



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 14 OCTOBER 2004

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 14 October 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Theatre Company of South Australia, Board of Governors, pursuant to the provisions of the State Theatre Company of South Australia Act 1972:

Chair: (from 14 October 2004 until 17 December 2006)
Brenton Wright

By command,
J. W. WEATHERILL, for Premier

ASA 004/02 CS

Department of the Premier and Cabinet
Adelaide, 14 October 2004

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

Member: (from 14 October 2004 until 30 September 2007)
Lady Thelma Joan Neal
Terence Evans

Member: (from 14 October 2004 until 31 March 2005)
Patricia Lange
Jeanette Anne Sandford-Morgan

Member: (from 14 October 2004 until 30 September 2007)
Elizabeth Raupach

By command,
J. W. WEATHERILL, for Premier

ASA 016/02 CS

Department of the Premier and Cabinet
Adelaide, 14 October 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Genetically Modified Crop Advisory Committee, pursuant to the provisions of the Genetically Modified Crops Management Act 2004:

Member: (from 18 October 2004 until 12 September 2006)
Caroline Elizabeth Brown

By command,
J. W. WEATHERILL, for Premier

MAFF 0030/04 CS

Department of the Premier and Cabinet
Adelaide, 14 October 2004

HER Excellency the Governor in Executive Council has been pleased to appoint Neil Andrew Bray as Valuer-General from 1 November 2004 for a period of five years, pursuant to Section 6 (1) of the Valuation of Land Act 1971.

By command,
J. W. WEATHERILL, for Premier

MADM 022/04 CS

Department of the Premier and Cabinet
Adelaide, 14 October 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Kevin Owen Foley, MP, Deputy Premier, Treasurer, Minister Assisting the Premier in Economic Development, Minister for Police and Minister for Federal/State Relations to also be Acting Premier, Acting Minister

for Economic Development, Acting Minister for Social Inclusion and Acting Minister for Volunteers for the period 16 October 2004 to 24 October 2004 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,
J. W. WEATHERILL, for Premier

DPC 030/96 PT4 CS

Department of the Premier and Cabinet
Adelaide, 14 October 2004

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Environment and Conservation, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to also be Acting Minister for the Arts for the period 16 October 2004 to 24 October 2004 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,
J. W. WEATHERILL, for Premier

DPC 030/96 PT4 CS

Department of the Premier and Cabinet
Adelaide, 14 October 2004

HER Excellency the Governor in Executive Council has been pleased to appoint Brian Alexander Cunningham to the position of Chief Executive, Department of Further Education, Employment, Science and Technology, for a term of five years commencing on 10 January 2005, pursuant to Part 4 of the Public Sector Management Act 1995.

By command,
J. W. WEATHERILL, for Premier

DPC 030/02 CS

ASSOCIATIONS INCORPORATION ACT 1985

Deregistration of Associations

NOTICE is hereby given that the Corporate Affairs Commission approves the applications for deregistration received from the associations named below pursuant to section 43A of the Associations Incorporation Act 1985. Deregistration takes effect on the date of publication of this notice:

Ardrossan and District Retirement Homes Incorporated
Christian Artists of South Australia Incorporated
Clare Theatre Group Incorporated
Fleurieu Peninsula Tourist Association Incorporated
Furniture Retailers Council S.A. Incorporated
Junction Theatre Company Incorporated
Milang Road Water Scheme Incorporated
Northern Giants Volleyball Club Incorporated
Penola and District Kindergym Incorporated
South Coast Peace and Environment Group Incorporated
The Mount Barker and District Homes for the Aged Incorporated
Walleroo Summer Night Netball Association Incorporated
Wildwood Park Sports and Social Club Incorporated

Dated 8 October 2004.

R. P. LAWLEY, A Delegate of the Corporate
Affairs Commission

CROWN LANDS ACT 1929: SECTION 5

TAKE notice that pursuant to the Crown Lands Act 1929, I, JOHN HILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY resume the land defined in The Schedule.

The Schedule

Reserve for waterworks purposes, Section 816, Hundred of Crystal Brook, the proclamation of which was published in the *Government Gazette* of 8 November 1962 at page 1276, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5759 Folio 545.

Dated 14 October 2004.

J. HILL, Minister for Environment
and Conservation

DEH 10/1156

CROWN LANDS ACT 1929: SECTION 5

TAKE notice that pursuant to the Crown Lands Act 1929, I, JOHN HILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as a Conservation Reserve and declare that such land shall be under the care, control and management of the Alexandrina Council.

The Schedule

Allotment 4 in Deposited Plan 61312, Hundred of Nangkita, County of Hindmarsh, exclusive of all necessary roads.

Dated 14 October 2004.

J. HILL, Minister for Environment
and Conservation

DL 5657/1977

CROWN LANDS ACT 1929: SECTION 5

TAKE notice that pursuant to the Crown Lands Act 1929, I, JOHN HILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Dedicate the Crown Land defined in The First Schedule as a Reserve for Walk Way purposes and declare that such land shall be under the care, control and management of the City of Port Lincoln.
2. Dedicate the Crown Land defined in The Second Schedule as a Reserve for Road purposes and declare that such land shall be under the care, control and management of the City of Port Lincoln.

The First Schedule

Allotment 65 in Deposited Plan 57911, Hundred of Lincoln, County of Flinders, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 5920 Folio 805.

The Second Schedule

Allotment 67 in Deposited Plan 57911, Hundred of Lincoln, County of Flinders, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 5920 Folio 806, subject nevertheless to an easement to Distribution Lessor Corporation (subject to lease 8890000) for electricity supply purposes over that portion of Allotment 67 marked B in Deposited Plan 57911.

Dated 14 October 2004.

J. HILL, Minister for Environment
and Conservation

DENR 08/0738

DEVELOPMENT ACT 1993, SECTION 48: DECISION BY THE DEVELOPMENT ASSESSMENT COMMISSION

Preamble

1. The decision by the Governor under section 48 of the Development Act 1993, to approve the development of a waste management facility in the form of a solid waste landfill (Northward Fill (Inkerman Landfill Depot)) at Inkerman was published in the *Gazette* on 21 January 1999.

2. The development was the subject of an Environmental Impact Statement under section 46 of the Development Act 1993 and amended under section 47 of the Development Act 1993.

3. An amendment to the development authorisation was granted by the Development Assessment Commission as delegate of the Governor on 17 June 2004.

4. A further amendment has been under consideration by the Development Assessment Commission as delegate of the Governor under Division 2 of Part 4 of the Development Act 1993.

5. The proposed amendment relates to the landfill lining and leachate collection system and are contained in a letter from Waste Management Pacific Pty Ltd dated 19 April 2004 and revised plans submitted on 27 April 2004.

6. The Development Assessment Commission is satisfied that the amendments do not require the preparation of a further or amended Environmental Impact Statement.

7. The Development Assessment Commission has, in considering the matter, had regard to all relevant matters under section 48 (5) of the Development Act 1993.

Decision

PURSUANT to section 48 of the Development Act 1993, the Development Assessment Commission, as delegate of the Governor, grants development authorisation to the amended waste management facility in the form of a solid waste landfill (Northward Fill (Inkerman Landfill Depot)) at Inkerman, subject to conditions.

Conditions

1. Except where minor amendments may be required by other legislation, or by conditions imposed herein, proposed the solid waste landfill (Northward Fill (Inkerman Landfill Depot)) shall be undertaken in accordance with the plans in the application (dated 4 March 1997 and 'Supporting Documentation for Development Application' dated 24 November 1998), except as varied by the conditions listed below, the letters from Waste Management Pacific Pty Ltd dated 19 April 2004 and 19 May 2004, and the following drawings:

- Drawing No. 40033003/005C dated 1 September 2003
- Drawing No. 40033003/0080 dated 27 April 2004
- Drawing No. 40033003/009 dated 27 April 2004
- Drawing No. 40033003/013 dated 27 April 2004
- Drawing No. 40033003/014 dated 27 April 2004

Groundwater

2. Monitoring must be undertaken over two successive winter seasons to determine the maximum seasonal watertable level for that period starting prior to the landfill operations starting.

3. An internal leachate-level monitoring bore network within each stage of the landfill must be established to allow early identification of any problem with the leachate collection system before excessive leachate heads develop.

4. Groundwater monitoring bores must be established down gradient of the leachate collection ponds to the satisfaction of the Environment Protection Authority.

Leachate Management

5. A construction report must be provided to the Environment Protection Authority by a geotechnical consultant certifying that the liner and drainage system has been constructed in accordance with the design principles together with *in situ* testing to demonstrate that the required permeability has been achieved prior to operations commencing, except as varied by conditions 5a, 5b, 5c and 5d.

5a. The high density polyethylene (HDPE) membrane and geotextile portion of the liner shall extend a minimum of 5 m laterally from the sump (measured from the toe of the sump side slope to the outer edge of the lining system) and the underlying clay outside the sump area must have a minimum thickness of 1 m.

5b. The drainage slopes towards drainage lines and along drainage lines shall be a minimum of 2% and 1% respectively.

5c. Construction of the landfill liner and polylock system shall be undertaken and certified in accordance with Level 1 supervision and Construction Quality Assurance (CQA) procedures. A report documenting the results of the Level 1 supervision and construction quality control tests for the compacted clay liner, HDPE membrane and polylock system shall be prepared to the reasonable satisfaction of the Environment Protection Authority.

Landfill Gas

6. Landfill gas extraction wells must be installed progressively as filling of the cell proceeds, to the satisfaction of the Environment Protection Authority.

7. All fire control measures proposed at the site must be approved by the Country Fire Service prior to operations commencing.

Buffers and Landscaping

8. The maximum height of the landfill including rehabilitation must be restricted to 27 m AHD (generally 7 m above the existing natural surface) to be consistent with the existing maximum topographic levels in the region.

9. All perimeter plantings must be started as early as practicable after the date of this approval to achieve maximum amelioration of visual impacts.

10. Screening by suitable plantings where adequate natural screening is not provided, must be provided for the perimeter fence, all built structures, stockpiles and internal roads (where practicable) using suitable species in accordance with the Vegetation Management and Revegetation Plan proposed as part of the Landfill Environmental Management Plan (LEMP).

Noise and Dust

11. The proponent must comply with the provisions of the Environment Protection (Industrial Noise) Policy (1994, SA Government).

12. The maximum hours of operation must be 6 a.m. to 7.30 p.m. seven days per week and waste must only be received between 7 a.m. and 7 p.m.

Infrastructure

13. The proponent must pay all reasonable costs of the detailed design and construction of any public roadworks made necessary by this development and to the satisfaction of Transport SA.

Building Rules

14. Work constituting building work under the Development Act 1993, must be certified by the Wakefield District Council or a private certifier, as complying with the Building Rules. Copies of the relevant certification documentation shall be provided to the Minister for Urban Development & Planning, as outlined in Regulation 64 of the Development Act 1993. No building works shall commence until a favourable decision has been notified in writing to the applicant by the Governor or the Development Assessment Commission as delegate of the Governor.

Heritage

15. The party with the benefit of this approval must ensure that operators and construction personnel are made aware of the requirements under the Aboriginal Heritage Act 1988 that any burial site skeletal material or significant artefact discovery is reported to the Division of State Aboriginal Affairs, Department of Environment, Heritage and Aboriginal Affairs.

Wastes

16. No Listed Waste as prescribed in Schedule 1, Part B of the Environment Protection Act 1993, or contaminated soil and material or asbestos containing material, will be permitted to be disposed of without further development authorisation.

NOTES

1. The Environment Protection Authority will require the proponent to prepare a Landfill Environmental Management Plan (LEMP) to satisfy the Authority's licensing requirements. Such a plan will be required to include provisions for the review, from time to time, of waste treatment and disposal methods to facilitate implementation of continuous improvement programs. The LEMP will be required to incorporate specific plans in relation to ground-water and leachate management, surface water management, vegetation and revegetation, soil erosion and drainage and the management of pest plants and animals as outlined in the amendment to the Assessment Report. It will also be required to include provisions for implementation of corrective actions in the event of any failure of the leachate and groundwater management systems.

2. Control over the types of waste to be received at the site will be exercised by the Environment Protection Authority. This will be done through conditions of environmental authorisation or requirements under a relevant Environment Protection Policy rather than through conditions of development authorisation (see condition 16).

3. A financial assurance in accordance with the provisions of section 51 of the Environment Protection Act 1993 will be required by the Environment Protection Authority as a condition of licence.

4. The outstanding stormwater management issues discussed in relation to section 25 of the Environment Protection Act 1993 must be clarified as part of the LEMP if approval is given to the project.

5. A comprehensive proposed groundwater monitoring and protection system would need to be finalised in the LEMP.

6. A landfill gas monitoring program should be prepared to the satisfaction of the Environment Protection Authority and incorporated into the LEMP.

7. As part of the LEMP a contingency plan for landfill gas extraction and combustion systems would be required.

8. A low flame multi-burn flaring system to be incorporated in the landfill gas management system would be required. The flaring system should be enclosed in a cage unit to prevent debris from going through the flame.

9. The acceptance criteria and frequency of monitoring for odours needs to be specified in the development of the LEMP based on the conduct of modelling and approved management practices.

10. In order to achieve satisfactory environmental outcomes the use of a force-fed mechanical waste shredding system at the transfer station (as a means of reducing the potential for litter) is recommended. The Authority will require all waste to go through an Environment Protection Authority approved resource recovery centre which has a high percentage of re-use and resource recovery.

11. The Environment Protection Authority as part of the licence condition will state that litter will not be allowed to discharge off the proponent's property.

12. As part of the LEMP a surface water management system, which collects run-off from road surfaces, stockpile areas and other locations where saline water has been used for dust suppression, should be prepared. This water is to be directed to specific ponds for collection and disposal into the leachate collection system or alternative treatment approved by the Environment Protection Authority.

13. The polylock system for anchoring the HDPE membrane may form part of the liner if the design and proposed construction method can demonstrate that the performance of the liner system is not compromised.

Dated 14 October 2004.

