is a body corporate, and any of the following occur:

11.3.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;

11.3.2 an order is made for the winding up or liquidation of the licensee;

11.3.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

11.3.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

11.3.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets.

11.4 The Minister may cancel this licence if the licensee is an individual, and the licensee:

11.4.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or

11.4.2 is convicted of an indictable offence.

11.5 Cancellation of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 26 November 2001.

I. NIGHTINGALE, General Manager Aquaculture

## SCHEDULE 1

*Item 1—The Site*

Area applicable to this licence:

Licensed Area	Licensed Hectare
AGD 66—Zone 53	
543780E 6169938N	0.25
543792E 6169938N	
543792E 6169738N	
543780E 6169738N	

*All St Andrew's crosses must be marked with the site's unique 'FM number'; that is the licence number.*

*Item 2—Marked-off Areas*

[Co-ordinates of developed areas within the site to be provided by the licensee].

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

## SCHEDULE 2

*Item 1—Permitted Species*

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

*Item 2—Permitted Farming Methods**Racks  
Longlines*

The total length of each unit must not exceed 3 km of longline not less than 3 m apart, or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit.

*Item 3—Criteria for Development of Marine Aquaculture Sites*

Development must have commenced on the site within 12 months of the licence being issued. The minimum level of development on the site must be:

0.02 ha developed with 0.05 km of BST longline or 0.02 km of racking on the site.

## SCHEDULE 3

*Item 1—Fees*

Annual licence fees are payable as prescribed in the licence renewal.

*Item 2—Insurance*

Ten million dollars (\$10 000 000).

*Item 3—Guarantee*

Ten thousand dollars (\$10 000).

## SCHEDULE 4

*Production Returns*

The licensee must submit production returns to the Minister on or before 30 December and 30 June during the term of this licence. The information contained in these returns will be determined by the Minister. These returns must be forwarded to the General Manager, Aquaculture SA, 14th Floor, 25 Grenfell Street, Adelaide, S.A. 5000.

## SCHEDULE 5

*Environmental Monitoring Program*

## MATTERS TO BE ADDRESSED

The monitoring program should address the following matters in relation to the permitted use:

*Farm Management*

1. Approximate layout of all structures on the site during the term including location, number and size.
2. Growth and condition of the permitted species.
3. Occurrence of disease incidents in the permitted species.

*Water Quality*

1. Phytoplankton including species composition and abundance.
2. Status of the site under the South Australian Shellfish Quality Assurance Program during the term (including closures).

*Feral Oysters*

Presence and numbers of feral oysters.

*Benthic Sediments*

Sedimentation through measuring total organic carbon and particle size analysis of sediment samples.

*Benthic Fauna and Flora*

Benthic macro-flora communities including composition, distribution and abundance.

## METHODOLOGY

*Video Transects*

Video transects should be used to assess broad scale changes in sediment consistency, presence of farming waste and the composition and abundance of macro-flora communities.

Video transects must be collected using equipment capable of producing a clear and well lit image. Transects must extend across the site, including sections under the development, and extend 50 m out both sides of the site. The location of the video transects must be identified on a map attached to the environmental monitoring report. Each transect must be identified on the video with a unique transect number.

*Report*

The environmental monitoring report must be legible and contain a declaration regarding the authenticity and source of all data and results contained in the report. This declaration must be signed by the licence holder and the person(s) conducting the monitoring program.

The report must include an assessment of the results of the monitoring program against the provisions of the Environment Protection (Marine) Policy 1994, and must be accompanied by all raw data, video footage and diver notes.

## SCHEDULE 6

*Schedule of Environmental Monitoring Reports*

The licensee must submit a final environmental monitoring program report within 12 months of the commencement of this licence to the Minister, c/o General Manager Aquaculture SA, 14th Floor, 25 Grenfell Street, G.P.O. Box 1625, Adelaide, S.A. 5000.

## FISHERIES ACT 1982: SECTION 53

TAKE note that the licence to farm fish made under section 53 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, dated 3 September 2001, on page number 3875, being the second notice on that page, through to page number 3877 and referring to Brenton J. Lawrence is hereby revoked.

Dated 27 November 2001.

I. NIGHTINGALE, General Manager Aquaculture,  
as the delegate of the Minister for Primary  
Industries

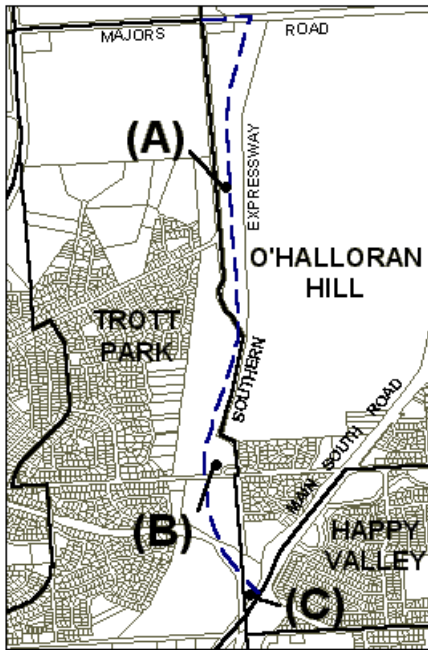
GEOGRAPHICAL NAMES ACT 1991

*Notice to Assign Boundaries to Places*

NOTICE is hereby given pursuant to the provisions of the above Act, that I, Robert David Lawson, Minister for Administrative and Information Services, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed DO HEREBY:

1. Exclude the areas marked (A) and (C) on the plan below from the suburb of O'Halloran Hill and include said areas into the suburb of Trott Park.
2. Exclude that area marked (B) on the plan below from the suburb of Trott Park and include said area into the suburb of O'Halloran Hill.

THE PLAN



Dated 9 November 2001.

ROBERT LAWSON, Minister for Administrative and Information Services

DAIS 04/0418

GROUNDWATER (BORDER AGREEMENT) ACT 1985

*Alteration under Subclause 28 (2) of the Border Groundwaters Agreement of Permissible Annual Volumes of Extractions*

NOTICE is hereby given that the Border Groundwaters Agreement Review Committee by virtue of its powers under subclause 28 (2) of the Agreement, has determined that the permissible annual volumes of extraction be altered to the volumes specified in relation to each zone as set out in the Schedule hereto. The alteration will take effect from the date of publication of this notice.

THE SCHEDULE

*Permissible Annual Volume (Megalitres)*

Zone	Permissible Annual Volume (Megalitres)
1A.....	40 100
2A.....	27 900
3A.....	25 900
4A.....	20 710
5A.....	19 040
6A.....	9 210
7A.....	7 850
8A.....	8 040
9A.....	12 165
10A.....	9 720
11A.....	6 861

For and on behalf of the Border Groundwaters Agreement Review Committee.

Dated 29 November 2001.

D. J. BAKER, President, Border Groundwaters Agreement Review Committee.

GROUNDWATER (BORDER AGREEMENT) ACT 1985

*Alteration under Subclause 28 (2) of the Border Groundwaters Agreement of Permissible Distance from the Border between the State of South Australia and the State of Victoria*

NOTICE is hereby given that the Border Groundwaters Agreement Review Committee by virtue of its powers under subclause 28 (2) of the Agreement, has determined that the permissible distance from the border between the State of South Australia and the State of Victoria be altered to the distance specified in relation to each zone as set out in the Schedule hereto. The alteration will take effect from the date of publication of this notice.

THE SCHEDULE

*Permissible Distance*

Zone	Distance from the border
10A.....	3 km
11A.....	3 km

For and on behalf of the Border Groundwaters Agreement Review Committee.

Dated 29 November 2001.

D. J. BAKER, President, Border Groundwaters Agreement Review Committee.

HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee*

THE following determination made on 30 August 2001, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

V20305

HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee in respect of the M.V. 'Sea Otter'*

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Sea Otter* whilst operating within Smooth and Partially Smooth Waters limits of South Australia as per Schedule 1 of the Harbors and Navigation Act 1993.

*Minimum complement*

Two person—Master and Mate

*Minimum Qualifications of Crew*

Master—Certificate of Competency as Master Class 4.

Mate—Certificate of Competency as Master Class 5.

*Note: Either the Master or Mate must possess a Certificate of Competency as a Marine Engine Driver Grade 1.*

CAPT. C. KAVINA, Presiding Member, State Crewing Committee.

HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee*

THE following determination made on 30 August 2001, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

V28201

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee in respect of the M.V. 'Slippery Slaven Rescue 2'*

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Slippery Slaven Rescue 2* whilst operating within 3 nautical miles of the coast of South Australia and 5 nautical miles laterally along the coast from West Beach Marina.

*Minimum complement*

One person—Master

*Minimum Qualifications of Crew*

Master—Certificate of Competency as Coxswain restricted as per operational limits and has successfully completed Elements of Shipboard Safety and Restricted Radiotelephony courses.

CAPT. C. KAVINA, Presiding Member,  
State Crewing Committee.

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee*

THE following determination made on 30 August 2001, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport  
and Urban Planning.

V28200

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee in respect of the M.V. 'Jack Conry Rescue 1'*

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Jack Conry Rescue 1* whilst operating within 3 nautical miles of the coast of South Australia and 5 nautical miles laterally along the coast from West Beach Marina.

*Minimum complement*

One person—Master

*Minimum Qualifications of Crew*

Master—Certificate of Competency as Coxswain restricted as per operational limits and has successfully completed Elements of Shipboard Safety and Restricted Radiotelephony courses.

CAPT. C. KAVINA, Presiding Member,  
State Crewing Committee.

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee*

THE following determination made on 7 June 2001, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport  
and Urban Planning.

V28090

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee in respect of the M.V. 'Coorong Explorer'*

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Coorong Explorer* whilst operating within Smooth Waters limit of South Australia as per Schedule 1 of the Harbors and Navigation Act 1993.

