



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 4 AUGUST 2016

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GOVERNMENT GAZETTE NOTICES

Notices for publication in the *South Australian Government Gazette* should be emailed to GovernmentGazetteSA@sa.gov.au. Content should be sent as Word format attachment(s). Covering emails should include the date the notice is to be published and to whom the notice will be charged. **Closing time for lodgement is 4 p.m. on the Tuesday preceding the regular Thursday publication.** Gazette enquiries to: **Phone 8207 1045**. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au.

Department of the Premier and Cabinet
Adelaide, 4 August 2016

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

No. 35 of 2016—Statutes Amendment (Gender Identity and Equity) Act 2016. An Act to amend various Acts to remove discrimination against lesbian, gay, bisexual, transgender, intersex and queer South Australians.

No. 36 of 2016—Housing Improvement Act 2016. An Act to provide for measures to address housing that is unsafe or unsuitable for human habitation; to control the rent of unsafe or unsuitable housing; to amend the Residential Parks Act 2007 and the Residential Tenancies Act 1995; to repeal the Housing Improvement Act 1940; and for other purposes.

By command,

KYAM JOSEPH MAHER, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 4 August 2016

HIS Excellency the Governor in Executive Council has revoked the appointment of Ian Markos as Deputy Member to Rebecca Louise Pickering of the Construction Industry Training Board, effective from 4 August 2016, pursuant to the provisions of the Construction Industry Training Fund Act 1993 and Section 36 of the Acts Interpretation Act 1915.

By command,

KYAM JOSEPH MAHER, for Premier

MHES16/023

Department of the Premier and Cabinet
Adelaide, 4 August 2016

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

Member: (from 8 August 2016 until 7 August 2019)
Helen Anne Macdonald
Mark Peter Withers

By command,

KYAM JOSEPH MAHER, for Premier

16MSECCS039

Department of the Premier and Cabinet
Adelaide, 4 August 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Training Centre Review Board, pursuant to the provisions of the Young Offenders Act 1993:

Member: (from 4 August 2016 until 3 August 2019)
Branka King

Member: (from 8 August 2016 until 7 August 2019)
Philip Andrew Fagan-Schmidt
Dale Wayne Agius
Shona Eliza Reid

Deputy Member: (from 4 August 2016 until 3 August 2019)
Ester Huxtable (Deputy to King)

Deputy Member: (from 8 August 2016 until 7 August 2019)
David Allen Branson (Deputy to Agius)

By command,

KYAM JOSEPH MAHER, for Premier

AGO0098/16CS

Department of the Premier and Cabinet
Adelaide, 4 August 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Construction Industry Training Board, pursuant to the provisions of the Construction Industry Training Fund Act 1993:

Member: (from 4 August 2016 until 3 August 2017)

Denise Yvonne Janek
Natasha Anne Hemmerling
Phillip George Sutherland
Martin James O'Malley
Ian Markos

Deputy Member: (from 4 August 2016 until 3 August 2017)

Beverley Pauline Tonkin (Deputy to Janek)
Andrew Clarke (Deputy to Hemmerling)
Michael Andrew Harper (Deputy to Sutherland)
Aaron Michael Cartledge (Deputy to O'Malley)
Shari Ann Coggins (Deputy to Markos)

Deputy Member: (from 4 August 2016 until 13 August 2018)

Daniel Gannon (Deputy to Pickering)

By command,

KYAM JOSEPH MAHER, for Premier

MHES16/023

Department of the Premier and Cabinet
Adelaide, 4 August 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Adelaide Festival Centre Trust, pursuant to the provisions of the Adelaide Festival Centre Trust Act 1971:

Member: (from 4 August 2016 until 3 August 2019)

Joanne Chrisoula Chapley

By command,

KYAM JOSEPH MAHER, for Premier

ASACAB167-11

Department of the Premier and Cabinet
Adelaide, 4 August 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable the Chief Justice Christopher John Kourakis as Governor's Deputy of South Australia for the period from 10.30 a.m. on Thursday, 4 August 2016, until 3 p.m. on Friday, 5 August 2016.

By command,

KYAM JOSEPH MAHER, for Premier

Department of the Premier and Cabinet
Adelaide, 4 August 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint Acting Ministers as listed.

Honourable Kyam Joseph Maher, MLC, Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation and Minister for Science and Information Economy to be appointed as Acting Deputy Premier, Acting Attorney-General, Acting Minister for Justice Reform, Acting Minister for Industrial Relations, Acting Minister for the Public Sector and Acting Minister for Consumer and Business Services for the period from 30 August 2016 to 9 September 2016, inclusive, during the absence of the Honourable John Robert Rau, MP.

Honourable Tom Koutsantonis, MP, Treasurer, Minister for Finance, Minister for State Development and Minister for Mineral Resources and Energy to be appointed as Acting Minister for Planning and Acting Minister for the City of Adelaide for the period from 30 August 2016 to 9 September 2016, inclusive, during the absence of the Honourable John Robert Rau, MP.

Honourable Susan Elizabeth Close, MP, Minister for Education and Child Development and Minister for Higher Education and Skills to be appointed as Acting Minister for Child Protection Reform for the period from 30 August 2016 to 9 September 2016, inclusive, during the absence of the Honourable John Robert Rau, MP.

Honourable Leesa Anne Vlahos, MP, Minister for Disabilities and Minister for Mental Health and Substance Abuse to be appointed as Acting Minister for Health, Acting Minister for the Arts and Acting Minister for Health Industries for the period from 9 August 2016 to 21 August 2016, inclusive, during the absence of the Honourable John James Snelling, MP.

Honourable John Robert Rau, MP, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services and Minister for the City of Adelaide to be appointed as Acting Treasurer, Acting Minister for Finance, Acting Minister for State Development and Acting Minister for Mineral Resources and Energy for the period from 15 August 2016 to 28 August 2016, inclusive, during the absence of the Honourable Tom Koutsantonis, MP.

Honourable Susan Elizabeth Close, MP, Minister for Education and Child Development and Minister for Higher Education and Skills to be appointed as Acting Minister for Sustainability, Environment and Conservation, Acting Minister for Water and the River Murray and Acting Minister for Climate Change for the period from 22 August 2016 to 4 September 2016, inclusive, during the absence of the Honourable Ian Keith Hunter, MLC.

Honourable Leon William Kennedy Bignell, MP, Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport and Minister for Racing to be appointed as Acting Minister for Regional Development and Acting Minister for Local Government for the period from 20 August 2016 to 3 September 2016, inclusive, during the absence of the Honourable Geoffrey Graeme Brock, MP.

By command,

KYAM JOSEPH MAHER, for Premier

DPC16/071CS

ADMINISTRATIVE ARRANGEMENTS ACT 1994

Instrument of Delegation

PURSUANT to Section 9 of the Administrative Arrangements Act 1994, I, Ian Hunter, Minister for Water and the River Murray, and Minister to whom the administration of the Water Industry Act 2012 (the Act) is committed, hereby delegate to the Minister for Science and Information Economy all my functions and powers under Section 108 (1), in relation to approval of an exemption from Part 4, or specified provisions of that Part, being granted to the Minister for Sustainability, Environment and Conservation.