P. COCKRUM, Secretary, Development Assessment Commission

DEVELOPMENT ACT 1993, SECTION 48: DECISION BY THE DEVELOPMENT ASSESSMENT COMMISSION AS DELEGATE OF THE GOVERNOR

Preamble

1. The decision of the Governor under section 48 of the Development Act 1993, to grant provisional development authorisation of the Beringer Blass Wine Bottling and Storage Facility at Nuriootpa was published in the *Gazette* on 23 September 2004.

2. The development was the subject of a Development Report and an Assessment Report under sections 46 and 46D of the Development Act 1993.

3. Pursuant to section 48 of the Development Act 1993 and Regulation 64 (1) of the Development Regulations 1993, the Governor reserved certain matters for further decision making.

4. Application has now been made to the Development Assessment Commission, as delegate of the Governor, for a further decision in relation to the reserved matter of the Environmental Management and Monitoring Plan.

5. The Development Assessment Commission has, in considering the application, had regard to all relevant matters under section 48 (5) of the Development Act 1993 and advice from the Environment Protection Authority.

6. The Development Assessment Commission is satisfied that the amendment does not require the preparation of a further or amended Development Report.

Decision

PURSUANT to section 48 of the Development Act 1993, the Development Assessment Commission, as delegate of the Governor, grants development authorisation to the amended Beringer Blass Wine Bottling and Storage Facility subject to the Conditions and Notes to the applicant below:

- (a) reserve a decision on the following matter (upon application of further information) pursuant to section 48 (6) and Regulation 64 (1):
- (i) compliance with the Building Rules in relation to all aspects of the proposed Major Development relating to building works (refer to Conditions and Notes to Applicant below);
- (b) specify all matters relating to this provisional development authorisation as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions attached;
- (c) specify, for the purposes of section 48 (11) (b) of the Development Act 1993, the period of two years from the date hereof, as the time within which substantial work must be commenced on site, failing which I may cancel this authorisation.

Conditions of Approval

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

- (a) the following drawings contained within the Development Report, 'Proposed Wine Bottling and Storage Facility, Light Pass Road/Pipeline Road, Barossa Valley', lodged by Beringer Blass Wine Estates, dated May 2004:
- Drawing Titled: 'Proposed Bottling Facility, Landscape Plan'; Drawing Number: N080-SK01 A.
 - Drawing Titled: 'Proposed Bottling Facility, Elevations'; Drawing Number: N080-SK02 A.
- (b) the following drawings contained within the Response to Submissions, 'Response Document: Proposed Wine Bottling and Storage Facility, Light Pass Road/Pipeline Road, Barossa Valley', lodged by Beringer Blass Wine Estates, dated July 2004:
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling, Storage and Winery Facility, Final Development Site Plan'; Drawing Number: WLF04-000-0210 A.

- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Stage 1A Development Plan (2 Bottling Lines)'; Drawing Number: WLF04-000-0191 F.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Stage 1B Development Plan (4 Bottling Lines)'; Drawing Number: WLF04-000-0197 F.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Final Development Plan (8 Bottling Lines)'; Drawing Number: WLF04-000-0193 E.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Final Development Site Plan'; Drawing Number: WLF04-000-0207 B.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Stages 1A & 1B Development Elevations'; Drawing Number: WLF04-000-0192 E.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Final Development Elevations'; Drawing Number: WLF04-000-0194 D.
- Drawing Titled: 'Wine Bottling and Storage Facility, Development Consent Amendment, Proposed Bottling and Storage Facility Final Development Plan Roof Plan'; Drawing Number: WLF04-000-0200 C.

and

- (c) the following documents insofar as they are varied by the document indicated in paragraph (d):
- Development application, 'Proposed Wine Bottling & Storage Facility (in association with the existing Beringer Blass Winery, Sturt Highway, Light Pass Road/Pipeline Road) at Light Pass Road/Pipeline Road, Barossa Valley', prepared by Nolan Rumsby Planners (for Beringer Blass Wine Estates), dated 3 December 2003 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Development Report, 'Proposed Wine Bottling and Storage Facility, Light Pass Road/Pipeline Road, Barossa Valley', lodged by Beringer Blass Wine Estates, dated May 2004 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Response to Submissions, 'Response Document: Proposed Wine Bottling and Storage Facility, Light Pass Road/Pipeline Road, Barossa Valley', lodged by Beringer Blass Wine Estates, dated July 2004 (contained within an appendix to the Assessment Report noted below) (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Correspondence from Nolan Rumsby Planners (for Beringer Blass Wine Estates) to Planning SA, dated 13 August 2004, confirming the storage volumes for the stormwater dam.
 - Correspondence from Nolan Rumsby Planners (for Beringer Blass Wine Estates) to Planning SA, dated 19 August 2004, confirming details relating to finishing colour selections, landscaping, building layouts, and the establishment of a frost fan (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Correspondence from Nolan Rumsby Planners (for Beringer Blass Wine Estates) to Planning SA, dated 31 August 2004, confirming the relevant and revised plans for assessment and consideration by the Governor (except to the extent that it may be varied by a subsequent document in this paragraph).

- Assessment Report prepared by the Minister for Urban Development and Planning dated September 2004.

(d) The Environmental Management and Monitoring Plan prepared by Parsons Brinckerhoff on behalf of Beringer Blass Wine Estates Limited (Report No. 2102542A-04-0600-02) dated October 2004.

2. The applicant shall submit further information and application(s) in relation to the matters that have been reserved for further decision-making.

3. No works on any part of the proposed Major Development shall commence until a favourable decision has been notified to the applicant by me or my delegate in respect of the reserved matter referred to in subparagraph (ii) in paragraph (b) of the Decision section above (refer also to Condition 7).

4. No construction activities or building works shall commence until a heritage survey has been completed to identify any Aboriginal Sites, Objects or Remains in the site area, and monitoring shall be undertaken during construction to enable the development to proceed without a breach of the Aboriginal Heritage Act 1988. Details of the applicant's Heritage Agreement and consultation with the Ngadjuri Heritage Association shall also be provided to the Development Assessment Commission and the Department of Aboriginal Affairs and Reconciliation prior to construction commencing.

5. Subject to conditions 3, 4 and 7, the applicant may stage building works, and, if so, may commence an approved stage before receiving my decision concerning building rules compliance for other stages (refer reserved matter (i) in paragraph (b) of the Decision section above). No building works shall commence on a stage of the development, however, until a favourable decision in relation to building rules compliance in respect of that stage has been notified in writing to the applicant by me or my delegate.

6. A decision on building rules compliance will only be made after a Building Rules assessment and certification has been undertaken and issued by the Barossa Council, or a private certifier, in accordance with the provisions of the Development Act 1993, and after the Minister for Urban Development and Planning receives a copy of all relevant certification documentation, as outlined in Regulation 64 of the Development Regulations 1993 (refer to 'Notes to Applicant' below for further information).

7. The management and monitoring of the pre-construction, construction and operational phases of the wine bottling and storage facility shall be undertaken in accordance with the Environmental Management and Monitoring Plan, prepared by Parsons Brinckerhoff on behalf of Beringer Blass Wine Estates Limited (Report No. 2102542A-04-0600-02), dated October 2004.

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

9. In accordance with commitments by the applicant, wastewater shall not be stored in open storage ponds until it is first treated to reduce the potential for odours to occur.

10. The applicant shall ensure that stormwater, which does not comply with the Environment Protection (Water Quality) Policy 2003 criteria, is not discharged from the site without prior effective treatment.

11. Noise generated from the development shall not exceed:

- 52 dB (A) between the hours of 7 a.m. and 10 p.m. measured and adjusted at the nearest existing residential property in accordance with the Environment Protection (Industrial Noise) Policy 1994.
- 45 dB (A) between the hours of 10 p.m. and 7 a.m. measured and adjusted at the nearest existing residential property in accordance with the Environment Protection (Industrial Noise) Policy 1994.

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

12. The proponent shall, subject to obtaining the landowner's consent in relation thereto, install, operate and maintain frost fans on the property located north of the proposed development site either in accordance with the recommendations of the Acoustic Report in the Development Report and in accordance with the Environment Protection Authority's standards for their operation, siting and distance from potential receptors, or in accordance with any alternative arrangement negotiated with the landowner. If the landowner refuses consent, however, the proponent is excused from compliance with this condition.

13. Landscaping of the site shall commence prior to construction of the proposed Major Development, and when established must be maintained in good health and condition at all times. A plant must be replaced if or when it dies or becomes seriously diseased within the first growing season after the plant dies or becomes seriously diseased.

14. In accordance with commitments by the applicant, buildings walls up to 3 m shall be clad in colorbond 'ironstone' (or similar), and walls above 3 m be clad in 'paperbark' colour colorbond (or similar).

15. All lighting must be directed and shielded in such a way as to prevent glare from the site, and any lighting that is not in use for operational or security reasons must be switched off.

16. In accordance with EPA recommendations, no trucks or heavy vehicles shall access the site from the portion of Light Pass Road, south of the access point for the proposed Major Development.

NOTES TO THE APPLICANT:

- Pursuant to Development Regulation 64, the applicant is advised that the Barossa Council or private certifier conducting a Building Rules assessment must:

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

Regulation 64 of the Development Regulations 1993 provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Urban Development and Planning.

- The Barossa Council or private certifier undertaking Building Rules assessments must ensure that the assessment and certification are consistent with this provisional development authorisation (including any Conditions or Notes that apply in relation to this provisional development authorisation).
- Should the applicant wish to vary the Major Development or any of the components of the Major Development, an application may be submitted, provided that the development application variation remains within the ambit of the Development Report and Assessment Report referred to in this provisional development authorisation. If an application variation involves substantial changes to the proposal, pursuant to section 47 of the Development Act 1993, the applicant may be required to prepare an amended Development Report for public inspection and purchase. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and a decision made by the Governor pursuant to section 48 of the Development Act 1993.
- It is recommended that the applicant finalise the required water licence arrangements pursuant to the Water Resources Act 1997, for the construction of the proposed water storage dam and subsequent re-use of water, prior to construction of the proposed Major Development (in order for operations to

proceed). The applicant is also advised to submit information on the water licence arrangements to Planning SA, together with final details on the design of the stormwater dam and associated release mechanism(s) and infrastructure.

- The proponent is advised of the General Environmental Duty under section 25 of the Environment Protection Act 1993, which requires that a person must not undertake any activity, which pollutes, or may pollute; without taking all reasonable and practical measures to prevent or minimise harm to the environment.
- The applicant's EMMP should be prepared taking into consideration and with explicit reference to, relevant EPA policies and guideline documents, including, but not limited to the Environment Protection (Air Quality) Policy 1994, the Environment Protection (Water Quality) Policy 2003, the Occupational Health and Safety Regulations, EPA Guidelines on Odour Assessment, using odour source modelling 2003, EPA Handbook for Pollution Avoidance on Commercial and Residential Building Sites 2004, and the EPA Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry, in addition to other legislative requirements and Guidelines/Australian Standards requiring compliance.
- The applicant is reminded of its obligations under the Aboriginal Heritage Act 1988 whereby any 'clearance' work, which may require permission to disturb damage or destroy Aboriginal Sites, must be undertaken with the full authorisation of the Minister for Aboriginal Affairs and Reconciliation, according to section 23 of the Aboriginal Heritage Act 1988.
- It is recommended that the applicant ensure there are measures in place to promote staff vehicle access to the site from the northern end of Light Pass Road.
- The applicant is advised that a further development application and authorisation will be required pursuant to Part 4, Division 2 of the Development Act 1993, for the following matters:
 - prior to commencement of Stage 2, if the applicant proposes to treat wastewater at the existing Wolf Blass winery wastewater treatment system;
 - for the establishment of any additional frost fans that may be required as part of Stage 2;
 - if the external advertising signage is amended from that indicated in the Development Report, or additional advertising signage is proposed.
- The Minister has a specific power to require testing, monitoring and auditing under section 48C of the Development Act 1993.

Dated 14 October 2004.

P. COCKRUM, Secretary Development
Assessment Commission

DEVELOPMENT ACT 1993, SECTION 48: DECISION BY
THE DEVELOPMENT ASSESSMENT COMMISSION AS
DELEGATE OF THE GOVERNOR

Preamble

1. The decision of the Governor under section 48 of the Development Act 1993, to approve the development of the Mildara Blass Winery (now Beringer Blass Wines Estates Ltd) located on the Sturt Highway, 2 km north-east of Nuriootpa in 10 stages was published in the *Gazette* on 7 October 1999.

2. Amendments to the development approval were subsequently considered and approved by the Development Assessment Commission, and published in the *Gazette* on 8 June 2000, 31 August 2000, 3 May 2001 and 11 December 2003.

3. Application has now been made to the Development Assessment Commission as delegate of the Governor under section 48 of the Development Act 1993 for the approval of a further amended development.

4. The proposed amendment is for additional signage to the winery and visitors centre:

- (a) Two 5 m high x 1.65 m wide freestanding 'blade' signs behind the existing signs at the Pipeline Road and Light Pass Road signs at either end of the Sturt Highway frontage and one 7 m high by 2.35 m wide freestanding 'blade' sign behind the existing sign at the main Sturt Highway entrance to the winery.
- (b) Two groups of four banner signs located on either side of the main entrance. The banners will be 4 m x 1.260 m on 7 m high aluminium poles.

5. The amendments to the development are contained in:

- (a) The letter and Planning Report from Nolan Rumsby Planners to the Development Assessment Commission dated 12 July 2004.
- (b) The plans by Perks Design Partners referenced WB_Sign2.EPS dated 16 April 2004.

6. The Development Assessment Commission has, in considering the application, had regard to all relevant matters under section 48 (5) of the Development Act 1993.

7. The Development Assessment Commission is satisfied that the amendments do not require the preparation of a further or amended Development Report.