*Minimum complement*

One person—Master

*Minimum Qualifications of Crew*

Master—Certificate of Competency as Coxswain and has successfully completed Elements of Shipboard Safety and Restricted Radiotelephony courses.

CAPT. W. J. STUART, Deputy Presiding Member,  
State Crewing Committee.

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee*

THE following determination made on 7 June 2001, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport  
and Urban Planning.

V28131

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee in respect of the M.V. 'A1 Fishing Charters'*

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *A1 Fishing Charters* whilst operating within 15 nautical miles of the coast of South Australia.

*Minimum complement*

One person—Master

*Minimum Qualifications of Crew*

Master—Certificate of Competency as Coxswain and has successfully completed Elements of Shipboard Safety and Restricted Radiotelephony courses.

CAPT. W. J. STUART, Deputy Presiding Member,  
State Crewing Committee.

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee*

THE following determination made on 30 August 2001, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport  
and Urban Planning.

V10122

## HARBORS AND NAVIGATION ACT 1993

*Determination of the State Crewing Committee in respect of the M.V. 'Cathy M'*

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Cathy M* whilst operating within 15 nautical miles of the coast of South Australia and within Seaphone limits.

*Minimum complement*

One person—Master

*Minimum Qualifications of Crew*

Master—Certificate of Competency as Coxswain and has successfully completed Elements of Shipboard Safety and Restricted Radiotelephony courses.

CAPT. C. KAVINA, Presiding Member,  
State Crewing Committee.

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2001

	\$		\$
Agents, Ceasing to Act as.....	32.75	Firms:	
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Meeting Final.....	27.50	Annual Financial Statement—Forms 1 and 2 .....	462.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	327.00
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Meeting')		First Name .....	65.50
First Name.....	32.75	Each Subsequent Name.....	8.40
Each Subsequent Name.....	8.40	Noxious Trade .....	24.50
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Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name .....	8.40
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	41.25	Rate per page (in 8pt) .....	209.00
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17-32	2.60	1.65	513-528	27.75	26.50
33-48	3.35	2.40	529-544	28.50	27.50
49-64	4.25	3.20	545-560	29.25	28.50
65-80	5.00	4.10	561-576	30.00	29.25
81-96	5.75	4.80	577-592	31.00	29.75
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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
321-336	17.90	16.90	817-832	43.00	42.00
337-352	18.80	17.80	833-848	43.75	42.75
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417-432	22.90	21.80	913-928	47.75	47.25
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## 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		
17 Gray Court, Adelaide	Allotment 462 in Filed Plan 182924, Hundred of Adelaide	5707	746	12.12.68, page 2639	110.00
24 Royal Avenue, Adelaide	Allotment 14 in Deposited Plan 1110, Hundred of Adelaide	5851	620	28.1.93, page 484	180.00 (whole of house)
26 Pickering Street, Brompton	Allotment 30 in Filed Plan 119448, Hundred of Yatala	5480	728	22.12.66, page 2314	90.00
24 Coulls Street, Freeling	Allotment 200 in Deposited Plan 24864, Hundred of Nuriootpa	5154	505	30.8.01, page 3431	80.00
13 Daly Street, Gawler East	Allotment 15 in Filed Plan 154916, Hundred of Nuriootpa	5600	983	30.7.98, page 280	100.00
	Allotment 16 in Filed Plan 154917, Hundred of Nuriootpa	5361	66		
67 Brighton Road, Glenelg	Allotment 332 in Filed Plan 7589, Hundred of Noarlunga	5858	190	26.11.92, page 1636	100.00
497 Fullarton Road, Highgate	Allotment 100 in Deposited Plan 31248, Hundred of Adelaide	5072	627	27.9.01, page 4303	170.00
Green Valley Stud, Lot 111, Sturt Highway, Hewett (also known as Lot 111, Sturt Highway, Gawler)	Allotment 111, in Deposited Plan 41293, Hundred of Nuriootpa	5354	577	30.8.01, page 3431	68.00
37 Mildred Street, Kapunda	Allotment 2 in Deposited Plan 179, Hundred of Kapunda	5573	102	30.8.01, page 3431	60.00
22 Hill Street, Mitcham	Allotment 43 in Filed Plan 15730, Hundred of Adelaide	5422	881	27.9.01, page 4303	175.00
18 Regent Street, Moana South	Allotment 506 in Deposited Plan 6210, Hundred of Willunga	5267	393	27.2.92, page 632	100.00
299 Whites Road, Paralowie	Allotment 102 in Filed Plan 30524, Hundred of Munno Para	5411	212	30.8.01, page 3431	72.00
Flat 1/16 Wallis Street, Parkside	Allotment 36 in Deposited Plan 1947, Hundred of Adelaide	5659	797	27.7.00, page 309	5.00
Flat 2/16 Wallis Street, Parkside	Allotment 36 in Deposited Plan 1947, Hundred of Adelaide	5659	797	27.7.00, page 309	5.00
Flat 3/16 Wallis Street, Parkside	Allotment 36 in Deposited Plan 1947, Hundred of Adelaide	5659	797	27.7.00, page 309	5.00
Flat 4/16 Wallis Street, Parkside	Allotment 36 in Deposited Plan 1947, Hundred of Adelaide	5659	797	27.7.00, page 309	5.00
16 East Street, Port Wakefield	Allotment 140 in Filed Plan 175460, Hundred of Inkerman	5818	621	26.7.90, page 426	115.00
7 Newark Street, Saddleworth	Allotment 2 in Filed Plan 101561, Hundred of Saddleworth	5110	548	30.5.96, page 2605	77.00
Unit 1/26 Quorn Road, Stirling North	Allotment 103 in Deposited Plan 24717, Hundred of Davenport	5431	137	30.8.01, page 3431	55.00
	Allotment 104 in Deposited Plan 24717, Hundred of Davenport	5431	138		



Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
Unit 2/26 Quorn Road, Stirling North	Allotment 103 in Deposited Plan 24717, Hundred of Davenport	5431	137	30.8.01, page 3431	35.00
	Allotment 104 in Deposited Plan 24717, Hundred of Davenport	5431	138		
4 (96) Gollan Street, Tailem Bend	Allotment 96 in Town of Tailem Bend, Hundred of Seymour	5695	662	2.9.76, page 799	65.00
9 Dene Avenue, Victor Harbor	Allotment 83 in Deposited Plan 353, Hundred of Encounter Bay	5390	109	30.8.01, page 3431	40.00
69 Lyons Road, Windsor Gardens	Allotment 350 in Deposited Plan 49326, Hundred of Yatala	5553	205	30.3.95, page 1142	65.00

Dated at Adelaide, 29 November 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	
295 Wright Street, Adelaide	Allotment 3 in Filed Plan 102313, Hundred of Adelaide	5119	960	22.3.73, page 1169
Part sections 91 and 92 Riverbanks Road, Angle Vale	Section 92, Hundred of Munno Para	Crown Record 5744		30.11.00, page 3362
Unit 2/32 Esplanade, Christies Beach	Unit 2 Strata Plan 13336, Hundred of Noarlunga	5248	686	27.6.96, page 3120
	Common Property Strata Plan 13336	5248	693	
Unit 5/32 Esplanade, Christies Beach	Unit 5 Strata Plan 13336, Hundred of Noarlunga	5248	689	27.6.96, page 3120
	Common Property Strata Plan 13336	5248	693	
Asbestos house on Part Lot 432, Motley Avenue, Fulham Gardens	Allotment 3 in Filed Plan 100461, Hundred of Yatala	5098	199	28.1.93, page 485
24 Second Street, Gawler South	Allotment 100 in Filed Plan 211696, Hundred of Mudla Wirra	5706	897	24.9.92, page 1183
162 Daws Road, Melrose Park	Allotment 103 in Filed Plan 10791, Hundred of Adelaide	5147	790	30.8.01, page 3431
Front right ground floor flat, 16 Second Avenue, Sefton Park	Allotment 56 in Filed Plan 111464, Hundred of Yatala	5760	720	30.10.86, page 1503
	Allotment 57 in Filed Plan 111465, Hundred of Yatala	5760	721	
Front left hand ground floor flat, 16 Second Avenue, Sefton Park	Allotment 56 in Filed Plan 111464, Hundred of Yatala	5760	720	30.10.86, page 1503
	Allotment 57 in Filed Plan 111465, Hundred of Yatala	5760	721	
Front left hand middle ground floor flat, 16 Second Avenue, Sefton Park	Allotment 56 in Filed Plan 111464, Hundred of Yatala	5760	720	30.10.86, page 1503
	Allotment 57 in Filed Plan 111465, Hundred of Yatala	5760	721	
Front right hand middle ground floor flat, 16 Second Avenue, Sefton Park	Allotment 56 in Filed Plan 111464, Hundred of Yatala	5760	720	30.10.86, page 1503
	Allotment 57 in Filed Plan 111465, Hundred of Yatala	5760	721	
69 Harvey Street East, Woodville Park	Allotment 3 in Filed Plan 156101, Hundred of Yatala	5283	202	26.11.92, page 1637

Dated at Adelaide, 29 November 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
46 Burton Road,	Athelstone	Allotment 92 in Filed Plan 133182, Hundred of Adelaide	5701	755
60 Marcian Avenue,	Elizabeth Downs	Allotment 1147 in Deposited Plan 7707, Hundred of Munno Para	5590	627
16A Churchill Avenue,	Glandore	Allotment 143 in Deposited Plan 3011, Hundred of Adelaide	5846	302
10 Grace Street,	Goodwood	Allotment 8 in Filed Plan 1340, Hundred of Adelaide	5514	178
4 Chelmsford Avenue,	Millswood	Allotment 104 in Filed Plan 8740, Hundred of Adelaide	5147	609
107 Martins Road,	Salisbury Downs	Allotment 28 in Filed Plan 113237, Hundred of Yatala	5612	675
18 Hill Street,	Seacliff Park	Allotment 70 in Filed Plan 146604, Hundred of Noarlunga	5809	724
13 Alderman Avenue,	Seacombe Gardens	Allotment 408 in Deposited Plan 4645, Hundred of Noarlunga	5274	155

Dated at Adelaide, 29 November 2001.