Dated 27 July 2016.

IAN HUNTER, Minister for Water and
the River Murray

ASSOCIATIONS INCORPORATION ACT 1985

ORDER PURSUANT TO SECTION 42 (2)

Dissolution of Association

WHEREAS the Corporate Affairs Commission ('the Commission') pursuant to Section 42 (1) of the Associations Incorporation Act 1985 ('the Act'), is of the opinion that the undertaking or operations of The Wilderness Society Australia Incorporated ('the Association') being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the Corporations Act 2001 (Commonwealth) and whereas the Commission was on 30 May 2016, requested by the Association to transfer its undertaking to The Wilderness Society Ltd (Australian Company Number 611 229 086), the Commission pursuant to Section 42 (2) of the Act does hereby order that on

4 August 2016, the Association will be dissolved, the property of the Association becomes the property of The Wilderness Society Ltd and the rights and liabilities of the Association become the rights and liabilities of The Wilderness Society Ltd.

Given under the seal of the Commission at Adelaide,
2 August 2016.

T. TSAOUSOGLOU, A Delegate of the
Corporate Affairs Commission

FISHERIES MANAGEMENT ACT 2007: SECTION 115

Variation

TAKE notice that the Ministerial exemption ME9902859 notice issued to Qifeng Ye of SARDI Aquatic Sciences, 2 Hamra Avenue, West Lakes, S.A. 5024, pursuant to Section 115 of the Fisheries Management Act 2007, dated 16 June 2016, being the second notice published on page 2487 of the *South Australian Government Gazette* dated 23 June 2016, is hereby varied by deleting Condition 1 of Schedule 2 and inserting the following condition:

1. The exemption holder or their agent may for the purposes of tagging and taking biopsies, lift Murray Cod out of the water. The exemption holder or agent must as far as reasonably practical follow PIRSA's handling guidelines to ensure the Murray Cod caught has the best chance of survival. All Murray Cod taken under this exemption must be immediately returned to the water once all information is collected and the tagging and taking of biopsies has been completed.

Dated 29 July 2016.

A. FISTR, Acting Director,
Fisheries and Aquaculture Policy

GEOGRAPHICAL NAMES ACT 1991

FOR PUBLIC CONSULTATION

Notice of Intention to Alter the Boundaries of Places and Assign a Name to a Place

NOTICE is hereby given pursuant to the provisions of the above Act that the Minister for Transport and Infrastructure seeks public comment on a proposal to:

- (1) Exclude from **MINLATON** that area marked **(A)** and shown highlighted blue on the plan.
- (2) Assign the name **PARSONS BEACH** to the area marked **(A)**.

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

- the office of the Surveyor-General, 101 Grenfell Street, Adelaide;
- the office of the Yorke Peninsula Council; and
- the Land Services website at:
www.dpti.sa.gov.au/landservices/namingproposals

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

Dated 4 August 2016.

M. BURDETT, Surveyor-General

DPTI 2016/11797/01

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below.

Applicant: Boston Minerals Pty Ltd

Location: Whymlat Area—Approximately 65 km north-east of Tarcoola.

Pastoral Leases: North Well and Bon Bon.

Term: 1 year

Area in km²: 269

Reference number: 2015/00126

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below.

Applicant: Cross Keys Mining Pty Ltd

Location: Christmas Mine Area—Approximately 45 km south-east of Leigh Creek.

Pastoral Leases: Warraweena, Angepena, Pinda Springs and Narrina.

Term: 1 year

Area in km²: 67

Reference number: 2016/00007

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

ROADS (OPENING AND CLOSING) ACT 1991: SECTION 24 CORRIGENDUM

Road Closure—Portion of Jon Street, Newton

IN the *Government Gazette* of 7 July 2016, page 2856, third notice appearing, third paragraph, the Deposited Plan 111643 *should* have been Deposited Plan 112643.

Dated 4 August 2016.

M. P. BURDETT, Surveyor-General

ROAD TRAFFIC ACT 1961

Authorised Officers to Operate Breath Analysing Instruments

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 18 July 2016, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

Road Traffic Act 1961;
Harbors and Navigation Act 1993;
Security and Investigation Industry Act 1995; and
Rail Safety National Law (South Australia) Act 2012.

PD Number	Officer Name
75610	Bowden, Tyson Charles
75957	Davidson, Nathan Richard
75617	Hill, Kym Davey
73495	Lademan, Chanelle Marie
79440	Lane, Nicole Toni
74324	Mann, Benjamin Paul
75763	Muir, Steven James
79297	Penrose-Anglely, Anne Beatrice
75285	Pople, Daniel Michael
75570	Ridgway, William James
75722	Sellar, Brett Matthew
75903	Smith, Shaun Anthony

GRANT STEVENS, Commissioner of Police

ENVIRONMENT PROTECTION ACT 1993

Approval of Category B Containers

I, ANDREA KAYE WOODS, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 68 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Approval of Category B Containers

Approve as Category B Containers, subject to the conditions in subclauses (1), (2), (3) and (4) below, each of the classes of containers identified by reference to the following matters described in the first 4 columns of Schedule 1 of this Notice which are sold in South Australia:

- (a) the product which each class of containers shall contain;
 - (b) the size of the containers;
 - (c) the type of containers; and
 - (d) the name of the holders of these approvals.
- (1) That containers of the class to which the approval relates must bear the refund marking specified by the Authority for containers of that class. The Authority specifies the following refund markings for Category B containers:
 - (i) '10c refund at collection depots when sold in SA', or
 - (ii) '10c refund at SA/NT collection depots in State/Territory of purchase'.
 - (2) The holder of the approval must have in place an effective and appropriate waste management arrangement in relation to containers of that class. For the purpose of this approval notice the company named in Column 5 of Schedule 1 of this Notice is the nominated super collector.
 - (3) In the case of an approval in relation to Category B containers that the waste management arrangement must require the holder of the approval to provide specified super collectors with a declaration in the form determined by the Authority in relation to each sale of such containers by the holder of the approval as soon as practicable after the sale.
 - (4) The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Mist Wood Gin Apple	320	Glass	Asahi Premium Beverages	Statewide Recycling
Mist Wood Gin Grapefruit & Lime	320	Glass	Asahi Premium Beverages	Statewide Recycling
Mist Wood Gin Orange & Bitters	320	Glass	Asahi Premium Beverages	Statewide Recycling
Jack Daniels Tennessee Whiskey American Serve Cola	250	Can—Aluminium	Brown Forman Australia Pty Ltd	Marine Stores Ltd
Jack Daniels Tennessee Whiskey American Serve Dry	250	Can—Aluminium	Brown Forman Australia Pty Ltd	Marine Stores Ltd
Jack Daniels Tennessee Whiskey American Serve Traditional Lemonade	250	Can—Aluminium	Brown Forman Australia Pty Ltd	Marine Stores Ltd
Carton & Co Refreshing Water	500	LiquidPaperBoard	Carton & Co West Pty Ltd	Marine Stores Ltd
Cascade Classic & Zesty Lemon Lime & Bitters	200	Can—Aluminium	Coca Cola Amatil (Aust) Pty Ltd	Statewide Recycling
Cascade Sharp & Authentic Ginger Beer	300	Glass	Coca Cola Amatil (Aust) Pty Ltd	Statewide Recycling
Cascade Sharp & Refined Spiced Pear & Bitters	300	Glass	Coca Cola Amatil (Aust) Pty Ltd	Statewide Recycling
Cascade Sharp & Refined Spiced Pear & Bitters	330	Glass	Coca Cola Amatil (Aust) Pty Ltd	Statewide Recycling
Cascade Sharp & Succulent Raspberry Mint & Ginger	300	Glass	Coca Cola Amatil (Aust) Pty Ltd	Statewide Recycling
Cascade Sharp & Succulent Raspberry Mint & Ginger	330	Glass	Coca Cola Amatil (Aust) Pty Ltd	Statewide Recycling
Cascade Spicy Ginger Beer	300	Glass	Coca Cola Amatil (Aust) Pty Ltd	Statewide Recycling
Arizona Original Green Tea with Honey	500	PET	Costco Wholesale Australia Pty Ltd	Statewide Recycling
La Ice Cola	375	Can—Aluminium	Costco Wholesale Australia Pty Ltd	Statewide Recycling
Pro Live Kids Original Flavour Probiotic Drink	62	PET	Costco Wholesale Australia Pty Ltd	Statewide Recycling
The Good Apple Organic Sparkling Juice	750	Glass	Costco Wholesale Australia Pty Ltd	Statewide Recycling
Tru Blu Ceda Creaming Soda	375	Can—Aluminium	Costco Wholesale Australia Pty Ltd	Statewide Recycling
Tru Blu Lido Lemonade	375	Can—Aluminium	Costco Wholesale Australia Pty Ltd	Statewide Recycling
Tru Blu The Original Pub Squash Lemon Soda	375	Can—Aluminium	Costco Wholesale Australia Pty Ltd	Statewide Recycling
Caramel Crisp	30	PET	Fluid Beverages Pty Ltd	Statewide Recycling
Choctini	30	PET	Fluid Beverages Pty Ltd	Statewide Recycling
Cowboy	30	PET	Fluid Beverages Pty Ltd	Statewide Recycling
Jam Donut Raspberry & Cream	30	PET	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Ale Apple Cider	330	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Ale Double Strength	330	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Ale Full Strength	330	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Ale Ginger Beer	330	Glass	Fluid Beverages Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Little Fat Lamb Brewed Berry	500	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Brewed Ginger	500	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Brewed Lemon	500	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Ginger Radler	330	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Hard Apple Cider	500	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Hard Pear Cider	500	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb Lemon Radler	330	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Little Fat Lamb WPA Limonada	330	Glass	Fluid Beverages Pty Ltd	Statewide Recycling
Pink Daiquiri	30	PET	Fluid Beverages Pty Ltd	Statewide Recycling
QF	30	PET	Fluid Beverages Pty Ltd	Statewide Recycling
Rocky Coffee Espresso	30	PET	Fluid Beverages Pty Ltd	Statewide Recycling
On Protein Water Icy Blue Raspberry	473	PET	Glanbia Performance Nutrition Pty Ltd	Statewide Recycling
On Protein Water Orange Freeze	473	PET	Glanbia Performance Nutrition Pty Ltd	Statewide Recycling
On Protein Water Tropical Fruit Punch	473	PET	Glanbia Performance Nutrition Pty Ltd	Statewide Recycling
Syntha 6 Ultra Premium Protein Chocolate Flavor	429	Bottle—Aluminium	Glanbia Performance Nutrition Pty Ltd	Statewide Recycling
Syntha 6 Ultra Premium Protein Vanilla Flavor	429	Bottle—Aluminium	Glanbia Performance Nutrition Pty Ltd	Statewide Recycling
Kooina Traditional Milk Porter	330	Glass	Happy Place Brewing Pty Ltd	Marine Stores Ltd
Colony Cove Apple Sparkler	330	Glass	Kent Jones trustee of the Kangaroo Island Ciders Trust	Statewide Recycling
Colony Cove Draught Cider	330	Glass	Kent Jones trustee of the Kangaroo Island Ciders Trust	Statewide Recycling
Colony Cove Original Cider	330	Glass	Kent Jones trustee of the Kangaroo Island Ciders Trust	Statewide Recycling
Colony Cove Sparkling Cider	330	Glass	Kent Jones trustee of the Kangaroo Island Ciders Trust	Statewide Recycling
Colony Cove Vintage Cider	330	Glass	Kent Jones trustee of the Kangaroo Island Ciders Trust	Statewide Recycling
Heineken 3 Mid Strength Lager	330	Glass	Lion Pty Ltd	Marine Stores Ltd
Little Creatures Dog Days Summer Beer	355	Can—Aluminium	Lion Pty Ltd	Marine Stores Ltd
XXXX Summer Bright Lager Mango	330	Glass	Lion Pty Ltd	Marine Stores Ltd
50 Dalrymple's India Pale Ale	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
Beard Fiction American Pale Ale	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
Breakfast In Stepney Coffee Oatmeal Stout	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
Galactopus American Barley Wine	330	Can—Aluminium	Little Bang Brewing Company	Marine Stores Ltd
IRA India Red Ale	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
Icon Hoppy Steam Ale	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
May Contain Traces Of Panther Porter	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
Sludgebeast Imperial Stout	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
The Brown Falcon Brown IPA	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
The Pinkening Hibiscus Wheat Bear	330	Glass	Little Bang Brewing Company	Marine Stores Ltd
Modus Operandi Former Tenant Red IPA	500	Can—Aluminium	MO Brewing Company Pty Ltd	Statewide Recycling
Modus Operandi Limited Release Ale	500	Can—Aluminium	MO Brewing Company Pty Ltd	Statewide Recycling
Modus Operandi Pale Ale	500	Can—Aluminium	MO Brewing Company Pty Ltd	Statewide Recycling
Stolen Recipe Classic Lemon Traditional Ice Tea	400	PET	Manassen Foods Australia Pty Ltd	Statewide Recycling
Stolen Recipe Classic Peach Traditional Ice Tea	400	PET	Manassen Foods Australia Pty Ltd	Statewide Recycling
Stolen Recipe Super Fruits Ice Tea	400	PET	Manassen Foods Australia Pty Ltd	Statewide Recycling
Stolen Recipe Watermelon Raspberry Ice Tea	400	PET	Manassen Foods Australia Pty Ltd	Statewide Recycling
Mornington Russel Brown	330	Can—Aluminium	Mornington Peninsula Brewery Pty Ltd	Statewide Recycling
Mornington Sacchariferous Stout Nitro	330	Can—Aluminium	Mornington Peninsula Brewery Pty Ltd	Statewide Recycling
Yeos Chrysanthemum Tea Drink	250	LPB—Aseptic	Oriental Merchant Pty Ltd	Statewide Recycling
Jameson Sine Metu Irish Whiskey Smooth Dry & Lime	333	Glass	Pernod Ricard Winemakers	Marine Stores Ltd
Sahara Ayran Yoghurt Drink	400	HDPE	Picnic Dairy Foods Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Sahara Ayran Yoghurt Drink	275	HDPE	Picnic Dairy Foods Pty Ltd	Statewide Recycling
Sahara Ayran Yoghurt Drink	500	HDPE	Picnic Dairy Foods Pty Ltd	Statewide Recycling
Sahara Ayran Yoghurt Drink	1 000	HDPE	Picnic Dairy Foods Pty Ltd	Statewide Recycling
Ballast Point Brewing Company Big Eye Indian Pale Ale	355	Can—Aluminium	Pinnacle Drinks	Marine Stores Ltd
Ballast Point Brewing Company Even Keel Session IPA	355	Can—Aluminium	Pinnacle Drinks	Marine Stores Ltd
Ballast Point Brewing Company Grapefruit Sculpin Indian Pale Ale	355	Can—Aluminium	Pinnacle Drinks	Marine Stores Ltd
Ballast Point Brewing Company Grunion Pale Ale	355	Can—Aluminium	Pinnacle Drinks	Marine Stores Ltd
Ballast Point Brewing Company Sculpin Indian Pale Ale	355	Can—Aluminium	Pinnacle Drinks	Marine Stores Ltd
Kara Coconut Water	250	LPB—Aseptic	Prime Foods Co.	Statewide Recycling
Kara Coconut Water	500	LPB—Aseptic	Prime Foods Co.	Statewide Recycling
B Well Proactive Drink	100	PET	Siena Foods Pty Ltd	Statewide Recycling
B Well Strawberry Proactive Drink	100	PET	Siena Foods Pty Ltd	Statewide Recycling
All Good Bitter Lemon Sparkling Water	250	Glass	Soulfresh Group Pty Ltd	Statewide Recycling
All Good Blackcurrant Sparkling Water	250	Glass	Soulfresh Group Pty Ltd	Statewide Recycling
All Good Blood Orange Sparkling Water	250	Glass	Soulfresh Group Pty Ltd	Statewide Recycling
All Good Lemmy Lemonade	250	Glass	Soulfresh Group Pty Ltd	Statewide Recycling
All Good Red Grapefruit Sparkling Water	250	Glass	Soulfresh Group Pty Ltd	Statewide Recycling
All Good White Grapefruit Sparkling Water	250	Glass	Soulfresh Group Pty Ltd	Statewide Recycling
Gingerella Ginger Ale	330	Glass	Soulfresh Group Pty Ltd	Statewide Recycling
Karma Cola	330	Glass	Soulfresh Group Pty Ltd	Statewide Recycling
Coles Dry Ginger Ale Sparkling Mixer	300	Glass	Tru Blu Beverages Pty Limited	Flagcan Distributors
Coles Lemon Lime & Bitters Sparkling Mixer	300	Glass	Tru Blu Beverages Pty Limited	Flagcan Distributors
Coles Soda Water Sparkling Mixer	300	Glass	Tru Blu Beverages Pty Limited	Flagcan Distributors
Coles Tonic Water Sparkling Mixer	300	Glass	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Dragonfruit Sparkling Fruit Drink	475	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Lemon Lime Sparkling Fruit Drink	475	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Lemon Sparkling Fruit Drink	1 000	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Lemonade Sparkling Fruit Drink	1 000	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Orange Mango Sparkling Fruit Drink	475	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Orange Sparkling Fruit Drink	1 000	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Passionfruit Sparkling Fruit Drink	1 000	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Pomegranate Blueberry Sparkling Fruit Drink	475	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Raspberry Sparkling Fruit Drink	1 000	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Fruit2O Tropical Sparkling Fruit Drink	1 000	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Westcliff Apple & Raspberry Fruit Drink	250	LPB—Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
Westcliff Apple Blackcurrant Juice	250	LPB—Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
Westcliff Apple Juice	250	LPB—Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
Westcliff Orange Fruit Drink	250	LPB—Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
Westcliff Orange Juice	250	LPB—Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
Westcliff Tropical Fruit Drink	250	LPB—Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
West City Brewing Footscray Ale	330	Glass	West City Brewing	Statewide Recycling
West City Brewing Oaty Session Stout	330	Glass	West City Brewing	Statewide Recycling