DECISION

PURSUANT to section 48 of the Development Act 1993, the Development Assessment Commission, as delegate of the Governor, grants development approval of the erection of advertising signage for the Beringer Blass Wine Estates Limited (formally Mildara Blass Winery) located on the Sturt Highway, 2 km north-east of Nuriootpa, as described in the application dated 12 July 2004, subject to the following conditions:

- (a) That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans referred to in part 5 of the preamble above.
- (b) That the advertisements and supporting structures shall be prepared and erected in a professional and workman-like manner and maintained in good repair at all times.
- (c) That the signs and banners shall be fully contained within the property boundaries.
- (d) That any lighting associated with the signs shall be of an intensity not to cause a light overspill nuisance or distraction to drivers on adjacent public roads.
- (e) That construction must not be commenced until a private certifier or The Barossa Council has certified to the Development Assessment Commission that all work that constitutes building work under the Development Act 1993, complies with the Building Rules.

P. COCKRUM, Secretary,
Development
Commission

DEVELOPMENT ACT 1993

Light Regional Council, Mallala (DC), Barossa Council, Playford (City), Tea Tree Gully (City) and Salisbury (City) Development Plans: Draft Catchment Water Resources Plan Amendment Report—Draft for Public Consultation

NOTICE is hereby given that the Light Regional Council, District Council of Mallala, the Barossa Council, the City of Playford, the City of Tea Tree Gully and the City of Salisbury have prepared a draft Catchment Water Resources Plan Amendment (PAR) to amend the Light Regional Council, Mallala (DC), the Barossa Council, Playford (City), Tea Tree Gully (City) and the Salisbury (City) Development Plans as it affects the whole of the mentioned councils.

The draft PAR funded by the Northern Adelaide and Barossa Catchment Water Management Board, with significant funding from the Commonwealth's Coastal Catchments Initiative, a national component of the National Heritage Trust, with in-kind support from the participating councils, will amend all of the mentioned Development Plans by introducing council-wide definitions, a desired future character statement, Objectives and Principles of Development Control relating to the protection of water resources, and in particular, policies relating to (i) catchment management, (ii) watercourses, (iii) dams and levees, (iv) native vegetation, (v) effluent dams, (vi) stormwater management, (vii) treated wastewater, (viii) imported water, (ix) storage of chemicals, (x) forestry plantations, (xi) animal keeping, (xii) land division and (xiii) site management plans. The draft PAR also proposes to amend Development Control Principles in a number of zones pertaining to each Development Plan.

The draft PAR including the Statement of Investigations will be available for public inspection during normal office hours at the following locations:

- Northern Adelaide and Barossa Catchment Water Management Board, 1st Floor, 59 Commercial Road, Salisbury, S.A. 5108. www.nabcatchment.net
- Light Regional Council, 93 Main Street, Kapunda, S.A. 5373. www.light.sa.gov.au
- D.C. of Mallala, 2A Wasleys Road, Mallala, S.A. 5502. www.mallala.sa.gov.au
- The Barossa Council, 1 Washington Street, Angaston, S.A. 5353. www.barossa.sa.gov.au
- City of Playford Civic Centre, 10 Playford Boulevard, Elizabeth, S.A. 5114. www.playford.sa.gov.au
- City of Tea Tree Gully, 571 Montague Road, Modbury, S.A. 5092. www.teatreegully.sa.gov.au
- City of Salisbury, 8 James Street, Salisbury, S.A. 5108. www.salisbury.sa.gov.au

in addition to councils' Libraries and the mentioned website from 14 October 2004 to 17 December 2004. The draft PAR is also available on Planning SA's website www.planning.sa.gov.au.

During the statutory consultation process, interested persons can attend any of the following community information evenings:

- Two Wells Community Centre, Old Port Wakefield Road, Two Wells at 7 p.m. on 27 October 2004;
- Hewett Community House, Kingfisher Drive, Hewett at 7 p.m. on 4 November 2004;
- City of Playford Civic Centre, 10 Playford Boulevard, Elizabeth, at 7 p.m. on 24 November 2004.

Written submissions regarding the draft amendment will be accepted by each of the mentioned councils until 17 December 2004. The written submission should also clearly indicate whether you wish to speak at the public hearing on your submission. All submissions should be addressed to the Chief Executive Officer of your respective council as per the abovementioned address.

Copies of all submissions received will be available for inspection by interested persons at the offices of the mentioned councils from 17 December 2004 until the date of the public hearing for the respective council. Public hearings will be held at the following locations and dates:

- The City of Playford, Civic Centre, 10 Playford Boulevard, Elizabeth on 9 February 2005 at 7 p.m.
- The Barossa Council, 1 Washington Street, Angaston on 10 February 2005 at 7 p.m.
- Light Regional Council, Kapunda Council Chambers, 93 Main Street, Kapunda on 16 February 2005 at 7.30 p.m.
- The City of Salisbury, James Street, Salisbury on 21 February 2005 at 6 p.m.
- The City of Tea Tree Gully Council Chambers, 571 Montague Road, Modbury on 22 February 2005 at 7 p.m.
- D.C. of Mallala Council Chambers, Redbanks Road, Mallala on 22 February 2005 at 7.30 p.m.

Public hearings may not be held if submissions indicate no interest in speaking at the public hearing.

Dated 12 October 2004.

P. BEARE, Chief Executive Officer
Light Regional Council

C. DUNLOP, Chief Executive Officer
District Council of Mallala

J. JONES, Chief Executive Officer
The Barossa Council

T. JACKSON, Chief Executive Officer
City of Playford

G. PERKIN, Chief Executive Officer
City of Tea Tree Gully

S. HAINS, City Manager
City of Salisbury

ENVIRONMENT PROTECTION ACT 1993

Approval of Additional Collection Depot

I, STEPHEN RICHARD SMITH, Senior Adviser, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Approval of Additional Collection Depot:

Approve the collection depot identified by reference to the following matters, to receive all containers belonging to a class of containers which is, at or subsequent to the date of this Notice, approved as Category B Containers:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice;
- (c) the location of the depot described in Columns 4-6 of Schedule 1 of this Notice; and
- (d) the collection area in relation to which the collection depot is approved referred to in Column 7 of Schedule 1 of this Notice.

Conditions of Approval:

Impose the following conditions of these approvals:

- (a) the person in charge of a collection depot shall ensure the depot premises complies with Council planning regulations and shall be kept in an orderly condition;
- (b) the person in charge of a collection depot who wishes to transfer the operation of a depot to another person or intends to change the location of a depot shall notify the Authority in writing within one month of the change occurring;
- (c) the person in charge of a collection depot who wishes to cease operation of that depot shall give notice in writing to the Authority;
- (d) the person in charge of a collection depot shall take such measures as are necessary in the operation and maintenance of the depot to prevent or control:
 - (i) a nuisance or offensive condition;
 - (ii) a risk to health or safety;
 - (iii) damage to the environment.
- (e) the person in charge of a collection depot is reminded of the general environmental duty, as required by section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, do not pollute the environment in a way which causes or may cause environmental harm.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Depot Name	Company/Trading Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title No. Volume/Folio No.	Collection Area
B & A Recycling	B & A Recycling	Ashley Bannerman and Graeme Austin	Old Kingoonya Road	Pimba	5747/994	Northern

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2004

	\$		\$
Agents, Ceasing to Act as.....	35.50	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	23.60
Incorporation	18.10	Discontinuance Place of Business	23.60
Intention of Incorporation	44.75	Land—Real Property Act:	
Transfer of Properties	44.75	Intention to Sell, Notice of.....	44.75
Attorney, Appointment of.....	35.50	Lost Certificate of Title Notices	44.75
Bailiff's Sale.....	44.75	Cancellation, Notice of (Strata Plan)	44.75
Cemetery Curator Appointed.....	26.50	Mortgages:	
Companies:		Caveat Lodgment.....	18.10
Alteration to Constitution	35.50	Discharge of.....	19.00
Capital, Increase or Decrease of	44.75	Foreclosures.....	18.10
Ceasing to Carry on Business	26.50	Transfer of	18.10
Declaration of Dividend.....	26.50	Sublet.....	9.10
Incorporation	35.50	Leases—Application for Transfer (2 insertions) each	9.10
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	26.50
First Name.....	26.50	Licensing.....	53.00
Each Subsequent Name.....	9.10	Municipal or District Councils:	
Meeting Final.....	29.75	Annual Financial Statement—Forms 1 and 2	499.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	354.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	70.50
First Name.....	35.50	Each Subsequent Name.....	9.10
Each Subsequent Name.....	9.10	Noxious Trade.....	26.50
Notices:		Partnership, Dissolution of	26.50
Call.....	44.75	Petitions (small).....	18.10
Change of Name	18.10	Registered Building Societies (from Registrar-	
Creditors.....	35.50	General).....	18.10
Creditors Compromise of Arrangement	35.50	Register of Unclaimed Moneys—First Name.....	26.50
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	9.10
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	44.75	Rate per page (in 8pt)	226.00
Release of Liquidator—Application—Large Ad.....	70.50	Rate per page (in 6pt)	299.00
—Release Granted	44.75	Sale of Land by Public Auction.....	45.25
Receiver and Manager Appointed.....	41.25	Advertisements.....	2.50
Receiver and Manager Ceasing to Act	35.50	Advertisements, other than those listed are charged at \$2.50 per	
Restored Name.....	33.50	column line, tabular one-third extra.	
Petition to Supreme Court for Winding Up.....	62.00	Notices by Colleges, Universities, Corporations and District	
Summons in Action.....	53.00	Councils to be charged at \$2.50 per line.	
Order of Supreme Court for Winding Up Action.....	35.50	Where the notice inserted varies significantly in length from	
Register of Interests—Section 84 (1) Exempt.....	80.00	that which is usually published a charge of \$2.50 per column line	
Removal of Office.....	18.10	will be applied in lieu of advertisement rates listed.	
Proof of Debts.....	35.50	South Australian Government publications are sold on the	
Sales of Shares and Forfeiture.....	35.50	condition that they will not be reproduced without prior	
Estates:		permission from the Government Printer.	
Assigned	26.50		
Deceased Persons—Notice to Creditors, etc.....	44.75		
Each Subsequent Name.....	9.10		
Deceased Persons—Closed Estates.....	26.50		
Each Subsequent Estate.....	1.15		
Probate, Selling of	35.50		
Public Trustee, each Estate	9.10		

All the above prices include GST

GOVERNMENT GAZETTE NOTICES

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

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2004

Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	2.15	0.95	497-512	30.25	29.00
17-32	2.90	1.80	513-528	31.25	29.90
33-48	3.80	2.70	529-544	32.00	31.00
49-64	4.75	3.65	545-560	33.00	32.00
65-80	5.60	4.60	561-576	33.75	33.00
81-96	6.50	5.40	577-592	34.75	33.50
97-112	7.40	6.30	593-608	35.75	34.50
113-128	8.30	7.25	609-624	36.50	35.50
129-144	9.35	8.25	625-640	37.25	36.10
145-160	10.20	9.10	641-656	38.25	37.20
161-176	11.20	10.00	657-672	38.75	38.00
177-192	12.00	11.00	673-688	40.50	38.80
193-208	13.00	11.90	689-704	41.25	39.90
209-224	13.80	12.70	705-720	41.75	41.00
225-240	14.70	13.60	721-736	43.50	41.50
241-257	15.70	14.30	737-752	44.00	42.90
258-272	16.60	15.30	753-768	45.00	43.40
273-288	17.50	16.40	769-784	45.50	44.70
289-304	18.30	17.20	785-800	46.50	45.60
305-320	19.30	18.20	801-816	47.25	46.00
321-336	20.10	19.00	817-832	48.25	47.25
337-352	21.20	20.00	833-848	49.25	48.00
353-368	22.00	21.00	849-864	50.00	48.80
369-384	22.90	21.90	865-880	51.00	50.00
385-400	23.80	22.70	881-896	51.50	50.50
401-416	23.70	23.50	897-912	53.00	51.50
417-432	25.75	24.50	913-928	53.50	53.00
433-448	26.60	25.50	929-944	54.50	53.50
449-464	27.50	26.25	945-960	55.50	54.00
465-480	28.00	27.25	961-976	56.50	55.00
481-496	29.25	28.00	977-992	57.50	56.00

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FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Garry Warrick (the 'exemption holder') is exempt from clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000 but only insofar as he may use the device described in Schedule 1 to take carp, bony bream and other non-native species in the areas specified in Schedule 2 for the purpose of trade or business (the 'exempted activity'), subject to the conditions set out in Schedule 3, from the date of gazettal of this notice until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

'Carp net' a gill net with a ply greater than 5, having a maximum length of 50 m and a minimum mesh size of 10 cm and a maximum mesh size not exceeding 18 cm.

SCHEDULE 2

- (1) Subject to paragraph (2), the exemption holder may conduct fishing activities pursuant to this licence in all backwaters of the River Murray excluding the following areas during the corresponding period set out in the following table:

*Area Excluded and
Period of Closure*

Lake Littra and outflow channel
Permanent—all year

Clover Lake
Permanent—all year

Coombool Swamp
Permanent—all year

Lake Limbra and outflow channel
Permanent—all year

Lake Woolpolool
Permanent—all year

Ral Ral Creek below Chaffey Pump and entrance waters to Lake Merreti
Permanent—all year

Katarapko Creek and Eckert Creek, including The Splash
Permanent—all year

Bulyong Creek
Permanent—all year

Pilby Creek
Permanent—all year

Hancock Creek
Permanent—all year

Mundic Creek
Permanent—all year

Pike Creek
Permanent—all year

Punkah Creek
Permanent—all year

Slaney Creek
Permanent—all year

Loch Luna
Permanent—all year

Cobdogla Swamp
1 August to 30 April (inclusive)

Loveday Swamp/Mussel lagoons
1 August to 30 April (inclusive)

Lake Merreti
1 August to 31 January (inclusive)

- (2) The exemption holder may conduct fishing operations within the closure areas and periods listed above if given written approval by the Director of Fisheries to undertake specified carp eradication work in a specified area for a specified period.

SCHEDULE 3

1. The exemption holder must not use more than 30 carp nets at any one time in permitted backwaters of the River Murray.

2. The exemption holder must not have more than 30 carp nets in his possession at any time when he is deploying carp nets in the backwaters of the River Fishery.