G. BLACK, General Manager, Housing Trust

## LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

*Exemption*

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

## SCHEDULE 1

Kerry Macaulay, an officer/employee of Yanego Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5360, folio 642, situated at Lot 14, Swamp Road, Lenswood, S.A. 5240.

Dated 29 November 2001.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs:

M. BODYCOAT, Commissioner

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Berlingieri Wines Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence and a Producer's Licence in respect of premises situated at 28 Main Road, Charleston and to be situated at 218 Glen Osmond Road, Fullarton and known as Berlingieri Wines.

The application has been set down for hearing on 21 December 2001.

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 Casual Dining (S.A.) Pty Ltd (ACN 098 418 994) has applied to the Licensing Authority for the transfer of a Restaurant Licence held in respect of premises known as Pizza Hutt situated at 583 North East Road, Gilles Plains, S.A. 5086 and to be known as La Porchetta Italian Restaurant.

The application has been set down for hearing on 13 December 2001 at 10.30 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 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 23 November 2001.

Applicant

## LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

*Exemption*

TAKE notice that, pursuant to section 32 (1) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (1) of the Act in relation to the purchase of the land specified in Schedule 2.

## SCHEDULE 1

Margarete Locke, registered agent.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5227, folio 314, situated at 127 Cave Avenue, Bridgewater, S.A. 5155.

Dated 29 November 2001.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs:

M. BODYCOAT, Commissioner

LOTTERY AND GAMING ACT 1936

*Exemption*

PURSUANT to section 57 (2) of the Lottery and Gaming Act 1936, I exempt the Bordertown 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 19 November 2001.

R. L. 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 reinvested if it is in the best interest 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% 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 .....  
 Number 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 areas:

Applicant: Goldstream Mining NL

Location: Warrina South area—Approximately 80 km east of Coober Pedy, bounded as follows:

Area 'A'—Commencing at a point being the intersection of latitude 28°51'S and longitude 135°19'E, thence east to longitude 135°21'E, south to latitude 28°53'S, east to longitude 135°23'E, south to latitude 28°55'S, east to longitude 135°24'E, south to latitude 28°56'S, east to longitude 135°25'E, south to latitude 28°58'S, west to longitude 135°21'E, north to latitude 28°56'S, west to longitude 135°19'E, and north to the point of commencement.

Area 'B'—Commencing at a point being the intersection of latitude 29°05'S and longitude 135°42'E, thence east to longitude 135°45'E, south to latitude 29°07'S, east to longitude 135°46'E, south to latitude 29°09'S, east to longitude 135°47'E, south to latitude 29°11'S, east to longitude 135°50'E, south to latitude 29°13'S, west to longitude 135°40'E, south to latitude 29°14'S, west to longitude 135°30'E, north to latitude 29°08'S, east to longitude 135°40'E, north to latitude 29°07'S, east to longitude 135°42'E, and north to the point of commencement.

All the within latitudes and longitudes are 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 km<sup>2</sup>: 415

Ref: 82/2001

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 areas:

Applicant: Goldstream Mining NL

Location: Warrina North area—Approximately 40 km north-east of Coober Pedy, bounded as follows:

Area 'A'—Commencing at a point being the intersection of latitude 28°31'S and longitude 134°59'E, thence east to longitude 135°01'E, south to latitude 28°32'S, east to longitude 135°04'E, south to latitude 28°34'S, east to longitude 135°05'E, south to latitude 28°37'S, west to longitude 134°55'E, north to latitude 28°34'S, east to longitude 134°57'E, north to latitude 28°32'S, east to longitude 134°59'E, and north to the point of commencement.

Area 'B'—Commencing at a point being the intersection of latitude 28°39'S and longitude 135°02'E, thence east to longitude 135°10'E, south to latitude 28°40'S, east to longitude 135°13'E, south to latitude 28°43'S, east to longitude 135°14'E, south to latitude 28°46'S, east to longitude 135°19'E, south to latitude 29°00'S, west to longitude 135°12'E, north to latitude 28°52'S, east to longitude 135°15'E, north to latitude 28°49'S, west to longitude 135°09'E, south to latitude 28°50'S, west to longitude 135°00'E, north to latitude 28°43'S, east to longitude 135°02'E, and north to the point of commencement.

All the within latitudes and longitudes are 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 km<sup>2</sup>: 796

Ref: 81/2001

H. TYRTEOS, Acting Mining Registrar

#### MINING ACT 1971

NOTICE is hereby given in accordance with section 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Peter Ellis

Claim Number: 3269

Location: In section 231, Hundred of Bookpurnong, approximately 12 km east of Loxton.

Purpose: To excavate dune sand from an open cut pit.

Reference: T2292

A copy of the proposal has been provided to the District Council of Loxton Waikerie.

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 14 December 2001.

H. TYRTEOS, Acting Mining Registrar

#### PASSENGER TRANSPORT ACT 1994

##### *Appointments*

PURSUANT to section 57 of the Passenger Transport Act 1994, the following persons have been authorised by the Passenger Transport Board to act as Prescribed Officers:

Philip Brophy  
David Rogers  
Richard Bubner

H. WEBSTER, Executive Director, Passenger Transport Board

#### PETROLEUM ACT 2000

##### *Statement of Environmental Objectives for Existing Regulated Activities*

PURSUANT to section 6 (1) of the Schedule to the Petroleum Act 2000 (the Act) I, Terry Aust, Acting Director Petroleum, Office of Minerals and Energy Resources, Department of Primary Industries and Resources SA, Delegate of the Minister for Minerals and Energy, pursuant to Delegation dated 25 September 2000, *Gazetted* 28 September 2000, do hereby publish the following document as having fulfilled a purpose corresponding to the purpose of a statement of environmental objectives under the Act.

This document is available for public inspection on the Environmental Register section of the Petroleum Group's web-site ([www.petroleum.pir.sa.gov.au](http://www.petroleum.pir.sa.gov.au)) or at the Public Office determined pursuant to section 107 (1) of the Act to be at:

Minerals and Petroleum Centre  
Office of Minerals and Energy Resources  
Ground Floor  
101 Grenfell Street  
Adelaide, S.A. 5000

Document:

1. Moomba to Port Bonython Liquids Line Pipeline Licence #2 Statement of Environmental Objectives August 2001.

T. AUST, Delegate of the Minister for Minerals and Energy Resources.

## 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
30954	Part section 24, Hundred of Mudla Wirra (Lot 104 in Filed Plan 212133)	Minister for Justice	45 Pirie Street, Adelaide, S.A. 5000	30 January 2002

Dated 27 November 2001, at the Lands Titles Registration Office, Adelaide. J. ZACCARIA, Deputy Registrar-General

**WATER MAINS AND SEWERS**

Office of the South Australian Water Corporation  
Adelaide, 29 November 2001.

**WATER MAINS LAID**

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

**ADELAIDE WATER DISTRICT**

DISTRICT OF ADELAIDE HILLS COUNCIL  
Rohrlach Street, Charleston. p22

CITY OF CAMPBELLTOWN  
Shakespeare Avenue, Tranmere. p28

CITY OF ONKAPARINGA  
Gulf Parade, Maslin Beach. p19  
Quondong Avenue, Aldinga Beach. p23 and 24  
Jasmine Avenue, Maslin Beach. p31  
Lucerno Crescent, Sellicks Beach. p32

CITY OF PORT ADELAIDE ENFIELD  
In and across Grand Junction Road, Regency Park and Wing-field. p3-9

**MURRAY BRIDGE WATER DISTRICT**

RURAL CITY OF MURRAY BRIDGE  
Semmler Street, Murray Bridge. p18

**WATER MAINS ABANDONED**

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

**ADELAIDE WATER DISTRICT**

CITY OF MITCHAM  
Fiveash Drive, Pasadena. p10-17  
Ayliffes Road, Pasadena and St. Marys. p17

CITY OF ONKAPARINGA  
Easements in lot 17 (formerly Grantham and Spilsby Streets), Gawler Street and section 1684, hundred of Noarlunga (formerly Sleaford Terrace), Saltfleet Street, Port Noarlunga. p1

CITY OF PORT ADELAIDE ENFIELD  
Easements in section 2280, hundred of Yatala and lot 2001, Pedder Crescent and lot 2, Grand Junction Road, Regency Park. p2 and 3  
Across and in Grand Junction Road, Regency Park and Wing-field. p3-9

**SEWERS LAID**

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

**ADELAIDE WATER DISTRICT**

CITY OF BURNSIDE  
Burton Avenue, Beaumont. FB 1100 p41

CITY OF CHARLES STURT  
Gardner Avenue, West Croydon. FB 1100 p17

CITY OF ONKAPARINGA  
Easement in lot 141, Hub Drive, Aberfoyle Park. FB 1100 p45

CITY OF WEST TORRENS  
Lewis Crescent, North Plympton. FB 1100 p43  
Shelley Avenue, Netley. FB 1100 p42