HOUSING IMPROVEMENT ACT 1940

Erratum

IN *Government Gazette* No. 43 dated 28 July 2016, on page 3017, sixth entry below, was printed with the incorrect maximum rent of 250.00 per week payable in respect of each house details under rent control properties and should be replaced with the following.

Address of House	Allotment, Section, etc.	Certificate of Title Volume Folio		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
5 Arthurton Road, Ardrossan, S.A. 5571	Allotment 297 in Filed Plan 197668, Hundred of Cunningham	5701	701	19.5.2016, Page 1470	130.00

Dated at Adelaide, 28 July 2016.

P. REARDON, Director, Property and Contract Management, Housing SA (Delegate SAHT)

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Surrender of Geothermal Exploration Licence—GEL 486

NOTICE is hereby given that I have accepted the surrender of the abovementioned Geothermal Exploration Licence under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

No. of Licence	Licensee	Locality	Effective Date of Surrender	Reference
GEL 486	Deep Energy Pty Ltd	Arrowie Basin	28.5.2016	F2014/461

Dated 28 July 2016.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division,
Department of State Development,
Delegate of the Minister for Mineral Resources and Energy

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Surrender of Geothermal Exploration Licence—GEL 291

NOTICE is hereby given that I have accepted the surrender of the abovementioned Geothermal Exploration Licence under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

No. of Licence	Licensee	Locality	Effective Date of Surrender	Reference
GEL 291	Granite Power Limited	Otway Basin	18.7.2016	27/2/458

Dated 27 July 2016.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division,
Department of State Development,
Delegate of the Minister for Mineral Resources and Energy

RULES OF COURT
Magistrates Court of South Australia
Amendment 14 to the Magistrates Court (Civil)
Rules 2013

PURSUANT to section 49 of the *Magistrates Court Act 1991* and all other enabling powers, we, the undersigned, do hereby make the following amendments to the *Magistrates Court (Civil) Rules 2013* as amended.