3. The exemption holder may only engage in the exempted activity when also fishing pursuant to River Fishery Licence No. R27, and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery Licence No. R27.

4. The exemption holder must not cause or permit a person to act as his agent when engaging in the exempted activity unless that person may lawfully act as an agent for the exemption holder in relation to River Fishery Licence No. R27.

5. All native fish (excluding bony bream and yabbies) taken in the course of the exempted activity must be immediately returned to the water.

6. Immediately prior to commencing the exempted activity, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with the following details:

- the licence number and person(s) conducting the activity;
- the exact location(s) of the fishing activities; and
- The number of carp nets being used

7. The exemption holder must ensure that the carp nets are checked and all fish removed at least once during each 24 hour period.

8. When the exemption holder moves the carp nets more than 3 km from the reported location of the nets under condition 6, or removes the nets from the River completely, the exemption holder must again report to the PIRSA Fisheries Compliance Unit on 1800 065 522 and provide either details, as required under condition 6 of this exemption, or report that fishing with carp nets has ceased.

9. While engaged in the exempted activity, the exemption holders must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer as requested.

10. The exemption holder must 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 12 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Captain Ian Kuhl and The Sailing Ship Trust of SA Inc., P.O. Box 222, Port Adelaide, S.A. 5015 (the 'principal exemption holder') and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *One & All* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 October 2004 until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *One & All* from Captain Ian Kuhl and The Sailing Ship Trust of SA Inc., for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *One & All* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *One & All* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 6 October 2004.

J. PRESSER, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Rolf Czabayski, 5 Willowbridge Grove, Burnside, S.A. 5066, (the 'exemption holder') is exempt from regulation 24 (1) of the Fisheries (General) Regulations 2000, in that the exemption holder shall not be guilty of an offence only insofar as being permitted to use blood, bone, meat offal or skin of an animal as berley within the coastal waters contained within the Neptune Islands Conservation Park to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing only (the 'permitted activity'), subject to the conditions specified in Schedule 1, from the date of gazettal of this notice until 31 December 2004, unless varied or revoked earlier.

SCHEDULE 1

1. The exemption holder must be on board the boat when conducting the permitted activity.

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

3. The exemption holder shall not goad or provoke a white shark in an attempt to change its normal behaviour during the exempted activity.

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

5. The exemption holder must, at least 24 hours prior to conducting the permitted activities, inform the local coastguard and PIRSA Fishwatch on 1800 065 522.

6. The exemption holder must allow an officer of the Department for Environment and Heritage or a Fisheries Officer or nominee to be present on board the boat during the permitted activity if requested, subject to negotiation and availability of space.

7. The exemption holder must comply with all instructions (including ceasing to berley if so instructed) given by an officer from Department for Environment and Heritage or a Fisheries Officer.

8. Whilst engaged in the permitted activity, a pennant (approved by Department for Environment and Heritage) must be flown from the boat so as to be clearly visible.

9. Whilst engaged in the permitted activity the exemption holder must have in his possession a copy of this notice. Such a notice must be produced to a PIRSA Fisheries Officer if requested.

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

11. The exemption holder must maintain a log whilst engaged in the permitted activity which includes the date and location, number of passengers, number of hours berleying, number of sharks observed and any other relevant observations or comments. Records must be kept in a form determined by the operators association in conjunction with the CSIRO Marine Research Unit and endorsed by the Minister for Environment and Heritage. A copy of the log must be provided to the relevant Department for Environment and Heritage office within 14 days of the end of each calendar month.

12. The exemption holder must conform to a code of conduct developed by the operators association and endorsed by the Minister for Environment and Conservation.

13. The exemption holder will operate in cooperation with and in agreement of any other approved operator at the same location.

14. The exemption holder must have public liability insurance to an amount determined by the Minister for Environment and Conservation and ensure vessels are surveyed and staffed as per Department of Transport regulations.

Dated 6 October 2004.

J. PRESSER, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Phil Bowey and Fleurieu Star Marine Adventures, Lot 7 Flinders Drive, Cape Jervis, S.A. 5204 (the 'principal exemption holder') and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Starfish* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 October 2004 until 31 March 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Starfish* from Phil Bowey and Fleurieu Star Marine Adventures for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Starfish* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *Starfish* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 6 October 2004.

J. PRESSER, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Phil Bowey and Fleurieu Star Marine Adventures, Lot 7, Flinders Drive, Cape Jervis, S.A. 5204 (the 'principal exemption holder') and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Fleurieu Star* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 October 2004 until 31 March 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Fleurieu Star* from Phil Bowey and Fleurieu Star Marine Adventures for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Fleurieu Star* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *Fleurieu Star* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 6 October 2004.

J. PRESSER, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Trevor Bennett and Double Header Fishing Charter, 26 Harvey Street, Port Broughton, S.A. 5522 (the 'principal exemption holder') and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Sea Eagle* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 October 2004 until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Sea Eagle* from Trevor Bennett and Double Header Fishing Charter for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Sea Eagle* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *Sea Eagle* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 7 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Glenn Jones and Balgowan Fishing Charters, c/o 16 Schulze Road, Paradise, S.A. 5075 (the 'principal exemption holder') and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Balgowan Fishing Charters* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 October 2004 until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Balgowan Fishing Charters* from Glenn Jones and Balgowan Fishing Charters for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Balgowan Fishing Charters* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fish-watch on 1800 065 522 at least 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *Balgowan Fishing Charters* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 7 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Kevin Sweeney and Reel Screamer Fishing Charters, 211 Tapleys Hill Road, Seaton, S.A. 5023 (the 'principal exemption holder') and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the

prescribed boat limits during a chartered fishing trip on the *Opal 2* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 October 2004 until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Opal 2* from Kevin Sweeney and Reel Screamer Fishing Charters for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Opal 2* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fish-watch on 1800 065 522 at least 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *Opal 2* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 7 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Ron Sherriff and A1 Fishing Charters, P.O. Box 223, Moonta, S.A. 5558 (the 'principal exemption holder') and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *A1 Fishing Charters* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 October 2004 until 30 November 2004, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *A1 Fishing Charters* from Ron Sherriff and A1 Fishing Charters for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *AI Fishing Charters* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *AI Fishing Charters* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 7 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Michael Nourse and Big Red Fishing Charters, 15 Garden Street, Blakeview, S.A 5114 (the 'principal exemption holder'), and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Janelle* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 October 2004 until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Janelle* from Michael Nourse and Big Red Fishing Charters for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Janelle* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *Janelle* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 7 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Martin von Stanke, holder of Southern Zone Rock Lobster Fishery Licence No. S200, (the 'exemption holder'), is exempt from paragraphs 14 (1) (a) (ii) of the Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 1991, insofar as he may pull a maximum of 166 rock lobster pots (the 'exempted activity') subject to the conditions in Schedule 1, during the period commencing on 7 October 2004 and ending on 22 October 2004, unless varied or revoked earlier.

SCHEDULE 1

1. The exemption holder may pull the maximum number of pots (166) consisting of 96 pots from Southern Zone Rock Lobster Licence No. S200 and 70 pots from Southern Zone Rock Lobster Licence No. S197.

2. The exemption holder must ensure that any fish caught for licence holder S197 will be kept in separate marked bins and the fish will be weighed and sold separately from the catch of S200. Separate CDR forms must be completed for the catch from pots S197 and S200.

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

4. An exemption holder must 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 7 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Barry Bruce, CSIRO Marine Research, G.P.O. Box 1538, Hobart, Tasmania, 7001 (the 'exemption holder'), or a person acting as his agent, is exempt from subregulation 24 (1) and Clause 2 of Schedule 1 of the Fisheries (General) Regulations 2000 but only insofar as he will not be guilty of an offence when undertaking the activities described in Schedule 1 (the 'exempted activity') using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3 from 10 November 2004 until 14 November 2004 inclusive, unless varied or revoked earlier.

SCHEDULE 1

1. The tagging of great white sharks.

2. The trial capture of three 3-4 m white sharks for the purpose of attaching satellite tags at North Neptune Island during the period 10 November 2004 to 14 November 2004 (inclusive).

SCHEDULE 2

- Two non-stainless steel, barbless, 14-0 hooks attached to a short (approximately 1 m) braided wire trace (3 mm diameter).
- The trace must be attached to a 12 mm silver rope and secured under three polystyrene floats (2 x 9" diameter and 1 x 12" diameter).

SCHEDULE 3

1. Only the following persons may act as an agent of the exemption holder:

- Employees of CSIRO Marine Research.
- Rolf Czabayski.

2. The exemption holder must advise the PIRSA Fisheries Compliance Unit, on 1800 065 522, as well as the DEH Duty Ranger on 0428 883 113 at least 24 hours prior to undertaking the exempted activity, and provide details of the persons undertaking the exempted activity, proposed locations and the dates on which the exempted activity is to be conducted.

3. The exemption holder must not conduct any other fishing activity including recreational fishing whilst undertaking the exempted activity.

4. While engaged in the exempted activity, the exemption holder must be in possession of a copy of this notice. The exemption holder must also provide each of his agents with a short letter confirming that they may act as his agents. A copy of this notice and such a letter must be produced to a PIRSA Fisheries Compliance Officer if requested.

5. The exemption holder must 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.

6. The exemption holder must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice to the Director of Fisheries, (G.P.O. Box 1625, Adelaide, S.A. 5001) by 30 June 2005, giving the following details:

- the date and time of tagging; and
- the number of each species tagged.

Dated 7 October 2004.

W. ZACHARIN, Director of Fisheries

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, Karlene Maywald, Minister for Consumer Affairs, do hereby exempt the persons 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

William Davidson Inglis, Ferguson Kennedy Simpson, Howard Brandwood Young, Maurice Dean Downer and Craig John Watson, officers of Kinsmen Realty Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5909, folio 586, situated at 8/4 Ely Place, Adelaide, S.A. 5000.

Dated 14 October 2004.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs duly authorised in that regard:

M. BODYCOAT, Commissioner

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, Karlene Maywald, 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

Alissa Jade Howieson, an employee of Elders Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5305, folio 369, situated at 40 Umpherston Street, Mount Gambier, S.A. 5290.

Dated 14 October 2004.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs duly authorised in that regard:

M. BODYCOAT, Commissioner

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, Karlene Maywald, 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

Jaclyn Anne Hage, an employee of Reg Kemp Real Estate Pty Ltd.

SCHEDULE 2

The whole of the land described in certificates of title register book volume 5916, folio 949, situated at Lot 62 Romas Way, Port Lincoln, S.A. 5606 and book volume 5916, folio 950, situated at Lot 63 Romas Way, Port Lincoln, S.A. 5606.

Dated 14 October 2004.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs duly authorised in that regard:

M. BODYCOAT, Commissioner

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, Karlene Maywald, Minister for Consumer Affairs, do hereby exempt the persons 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

Gregory Wayne Kipling and Margaret Kay Kipling, employees of K. J. & M. M. Rejack Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5363, folio 515, situated at 39 Mackay Street, Port Augusta, S.A. 5700.

Dated 14 October 2004.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs duly authorised in that regard:

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 David Scott, John Scott and Matthew Alexander Lawson have applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at 21 Albermarle Avenue, Trinity Gardens, S.A. 5068, to be situated at Lot 7, Campbell Road, Penwortham S.A. 5453 and known as Lawson Wines.

The application has been set down for hearing on 12 November 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 4 November 2004).

The applicants' address for service is c/o P.O. Box 8991, Clare, S.A. 5453.

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

Dated 5 October 2004.

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 Netra Singh as trustee for Netra's Family Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 445 Pulteney Street, Adelaide, S.A. 5000 known as Red Fortune Chinese Restaurant and to be known as Indian Delights.

The application has been set down for hearing on 16 November 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 8 November 2004).

The applicant's address for service is c/o 6/173 Cross Road, Westbourne Park, S.A. 5041.

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

Dated 6 October 2004.

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 Des's Transport Pty Ltd has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 146 Lacey Street, Whyalla, S.A. 5600, and to operate from 5 Oborn Street, Whyalla Norrie, S.A. 5608 known as Whyalla City Transport and to be known as Des's Transport.

The application has been set down for hearing on 18 November 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 10 November 2004).

The applicant's address for service is c/o Brett Brougham, P.O. Box 209, Whyalla, S.A. 5600.

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

Dated 8 October 2004.

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 Kenton Hill Vineyards Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 34, Gumeracha-Lobethal Road, Gumeracha, S.A. 5072 and to be known as Protero Wines.

The application has been set down for hearing on 12 November 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 4 November 2004).

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

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

Dated 8 October 2004.

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 Gavin Lindsay Schubert and Julianne Claire Schubert have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 53, Yacca Road, Yankalilla, S.A. 5203 and to be known as Yaccaroo Wines.

The application has been set down for hearing on 12 November 2004 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 4 November 2004).

The applicants' address for service is c/o P.O. Box 201, Yankalilla, S.A. 5203.

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

Dated 7 October 2004.

Applicants

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 (viz: 4 November 2004).

The applicant's address for service is c/o Duncan Basheer Hannon, Barristers and Solicitors (Attention: Max Basheer/David Tillett), G.P.O. Box 2, Adelaide, S.A. 5001.

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

Dated 8 October 2004.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Robert Keith Molenaar has applied to the Licensing Authority for a Special Circumstances Licence and Extended Trading Authorisation in respect of premises situated at 90 Fosters Road, Hillcrest, S.A. 5086 and to be known as the Ays Limousines.

The application has been set down for hearing on 12 November 2004 at 9 a.m.

Conditions

The following licence conditions are sought:

To sell liquor in accordance with section 40 of the Liquor Licensing Act 1997 and any other conditions of this licence:

For consumption of or adjacent to the licensed premises (provided that the passengers are always under the supervision and control of the driver of the subject vehicles) on any day at anytime including Extended Trading Authorisation, except Good Friday.

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 (viz: 4 November 2004).

The applicant's address for service is c/o Robert Molenaar, 90 Fosters Road, Hillcrest, S.A. 5086.