**ALDINGA DRAINAGE AREA****CITY OF ONKAPARINGA**

Desoto Drive, Port Willunga. FB 1100 p7  
 Seaborne Avenue, Port Willunga. FB 1100 p6  
 Decaux Avenue, Port Willunga. FB 1100 p5  
 Quinliven Road, Port Willunga. FB 1100 p4  
 Belair Avenue, Port Willunga. FB 1100 p20 and 29  
 Marlin Road, Port Willunga. FB 1100 p14  
 Esplanade, Port Willunga. FB 1100 p14 and 24  
 Ozone Avenue, Port Willunga. FB 1100 p39  
 Caffrey Crescent, Port Willunga. FB 1100 p13 and 38  
 Elder Parade, Port Willunga. FB 1100 p38 and 28  
 Rover Crescent, Port Willunga. FB 1100 p34  
 Walkway west of lot 131, Quinliven Road and lot 130, Jaguar Avenue, Port Willunga. FB 1100 p11  
 Valiant Road, Port Willunga. FB 1100 p12  
 Jeep Place, Port Willunga. FB 1100 p12  
 Polden Street, Aldinga Beach. FB 1100 p9 and 10  
 Shephard Road, Aldinga Beach. FB 1100 p8  
 Croser Avenue, Aldinga Beach. FB 1100 p16  
 McDonald Avenue, Aldinga Beach. FB 1100 p15  
 Crisp Street, Aldinga Beach. FB 1100 p33  
 Oakley Crescent, Aldinga Beach. FB 1100 p32  
 Lovelock Street, Aldinga Beach. FB 1100 p31  
 Bird Street, Aldinga Beach. FB 1100 p30  
 Butterworth Road, Aldinga Beach. FB 1100 p27, 37, 36 and 25  
 Walkway west of lot 350, Butterworth Road and lot 397, Stirling Crescent, Aldinga Beach. FB 1100 p27  
 Stirling Crescent, Aldinga Beach. FB 1100 p33, 21, 27 and 44  
 Martin Crescent, Aldinga Beach. FB 1100 p27  
 Ratcliffe Road, Aldinga Beach. FB 1100 p40, 23, 35 and 37  
 Leaker Avenue, Aldinga Beach. FB 1100 p23 and 22  
 Walsh Street, Aldinga Beach. FB 1100 p22  
 St. Nicholas Avenue, Port Willunga. FB 1100 p28  
 Day Street, Port Willunga. FB 1100 p28  
 Atkinson Crescent, Aldinga Beach. FB 1100 p26

**HAHNDORF COUNTRY DRAINAGE AREA****DISTRICT OF ADELAIDE HILLS COUNCIL**

Easement in lots 112 and 52, Windsor Avenue, Hahndorf. FB 1100 p18

**VICTOR HARBOR COUNTRY DRAINAGE AREA****CITY OF VICTOR HARBOR**

Easements in lot 189, Higgins Street and lots 176-179, Laurie Avenue, Encounter Bay. FB 1100 p19

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

**WORKERS REHABILITATION AND COMPENSATION ACT 1986**

*Notice Pursuant to Section 32 (7)*

THE WORKERS REHABILITATION AND COMPENSATION CORPORATION hereby varies the scale of charges fixed for the purposes of section 32 (7) of the Workers Rehabilitation and Compensation Act 1986, by notice published in the *Government Gazette* on 9 February 1995, 22 June 2000 and 29 March 2001, as follows:

By inserting after item (5) the following item:

- (6) This notice is effective for travel on or after 1 January 2002.

*Travel Allowance*

Item No.	Service Description	Charge
1.	Where a worker travels in a private vehicle to or from any place for the purpose of receiving medical services, hospitalisation or approved rehabilitation, and the travel is reasonably necessary in the circumstances of the case, the worker is entitled to a travel allowance for each kilometre travelled at the rate of:	29.5c

Dated 21 November 2001.

K. BROWN, Chief Executive Officer

## 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)                  |  |
| 9. 7 August 1997 (pg 311)            | 39. 6 January 2000 (pg 1169)                    |  |
| 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.**

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
# Massage Therapist  ARC November 2001	Endorsed to 30 July 02 SRS30601 SRS50401	Sport Industry Training Package  Certificate III in Sport (Massage Therapy) Diploma of Sport (Massage Therapy)	24 months 36 months	726 hours 980 hours	2 months 3 months



**REGULATIONS UNDER THE PROTECTION OF MARINE WATERS  
(PREVENTION OF POLLUTION FROM SHIPS) ACT 1987**

No. 246 of 2001

*At the Executive Council Office at Adelaide, 29 November 2001*

PURSUANT to the *Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

**SUMMARY OF PROVISIONS**

**PART 1  
PRELIMINARY**

1. Citation
2. Commencement
3. Revocation
4. Interpretation

**PART 2  
POLLUTION BY OIL OR NOXIOUS SUBSTANCES**

5. Prescribed officers
6. Oil record book
7. Matters to be recorded in an oil record book
8. Cargo record book
9. Matters to be recorded in a cargo record book
10. Regulation 8 of Annex II to have the force of law

**PART 3  
POLLUTION BY PACKAGED HARMFUL SUBSTANCES**

11. Interpretation
12. Purpose
13. Carriage of harmful substance
14. Packaging and marking of harmful substance
15. Stowage
16. Quantity limitations
17. Documents relating to carriage of harmful substance
18. Washing substances overboard

**PART 4  
POLLUTION BY GARBAGE**

19. Interpretation
20. Placards
21. Garbage management plan
22. Garbage record book

**PART 5**  
**REPORTING REQUIREMENTS**

- 23. Notification of discharges
- 24. Discharge reports occurring other than from ships

**PART 6**  
**MISCELLANEOUS**

- 25. Minister may make orders
- 26. Fee for deposit of oil record book or cargo record book
- 27. Exemptions

**SCHEDULE 1**  
*Discharge Report*

**SCHEDULE 2**  
*Garbage Record Book*

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**PART 1**  
**PRELIMINARY**

**Citation**

1. These regulations may be cited as the *Protection of Marine Waters (Prevention of Pollution from Ships) Regulations 2001*.

**Commencement**

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

**Revocation**

3. The *Pollution of Waters by Oil and Noxious Substances Regulations 1990* (see *Gazette* 1 November 1990 p. 1386) are revoked.

**Interpretation**

4. In these regulations, unless the contrary intention appears—

"**Act**" means the *Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987*;

"**Department**" means the Department of Transport, Urban Planning and the Arts;

"**IMO**" means the International Maritime Organization;

"**Manager**" means the Marine Environment and Safety Operations Manager of Transport SA;

"**relevant commencement date**" means 1 December 1990.

**PART 2**  
**POLLUTION BY OIL OR NOXIOUS SUBSTANCES**

**Prescribed officers**

5. (1) The Manager and each port manager are prescribed officers for the purposes of sections 8(2) and 18(2) of the Act.

(2) For the purposes of sections 13(3) and (4) and 23(5) and (6) of the Act, the Manager is a prescribed officer.

(3) For the purposes of section 18(6), (7), (8) and (9) of the Act, the Manager is a prescribed officer.

**Oil record book**

6. (1) An oil tanker to which section 11 of the Act applies must carry an oil record book in the form set out in Part I and the form set out in Part II of Appendix III to Annex I of the 1978 Protocol as in force at the relevant commencement date.

(2) A ship (other than an oil tanker) to which section 11 of the Act applies must carry an oil record book in the form set out in Part I of Appendix III to Annex I of the 1978 Protocol as in force at the relevant commencement date.

**Matters to be recorded in an oil record book**

7. (1) For the purposes of section 11(5) of the Act—

(a) each of the following operations (being a machinery space operation) is a prescribed operation in relation to a ship (including an oil tanker):

- (i) the ballasting or cleaning of an oil fuel tank;
- (ii) a discharge of dirty ballast or cleaning water from an oil fuel tank;
- (iii) a disposal of oil residues (sludge);
- (iv) a discharge overboard or other disposal of bilge water that has accumulated in any machinery space; and

(b) each of the following operations (being a cargo or a ballast operation) is a prescribed operation in relation to an oil tanker:

- (i) the loading of oil cargo;
- (ii) an internal transfer of oil cargo during a voyage or in port;
- (iii) the unloading of oil cargo;
- (iv) the ballasting of a cargo tank or a dedicated clean ballast tank;
- (v) the cleaning of a cargo tank (including crude oil washing);
- (vi) a discharge of ballast from a tank other than a segregated ballast tank;
- (vii) a discharge of water from a slop tank;

- (viii) the closing, after an operation referred to in subparagraph (vii), of all applicable valves or similar devices;
- (ix) the closing, after an operation referred to in subparagraph (vii), of valves necessary for the isolation of a dedicated clean ballast tank from cargo and stripping lines;
- (x) a disposal of residues.

(2) For the purposes of section 11(5) of the Act, each of the following occurrences is a prescribed occurrence in relation to a ship (including an oil tanker):

- (a) the discharge into the sea of oil or an oily mixture from the ship for the purpose of—
  - (i) securing the safety of the ship; or
  - (ii) saving life at sea;
- (b) the discharge into the sea of oil or an oily mixture in consequence of damage to the ship or its equipment;
- (c) the discharge into the sea of substances containing oil for the purpose of combating specific pollution incidents;
- (d) the failure of the ship's oil discharge monitoring and control system;
- (e) the discharge into the sea of oil or an oily mixture, being—
  - (i) a discharge for an exceptional purpose other than a purpose referred to in paragraph (a) or (c); or
  - (ii) an accidental discharge other than a discharge referred to in paragraph (b).

### **Cargo record book**

8. For the purposes of section 21 of the Act, the prescribed form of cargo record is the form set out in Appendix IV to Annex II of the 1978 Protocol as in force at the relevant commencement date.