1. These Rules may be cited as the ‘Magistrates Court (Civil) Rules 2013 (Amendment 14)’.
2. The *Magistrates Court (Civil) Rules 2013* (‘the Rules’) as amended by these amendments apply to and govern all actions commenced in the civil division of the Court on and after the date on which the *Magistrates Court (Monetary Limits) Amendment Act 2016* commences.
3. Rules 55–58 are deleted and replaced with the following:
 55. (1) A party may file and serve on any other party an offer to consent to judgment, provided such offer is filed and served at least 21 days prior to the trial.
 - (2) The offer must specify whether it is inclusive of costs and interest.
 - (3) If the offer does not specify that it is inclusive of costs or interest the offer is taken to include in addition to the sum of money, an entitlement to costs in accordance with the applicable scale and interest in accordance with the rules up to the expiration of 14 days from the date of service of the offer. The offer may relate to liability, quantum, matters in issue in the action or any order, remedy or relief sought.
 - (4) A party may file and serve a notice of withdrawal or variation of an offer which has not been accepted.
 - (5) A party may file and serve an acceptance of the offer, provided such acceptance is filed and served at least seven days prior to the trial.
 - (6) If a party to an accepted offer fails to comply with the terms of the offer (and failure to pay any sum due is a failure to comply) the court may on application of another party to the accepted offer:
 - (a) enter judgment to give effect to the terms of the accepted offer, such judgment having the effect of a final judgment;
 - (b) stay or dismiss the claim the subject of the accepted offer if the plaintiff is in default or strike out the defendant’s defence to the claim the subject of the accepted offer if the defendant is in default;
 - (c) set aside the acceptance of the offer and make directions for the claim the subject of the accepted offer to proceed to trial; or
 - (d) make any other order as the court thinks fit.

- 56.** (1) A defendant may pay (with or without an admission of liability) to the Registrar at least 21 days before the trial such sum of money as it thinks sufficient to satisfy the claim by a party against the defendant, specifying how much is attributable to each of the claim, costs and interest.
- (2) At the time of making any such payment, the party so paying must give notice in writing to the other party of the payment.
- (3) The defendant by notice filed with the Registrar and served on all other parties may request the withdrawal of the sum paid to the Registrar and unless notice accepting the sum has by then been filed and served the Registrar will repay it.
- (4) The other party may file and serve a notice in writing at least seven days prior to the trial accepting the sum of money, and such notice will operate as full satisfaction of that other party's claim.
- (5) If the sum is not withdrawn and no notice of acceptance is filed the sum of money must abide the event.
- (6) The Registrar must pay the sum of money to the party entitled to it in accordance either with the notice of acceptance or the outcome of the event.
- 57.** The amount of an offer to consent to judgment or payment of a sum of money to the Registrar must not be communicated to the judicial officer hearing the trial of the action.
- 58.** (1) In making an order as to costs at the trial of an action, the Court must take into account any offer to consent to judgment, or any payment of a sum of money to the Registrar, and any refusal or failure to accept such offer or payment.
- (2) Unless the Court for special reasons orders otherwise –
- (a) A plaintiff who obtains final judgment for a sum of money that is more than the amount of its offer plus the costs and interest due at the time of the offer is entitled to costs on a solicitor and client basis after the expiration of 14 days from the date the notice of the offer was served.
- (b) A plaintiff who obtains final judgment for a sum of money that is equal to or less than the amount of any such offer or payment by the defendant (plus costs and interest due at the time of payment, is not entitled to costs after the expiration of 14 days from the date the notice of offer or the notice of payment was served and thereafter the defendant is entitled to solicitor client costs.

4. Rule 73 is deleted and replaced with the following:

- 73.** When a defence is filed in a minor civil action the file must be referred to a Magistrate who will give directions:
- (1) to list the matter for a directions hearing before the Registrar who will advise the parties by notice given in Form 23A; or
- (2) to list the matter for directions before a Magistrate for identified procedural, jurisdiction, pretrial directions or other issues at a time which the Registrar will appoint by notice given in Form 23A; or
- (3) to list the matter for mediation, conciliation or arbitration at a time which the Registrar will appoint by notice given in Form 23D; or

- (4) to list the matter for expert appraisal at a time which the Registrar will appoint by notice given in Form 23E;
- (5) to order if it is appropriate that the complexity of the action justifies legal advice in the pretrial processes in accordance with Cost Scale 2 item 3; or
- (6) to list the matter for trial at a time which the Registrar will appoint by notice given in Form 23H; or
- (7) in relation to any other matter.

5. Rule 106 is deleted and replaced with the following:

- 106.** (1) Subject to these Rules or to an order of the Court, the successful party in an action (other than a minor civil action) is entitled on judgment to costs against an unsuccessful party, or any other party that the Court may order, in accordance with the following principles. Where a judgment is for a sum of money the costs including disbursements in Cost Scale 1 in the Third Schedule applicable to the sum of money claimed at each stage of the litigation are totalled (the total costs).
- (a) Where more than half of the judgment is for a liquidated sum or sums if judgment is for the defendant it will be awarded the total costs and where judgment is for the plaintiff it will have costs calculated by multiplying the total costs by this fraction:
$$\frac{\text{the judgment sum}}{\text{the amount claimed}}$$
 - (b) Where half or less of the judgment is for a liquidated sum if judgment is for the plaintiff it will be awarded the costs including disbursements in Cost Scale 1 in the Third Schedule applicable to the judgment sum and where judgment is for the defendant it will be awarded the total costs.
 - (c) Where judgment is in respect of an action that is not an action for a sum of money the Court may determine which party is the successful party and the amount claimed or the judgment sum for the purpose of Cost Scale 1 in the Third Schedule.
 - (d) Where the plaintiff discontinues or reduces any aspect of its claim by filing and serving a notice under Rule 88 the amount claimed is reduced accordingly the day after the amendment or admission is filed and served.
 - (e) Where a defendant files and serves an admission of part of the plaintiff's claim the amount claimed is reduced accordingly from the day after the admission is filed and served. If the plaintiff pursues the balance of its claim for the purposes of the formula in Rule 106(1)(a) any judgment sum will exclude the part admitted by the defendant from the day after it is admitted. If the amount admitted is not paid within 7 days plus the costs applicable on the scale for that sum and any interest due the plaintiff is entitled to sign judgment for the amount admitted, plus costs applicable on the scale plus any interest without that prejudicing its rights in relation to the balance of the amounts claimed in its action.
- (2) Where there is a counterclaim the costs on the claim and counterclaim must be separately calculated and applied.
 - (3) Where proper cause exists, the Court may fix a cost budget specifying the total sum of costs that will be awarded to a successful party for an action or any part of an action.

- (4) Where proper cause exists the Court may order that a successful party is entitled to costs on a solicitor client basis.
- (5) In a minor civil action a successful plaintiff is entitled to the costs in Cost Scale 2 in the Third Schedule applicable to the judgment sum and a successful defendant is entitled to the costs in Cost Scale 2 in the Third Schedule applicable to the amount claimed.
- (6) A plaintiff who serves a claim by post (except by the agency of the Registrar) is not entitled to the costs thrown away up to the time a judgment relying upon that service is set aside unless the Court is satisfied that the claim form came to the attention of the defendant.
- (7) A Magistrate who is not the trial Magistrate may conduct a settlement conference at which s/he formally intimates her or his view of the likely result of a case and put that intimation in writing. The intimation must not be available to the trial Magistrate until after judgment when the trial Magistrate may take it into account in relation to any application for costs.