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

Dated 8 November 2004.

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 Gregory John Wolter as trustee for G. Wolter Family Trust has applied to the Licensing Authority for the transfer of a Hotel Licence with Extended Trading Authorisation in respect of premises situated at Bowman Street, Redhill, S.A. 5521 and known as Eureka Hotel.

The application has been set down for hearing on 12 November 2004 at 9 a.m.

Condition

The following licence condition is sought:

- Extended Trading Authorisation (Area 3): Friday and Saturday, midnight to 2 a.m. the following day.

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Allan Seaford Brown has applied to the Licensing Authority for a Special Circumstances Licence, Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 48 Main South Road, Myponga, S.A. 5202 and to be known as Lovely Valley Beverage Factory.

The application has been set down for hearing on 12 November 2004 at 9 a.m.

Conditions

The following licence conditions are sought:

- To sell liquor for consumption on the licensed premises during the following times including Extended Trading Authorisation:

Monday to Saturday: 10 a.m. to 1 a.m. the following day;
Sunday: 8 a.m. to 1 a.m. the following day;

New Year's Eve: 10 a.m. to 3 a.m. the following day.

- To sell liquor for consumption off the licensed premises during the following hours including Extended Trading Authorisation:

Monday to Saturday: 10 a.m. to 1 a.m. the following day;
Sunday: 8 a.m. to 9 p.m.

- Entertainment Consent is sought during the following hours:

Monday to Sunday: 10 a.m. to 1 a.m. the following day;
New Year's Eve: 10 a.m. to 2 a.m. the following day.

- Entertainment Consent is sought for the areas depicted on the plan lodged with this office.

- Wine to be sourced from and be limited to the four following regions of the Fleurieu Peninsula:

McLaren Vale
Langhorne Creek
Currency Creek
Southern Fleurieu

- There will be no sale of spirits.
- There will be no sale of beer other than beer produced by the applicant.

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 (viz: 4 November 2004).

The applicant's address for service is c/o Allan Brown, P.O. Box 45, Myponga, S.A. 5202.

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

Dated 7 October 2004.

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 Fassina Investments Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence, variation to the current Extended Authorisation and variation to the current Entertainment Consent in respect of premises situated at Greenhill Road, Uraidla, S.A. 5142 and known as Uraidla Hotel.

The application has been set down for hearing on 12 November 2004 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to the current Extended Trading Authorisation:
 - Good Friday: Midnight to 2 a.m.;
 - Christmas Day: Midnight to 2 a.m.
- Variation to the current Entertainment Consent to include the abovementioned hours.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 4 November 2004).

The applicant's address for service is c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000 (Contact: Angela Hoban or Ben Allen).

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

Dated 11 October 2004.

Applicant

OCCUPATIONAL HEALTH, SAFETY AND WELFARE
ACT 1986*Approved Code of Practice for Noise Management and Protection
of Hearing at Work*

NOTICE is hereby given that pursuant to subsection 63 (1) of the Occupational Health, Safety and Welfare Act 1986, the following national code of practice is an approved code of practice:

The National Code of Practice for Noise Management and Protection of Hearing at Work [NOHSC: 2009(2004)], 3rd Edition.

The National Code of Practice for Noise Management and Protection of Hearing at Work shall have effect from the date of *Gazettal* and shall be read as incorporating the explanation contained in the 'Foreword' which is included in this notice.

M. WRIGHT, Minister for Industrial Relations

FOREWORD

The term 'approved code of practice' has a particular meaning under the South Australian Occupational Health, Safety and Welfare Act 1986.

An approved code of practice is designed to be used in addition to the Act and Regulations. In proceedings for an offence against the Act, where it is proved that a person failed to comply with a provision of a relevant approved code of practice, the person shall be taken to have failed to exercise the required standard of care, in the absence of proof to the contrary (section 63A of the Act).

Thus, a code of practice provides practical guidance on how a particular standard of health and safety can be achieved. It describes the preferred methods or courses of action for achieving this standard of health and safety. However, an approved code of practice allows the flexibility to show that an equivalent or better standard of health and safety is achieved by alternative action. An approved code of practice is therefore different from a regulation where the responsible person must meet the specific requirement of the regulation.

In summary, an approved code of practice:

- provides practical guidance;
- should be followed unless there is another solution which achieves the same or a better standard of health and safety; and
- can be used to support prosecution.

Codes of Practice are approved by the Minister for Industrial Relations, following recommendation from the Occupational Health, Safety and Welfare Advisory Committee which is constituted under the Occupational Health, Safety and Welfare Act 1986.

TRADE STANDARDS ACT 1979

Declaration of Dangerous Goods

TAKE note that I, Karlene Maywald, Minister for Consumer Affairs, declare that the goods specified in the Schedule are dangerous goods pursuant to section 25 (1) (a) of the Trade Standards Act 1979. Further, pursuant to section 25 (2) (a) and (b) of the Trade Standards Act 1979, I am satisfied that this declaration is necessary in order to avert serious risk of injury or impairment to health, and that it is not appropriate in the circumstances to deal with the matter by the prescription of safety standards.

On publication of this notice, no person shall, in the course of trade or business, manufacture, supply or sell items referred to in the Schedule, forthwith.

SCHEDULE

Objects including but not limited to ice pipes, that are used, intended for use, or designed for use, in smoking or inhaling into the human body, methamphetamine crystals, also known by other names including ice and crystal meth.

Dated 5 October 2004.

KARLENE MAYWALD, Minister for
Consumer Affairs

PETROLEUM ACT 2000

Grant of Associated Facilities Licence—AFL 15

NOTICE is hereby given that the undermentioned Associated Facilities Licence has been granted under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

No. of Licence	Licensees	Locality	Approximate area in km ²	Reference
AFL 15	Beach Petroleum Limited Great Artesian Oil and Gas Limited	Cooper Basin of South Australia	0.62	27/02/307

Description of the Area

All that part of the State of South Australia, bounded as follows: A 50 m buffer around line segments defined by the following pairs of co-ordinates (GDA 94), adjacent to Petroleum Exploration Licence PEL 107:

From		To	
382264E	6882992N	382631E	6882388N
386695E	6881253N	387692E	6880582N
389167E	6879589N	390724E	6878524N
387247E	6881994N	388448E	6883981N

Dated 5 October 2004.

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

PETROLEUM ACT 2000

Surrender of Associated Facilities Licence—AFL 10

NOTICE is hereby given that I have accepted surrender of the abovementioned Associated Facilities Licence with effect from 29 October 2004, under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

No of Licence	Licensee	Locality	Area in km ²	Reference
AFL 10	Stuart Petroleum Limited	Cooper Basin of South Australia	0.27	27/02/284

Description of Area

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

A 50 m buffer around line segments defined by the following pairs of coordinates (GDA 94), adjacent to petroleum exploration licence PEL 90:

From		To	
469254E	7014131N	470154E	7013691N
471233E	7013706N	471935E	7015234N

Dated 11 October 2004.

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

RULES OF COURT
Amending the Supreme Court Criminal Rules 1992
Amendment No. 16 to the Supreme Court Criminal
Rules

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935, and all other enabling powers, We, Judges of the Supreme Court of South Australia, make the following Rules to take effect as amendments to the Supreme Court Criminal Rules 1992, as amended:

1. These Rules may be cited as the “Supreme Court Criminal Rules 1992 Amendment No 16”.
2. The Supreme Court Criminal Rules 1992 as amended by these Rules may be cited as the “Supreme Court Criminal Rules 1992”.
3. That after rule 10 there shall be inserted a new rule 10A as follows:

“Proceedings under the Commonwealth Proceeds of Crime Act

10A.01 Rule 10A applies to proceedings under the Commonwealth Proceeds of Crime Act 2002 which for the purposes of this Rule only is referred to as “the Act”.

10A.02 Where any proceedings under the Act may be dealt with by the Court in its criminal jurisdiction any party may initiate those proceedings by an application in Form 1 which is to comply with Rule 9.

10A.03 An application under Rule 10A.02 is to proceed in accordance with such directions as are given by a Judge in open court or on a directions hearing under Rule 6.07.

10A.04 The Court may direct that any evidence given in related criminal proceedings be treated as evidence on the application, but without prejudice to any party having a right to adduce further relevant evidence.

10A.05 At any point before its final determination a Judge may direct that an application under the Act in the criminal jurisdiction of the Court be transferred to the civil jurisdiction of the Court, and in that event the application will thereafter be governed by the applicable Civil Rules”.

Given under our hands and the Seal of the Supreme Court of South Australia on 27 September 2004.

(L.S.)
J. DOYLE, CJ
K. P. DUGGAN, J
E. P. MULLIGHAN, J
B. M. DEBELLE, J
M. J. NYLAND, J
D. J. BLEBY, J
T. A. GRAY, J
A. BESANKO, J
J. R. SULAN, J
A. M. VANSTONE, J
J. ANDERSON, J
R. C. WHITE, J

SEWERAGE ACT 1929

Addition of Land to Adelaide Drainage Area

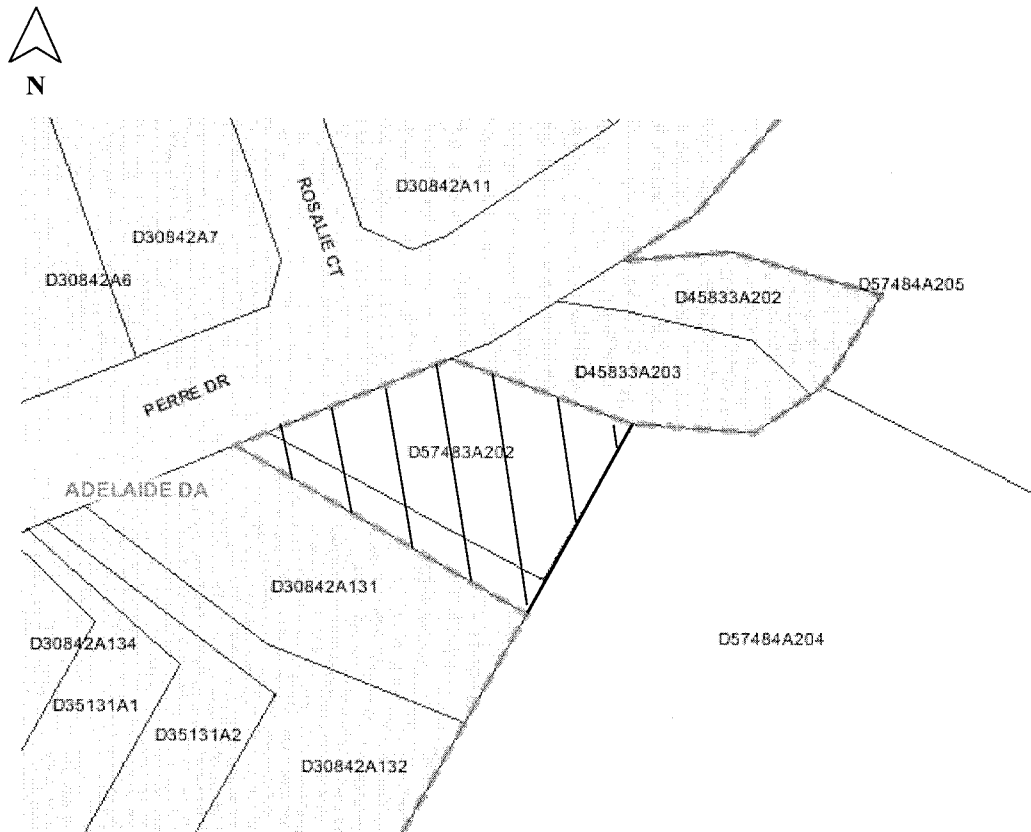
PURSUANT to section 18 of the Sewerage Act 1929, the South Australian Water Corporation:

- (a) adds to the Adelaide Drainage Area the land shown on the plan in the schedule; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

D1243
SA Water 04/07696
 Mapsheet: 662823A5

SCHEDULE

CRAIGMORE AND ONE TREE HILL
HUNDRED OF MUNNO PARA



NOT TO SCALE

BOUNDARY OF ADELAIDE DRAINAGE AREA PREVIOUSLY PROCLAIMED SHOWN AS DASHED LINE

LAND TO BE ADDED TO ADELAIDE DRAINAGE AREA SHOWN 

Dated 6 October 2004.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

NOTICE TO MARINERS

No. 30 OF 2004

*South Australia—Port Adelaide—Temporary repairs to
Birkenhead Bridge*

MARINERS are advised that river traffic which relies on the opening and closing of the bridge will be unable to pass due to electrical repairs to the bridge from Wednesday, 20 October 2004 to Friday, 22 October 2004.

A 24 hour closure applies.

Please also note that on Monday, 18 October 2004 and Tuesday, 19 October 2004 there will be restricted marine access with only the northern bascule section of the bridge span in operation.

Only emergency watercraft will be granted access if deemed necessary.

Adelaide, 7 October 2004.

T. WHITE, Minister for Transport

TSA 2004/00541.