### **Matters to be recorded in a cargo record book**

9. (1) For the purposes of section 21(5) of the Act, each of the following operations is a prescribed operation in relation to a ship:

- (a) the loading of cargo;
- (b) an internal transfer of cargo during a voyage or in port;
- (c) the unloading of cargo;
- (d) the ballasting of a cargo tank;
- (e) the cleaning of a cargo tank;
- (f) a discharge of ballast from a cargo tank;
- (g) a disposal of residues to a reception facility;

- (h) the discharge of a noxious liquid substance, or of a mixture containing such a substance, into the sea in accordance with Regulation 5 of Annex II to the Convention;
- (i) the removal by ventilation procedures of cargo residues from a tank in accordance with Regulation 5 of Annex II to the Convention.

(2) For the purposes of section 21(5) of the Act, each of the following occurrences is a prescribed occurrence in relation to a ship:

- (a) the discharge into the sea of a noxious liquid substance, or of a mixture containing such a substance, for the purpose of—
  - (i) securing the safety of the ship; or
  - (ii) saving life at sea;
- (b) the discharge into the sea of a noxious liquid substance, or of a mixture containing such a substance, in consequence of damage to the ship or its equipment;
- (c) the discharge into the sea of a noxious liquid substance, or of a mixture containing such a substance, being—
  - (i) a discharge for an exceptional purpose other than a purpose referred to in paragraph (a); or
  - (ii) an accidental discharge other than a discharge referred to in paragraph (b).

**Regulation 8 of Annex II to have the force of law**

**10.** (1) Pursuant to section 24 of the Act, the provisions of Regulation 8 of Annex II to the Convention, other than paragraph (1) of that Regulation, apply to, and in relation to, the washing of a tank of a ship from which a noxious liquid substance has been unloaded.

(2) A person who is a licensed surveyor under the *Harbors and Navigation Act 1993* or who is otherwise authorised to issue certificates of survey under that Act is, by virtue of this subregulation, a surveyor authorised for the purpose of implementing Regulation 8 of Annex II to the Convention.

(3) If a tank of a ship from which a noxious liquid substance has been unloaded is not washed in accordance with whichever of the provisions of Regulation 8 of Annex II to the Convention is applicable to the tank, having regard to—

- (a) whether the substance unloaded from the tank is a Category A, Category B, Category C or Category D substance; and
- (b) whether the tank has been unloaded in a Special Area or an area other than a Special Area,

the master of the ship is guilty of an offence.

Maximum penalty: \$5 000.

(4) In the application of Regulation 8 of Annex II to the Convention to, or in relation to, the washing of a tank of a ship—

- (a) a reference to the receiving Party will be taken as a reference to Australia or to the State; and

- (b) a reference to the Administration will be taken as a reference to the Manager; and
- (c) a reference to the surveyor (however described) will be taken as a reference to a surveyor authorised under subregulation (2).

(5) A surveyor referred to in subregulation (2) must, in the exercise of any power or the performance of any function for the purpose of implementing Regulation 8 of Annex II to the Convention, comply with any control procedures developed by the IMO.

(6) An exemption referred to in paragraph (2)(b), (5)(b), (6)(b) or (7)(c) of Regulation 8 of Annex II to the Convention may only be granted to a ship engaged in voyages to ports or terminals under the jurisdiction of States, other than Australia, that are parties to the Convention and, on such an exemption being granted to a ship, the appropriate entry made in the ship's cargo record book must be endorsed by a surveyor.

**PART 3**  
**POLLUTION BY PACKAGED HARMFUL SUBSTANCES**

**Interpretation**

**11.** (1) Unless the contrary intention appears, an expression that is used in this Part and in Annex III to the Convention (whether or not a particular meaning is assigned to it by that Annex) has, in this Part, the same meaning as in that Annex.

(2) For the purposes of this Part—

"**cargo**" does not include a ship's stores or equipment.

**Purpose**

**12.** This Part—

(a) gives effect to regulations 1 to 6 of Annex III to the Convention; and

(b) prescribes matters for the purposes of Part 3AA of the Act.

**Carriage of harmful substance**

**13.** If a harmful substance is carried by sea as cargo in packaged form in contravention of these regulations, the master and the owner of the ship are each guilty of an offence.

Maximum penalty: (a) if the offender is a natural person—\$8 000 or imprisonment for one year; or

(b) if the offender is a body corporate—\$20 000.

**Packaging and marking of harmful substance**

**14.** (1) A harmful substance carried by sea as cargo in packaged form must be packaged in accordance with the IMDG Code.

(2) The package must be marked or labelled—

(a) to indicate that the substance is a marine pollutant; and

(b) with the correct technical name of the harmful substance; and

(c) with the trade name (if any) of the substance.

(3) The marking or labelling of the package must be sufficiently durable so as to be legible after immersion in the sea for a period of three months.

(4) A package containing a harmful substance that is exempted from the marking requirements of the IMDG Code on the grounds that it contains only a small quantity of the harmful substance, is exempt from the marking requirements of this regulation.

**Stowage**

**15.** A harmful substance carried by sea as cargo in packaged form, and any package containing residue of a harmful substance, must be stowed and secured on the ship in accordance with the IMDG Code.

**Quantity limitations**

**16.** The quantity of a harmful substance that is carried by sea as cargo in packaged form must not exceed the quantity limitation for the particular substance specified by the IMDG Code.

**Documents relating to carriage of harmful substance**

**17.** If a ship is carrying a harmful substance by sea as cargo in packaged form the following provisions apply:

- (a) any document relating to the carriage of the harmful substance must state that the substance being carried is a marine pollutant and the correct technical name of the substance;
- (b) the shipping documents supplied by the shipper must include a signed certificate or declaration that the harmful substance is packaged and marked or labelled in accordance with these regulations;
- (c) a list or stowage plan detailing the location of the harmful substance on the ship must be carried on the ship;
- (d) where the harmful substance is loaded in this State, a copy of the list or stowage plan detailing the location of the harmful substance on the ship must—
  - (i) be retained on shore by the owner of the ship, or his or her representative, until the substance is unloaded; and
  - (ii) be deposited with the port manager prior to the departure of the ship.

**Washing substances overboard**

**18.** For the purposes of section 24AAB of the Act, a substance is taken to have been washed overboard in accordance with the regulations if the manner of disposal is the most appropriate having regard to the physical, chemical and biological properties of the substance.



**PART 4**  
**POLLUTION BY GARBAGE**

**Interpretation**

**19.** Unless the contrary intention appears, an expression that is used in this Part and in Annex V to the Convention (whether or not a particular meaning is assigned to it by that Annex) has, in this Part, the same meaning as in that Annex.

**Placards**

**20.** (1) A ship of 12 metres in length or more must display placards informing the crew and passengers of the garbage disposal requirements of section 24AAD of the Act.

(2) If placards are not displayed on a ship in accordance with subregulation (1), the master and the owner of the ship are each guilty of an offence.

Maximum penalty:      (a) if the offender is a natural person—\$2 000; or  
                                  (b) if the offender is a body corporate—\$5 000.

**Garbage management plan**

**21.** (1) This regulation applies to the following ships while they are in State waters:

- (a) a ship of 400 tons gross tonnage or more;
- (b) a ship certified to carry 15 or more passengers and crew.

(2) If a garbage management plan conforming to the requirements of subregulation (3) is not carried, and implemented, on a ship to which this regulation applies, the master and the owner of the ship are each guilty of an offence.

Maximum penalty:      (a) if the offender is a natural person—\$2 000; or  
                                  (b) if the offender is a body corporate—\$5 000.

(3) A garbage management plan must—

- (a) provide written procedures for the collection, storage, processing and disposing of garbage, including procedures for the use of the garbage disposal equipment on board; and
- (b) designate a person to be responsible for ensuring the plan is followed; and
- (c) be in accordance with the guidelines developed by the IMO.

**Garbage record book**

**22.** (1) This regulation applies to the following ships while they are in State waters:

- (a) a ship of 400 tons gross tonnage or more;
- (b) a ship certified to carry 15 or more passengers and crew.

(2) If a garbage record book, in the form specified in Schedule 2, is not carried at all times on a ship to which this regulation applies, the master and the owner of the ship are each guilty of an offence.

Maximum penalty: (a) if the offender is a natural person—\$2 000; or  
(b) if the offender is a body corporate—\$5 000.

(3) The person responsible for overseeing a discharge of garbage from a ship to which this regulation applies or for an incineration of garbage on board such a ship must, on completion of the discharge operation or incineration, record in the ship's garbage record book—

- (a) the date and time of the discharge operation or incineration; and
- (b) the position of the ship at the time of the discharge operation or incineration; and
- (c) a description, and the estimated amount, of the garbage discharged or incinerated,

and sign the entry in the Garbage Record Book.

Maximum penalty: \$2 000.

(4) Where the disposal, escape or accidental loss of garbage from a ship to which this regulation applies occurs in a situation referred to in section 24AAD(2)(a), (b) or (c) of the Act, an entry must be made in the ship's garbage record book, by the master of the ship, of the circumstances of, and the reasons for, the disposal, escape or accidental loss.

Maximum penalty: \$2 000.

(5) The master of a ship to which this regulation applies must—

- (a) sign each completed page of the ship's garbage record book; and
- (b) ensure the garbage record book is kept on board the ship and is available at all times for inspection.

Maximum penalty: \$2 000.

(6) The owner of a ship to which this regulation applies must keep the ship's garbage record book for a period of two years after the date of the final entry in the book.

Maximum penalty: \$2 000.

**PART 5**  
**REPORTING REQUIREMENTS**

**Notification of discharges**

**23.** (1) For the purposes of section 25A(1) and (3) of the Act, a prescribed incident must be notified to the Manager by means of a telephone message, a telex message, a radio message or a facsimile message—

- (a) conveyed through the Port Adelaide Signal Station of the operator of the port of Port Adelaide or the office of a prescribed officer and containing the name, radio call sign (if any) and position of the ship concerned followed by the name of the person notifying the incident; or
- (b) conveyed through the Australian Search and Rescue Centre of the Australian Maritime Safety Authority and commencing with the code letters POLREP and containing the name, radio call sign (if any) and position of the ship concerned followed by the name of the person notifying the incident.