Note that a plaintiff may not be entitled to the costs for the filing of a claim unless notice of the claim is given, or if the defendant has given notice of willingness to consent to judgment, in accordance with Rule 20A.

6. Cost Scale 1 of the Third Schedule is deleted and replaced as follows:

COST SCALE 1: General jurisdiction costs

ITEM		\$12,001-\$100,000
(a)	Pre-action notice in an action other than for personal injury	1%
(b)	Pre-action notice in an action for personal injury	2%
2	Filing an action or defence including where necessary attending the first Directions Hearing.	
(a)	For an action where more than half of the judgment is for a liquidated sum	3%
(b)	For an action where half or less of the judgment is for a liquidated sum	5%
3	Any and all activity after the first directions hearing until the trial date is set or the last pre-trial conference or hearing whichever is the latter.	
(a)	For an action where more than half of the judgment is for a liquidated sum	12%
(b)	For an action where half or less of the judgment is for a liquidated sum	14%
4	All aspects not otherwise specified of and incidental to preparing for trial including proofing witnesses, advice on evidence and law (solicitor and counsel) delivering brief to counsel and fee on brief.	8%
5	Preparing and filing a trial plan	2.5%
6	To advise on compromise or settlement for a person under disability or under the <i>Correctional Services Act 1982</i> –	\$1,000 or 2% whichever is the greater
(a)	Where quantum only is in dispute;	\$1,500 or 3% whichever is the greater
(b)	Where quantum and liability are in dispute.	
7	Attendance as counsel at trial (includes fee on brief and refreshers) first day	3%
	subsequent day(s)	2.5%
8	Arranging attendance of a witness at trial (including issuing and a summons to witness if this is necessary).	\$100
9	Attendance on an application to set aside a warrant	\$150
10	Any other attendance where the costs are not within any other item.	\$150

Other costs and disbursements

ITEM		
11	Court ordered mediation	\$500 or 2% whichever is the greater
12	Filing a Form 18 not otherwise provided for:	\$150
13	Request for an Investigation or Examination Summons including attending at the hearing:	\$110
14	Service of any document:	
	(a) personal where required	\$100
	(b) other	\$50
15	Preparing a bill for taxation (includes attendance).	\$350
16	Professional or other expert witness per day (included waiting)	\$1,000
17	Other adult witness per day (includes waiting)	\$250
18	Juvenile witness (includes waiting)	\$100
19	Travel expenses for witnesses	Where the witness is normally resident more than 50 km from the trial Court at the rate of 50 cents per km or the least expensive return air fare whichever is the lesser or the cheapest combination of both.
20	Accommodation for witnesses	Where the witness is required to be absent from his or her normal place of residence overnight for accommodation and sustenance per night \$250.
21	Expert reports	\$1,000 or such other amount ordered by the Court.
22	Other	All Court fees, search fees, and other fees and payments to the extent to which they have been properly and reasonably incurred and paid; but excluding the usual and incidental expenses and overheads of a legal practice and in particular excluding postage, photocopying, telephone charges and courier expenses.

NOTES:

1. Where this scale refers to a percentage it is calculated on the amount claimed or the judgment sum as appropriate.
2. The Court may allow any larger or lesser amount in respect of any matter at the time of making any order.
3. All the above items are all inclusive of all costs for all incidental and necessary activity and advice for each item to the intent that no costs will be allowed in addition to the costs set for each item nor for anything not itemised. Counsel fees include juniors and all other assistants.
4. For the purposes of items expressed as a percentage the costs calculated must be rounded to the nearest \$10.
5. For the purpose of determining the sum to which the scale is applicable, any cents must be rounded up to the next dollar and unless the Court orders to the contrary any interest component in the judgment sum will be excluded.
6. For the purpose of this scale the cost of repairs to, or the loss of, property and any other consequential loss are regarded as a liquidated sum.
7. Only the witness expenses for the successful party are to be included.
8. The cost of mediation is for the cost of the mediator if that amount or more is actually incurred.
9. The costs in the scale do not include GST and if that is applicable the amount of GST may be added.

7. Cost Scale 2 of the Third Schedule is deleted and replaced as follows:

COST SCALE 2: Minor Civil Actions

ITEM		\$1- \$12,000
1	Filing an action (if prepared and filed by a solicitor)	\$20 plus 5% up to a maximum of \$500
2	Having a lawyer prepare and file personal injury particulars	2%
3	Where a matter is defended and a Magistrate orders that the complexity of the action justifies legal advice in the pretrial processes	5%
4	Any attendance at Court by party or solicitor (where solicitor is entitled to attend)	0.5%
5	Cost of a private mediator, conciliator or arbitrator where it is ordered by the Court	\$500
6	Witness fees generally	\$80 per day
7	Professional witness	\$500 per day
8	Filing and serving a summons to witness	\$50
9	Preparation of a trial plan where the Court permits it due to special circumstances <i>Magistrates Court Act 1991</i> Section 38(5)	3%
10	Request for Investigation or Examination summons including attendance at the hearing	\$50
11	Any other request (Form18) for enforcement of judgment	\$50
12	All other Court fees	As allowed by the Court
13	Other disbursements	As allowed by the Court
14	To advise on compromise or settlement for a person under disability or under the <i>Correctional Services Act 1982</i> - (a) Where quantum only is in dispute (b) Where quantum and liability are in dispute	\$1,000 \$1,500

NOTES:

1. Where this scale refers to a percentage it is calculated on the amount claimed or the judgment sum as appropriate.
2. For the purpose of item 1 the costs calculated must be rounded up to the nearest dollar.
3. Debt collecting fees in addition to the above amounts are not allowed.
4. Where a party intends to serve a claim by means other than post, e-mail or fax a disbursement equal to the amount a Sheriff is entitled to receive for serving a claim form is allowed, but if the process is returned to the Court unserved, or is served by post, e-mail or fax, the disbursement must be disallowed unless a Registrar is satisfied that the party made reasonable efforts to serve the claim by means other than post, e-mail or fax.
5. The costs in the scale do not include GST and if that is applicable the amount of GST may be added.

Signed on the 19th day of July 2016.

MARY-LOUISE HRIBAL, Chief Magistrate
ANDREW JAMES CANNON, Deputy Chief Magistrate
IAN WHITE, Magistrate
LYNETTE DUNCAN, Magistrate

SOUTH AUSTRALIA

Supreme Court Civil Rules 2006 (Amendment No. 32)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935, and all other enabling powers, We, Judges of the Supreme Court of South Australia, make the following Supreme Court Civil Rules 2006 (Amendment No. 32).