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 14 October 2004

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

ADELAIDE HILLS COUNCIL
Henry Street, Woodside. p2

LIGHT REGIONAL COUNCIL

Kingfisher Drive, Hewett. p5 and 6
Shrike Place, Hewett. p5
Rosella Circuit, Hewett. p5
Easements in lot 3003 in LTRO DP 64381, Kingfisher Drive, Hewett. p5 and 6
Teal Court, Hewett. p5 and 6
Bellbird Avenue, Hewett. p6
Osprey Parade, Hewett. p6 and 7
Songlark Grove, Hewett. p6
Falcon Drive, Hewett. p5 and 6
Eagle Court, Hewett. p6 and 7
Corella Avenue, Hewett. p5 and 7

CITY OF SALISBURY

Blacksmith Avenue, Walkley Heights. p1
Brickwork Place, Walkley Heights. p1
Sandstone Avenue, Walkley Heights. p1
Railway Court, Walkley Heights. p1
Hawker Road, Burton. p3
Easement in lot 261 in LTRO DP 56773, Schirripa Court, Salisbury Downs. p4

MYPONGA WATER DISTRICT

DISTRICT COUNCIL OF YANKALILLA
Turnberry Drive, Normanville. p8 and 9
Birkdale Street, Normanville. p8
Cherry Hills Crescent, Normanville. p8
Easements in lot 1001 in LTRO DP 63074, Cherry Hills Crescent, Normanville. p8
Troon Drive, Normanville. p9

SEWERS LAID

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

ADELAIDE DRAINAGE AREA**TOWN OF GAWLER**

Easements in lots 51-53, 50, 49, 82, 81 and 47, Blue Stone Quarry Road, and lot 46, Millers Road, Gawler South. FB 1127 p57 and 58
Blue Stone Quarry Road, Gawler South. FB 1127 p57 and 58
Snowy Court, Gawler South. FB 1127 p57 and 59
Easements in lots 21, 205, 22-25, 20 and 19, Snowy Court, and lots 27 and 17-15, Millers Road, Gawler South. FB 1127 p57-59

LIGHT REGIONAL COUNCIL

Easements in reserve (lot 8 in LTRO DP 46321), and lot 3003 in LTRO DP 64381, Rosella Circuit, Hewett. FB 1127 p46-48, 51 and 54
Rosella Circuit, Hewett. FB 1127 p46, 47 and 51
Easement in lots 277-285, Kingfisher Drive, Hewett. FB 1127 p46, 47 and 52
Kingfisher Drive, Hewett. FB 1127 p46-48, 51, 53 and 55
Shrike Place, Hewett. FB 1127 p46, 47 and 55
Easements in lot 305, Shrike Place, and lots 350, 351 and 349, Falcon Drive, Hewett. FB 1127 p46, 47, 49 and 55
Teal Court, Hewett. FB 1127 p46, 47 and 53
Easements in lot 309 Teal Court, and lots 344-340, 345 and 346, Falcon Drive, Hewett. FB 1127 p46, 48, 52 and 53
Easements in lots 324, 323 and 321-317, Teal Court, Hewett. FB 1127 p46, 48 and 53
Easement in lots 214-216, Osprey Parade, Hewett. FB 1127 p46, 48 and 53
Osprey Parade, Hewett. FB 1127 p46, 48, 50, 51 and 54
Songlark Grove, Hewett. FB 1127 p46, 48 and 54
Falcon Drive, Hewett. FB 1127 p46, 48, 49, 51 and 52
In and across Eagle Court, Hewett. FB 1127 p46, 49 and 54
Corella Avenue, Hewett. FB 1127 p46, 49, 50 and 52

CITY OF ONKAPARINGA

Tingira Drive, O'Sullivan Beach. FB 1127 p56
Selway Terrace, O'Sullivan Beach. FB 1127 p56

CITY OF PORT ADELAIDE ENFIELD

Brooklyn Terrace, Kilburn. FB 1127 p39

CITY OF SALISBURY

Blacksmith Avenue, Walkley Heights. FB 1127 p40-42
Brickwork Place, Walkley Heights. FB 1127 p40-42
Easements in reserve (lot 1000 in LTRO DP 63271), Brickwork Place, Walkley Heights. FB 1127 p40-43
Tower Court, Walkley Heights. FB 1127 p40-42
Sandstone Avenue, Walkley Heights. FB 1127 p40-42
Easement in lots 742-738, Railway Court, Walkley Heights. FB 1127 p40, 41 and 43
Railway Court, Walkley Heights. FB 1127 p40-42
Hawker Road, Burton. FB 1127 p44
Easement in lot 261 in LTRO DP 56773, Schirripa Court, Salisbury Downs. FB 1127 p45

SEWERS ABANDONED

Notice is hereby given that the undermentioned sewer has been abandoned by the South Australian Water Corporation.

ADELAIDE DRAINAGE AREA**TOWN OF GAWLER**

Snowy Court, Gawler South. FB 1127 p57

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

WATER RESOURCES ACT 1997

Notice of Intent to Prescribe the Wells, Watercourses and Surface Water in the Western Mount Lofty Ranges, pursuant to section 8 of the Water Resources Act 1997

I, JOHN DAVID HILL, Minister for Environment and Conservation in the State of South Australia, hereby give notice that I propose to recommend to the Governor that she declare by regulation, that the following water resources be prescribed, pursuant to section 8 of the Water Resources Act 1997 ('the Act'):

- (a) all watercourses within the area bounded by the bold red line in GRO Plan No. 241/04 ('Area 1');
- (b) the surface water in the area bounded by the bold red line in GRO Plan No. 241/04 ('Area 1'), this area becoming a surface water prescribed area;
- (c) all existing and future wells within the areas bounded by the bold red lines in GRO Plan No. 242/04 ('Area 2'); and
- (d) the River Torrens/Karrawirra Parri downstream of Gorge Weir, the Onkaparinga River downstream of Clarendon Weir and the Gawler River downstream of the confluence of the North Para River and the South Para River as indicated by the bold red lines in GRO Plan No. 243/04 ('Area 3').

I propose that the area bounded by the bold red line in the GRO Plan No. 241/04 be known as the Western Mount Lofty Ranges Prescribed Watercourses and Surface Water Area.

I also propose that the areas bounded by the bold red lines in the GRO Plan No. 242/04 be known as the Western Mount Lofty Ranges Prescribed Wells Area.

I also propose that the River Torrens/Karrawirra Parri downstream of Gorge Weir, the Onkaparinga River downstream of Clarendon Weir and the Gawler River downstream of the confluence of the North Para River and the South Para River as indicated by the bold red lines in GRO Plan No. 243/04 be known as the River Torrens/Karrawirra Parri Prescribed Watercourse, the Onkaparinga River Prescribed Watercourse and the Gawler River Prescribed Watercourse respectively.

The reason for making this recommendation is to enable the surface water, watercourse water and underground water in Areas 1 and 2, and the River Torrens/Karrawirra Parri, Onkaparinga River and the Gawler River in Area 3, to be managed and used in accordance with the Object of the Act. Achieving this outcome will assist in sustaining the physical, economic and social well being of the community and facilitate the economic development of the State while:

- ensuring that these resources are able to meet the reasonably foreseeable needs of future generations; and
- protecting the ecosystems (including their biodiversity) that depend on those resources.

I invite all interested persons to make written submissions to me in relation to this proposal. The closing date for submissions is Friday, 25 March 2005.

Submissions should be addressed to:

The Minister for Environment and Conservation
c/o Senior Policy Officer
Western Mount Lofty Ranges
Department of Water, Land and Biodiversity Conservation
G.P.O. Box 2834
Adelaide S.A. 5001

Alternatively, submissions can be made via email to wmlr@saugov.sa.gov.au.

All enquiries concerning this notice should be addressed to a Customer Service Officer for the Western Mount Lofty Ranges on telephone 1300 733 689. Further information can be obtained by visiting the DWLBC website at www.dwlbc.sa.gov.au.

Dated 8 October 2004.

J. D. HILL, Minister for Environment
and Conservation

WATER RESOURCES ACT 1997

Notice of Prohibition on Taking Surface Water, Water from Watercourses and Wells in the Western Mount Lofty Ranges Area

PURSUANT to section 16 (1) of the Water Resources Act 1997 ('the Act'), I, John David Hill, Minister for Environment and Conservation in the State of South Australia, and Minister to whom the administration of the Water Resources Act 1997 is committed, being of the opinion that:

- the rate at which surface water is taken in the area described in Schedule 1 ('Area 1') is such that the surface water available can no longer meet the demand, or is having a serious effect on a watercourse or lake, or the level of water in an underground aquifer, that depends on the surface water for replenishment;
- the rate at which water is taken from watercourses described in Schedule 1 ('Area 1') and in Schedule 3 ('Area 3') is such that there is a risk that the available water will not be sufficient to meet future demand; and
- the rate at which water is being taken from wells in the area described in Schedule 2 ('Area 2') is such that there is a risk that the available water will not be sufficient to meet future demand, or is likely to affect the quality of water in the underground aquifer;

hereby prohibit the taking of:

- surface water and water from watercourses in Area 1;
- water from wells in Area 2; and
- water from watercourses in Area 3;

except in the circumstances specified in Schedule 4.

SCHEDULE 1: AREA 1

The area bounded by the bold red line as shown in GRO Plan No. 241/04 ('Area 1').

SCHEDULE 2: AREA 2

The areas bounded by the bold red lines as shown in GRO Plan No. 242/04 ('Area 2').

SCHEDULE 3: AREA 3

The River Torrens/Karrawirra Parri downstream of Gorge Weir, the Onkaparinga River downstream of Clarendon Weir and the Gawler River downstream of the confluence of the North Para River and the South Para River as indicated by the bold red lines in GRO Plan No. 243/04.

SCHEDULE 4

1. A person may take surface water and water from a watercourse in Area 1, or water from a well in Area 2, or water from a watercourse in Area 3, in accordance with the terms of a written authorisation granted under this notice by me or my authorised agent.

2. An authorisation under this notice may be granted to:

- (a) A person ('a Current User'), who has been taking surface water or water from a watercourse in Area 1, or water from a well in Area 2, or water from a watercourse in Area 3, during the period 1 July 2001 to 13 October 2004 inclusive ('the Relevant Period'), entitling that person to take, from the source specified in the authorisation:
 - where the water taken during the Relevant Period was to water a crop or crops, the amount of water reasonably necessary, in my opinion, to water that crop or those crops, the amount being determined taking into account the maximum area of each crop or crops grown, the water requirements of the respective crop or crops and the irrigation capacity of the irrigation equipment used to water the crop or crops; or
 - where the water was taken during the Relevant Period for any other purpose, the amount of water which, in my opinion, is reasonably necessary to continue that purpose in the manner in which it had been undertaken during the Relevant Period.

The source specified will be the resource or resources where water was taken during the Relevant Period.

- (b) The transferee under a contract for the sale or other transfer of land where the transferor of the land is the holder of an authorisation under this notice, entitling that person to take the same amount of water from the same source as the transferor was authorised to take.
- (c) Subject to clause 3, a person ('a Prospective User') who did not take any surface water or water from a watercourse in Area 1, or water from a well in Area 2, or water from a watercourse in Area 3, but who needs water for a development, project or undertaking:
- to which that person was legally committed during the Relevant Period; or
 - in respect of which that person had, in my opinion, committed significant financial or other resources during the Relevant Period;

entitling that person to take the amount of surface water or water from a watercourse in Area 1, or water from a well in Area 2, or water from a watercourse in Area 3, which in my opinion, is reasonably necessary to undertake the development, project or undertaking to which that person was committed.

3. A Prospective User may not be granted an authorisation or may only be granted an authorisation subject to conditions relating to the manner of taking water where, in my opinion:

- (a) the taking of surface water, or water from watercourses or wells, will detrimentally affect the ability of other persons to take water from any watercourse, well or dam for domestic purposes or for watering of stock (other than stock being intensively farmed); or
- (b) the taking of surface water, or water from watercourses or wells, will detrimentally affect the capacity of surface water or any watercourse or well to meet the current or future demand, including the demands of ecosystems dependent on that water resource.

4. Until authorised under this notice, a Current User may continue to take an amount of water equivalent to the maximum amount taken in any one financial year during the relevant period, from the same sources and for the same purpose or purposes as that person took during the Relevant Period without a written authorisation.

5. This notice does not apply:

- (a) to the taking of water directly from a watercourse or well, or surface water, pursuant to section 7 (5) of the Act for domestic purposes or for watering of stock (other than stock being intensively farmed);
- (b) to the taking of water for fire fighting purposes or public road making purposes; or
- (c) to the taking of water for the purpose of chemical application on crops.

In this notice:

'Maximum area' for a particular crop means the maximum areas of land planted to a particular crop in any one financial year during the relevant period.

'Water requirement' of a crop means the reasonable rate of irrigation (expressed as a volume of water per hectare) to properly produce that crop.

'Irrigation capacity' of irrigation equipment means the amount of water that can be applied by the usual operation of that equipment in its condition at 13 October 2004 under usual pumping rates, hours of operation and seasonal fluctuations.

This notice does not affect the taking of water from a well, pursuant to a water licence, from the McLaren Vale Prescribed Wells Area or the Northern Adelaide Plains Prescribed Wells Area.

This notice does not affect the taking of surface water or water from a well or watercourse, pursuant to a water licence, from the Barossa Prescribed Water Resources Area or the Marne Saunders Prescribed Water Resources Area, or pursuant to an authorisation in the Eastern Mount Lofty Ranges Area.

This notice will remain in effect for two years unless earlier varied or revoked.

Dated 8 October 2004.

J. D. HILL, Minister for Environment and Conservation

WATERWORKS ACT 1932

Addition of Land to Renmark Water District

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

- (a) adds to the Renmark Water District all the land contained in:
- (i) allotments 1 to 4 inclusive, in Deposited Plan 20233;
 - (ii) allotment 5 in Deposited Plan 20233 (except the portion of that land already in the Renmark Water District);
 - (iii) allotment 466 in Filed Plan 177672; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 6 October 2004.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 04/07695 W1242

WATERWORKS ACT 1932

Annual Charge for Additional Services Provided—Exemption from Application to First Connections of Recycled Water—Mawson Lakes Recycled Water District

PURSUANT to section 35 (1c) of the *Waterworks Act 1932* and after consultation with the South Australian Water Corporation, I vary the notice published on page 2334 of the *Government Gazette* of 30 June 2004 in that the notice in respect of annual charges for any additional services provided will not apply to the first connection of recycled water to each parcel of land within the Mawson Lakes Recycled Water District in respect of the 2004-2005 financial year.

This notice will take effect from the date on which responsibility for the Mawson Lakes Reclaimed Water Scheme is accepted by SA Water.

Dated 11 October 2004.

M. WRIGHT, Minister for Administrative Services

WATER RESOURCES ACT 1997

Variation to the Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse

PURSUANT to section 16 (9) of the *Water Resources Act 1997* (the 'Act'), I, John David Hill, Minister for Environment and Conservation, and Minister to whom administration of the *Water Resources Act 1997* is committed, hereby vary the notice dated 25 September 2003 published pursuant to 16 (1) of the Act in the *Government Gazette* on 25 September 2003 at page 3641 ('the Notice') in accordance with Schedule 1.