(2) For the purposes of section 25A(6) and (7) of the Act, a report in relation to a prescribed incident must be furnished to the Manager—

- (a) within 24 hours of receipt of a request for a report or within such further time as the Manager may allow; and
- (b) in the form set out in Schedule 1.

**Discharge reports occurring other than from ships**

**24.** (1) For the purposes of section 27(2) of the Act, a report must be furnished to the Minister in relation to the occurrence within 24 hours after receipt of a request for a report, or within such further time as the Minister may allow.

(2) For the purposes of section 27(2) of the Act the form set out in Schedule 1 is the prescribed form.

**PART 6**  
**MISCELLANEOUS**

**Minister may make orders**

**25.** The Minister may, by instrument in writing, make orders for and in relation to—

- (a) giving effect to Annexes I, II, III and V to the Convention, other than provisions of those Annexes to which effect is given by a provision of the Act or these regulations; and
- (b) giving effect to Article 8 of, and Protocol I to, the Convention, other than provisions of that Article or Protocol to which effect is given by a provision of the Act or these regulations; and
- (c) the fixing of fees to be paid in respect of any matters under any such orders.

**Fee for deposit of oil record book or cargo record book**

**26.** A fee of \$40.00 is payable by the owner of a ship for—

- (a) the deposit of an oil record book of the ship in accordance with section 13(4) of the Act; or
- (b) the deposit of a cargo record book of the ship in accordance with section 23(6) of the Act.

**Exemptions**

**27.** (1) For the purposes of section 41(1)(h) of the Act, each of the following classes of ships is exempt from the provisions of the Act and these regulations:

- (a) ships belonging to an arm of the Defence Forces of Australia or to the naval, military or air forces of another country;
- (b) ships (other than a vessel belonging to an arm of the Defence Forces of Australia or to the naval, military or air forces of another country) that are owned or operated by a State other than Australia and used, for the time being, only on government non-commercial service.

(2) In subregulation (1)(b)—

"State" has the same meaning as in the Convention.

**SCHEDULE 1**  
*Discharge Report*

(Details below are to be provided only if applicable or requested  
by the Minister or Director)

1. Name, radio call-sign, position and flag of ship or position of discharge and place on land/purpose—built pipeline/apparatus.

.....

2. Frequency or frequencies or radio channel or channels guarded.

.....

3. Name, address, telex and telephone number of principal place of business of owner.

.....

4. Name, address, telex and telephone number of principal place of business of—

(a) the charterer, manager or operator of the ship; or

(b) the agent in Australia of the charterer, manager or operator of the ship.

.....

5. Type of ship (e.g. oil tanker, chemical tanker, dry cargo ship) and gross tonnage.

.....

6. Date and time (state whether UTC, CST or Daylight Saving CST) of the occurrence of the incident.

.....

7. Brief description of the incident, including any damage sustained.

.....

8. The position, course and speed of the ship at the time of the incident.

.....

9. The technical name (or, where the technical name is not known, the trade name), UN number, Classification in the International Maritime Dangerous Goods (IMDG) Code (where applicable), name of the manufacturer, quantity and concentration, of the harmful substance discharged, or likely to be discharged, into the sea.

.....

10. Type and quantity of cargo carried, including details of harmful substances carried.

.....

11. Condition of the ship.

.....

12. Ability to transfer cargo and ballast.

.....

13. Cause of the discharge.

.....

14. Whether the discharge is continuing and the approximate quantity discharged.

.....

15. Weather, sea and current conditions in the vicinity of the discharge.

.....

16. Estimate of the discharge movement and the surface area of the discharge.

.....

17. Actions being taken with regard to the discharge and the movement of any ship.

.....

18. Assistance which has been requested from or which has been provided by others.

.....

**SCHEDULE 2**  
*Garbage Record Book*

Name of ship: \_\_\_\_\_

Distinctive number or letters: \_\_\_\_\_

IMO No.: \_\_\_\_\_

Port of Registry: \_\_\_\_\_

Period: From: \_\_\_\_\_ To: \_\_\_\_\_

**NOTE:** Every ship of 400 tons gross tonnage and above and every ship which is certified to carry 15 persons or more, engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention and every fixed and floating platform engaged in exploration and exploitation of the seabed, must carry a Garbage Record Book.

**INTRODUCTION**

In accordance with Regulation 9 of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) a record is to be kept of each discharge operation or completed incineration. This includes discharges at sea, to reception facilities, or to other ships.

**GARBAGE AND GARBAGE MANAGEMENT**

Garbage includes all kinds of food, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the vessel and liable to be disposed of continuously or periodically except those substances which are defined or listed in other annexes to MARPOL 73/78 (such as oil, sewage or noxious liquid substances).

The Guidelines for the Implementation of Annex V of MARPOL 73/78 should also be referred to for relevant information.

**DESCRIPTION OF THE GARBAGE**

The garbage is to be grouped into categories for the purposes of this record book as follows:

1. Plastics<sup>1</sup>
2. Floating dunnage, lining, or packing material
3. Ground-down paper products, rags, glass, metal, bottles, crockery, etc.
4. Paper products, rags, glass, metal, bottles, crockery, etc.
5. Food waste
6. Incinerator ash.

<sup>1</sup>Note that the disposal of plastics into the sea is prohibited.

**ENTRIES IN THE GARBAGE RECORD BOOK**

**1. Entries in the Garbage Record Book must be made on each of the following occasions:**

- (a) When garbage is discharged into the sea:
  - (i) Date and time of discharge
  - (ii) Position of the ship (latitude and longitude)
  - (iii) Category of garbage discharged
  - (iv) Estimated amount discharged for each category in m<sup>3</sup>
  - (v) Signature of the officer in charge of the operation.

- (b) When garbage is discharged to reception facilities ashore or to other ships:
- (i) Date and time of discharge
  - (ii) Port or facility, or name of ship
  - (iii) Category of garbage discharged
  - (iv) Estimated amount discharged for each category in m<sup>3</sup>
  - (v) Signature of the officer in charge of the operation.
- (c) When garbage is incinerated:
- (i) Date and time of start and stop of incineration
  - (ii) Position of the ship (latitude and longitude)
  - (iii) Estimated amount incinerated in m<sup>3</sup>
  - (iv) Signature of the officer in charge of the operation.
- (d) Accidental or other exceptional discharges of garbage
- (i) Time of occurrence
  - (ii) Port or position of the ship at time of occurrence
  - (iii) Estimated amount and category of garbage
  - (iv) Circumstances of disposal, escape or loss, the reason therefore and general remarks.

## **2. Receipts**

The master should obtain from the operator of port reception facilities, or from the master of the ship receiving the garbage, a receipt or certificate specifying the estimated amount of garbage transferred. The receipts or certificates must be kept on board the ship with the Garbage Record Book for two years.

## **3. Amount of garbage**

The amount of garbage on board should be estimated in m<sup>3</sup>, if possible separately according to category. The Garbage Record Book contains many references to estimated amount of garbage. It is recognised that the accuracy of estimating amounts of garbage is left to interpretation. Volume estimates will differ before and after processing. Some processing procedures may not allow for a useable estimate of volume, e.g. the continuous processing of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.



**RECORD OF GARBAGE DISCHARGES**

*Note: The discharge of any garbage other than food waste is prohibited in special areas\**

Name of Ship					Distinctive Number or Letters			IMO No.		
Date/Time	Position of Ship (longitude and latitude)	Estimated Amount Discharged into the Sea (m <sup>3</sup> ) (only garbage discharged into the sea must be categorised)					Estimated Amount Discharged to Reception Facilities or to other Ship (m <sup>3</sup> )		Estimated Amount Incinerated (m <sup>3</sup> )	Certification Signature
		*Cat.2	*Cat.3	*Cat.4	*Cat.5	*Cat.6	*Cat.1	Other		
Master's Signature								Date		

\*Special areas under Annex V of MARPOL 73/78 are:  
 · the Mediterranean Sea area · the Baltic Sea area · the Black Sea area  
 · the Red Sea area · the 'Gulfs' area · the North Sea area · the Arctic area  
 · the wider Caribbean Region, including the Gulf of Mexico and the Caribbean Sea

\*The relevant categories are as follows:  
 1. Plastics  
 2. Floating dunnage, lining, or packing material  
 3. Ground-down paper products, rags, glass, metal, bottles, crockery, etc.  
 4. Paper products, rags, glass, metal, bottles, crockery, etc.  
 5. Food waste  
 6. Incinerator ash.

**REGULATIONS UNDER THE LOCAL GOVERNMENT FINANCE  
AUTHORITY ACT 1983**

No. 247 of 2001

*At the Executive Council Office at Adelaide, 29 November 2001*

PURSUANT to the *Local Government Finance Authority Act 1983* 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

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**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Interpretation
5. Prescribed local government bodies (s. 3)

**SCHEDULE**

*Prescribed Local Government Bodies*

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**Citation**

1. These regulations may be cited as the *Local Government Finance Authority Regulations 2001*.

**Commencement**

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

**Revocation**

3. The *Local Government Finance Authority Regulations 1987* (see *Gazette* 19 November 1987 p. 1633), as varied, are revoked.

**Interpretation**

4. In these regulations—

"Act" means the *Local Government Finance Authority Act 1983*.

**Prescribed local government bodies (s. 3)**

5. For the purposes of paragraph (c) of the definition of "prescribed local government body" in section 3 of the Act, the bodies set out in the Schedule are prescribed.