1. These Rules may be cited as the Supreme Court Civil Rules 2006 (Amendment No 32).
2. The amendments made by these Rules come into effect on 1 September 2016 or the date of their gazettal, whichever is later.
3. The Supreme Court Civil Rules 2006 are amended as set out below.
4. The heading immediately before Rule 39A is amended by substituting “Division 1A—Service in New Zealand” for “Division 2—Service out of Australia”.
5. A new heading is inserted immediately after Rule 39A as follows:
“Division 2—Service out of Australia”
6. Rules 40, 41 and 41AB are deleted and the following are substituted in place of Rule 40:

“40—Division does not apply to service in New Zealand of documents for or in certain trans-Tasman proceedings

This Division (which contains rules on service out of Australia) does not apply to service in New Zealand of an originating process for, or of any other document to be served in or for, a proceeding an originating process for which may be served in New Zealand under Division 2 of Part 2 of the Trans-Tasman Proceedings Act 2010 (Cth).

40A—When allowed without leave

An originating process may be served out of Australia without leave in the following cases:

- (a) when the claim is founded on a tortious act or omission—
 - (i) which was done or which occurred wholly or partly in Australia; or
 - (ii) in respect of which the damage was sustained wholly or partly in Australia;
- (b) when the claim is for the enforcement, rescission, dissolution, annulment, cancellation, rectification, interpretation or other treatment of, or for damages or other relief in respect of a breach of a contract which—
 - (i) was made or entered into in Australia; or
 - (ii) as made by or through an agent trading or residing within Australia; or
 - (iii) was to be wholly or in part performed in Australia; or
 - (iv) was by its terms or by implication to be governed by Australian law or to be enforceable or cognisable in an Australian court;
- (c) when the claim is in respect of a breach in Australia of any contract, wherever made, whether or not that breach was preceded or accompanied by a breach out of Australia that rendered impossible the performance of that part of the contract that ought to have been performed in Australia;
- (d) when the claim—
 - (i) is for an injunction to compel or restrain the performance of any act in Australia; or
 - (ii) is for interim or ancillary relief in respect of any matter or thing in or connected with Australia, where such relief is sought in relation to judicial or arbitral proceedings commenced or to be commenced, or an arbitration agreement made, in or outside Australia (including without limitation interim or ancillary relief in relation to any proceedings under the International Arbitration Act 1974 (Cth) or the Commercial Arbitration Act 2011 ([State/Territory])); or

- (iii) without limiting (ii), is an application for a freezing order or ancillary order under [equivalent of Victorian Order 37A] in respect of any matter or thing in or connected with Australia; when the subject matter of the claim is land or other property situated in Australia, or any act, deed, will, instrument, or thing affecting such land or property, or the proceeding is for the perpetuation of testimony relating to such land or property;
- (e) when the subject matter of the claim is land or other property situated in Australia, or any act, deed, will, instrument, or thing affecting such land or property, or the proceeding is for the perpetuation of testimony relating to such land or property;
- (f) when the claim relates to the carrying out or discharge of the trusts of any written instrument of which the person to be served is a trustee and which ought to be carried out or discharged according to Australian law;
- (g) when any relief is sought against any person domiciled or ordinarily or habitually resident in Australia (whether present in Australia or not);
- (h) when any person out of Australia is—
 - (i) a necessary or proper party to a proceeding properly brought against another person served or to be served (whether within Australia or outside Australia) under any other provision of these Rules; or
 - (ii) a defendant to a claim for contribution or indemnity in respect of a liability enforceable by a proceeding in the Court;
- (i) when the claim is for the administration of the estate of any deceased person who at the time of his or her death was domiciled in Australia or is for any relief or remedy which might be obtained in any such proceeding;
- (j) when the claim arises under an Australian enactment and—
 - (i) any act or omission to which the claim relates was done or occurred in Australia; or
 - (ii) any loss or damage to which the claim relates was sustained in Australia; or
 - (iii) the enactment applies expressly or by implication to an act or omission that was done or occurred outside Australia in the circumstances alleged; or
 - (iv) the enactment expressly or by implication confers jurisdiction on the court over persons outside Australia (in which case any requirements of the enactment relating to service must be complied with);
- (k) when the person to be served has submitted to the jurisdiction of the Court;
- (l) when a claim is made for restitution or for the remedy of constructive trust and the the person to be served's alleged liability arises out of an act or omission that was done or occurred wholly or partly in Australia;
- (m) when it is sought to recognise or enforce any judgment;
- (n) when the claim is founded on a cause of action arising in Australia;
- (o) when the claim affects the person to be served in respect of his or her membership of a corporation incorporated in Australia, or of an association formed or carrying on any part of its affairs in Australia;
- (p) when the claim concerns the construction, effect or enforcement of an Australian enactment;
- (q) when the claim—
 - (i) relates to an arbitration held in Australia or governed by Australian law; or
 - (ii) is to enforce in Australia an arbitral award wherever made; or
 - (iii) is for orders necessary or convenient for carrying into effect in Australia the whole or any part of an arbitral award wherever made;
- (r) when the claim is for relief relating to the custody, guardianship, protection or welfare of a minor present in Australia or who is domiciled or ordinarily or habitually resident in Australia (whether present in Australia or not);
- (s) when the claim, so far as concerns the person to be served, falls partly within one or more of the above paragraphs and, as to the residue, within one or more of the others of the above paragraphs.

Note—

1. Originating process includes a document that initiates a civil proceeding as well as a cross claim or third party claim.
2. If a proceeding is instituted in the court and originating process is served out of Australia under this Rule but the court later decides that it is more appropriate that the proceeding be determined by a court of another Australian jurisdiction, the Court may transfer the proceeding to that other court under the applicable Jurisdiction of Courts (Cross Vesting) Act and may make an order for costs against the party who instituted the proceeding in the Court rather than in the transferee court.

40B—When allowed with leave

- (1) In any proceeding when service is not allowed under Rule 40A, an originating process may be served out of Australia with the leave of the court.
- (2) An application for leave under this Rule must be made on notice to every party other than the person intended to be served.
- (3) A sealed copy of every order made under this Rule must be served with the document to which it relates.
- (4) An application for leave under this Rule must be supported by an affidavit stating any facts or matters related to the desirability of the Court assuming jurisdiction, including the place or country in which the person to be served is or possibly may be found, and whether or not the person to be served is an Australian citizen.
- (5) The Court may grant an application for leave if satisfied that—
 - (a) the claim has a real and substantial connection with Australia; and
 - (b) Australia is an appropriate forum for the trial; and
 - (c) in all the circumstances the court should assume jurisdiction.

40C—Court's discretion whether to assume jurisdiction

- (1) On application by a person on whom an originating process has been served out of Australia, the court may dismiss or stay the proceeding or set aside service of the originating process.
- (2) Without limiting subrule (1), the Court may make an order under this Rule if satisfied—
 - (a) that service of the originating process is not authorised by these Rules, or
 - (b) that the Court is an inappropriate forum for the trial of the proceeding; or
 - (c) that the claim has insufficient prospects of success to warrant putting the person served outside Australia to the time, expense and trouble of defending the claim.