SCHEDULE 1

The Notice is varied by amending clauses 3 (a), 3 (c) and 3 (d) and adding clause 3 (e) as follows:

3. An authorisation under this Notice may be granted to:

- (a) A person that holds an authorisation issued under the Notice to take water from the River Murray Prescribed Watercourse for the same purposes and subject to the same conditions as specified in that authorisation but at:
- a quantity of water relevant to 90% of the water (taking) allocation endorsed on the water licence, excluding water allocations for the purposes specified in clause 7 and subject to the provision of clause 4 of the Notice.
- (b) A person holding a water licence endorsed with a water (taking) allocation for the taking of water for urban water supply through reticulated water supply infrastructure under the Waterworks Act 1932 (Metropolitan Adelaide) is now authorised to take:
- 90 gegalitres.
- (c) A person that holds an authorisation issued under the Notice to take water from the River Murray Prescribed Watercourse for urban water supply through reticulated water supply infrastructure under the Waterworks Act 1932 (Country Towns) is now authorised to take:
- 45 gegalitres.
- (d) A person who during the period of the Notice, receives approval to convert a water (holding) allocation to a water (taking) allocation under the Water Resources Act 1997 entitling the person to take:
- a quantity of water equivalent to 90% of the water (taking) allocation endorsed on the water licence after conversion, excluding water allocations for purposes specified in clause 7 and subject to the provision on clause 4 of the Notice.
- (e) A person who was entitled to an authorisation under the Notice, that is still to be issued, to take water from the River Murray Prescribed Watercourse at:
- a quantity of water equivalent to 90% of the water (taking) allocation endorsed on the water licence, excluding water allocations for the purposes specified in clause 7 and subject to the provision of clause 4 of the Notice.

This Notice will remain in effect until 1 June 2005 unless earlier varied or revoked.

Dated 7 October 2004.

J. HILL, Minister for Environment and Conservation

WHEAT MARKETING ACT 1989

Deductions for Grains Research

PURSUANT to section 10 of the Wheat Marketing Act 1989, I, Rory McEwen, Minister for Agriculture, Food and Fisheries, make the following notice concerning grains for the season 2004-2005:

1. There shall be deductions for the purposes of research from the proceeds of all grain for the season.
2. The prescribed amount for such deductions shall be 15 cents per tonne.
3. Any grain grower not wishing to have such deductions made from his or her grain proceeds must signify that desire by 31 August 2005.
4. A written request to the above effect should be forwarded to the Minister for Agriculture, Food and Fisheries, G.P.O. Box 1671, Adelaide, S.A. 5001 by the stipulated date.

Dated 11 October 2004.

R. MCEWEN, Minister for Agriculture,
Food and Fisheries

WHEAT MARKETING ACT 1989

Deductions for South Australian Farmers Federation (SAFF) Grains Council

PURSUANT to section 10 of the Wheat Marketing Act 1989, I, Rory McEwen, Minister for Agriculture, Food and Fisheries, make the following notice concerning grain for the season 2004-2005:

1. There shall be deductions for the purposes of the SAFF Grains Council from the proceeds of all grain for the season.
2. The prescribed amount for such deductions shall be 3 cents per tonne.
3. Any grain grower not wishing to have such deductions made from his or her grain proceeds must signify that desire by 31 August 2005.
4. A written request to the above effect should be forwarded to the Minister for Agriculture, Food and Fisheries, G.P.O. Box 1671, Adelaide, S.A. 5001 by the stipulated date.

Dated 11 October 2004.

R. MCEWEN, Minister for Agriculture,
Food and Fisheries

South Australia

Administrative Arrangements (Administration of Births, Deaths and Marriages Registration Act and Security and Investigation Agents Act) Proclamation 2004

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Births, Deaths and Marriages Registration Act and Security and Investigation Agents Act) Proclamation 2004*.

2—Commencement

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

3—Administration of Acts committed to Attorney-General

The administration of the *Births, Deaths and Marriages Registration Act 1996* and the *Security and Investigation Agents Act 1995* is committed to the Attorney-General.

Made by the Governor

with the advice and consent of the Executive Council
on 14 October 2004

DPC024/04CS

South Australia

Public Sector Management (Transfer of Staff—Aboriginal Affairs and Reconciliation) Proclamation 2004

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

1—Short title

This proclamation may be cited as the *Public Sector Management (Transfer of Staff—Aboriginal Affairs and Reconciliation) Proclamation 2004*.

2—Commencement

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

3—Transfer of employees

The employees of the Department for Families and Communities in the division known as the *Department for Aboriginal Affairs and Reconciliation* are transferred to the Department of the Premier and Cabinet.

Made by the Governor

with the advice and consent of the Executive Council
on 14 October 2004

DPC0003/04CS

South Australia

Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Variation Regulations 2004

under the *Housing and Urban Development (Administrative Arrangements) Act 1995*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Regulations 1995

- 4 Variation of regulation 5—Board of Management
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Variation Regulations 2004*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Regulations 1995*

4—Variation of regulation 5—Board of Management

Regulation 5—delete "five" and substitute:

seven

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 14 October 2004

No 214 of 2004

MFC/CS/04/010

South Australia

Freedom of Information (Fees and Charges) Variation Regulations 2004

under the *Freedom of Information Act 1991*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of Freedom of Information (Fees and Charges) Regulations 2003

- 4 Variation of regulation 6—Access to documents by Members of Parliament—prescribed threshold (section 53(2)(b))
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Freedom of Information (Fees and Charges) Variation Regulations 2004*.

2—Commencement

These regulations will come into operation one month after the day on which they are made.

3—Variation provisions

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

Part 2—Variation of *Freedom of Information (Fees and Charges) Regulations 2003*

4—Variation of regulation 6—Access to documents by Members of Parliament—prescribed threshold (section 53(2)(b))

Regulation 6—delete "\$350" and substitute:

\$1 000

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 14 October 2004

No 215 of 2004

MAS 04/011 CS

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CITY OF ADELAIDE

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Kellett Street, Adelaide

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Corporation of the City of Adelaide proposes to make a Road Process Order to close and transfer to Commercial Motor Industries Pty Ltd the whole of the public road (Kellett Street) in Town Acre 544, more particularly delineated and lettered 'A' on Preliminary Plan No. 04/0069.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, Customer Centre, 25 Pirie Street, Adelaide and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any person is entitled to object to the proposed road process, or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure. Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons. Any application for an easement must give full particulars of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

The objection or application for an easement must be made in writing to the Council, G.P.O. Box 2252, Adelaide, S.A. 5001 within 28 days of this notice and a copy shall be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered, so that the person making the submission or a representative may attend, if so desired.

M. HEMMERLING, Chief Executive Officer

CITY OF PROSPECT

DEVELOPMENT ACT 1993

Establishment of Car Parking Fund

NOTICE is hereby given, pursuant to section 50A (2) of the Development Act 1993 the council of the City of Prospect has, with the approval of the Minister for Urban Development and Planning, established a car parking fund. Details of the fund are as follows:

Name of Fund—Off Street Car Parking Fund

Designated Area—The fund will apply in the following zones designated in the Prospect (City) Development Plan (Consolidated—9 September 2004).

- District Centre Zone: Map Pr/4.
- Neighbourhood Centre Zone (Prospect): Map Pr/3 and Map Pr/6.
- Neighbourhood Centre Zone 1 (North East Road): Map Pr/5 and Map Pr/7.
- Neighbourhood Centre Zone 2 (North East Road): Map Pr/5.
- Commercial/Residential Zone (Prospect Road): Map Pr/3 and Map Pr/6.
- Commercial/Residential Zone (North East Road): Map Pr/4.
- Commercial/Residential Zone (Churchill Road): Map Pr/3 and Map Pr/6.

Council has determined that the contribution rate for the car parking fund be set at \$9 000 per car parking space. Funds will be applied in a manner consistent with section 50A (8) of the Development Act 1993.

Date of Operation: 14 October 2004.

A. SHORT, Acting City Manager

ALEXANDRINA COUNCIL AND CITY OF VICTOR HARBOR

DEVELOPMENT ACT 1993

Joint Residential Plan Amendment Report—Draft for Public and Agency Consultation

NOTICE is hereby given that Alexandrina Council and the City of Victor Harbor have prepared a Joint Draft Residential Plan Amendment Report to amend the Alexandrina Council and Victor Harbor (DC) Development Plans.

The Draft Plan Amendment Report seeks to provide a coordinated regional policy approach to manage the residential growth pressures currently affecting the South Coast. The proposed changes will introduce more comprehensive and up to date council-wide residential guidelines, that seek to balance new residential development with the existing scenic, township and environmental qualities of the South Coast.

The Draft Plan Amendment Report also proposes to rezone additional land between the towns of Victor Harbor and Port Elliot for residential development that is currently zoned Rural Fringe.

Copies of the Draft Residential Plan Amendment Report are available for viewing and purchase at the City of Victor Harbor offices, corner George Main and Bay Roads, Victor Harbor, and the Alexandrina Council offices, 11 Cadell Street, Goolwa, and 1 Colman Terrace, Strathalbyn. Copies of the Draft Residential Plan Amendment Report will also be made available for viewing at all of Councils' public libraries, and on the internet at www.victor.sa.gov.au and www.alexandrina.sa.gov.au.

Comments on the Draft Residential Plan Amendment Report should be submitted in writing to the relevant Chief Executive Officer as follows:

Chief Executive Officer
City of Victor Harbor
P.O. Box 11
Victor Harbor, S.A. 5211

Chief Executive Officer
Alexandrina Council
P.O. Box 21
Goolwa, S.A. 5214

All submissions should be received no later than Friday, 10 December 2004 and should clearly indicate whether you wish to be heard at a public hearing in support of your submission, and at which hearing you wish to attend.

The public hearings relevant to each council area will be held at the following dates/times:

Monday, 13 December 2004, 7 p.m.-9 p.m.
Strathalbyn Town Hall
High Street
Strathalbyn

Tuesday, 14 December 2004, 7 p.m.-9 p.m.
Alexandrina Council Community Chambers
11 Cadell Street
Goolwa

Wednesday, 15 December 2004, 7 p.m.-9 p.m.
City of Victor Harbor Town Hall
Coral Street
Victor Harbor

The relevant public hearings may not be held if no submissions are received indicating an interest in speaking.

Copies of all submissions will also be available for viewing by interested parties at the council offices at the above addresses from Monday, 13 December 2004 until the date of the end of the last public hearing.

J. COOMBE, Chief Executive Officer
Alexandrina Council

G. MAXWELL, City Manager
City of Victor Harbor

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

TO provide for a permit system and continuing penalties in Council by-laws, to clarify the construction of such by-laws, and to repeal by-laws.

A. All previous by-laws made or adopted by the Council, prior to the date this by-law is made, are hereby repealed effective from the day on which this by-law comes into operation.

1. *Permits*

- 1.1 In any by-law of the council, unless the contrary intention is clearly indicated, the word 'permission' means the permission of the Council given in writing.
- 1.2 The Council may attach such conditions to a grant of permission as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- 1.3 Any permit holder shall comply with every such condition.
- 1.4 The Council may revoke such grant of permission at any time by notice in writing to the permit holder.

2. *Offences and Penalties*

- 2.1 Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999 that may be fixed by by-law for any breach of a by-law.
- 2.2 Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and, in addition to any other penalty that may be imposed, shall be liable to a further penalty for every day on which the offence is continued, such penalty being the maximum amount referred to in the Local Government Act 1934 and/or Local Government Act 1999 which may be prescribed by by-law for offences of a continuing nature.

3. *Construction*

Every by-law of the council shall be subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Cleve held on 8 October 2004 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

F. L. GILLINGS, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO set standards for moveable signs on streets and roads and to provide conditions for and the placement of such signs

1. *Definitions*

In this by-law:

- 1.1 'footpath area' means that part of a street or road between the property boundary of the street or road and the edge of the carriageway on the same side as that boundary; and
- 1.2 'moveable sign' has the same meaning as in the Local Government Act 1999.

2. *Construction*

A moveable sign displayed on a public street or road shall:

- 2.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an 'inverted T' sign, or a flat sign;
- 2.2 be well constructed and maintained in good condition so as not to present a hazard to any member of the public;

- 2.3 be of strong construction so as to be stable when in position and to be able to keep its position in adverse weather conditions with no sharp or jagged edges or corners;
- 2.4 not be unsightly or offensive in appearance or content;
- 2.5 not contain flashing parts;
- 2.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 2.7 not be more than 1.2 m high, 800 mm wide and 800 mm deep;
- 2.8 not have a display area exceeding 1 m² in total or, if the sign is two-sided, 1 m² on each side;
- 2.9 be stable when in position;
- 2.10 in the case of an 'A' Frame or Sandwich Board sign:
 - 2.10.1 be hinged or joined at the top;
 - 2.10.2 be of such construction that sides shall be securely fixed or locked in position when erected;
- 2.11 in the case of an 'inverted T' sign, contain no struts or supports that run between the display area and the base of the sign.

3. *Position*

A moveable sign shall only be positioned on a public street or road on the footpath area at least 500 mm from the kerb subject to the following conditions:

- 3.1 where there is no kerb to define the footpath, a set back of 500 mm from the edge of the carriageway is required;
- 3.2 in the case of a flat sign, the message of which only contains newspaper headlines and the name of a newspaper, the sign must be resting against the business to which it relates;
- 3.3 there must be no less than 1.2 m wide between the sign and any structure, fixed object, tree, bush or plant (including another moveable sign);
- 3.4 the sign must not be placed on a sealed part of any footpath area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 m wide;
- 3.5 the sign must not be within 10 m of the corner of a street or road;
- 3.6 the sign must be adjacent to the premises of the business to which it relates.