**SCHEDULE***Prescribed Local Government Bodies*1. *Animal and Plant Control Boards*

Adelaide Plains Animal and Plant Control Board  
Barossa Ranges Animal and Plant Control Board  
Coorong Animal and Plant Control Board  
Eastern Eyre Animal and Plant Control Board  
Elliston Le Hunte Animal and Plant Control Board  
Fleurieu Animal and Plant Control Board  
Goyder Animal and Plant Control Board  
Grant Animal and Plant Control Board  
Kangaroo Island Animal and Plant Control Board  
Lacepede Tatiara Robe Animal and Plant Control Board  
Lower Flinders Animal and Plant Control Board  
Lower North Animal and Plant Control Board  
Loxton Waikerie Animal and Plant Control Board  
Lucindale Naracoorte Animal and Plant Control Board  
Mid Murray Animal and Plant Control Board  
Mount Lofty Ranges Animal and Plant Control Board  
Murray Bridge Animal and Plant Control Board  
Murray Lands Animal and Plant Control Board  
Northern Animal and Plant Control Board  
Northern Yorke Peninsula Animal and Plant Control Board  
Riverland Animal and Plant Control Board  
Salisbury Animal and Plant Control Board  
Southern Eyre Peninsula Animal and Plant Control Board  
Southern Mallee Animal and Plant Control Board  
Tea Tree Gully Animal and Plant Control Board  
Upper North Animal and Plant Control Board  
Wattle Range Animal and Plant Control Board  
Western Animal and Plant Control Board  
Yorke Peninsula Animal and Plant Control Board

2. *Hospitals*

Ardrossan & Districts Hospital Inc.  
Blackwood and District Community Hospital Inc.  
Bordertown Memorial Hospital Inc.  
Burnside War Memorial Hospital Incorporated  
Central Eyre Peninsula Hospital Inc.  
Hamley Bridge Memorial Hospital Inc.  
Lerwin Nursing Home  
Mallala Community Hospital Inc.  
Mannum District Hospital Inc.  
Meningie and Districts Memorial Hospital Inc.  
Mount Barker District Soldiers Memorial Hospital Inc.  
North Eastern Community Hospital Inc.  
Riverton District Soldiers' Memorial Hospital Incorporated

3. *Other Bodies*

Adelaide Hills Regional Development Board Incorporated  
Australian Institute of Building Surveyors  
Burnside Retirement Services Incorporated  
Council Purchasing Co-operative Limited  
Eyre Regional Development Board  
Institute of Public Works Engineering Australia (South Australian Division) Incorporated  
Jallarah Homes Incorporated  
Local Government Community Services Association of Australia Inc.  
Local Government Training Authority (South Australia) Incorporated  
Maxima Group Incorporated  
Murray Darling Association Incorporated  
Outback Areas Community Development Trust  
Regional Development South Australia Inc.  
The Council Purchasing Authority Pty. Ltd.  
The Institute of Municipal Management Inc.

MLG 13/2001 CS

R. DENNIS, Clerk of the Council

## REGULATIONS UNDER THE NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

No. 248 of 2001

*At the Executive Council Office at Adelaide, 29 November 2001*

PURSUANT to the *National Electricity (South Australia) Act 1996* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

### SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 14—Maximum civil monetary liabilities of NEMMCO or network service providers

#### Citation

1. The *National Electricity (South Australia) Regulations* (see *Gazette* 8 December 1998 p. 1820), 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. 14—Maximum civil monetary liabilities of NEMMCO or network service providers

3. Regulation 14 of the principal regulations is varied—

(a) by inserting after paragraph (b) of the definition of "**prescribed 12 month period**" in subregulation (3) the following paragraph:

(c) the period of 12 months from the end of the period referred to in paragraph (b);;

(b) by striking out from paragraph (a) of the definition of "**relevant event**" in subregulation (3) "24" and substituting "36";

(c) by striking out from paragraph (b) of the definition of "**relevant event**" in subregulation (3) "24" and substituting "36".

T&F01/058CS

R. DENNIS, Clerk of the Council

**REGULATIONS UNDER THE CONTROLLED SUBSTANCES ACT 1984**

No. 249 of 2001

*At the Executive Council Office at Adelaide, 29 November 2001*

PURSUANT to the *Controlled Substances Act 1984* 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.

DEAN BROWN, Minister for Human Services

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Variation of reg. 4
4. Variation of reg. 5
5. Transitional provision

**Citation**

1. The *Controlled Substances (Expiation of Simple Cannabis Offences) Regulations 1987* (see *Gazette* 30 April 1987 p. 1190), 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**

3. Regulation 4 of the principal regulations is varied by striking out from subregulation (3) "3 cannabis plants" and substituting "1 cannabis plant".

**Variation of reg. 5**

4. Regulation 5 of the principal regulations is varied by striking out from paragraph (e) "3 or less cannabis plants" and substituting "1 cannabis plant".

**Transitional provision**

5. The principal regulations (as in force immediately prior to the commencement of these regulations) continue to apply in relation to offences alleged to have been committed before that commencement.

MHS 008/01 CS

R. DENNIS, Clerk of the Council

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## CITY OF MOUNT GAMBIER

*Declaration of Public Road*

NOTICE is hereby given that council, pursuant to section 219 of the Local Government Act 1999 has resolved to declare that section of land being Allotment 61 in Deposited Plan 58592 as public road and assigned the name Wehl Street North.

Dated 26 November 2001.

G. MULLER, Chief Executive Officer

## CITY OF ONKAPARINGA

*Result of Supplementary Election for One Councillor to Represent South Coast Ward Conducted on 19 November 2001*

Quota: 2 003

Candidates	First Preference Votes	Result After Distribution of Preferences
Parker, John.....	511	Excluded
Chamberlain, Rosemary.....	686	Excluded
Mack, Sharon.....	771	1 501 (Elected)
Moss, Fred C.....	396	Excluded
Apap, George.....	763	1 203
Paterson, Dennis Wayne.....	276	Excluded
Ronaldson, Leslie Ann.....	601	Excluded
Informal.....	10	
Total.....	4 014	

S. H. TULLY, Returning Officer

## CITY OF PORT AUGUSTA

*Result of Supplementary Election for One Councillor to Represent Conwaytown Ward Conducted on 19 November 2001*

Quota: 283

Candidates	First Preference Votes	Result After Distribution of Preferences
Penglase, Mick.....	286	Elected with quota
Temby, W. D. (Bill).....	85	
Kroes, Anne.....	194	
Informal.....	0	
Total.....	565	

S. H. TULLY, Returning Officer

## CITY OF SALISBURY

## ROADS (OPENING AND CLOSING) ACT 1991

*Road Closure—Portion of Frost Road Salisbury South*

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 and transfer to the Salisbury Private Nursing Home the adjoining unmade strip of Frost Road shown as 'A' on Preliminary Plan No. PP01/0694.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office, 12 James Street, Salisbury and the Adelaide office of the Surveyor-General during normal office hours.

Any application for easement or objection must be made in writing within 28 days from 29 November 2001, to the Council, P.O. Box 8, Salisbury, S.A. 5108 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details. Where a submission is made, Council will give notification of a meeting to deal with the matter.

S. HAINS, City Manager

## THE BAROSSA COUNCIL

*Periodical Review*

NOTICE is hereby given that The Barossa Council, in accordance with the requirements of section 12 (4) of the Local Government Act 1999, has reviewed its composition and elector representation arrangements.

Pursuant to section 12 (13) (a) of the said Act, the Electoral Commissioner has certified that the review undertaken by council satisfies the requirements of section 12 and may therefore now be put into effect as from the day of the first general election held after the expiration of five months from the publication of this notice.

The revised representation arrangements are as follows:

The representation arrangement will be retained as the present composition and structure of a Mayor and 13 council-lors who represent the area.

J. G. JONES, Chief Executive Officer

## THE FLINDERS RANGES COUNCIL

*Temporary Road Closures*

NOTICE is hereby given that The Flinders Ranges Council, at its meeting held on Tuesday, 9 October 2001, passed a resolution that the council exercises its 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.

Pursuant to section 33 (1) of the Road Traffic Act 1961, declare that the event described below ('the event') that is to take place on the road described below ('the roads') is an event to which section 33 of the Road Traffic Act 1961 applies and pursuant to section 33 (1) (a) of the Road Traffic Act 1961, make an order directing that the road on which the event is to be held and any adjacent or adjoining roads specified below, be closed to traffic at various times between 3.15 p.m. and 5.15 p.m. on Sunday, 2 December 2001:

- (a) (event)—Grand Junction Social Club: Annual Christmas Pageant;
- (b) (roads)—Sections of Railway Terrace, West Terrace, Hospital Road, Oval Road and Park Terrace, Quorn.

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.

D. A. CEARNS, Chief Executive Officer

## DISTRICT COUNCIL OF FRANKLIN HARBOUR

*Close of Roll for Supplementary Election*

NOTICE is hereby given that due to the resignation of a member of the council, a supplementary election will be necessary to fill the vacancy of Area Councillor for the District Council of Franklin Harbour.

The voters roll to conduct this supplementary election will close at 5 p.m. on Friday, 30 November 2001.

Nominations to fill the vacancy will open on Thursday, 3 January 2002, and will be received up until 12 noon on Thursday, 24 January 2002.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 25 February 2002.

S. H. TULLY, Returning Officer



## KINGSTON DISTRICT COUNCIL

*Change of Meeting Date*

NOTICE is hereby given that the next ordinary meeting of council will be held on Friday, 14 December 2001, commencing at 9.30 a.m. in lieu of the meeting which was scheduled to be held on Friday, 21 December 2001.

S. J. RUFUS, Chief Executive Officer

## KINGSTON DISTRICT COUNCIL

*Office Closure—Christmas/New Year Period*

NOTICE is hereby given that at a meeting held on 23 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 noon on Friday, 21 December 2001 through until 8.30 a.m. on Wednesday, 2 January 2002.

S. J. RUFUS, Chief Executive Officer

## LIGHT REGIONAL COUNCIL

*Revocation of Load Limit—Marananga Bridge*

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 22 tonne Gross Load Limit imposed on the Marananga Bridge, Seppeltsfield Road, Marananga, effective from 7 December 2001.

P. J. BEARE, Chief Executive Officer

## DISTRICT COUNCIL OF MALLALA

*Result of Supplementary Election for One Councillor to Represent Mallala Ward Conducted on 19 November 2001*

Quota: 216

Candidates	First Preference Votes	Result After Distribution of Preferences
Parsons, Dave .....	47	Elected
Howard, Yvonne.....	65	
Charleson, H. W. Keith .....	319	
Informal .....	0	
Total .....	431	

S. H. TULLY, Returning Officer

## DISTRICT COUNCIL OF MOUNT BARKER

*Result of Supplementary Election for Councillor—North Ward Conducted on 19 November 2001*

Quota: 943

Candidates	First Preference Votes	Result After Distribution of Preferences
Haines, David .....	769	Elected
Thompson, Maryann.....	527	Excluded
Chester, Peter .....	588	
Informal .....	5	
Total .....	1 889	

S. H. TULLY, Returning Officer

## DISTRICT COUNCIL OF PETERBOROUGH

*Appointments*

NOTICE is hereby given that the council at its meeting held on Monday, 19 November 2001, resolved that Terry Donald Barnes be appointed as the Chief Executive Officer of the District Council of Peterborough in accordance with section 98 (5) of the Local Government Act 1999.

Terry Donald Barnes is also to be appointed as an Authorised Officer for the following Acts of Parliament—Local Government Act 1999, Country Fires Act 1989, Food Act 1985, Impounding Act 1920-1975, Roads (Opening and Closing) Act 1991, Development Act 1993, the Dog and Cat Management Act 1995 and the Environment Protection Act 1993.

All previous appointments of Rex Mooney as an Authorised Officer of the council are to be rescinded.

T. D. BARNES, Chief Executive Officer

## SOUTHERN MALLEE DISTRICT COUNCIL

*Temporary Street Closures—Christmas Festivals*

NOTICE is hereby given, pursuant to section 359 of the Local Government Act 1934, as amended, that council at the meeting held on 14 November 2001, has resolved that all vehicles with the exception of emergency and authorised vehicles be excluded as follows:

## Lameroo:

Between the hours of 6 p.m. and 10.30 p.m. on Thursday, 20 December 2001:

- North Terrace, Lameroo (from Masonic Lodge to Railway Terrace North).
- Chandos Terrace—eastern carriageway, Lameroo (from Vardon Terrace intersection to and including part of the roundabout adjacent to Railway Terrace North).
- Railway Terrace North, Lameroo (from roundabout to Elders).

## Pinnaroo:

- Railway Terrace South, Pinnaroo—between the hours of 5.30 p.m. and 9.30 p.m. on Friday, 21 December 2001 (from Cane Motors to the Thrift Shop) and including the intersections with Mann Street and Day Street, Pinnaroo.

P. WOOD, Chief Executive Officer

## TATIARA DISTRICT COUNCIL

*Renaming of Road*

NOTICE is hereby given that at its November meeting, council resolved to name the unnamed road that runs in a northerly direction off Vogelsang Road in Padthaway and which meets Condon Street, as Lawsons Road.

G. W. PIESSE, Chief Executive Officer

## DISTRICT COUNCIL OF TUMBY BAY

*Renaming of Roads*

NOTICE is hereby given pursuant to section 219 of the Local Government Act 1999, that council assigned to and changed the names of the following roads in Port Neill township:

Wallis Street, to extend from Gill Street to the Coast Road.

Gill Street, to extend from Wallis Street to Peake Terrace. (This was formerly a part of Coneybeer Terrace).

Coneybeer Terrace, to extend from O'Loughlin Terrace to Wallis Street.

E. A. ROBERTS, District Clerk

## DISTRICT COUNCIL OF TUMBY BAY

## DEVELOPMENT ACT 1993

*Amendment to the Development Plan—Draft for  
Public Consultation*

NOTICE is hereby given that the District Council of Tumby Bay, pursuant to section 25 (7) of the Act, has prepared an amendment to its Development Plan, as it affects mainly the AusBulk facilities for the storage, handling and transportation in bulk of the locally produced grain. Certain other minor adjustments have also been made to the Development Plan, to enhance the quality of life in the district.

Pursuant to section 25 (11) of the Act, the draft Plan Amendment Report and the statement will be available for inspection and purchase during normal office hours from 3 December 2001 until 1 February 2002 at the Council office located at the corner of Mortlock Street and West Terrace, Tumby Bay and the Department of Transport, Urban Planning and the Arts, Level 5, 136 North Terrace, Adelaide.

Copies of the Plan Amendment Report are available for purchase at a cost of \$15 from the Council office in Tumby Bay.

Persons interested in making submissions on the Plan Amendment Report should do so in writing by 1 February 2002. All such submissions should be addressed to the District Clerk, District Council of Tumby Bay, P.O. Box 61, Tumby Bay, S.A. 5605.

Submissions received by council will be available for public inspection at the Council office from 1 February 2002 until the date of the public hearing.

A public hearing will commence at 5.30 p.m. at the Council Chambers, corner of Mortlock Street and West Terrace, Tumby Bay on 18 February 2002, at which time interested persons may appear and be heard in relation to the amendment to the Development Plan and the submissions.

Dated 27 November 2001.

E. A. ROBERTS, District Clerk

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

- Brine, Kenneth Frederick*, late of 7 Railway Terrace, Old Reynella, retired storeman, who died on 26 September 2001.
- Clark, Robert*, late of Peterson Street, Somerton Park, retired police officer, who died on 31 August 2001.
- Cox, Violet Irene*, late of 324 Military Road, Semaphore Park, of no occupation, who died on 4 October 2001.
- Davis, Harry Ernest*, late of 18 Cross Road, Myrtle Bank, retired toolmaker, who died on 14 September 2001.
- Dyer, Zena Grace*, late of 2 Cole Street, Klemzig, home duties, who died on 28 September 2001.
- Haines, Alan Jasper*, late of 315 Victoria Road, Largs North, retired sheetmetal worker, who died on 22 September 2001.
- Hutton, Kathleen Mary*, late of 35 Hulbert Street, Hove, of no occupation, who died on 2 October 2001.
- King, Frederick Charles*, late of 332 Marion Road, North Plympton, retired porter, who died on 14 September 2001.
- Kruger, Hartley Desmond Munro*, late of 24 Pamela Drive, Para Hills, retired Commonwealth Police Officer, who died on 31 July 2001.
- Schlein, Elizabeth Jean*, late of 21 Beatty Street, Linden Park, retired dressmaker, who died on 10 September 2001.
- Sparrow, Aileen Mary*, late of 81 Tapleys Hill Road, Hendon, of no occupation, who died on 21 October 2001.
- Williams, Constance Olive Howland*, late of Grainger Road, Somerton Park, of no occupation, who died on 29 August 2001.
- Worden, Helen Joyce*, late of 7 Dankel Avenue, Kensington, of no occupation, who died on 5 July 2001.

*Wright, Vera Irene*, late of 40 Winchester Street, Malvern, widow, who died on 4 October 2001.

*Young, Robert William*, late of 34 Molesworth Street, North Adelaide, retired railway employee, who died on 29 June 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 28 December 2001, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 29 November 2001.

J. H. WORRALL, Public Trustee

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

*Haines, Malcolm John*, late of 36 Young Street, Kingston, SE, farmer and grazier (also member of the partnership H. P. Haines and Company Limited) who died on 16 June 2001.

Notice is hereby given pursuant to the Trustee Act 1936 as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries and other persons having claims against the abovenamed estate are directed to send full particulars of such claims to the undersigned on or before 4 January 2002 otherwise they will be excluded from the distribution of the said estate.

Dated 29 November 2001.

EXECUTOR TRUSTEE AUSTRALIA LIMITED  
(ACN 007 869 276), 44 Pirie Street,  
Adelaide, S.A. 5000.

SOUTH AUSTRALIA—In the Supreme Court. No. 427 of 1997. In the matter of Golden Rooster Pty Ltd (ACN 007 773 739) and in the matter of the Corporations Law.

*Notice by a Liquidator of His Intention to Seek His Release and  
Dissolution of the Company*

Take notice that I, Austin Robert Meerten Taylor, 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 for the company to be dissolved.

And further take notice that if you have any objection to the granting of my release and dissolution of the company 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 21 November 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. 545 of 1997. In the matter of Joycourt Pty Ltd (ACN 057 727 509) and in the matter of the Corporations Law.

*Notice by a Liquidator of His Intention to Seek His Release and Dissolution of the Company*

Take notice that I, Austin Robert Meerten Taylor, 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 for the company to be dissolved.

And further take notice that if you have any objection to the granting of my release and dissolution of the company 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.

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#### SALE OF PROPERTY

Auction Date: Wednesday, 19 December at 11.00 a.m.

Location: 313 Martins Road, Parafield Gardens.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Warrant of Sale issued out of the Magistrates Court of South Australia, Adelaide Registry, Action No. 2664 of 2001, directed to the Sheriff of South Australia in an action wherein White Berman, is Plaintiff and the Khmer Buddhist Association of South Australia is Defendant, I, Tim Goodes, Sheriff, of the State of South Australia, will by my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the defendant the Khmer Buddhist Association of South Australia as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Parafield Gardens, being 313 Martins Road, being the property comprised in Certificate of Title Register Book Volume 5457, Folio 960.

Further particulars from the auctioneers: Griffin Real Estate, 179 King William Road, Hyde Park, S.A. 5061. Telephone 8357 3177.

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# 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.

**Remember**—the onus is on you to inform us of any corrections necessary to your notice.

**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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