4. *Restrictions*

A moveable sign shall:

- 4.1 display material which advertises a business being conducted on commercial premises adjacent to the sign, or the products available from that business;
- 4.2 be limited to one per business;
- 4.3 only be displayed when the business is open;
- 4.4 be securely fixed in position such that it cannot be blown over or swept away;
- 4.5 not be in such a position or in such circumstances that the safety of any user of the street or road is at risk;
- 4.6 not be displayed during the hours of darkness unless it is clearly visible;
- 4.7 not to be displayed on a median strip, traffic island or on a carriage way of a street or road.

5. *Exceptions*

- 5.1 Paragraph 3.6 and paragraph 4.1 do not apply to a moveable sign which is used:
 - 5.1.1 to advertise a garage sale taking place from residential premises;
 - 5.1.2 as a directional sign to an event run by an incorporated association or a charitable body.

- 5.2 Paragraphs 4.1, 4.2 and 4.3 do not apply to a flat sign, the message of which only contains newspaper headlines and the name of a newspaper.

6. Application

This by-law does not apply if:

- 6.1 the moveable sign is placed pursuant to an authorisation under another Act; or
- 6.2 the moveable sign is designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
- 6.3 the moveable sign is related to a Local Government, State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling days.

7. Construction

This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Cleve held on 8 October 2004 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

F. L. GILLINGS, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Roads

FOR the management of roads vested in or under the control of the Council.

1. Definitions

In this by-law:

- 1.1 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;
- 1.2 'electoral matter' has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.3 'Emergency Vehicle' has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- 1.4 'road' has the same meaning as in the Local Government Act 1999.

2. Activities Requiring Permission

No person shall without permission on any road:

2.1 Repairs to Vehicles

perform the work of repairing, washing, painting, panel-beating or other work of any nature on or to any vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;

2.2 Donations

ask for or receive or indicate that he or she desires a donation of money or any other thing;

2.3 Preaching

preach or harangue;

2.4 Amplification

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

2.5 Horses, Cattle or Sheep

ride, lead or drive any horse, cattle or sheep, on any street or road in those areas that the Council has designated by resolution;

2.6 Camping

camp or remain overnight;

2.7 Public Exhibitions and Displays

allow any public exhibition or display to occur on a road.

3. Posting of Bills

No person shall, without the Council's permission, post any bills, advertisements or other papers or items on a building or structure on a road except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum.

4. Removal of Animals and Directions to Persons

- 4.1 If any animal is found on part of a road in breach of a by-law any person in charge of the animal shall immediately remove it from that part on the request of any authorised person;
- 4.2 An authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal; and
- 4.3 An authorised person may direct any person who is considered to be committing or has committed a breach of this by-law to leave that part of the road. Failure to comply with that direction forthwith is a breach of this by-law.

5. Exemptions

The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or an emergency worker when driving an Emergency Vehicle in an emergency situation.

6. Construction

This by-law is subject to any Act of Parliament and Regulations made thereunder.

7. Applications of Paragraphs

Paragraph 2.5 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

The foregoing by-law was duly made and passed at a meeting of the District Council of Cleve held on 8 October 2004 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

F. L. GILLINGS, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No 4—Local Government Land

FOR the management of all land vested in or under the control of the Council.

1. Definitions

In this by-law:

- 1.1 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;
- 1.2 'electoral matter' has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.3 'foreshore' means the area between the Low Water Mark on the seashore and the nearest boundary of:
 - 1.3.1 a road;
 - 1.3.2 a section;
 - 1.3.3 a public reserve; or
 - 1.3.4 land comprised in a land grant, Crown Land or Crown Licence.

- 1.4 'local government land' means all land vested in or under the control of the Council (except streets and roads);
- 1.5 'Low Water Mark' means the lowest meteorological tide;
- 1.6 'vehicle' has the same meaning as in the Australian Road Rules 1999.

2. Activities Requiring Permission

No person shall without permission, which shall be given in writing by the Council, on any local government land:

2.1 Trading

- 2.1.1 carry on the business of selling or offering or exposing for sale any goods, merchandise, commodity, article or thing; or
- 2.1.2 set up a van or other vehicle or stall or other structure, tray, carpet or device for the purpose of buying or selling any goods, merchandise, commodity, article or thing;

2.2 Attachments

attach, fix, suspend or hang any article or thing from any building, verandah, pergola, post, tree or other structure or object where it might present a nuisance or danger to any person using local government land;

2.3 Entertaining and Ceremonies

- 2.3.1 sing, busk or play any recording or upon any musical instrument so as to appear to be for the purpose of entertaining other persons;
- 2.3.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;

2.4 Donations

ask for or receive or indicate that he or she desires a donation of money or any other thing;

2.5 Preaching

preach or harangue;

2.6 Distribute

give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter, provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with the authority of a candidate during the course of a Federal, State or Local Government Election or to a handbill or leaflet given out or distributed during the course and for the purpose of a Referendum;

2.7 Handbills on Cars

place or put on any vehicle any handbill, advertisement, notice or printed matter except for any electoral matter posted on a vehicle with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum;

2.8 Amplification

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements;

2.9 Soil

deposit, dig, carry away or remove any soil, clay, gravel, sand, timber, stones, pebbles or any other matter on the land;

2.10 Rubbish

throw, cast, place deposit or leave any rubbish or refuse of any kind whatsoever, except in any refuse containers provided for that purpose;

2.11 Picking Fruit etc.

pick fruit, nuts, seeds or berries from any trees or bushes thereon;

2.12 Games

- 2.12.1 participate in any game, recreation or amusement which involves the use of a ball, missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land;
- 2.12.2 play any organised competition sport, as distinct from organised social play, in accordance with paragraph 8 of this by-law;

2.13 Athletic and Ball Sports

- 2.13.1 to which this subparagraph applies, in accordance with paragraph 8 of this by-law, promote, organise or take part in any organised athletic sport;
- 2.13.2 to which this subparagraph applies, in accordance with paragraph 8 of this by-law, play or practice the game of golf;

2.14 Smoking

smoke tobacco or any other substance in any building or part thereof;

2.15 Closed Lands

enter or remain on any part of local government land:

- 2.15.1 at any time during which the Council has declared that the part shall be closed to the public, and which is indicated by a sign adjacent to the entrance to that part;
- 2.15.2 where the land is enclosed with fences and/or walls, and gates have been closed and locked; or
- 2.15.3 where admission charges are payable, for that person to enter that part without paying those charges;

2.16 Tents

erect any tent or other similar structure for the purpose of habitation for a period of 24 hours or more;

2.17 Camping

camp or remain overnight;

2.18 Fauna

- 2.18.1 take, interfere with or disturb any animal or bird or the eggs or young of any animal or bird;
- 2.18.2 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird; or
- 2.18.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;

2.19 Flora

- 2.19.1 take, uproot or damage any plant;
- 2.19.2 remove, take or disturb any soil, stone, wood, timber or bark;
- 2.19.3 collect or take any dead wood or timber for the purpose of using the same to make or maintain a fire; or
- 2.19.4 run, stand or walk on any flowerbed or garden plot;

2.20 Animals

- 2.20.1 allow any stock to stray into or depasture therein;
- 2.20.2 allow any animal to damage any flower bed, garden plot, tree, lawn or other item or place;

2.21 *Fires*

light any fire except:

- 2.21.1 in a place provided by the Council for that purpose; or
- 2.21.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material;

2.22 *Fireworks*

use, discharge or explode any fireworks;

2.23 *Swimming and Aquatic Activity*

enter, swim, bathe or engage in any aquatic activity in or on any pond, lake, fountain, creek, river or other similar body of water provided that this clause 2.23 shall not apply to the Spencer Gulf or the sea;

2.24 *Jumping and Diving*

jump or dive from any bridge, jetty, groyne, pier, wharf or boating facility pontoon or structure;

2.25 *Toilets*

in any public convenience:

- 2.25.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 2.25.2 smoke tobacco or any other substance;
- 2.25.3 deposit anything in a pan, urinal or drain that is likely to cause a blockage;
- 2.25.4 use it for a purpose for which it was not designed or constructed;
- 2.25.5 enter any toilet that is set aside for use of the opposite sex except:
 - (a) where a child under the age of five years is accompanied by an adult person; and/or
 - (b) to provide assistance to a disabled person;

2.26 *Cemeteries*

comprising a cemetery:

- 2.26.1 bury or inter any human or animal remains;
- 2.26.2 erect any memorial;

2.27 *Foreshore*

- 2.27.1 hire out a boat or other water craft on or from any part of the foreshore;
- 2.27.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;

2.28 *Horses, Cattle or Sheep*

- 2.28.1 send, drive, lead or take any horse, cattle, sheep or other like animal or permit any horse, cattle, sheep or other like animal to be sent, driven, led or taken;
- 2.28.2 allow any horse, cattle, sheep or other like animal to be let loose or left unattended;

except where the Council has set aside a track or other area for use by or in connection with an animal of that kind;

2.29 *Canvassing*

Convey any advertising, religious or other message to any bystander, passer-by or other person except for any message or material conveyed for the purpose of a Local, State or Federal election or Referendum.

3. *Posting of Bills*

No person shall without the Council's permission post any bills, advertisements or other papers or items on a building or structure on local government land or other public place except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum.

4. *Prohibited Activities*

No person shall on any local government land:

4.1 *Use of Equipment*

use any form of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed or set aside;

4.2 *Repairs to Vehicles*

perform the work of repairing, washing, painting, panel-beating or other work of any nature on or to any vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;

4.3 *Annoyances*

annoy or unreasonably interfere with any other person's use of the land or occupation of nearby premises by making a noise or creating a disturbance that has not been authorised by the Council;

4.4 *Directions*

fail to comply with any reasonable direction or request from an authorised person of the Council relating to:

- 4.4.1 that person's use of the land;
- 4.4.2 that person's conduct and behaviour on the land;
- 4.4.3 that person's safety on the land; or
- 4.4.4 the safety and enjoyment of the land by other persons;

4.5 *Missiles*

throw, roll or discharge any stone, substance or missile to the danger of any person or animal;

4.6 *Glass*

wilfully break any glass, china or other brittle material;

4.7 *Defacing Property*

deface, paint, write, cut names or make marks on or fix bills or advertisements to any tree, rock, gate, fence, building, sign or other property of the Council therein except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum.

5. *Removal of Animals and Directions to Persons*

5.1 If any animal is found on any part of local government land in breach of a by-law:

- 5.1.1 any person in charge of the animal shall remove it immediately from that part on the request of an authorised person; and
- 5.1.2 any authorised person may remove it therefrom if the person fails to comply with the request, or if no person is in charge of the animal;

5.2 an authorised person may direct any person who is considered to be committing or has committed a breach of this by-law to leave that part of the local government land. Failure to comply with that direction forthwith is a breach of this by-law.

6. *Sand Dunes, Coastal Slopes and Cliffs*

No person shall:

- 6.1 destabilise sand on a sand dune, by any means so as to cause it to unnecessarily mass waste down slope;
- 6.2 destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff;
- 6.3 introduce non-indigenous flora or fauna or dump any material in a sand dune; or
- 6.4 carry out any other activity that may damage or threaten the integrity of sand dunes, coastal slopes or cliffs.

7. Exemptions

The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer.

8. Application of Paragraphs

Any of subparagraphs 2.12.2, 2.13 and 2.27 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

9. Construction

This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Cleve held on 8 October 2004, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

F. L. GILLINGS, Chief Executive Officer

Tulsi, Ram Singh, late of 61 Grant Avenue, Rose Park, retired university academic, who died on 28 June 2004.

Wiggett, Dorothy May, late of 324 Military Road, Semaphore Park, of no occupation, who died on 28 July 2004.

Wood, Albert Charles, late of 12 McDonald Avenue, Blackwood, retired technical officer, who died on 4 August 2004.

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 12 November 2004, 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 14 October 2004.

C. J. O'LOUGHLIN, Public Trustee

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

Broadstock, Ernest Arthur, late of Grand Junction Road, Oakden, of no occupation, who died on 22 June 2004.

Campbell, Ronald William, late of 10 Thornber Street, Unley Park, retired storeman, who died on 9 June 2004.

Colsey, John Derrick Richard, late of 17 Piccadilly Crescent, Campbelltown, retired credit officer, who died on 16 July 2004.

Gates, Vivian Ray, late of 8 Mine Street, Kadina, retired police officer, who died on 5 August 2004.

Hancock, James George, late of 1 Benton Court, Modbury, retired electrician, who died on 16 July 2004.

Hankins, Michael Robert, late of 3 Cavendish Avenue, Devon Park, of no occupation, who died on 31 May 2003.

Hewett, John Laurence, late of 109 Broadbent Terrace, Whyalla, retired cabinetmaker, who died on 18 June 2004.

Martin, Dahlia Florence, late of 10 Armstrong Street, Somerton Park, widow, who died on 6 August 2004.

Oldham, Agnes Jean, late of 51 Eve Road, Bellevue Heights, of no occupation, who died on 18 July 2004.

Page, Sylvia Jean, late of Shackleton Avenue, Ingle Farm, of no occupation, who died on 29 July 2004.

Sheehan, Kathleen Agnes, late of 147 St Bernard's Road, Rostrevor, of no occupation, who died on 21 July 2004.

SALE OF PROPERTY

Auction Date: Thursday, 28 October 2004 at 11.30 a.m.

Location: 9 Leech Avenue, Morphett Vale

NOTICE is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the Magistrates Court of South Australia, Action No. AMCCI 5120 of 2004, directed to the Sheriff of South Australia in an action wherein Australian Central Credit Union Ltd is the Plaintiff and Jason Phillip Carne and Vivienne Carne are the Defendants, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendants Jason Phillip Carne and Vivienne Carne as the registered proprietors of an estate in fee simple in the following:

That piece of land situated in the area named Morphett Vale, being 9 Leech Avenue, being the property comprised in certificate of title register book volume 5180, folio 319.

Further particulars from the auctioneers:

Griffin Real Estate
179 King William Road
Hyde Park, S.A. 5061
Telephone (08) 8357 3177

ATTENTION

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