40D—Notice to person served outside Australia

If a person is to be served out of Australia with an originating process, the person must also be served with a notice in an approved form informing the person of—

- (a) the scope of the jurisdiction of the Court in respect of claims against persons who are served outside Australia; and
- (b) the grounds alleged by the plaintiff to found jurisdiction; and
- (c) the person's right to challenge service of the originating process or the jurisdiction of the Court or to file a conditional appearance.

40E—Time for filing appearance

Except when the Court otherwise orders, a defendant who has been served out of Australia must file an appearance within 42 days from the date of service.

40F—Leave to proceed where no appearance by person

- (1) If an originating process is served on a person outside Australia and the person does not enter an appearance, the party serving the document may not proceed against the person served except by leave of the Court.
- (2) An application for leave under subrule (1) may be made without serving notice of the application on the person served with the originating process.

40G—Service of other documents outside Australia

- (1) Any document other than an originating process may be served outside Australia with the leave of the Court, which may be given with any directions that the Court thinks fit.

Note 1—

The law of a foreign country may permit service through the diplomatic channel or service by a private agent—see Division 3.

Note 2—

Division 4 deals with service of local judicial documents in a country, other than Australia, that is a party to the Hague Convention.

- (2) An application under subrule (1) is to be accompanied by an affidavit stating—
- (a) the name of the foreign country where the person to be served is or is likely to be; and
 - (b) the proposed method of service; and
 - (c) that the proposed method of service is permitted by—
 - (i) if a convention applies—the convention; or
 - (ii) if the Hague Convention applies—the Hague Convention; or
 - (iii) in any other case—the law of the foreign country.
- (3) If a document, other than originating process, was served on a person in a foreign country without the permission of the Court, a party may apply to the Court for an order confirming the service.
- (4) For subrule (3), the party must satisfy the Court that—
- (a) the service was permitted by—
 - (i) if a convention applies—the convention; or
 - (ii) if the Hague Convention applies—the Hague Convention; or
 - (iii) in any other case—the law of the foreign country; and
 - (b) there is a sufficient explanation for the failure to apply for permission.

40H—Mode of service

A document to be served outside Australia need not be personally served on a person so long as it is served on the person in accordance with the law of the country in which service is effected.”

7. Rule 271 is amended by:

- (a) deleting subrule (1) and inserting the following subrules in its place:
 - “(1) A person (the claimant) who claims to be entitled to costs or the person liable for such costs (the respondent) may apply for directions from the Court on issues relating to the adjudication of costs notwithstanding that a formal claim has not been filed or served and the Court may make such orders or directions as it considers appropriate in the circumstances.
 - (1A) Before proceeding to an adjudication of costs, the claimant must make a genuine offer to the respondent. The offer is to be made in writing and may be in letter form, stating the amounts claimed for costs divided into costs scale periods, external disbursements, and counsel fees, and requiring a response within 28 days.”
 - (1B) If the costs cannot be agreed, the claimant is to serve on the respondent a claim for the costs prepared in an approved form.”;
- (b) deleting in subrule (2) (b) the words “including a statement of all counsel fees and other external disbursements” and inserting a semi colon and then “and” after “made up”;
- (c) inserting a new paragraph (c) immediately after paragraph (b) of subrule (2) as follows:
 - “(c) copies of all counsel fees and external disbursements.”
- (d) inserting a new subrule (2A) immediately after subrule (2) as follows:

“(2A) Unless there is good reason not to do so, the claimant is to provide a copy of the claim in Microsoft Excel or a similar computerised spreadsheet format.”;

(e) deleting the full stop after “adjudication” in subrule (3), and substituting the following:

“; and notice of the extent to which privilege is waived.”;

(f) inserting the following note immediately after sub Rule (4) as follows:

“Note—this claim for costs as edited by the respondent will serve as the basis for a detailed adjudication pursuant to Rule 273.”;

(g) substituting a semi-colon for the full stop after “adjudication” in paragraph (d) of subrule (6) and inserting a new paragraph (e) as follows:

“(e) order that the claim proceed in whole or part to a lump sum assessment pursuant to Rule 264(5)(c).”

8. Rule 273 is deleted and replaced by the following:

“273—Preparation of claim in cases where detailed adjudication ordered

(1) When the Court orders that a claim for costs proceed in whole or part to detailed adjudication, subject to any directions of the Court at the preliminary assessment or otherwise, the claimant is—

(a) before filing the claim, to add a column headed “amounts disallowed” and delete the column headed “offer”;

(b) file the claim including the responses, and adding further particulars as ordered;

(c) serve a copy on the respondent.

(2) The Court may allow an undisputed item of costs without inquiry.”

9. Rule 284(1) is amended by inserting “or application for permission to appeal” immediately after “notice of appeal”.

10. Rule 289 is amended by:

(a) in subrule (1), deleting “or” at the end of paragraph (a), inserting “or” at the end of paragraph (b) and inserting at the end a new paragraph (c) as follows:

“(c) if the appeal is against a judgment of the South Australian Civil and Administrative Tribunal and an appeal lies with leave of the Court to the Full Court — by commencing the appeal in the ordinary way and including in the notice of appeal a request for the necessary leave”;

(b) inserting a new subrule (2) as follows:

“(2) An application for leave to appeal under subrule (1)(c) is to be heard and determined in the first instance by a single Judge.”;

(c) renumbering existing subrule (2) as (3) and substituting “5 business days” for “14 calendar days”;

(d) inserting a new subrule (4) as follows:

“(4) If an application under subrule (2) is refused, the appellant may renew the application to the Full Court by interlocutory application filed within 5 business days of the refusal. The appellant must, within 2 business days after filing the interlocutory application, serve a copy on all parties to the appeal.”

11. Rule 291 is amended by:

(a) inserting a new subrule (2) as follows:

“(2) An application under Rule 289 (1) (c) to a Judge for leave to appeal to the Full Court against a judgment of the South Australian Civil and Administrative Tribunal is to be made in the manner prescribed by Rule 289 (1) (c) and the application for leave is to be supported by an affidavit setting out the grounds of the application.”

- (c) renumbering existing subrule (2) as (3)”;
- (d) renumbering existing subrule (3) as (4) and inserting “or subrule (2)” immediately after “subrule (1)”.
- (e) deleting existing subrule (4).

12. Rule 292 is amended by:

- (a) inserting a new subrule (2A) immediately after subrule (2) as follows:

“(2A) In the case of an appeal against a judgment of the South Australian Civil and Administrative Tribunal where an appeal lies with leave of the Court to a single Judge, the application for leave to appeal is to be heard and determined in the first instance by a Master.”

- (b) inserting in subrule (5) “subrule (2A) or” immediately before “subrule (3)”.

Given under our hands and the Seal of the Supreme Court of South Australia this 27th day of June 2016.

C. KOURAKIS, CJ
A. M. VANSTONE, J
P. KELLY, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J
A. E. BAMPTON, J
G. J. PARKER, J
D. C. LOVELL, J
S. DOYLE, J
M. HINTON, J

South Australia

Supreme Court Civil Supplementary Rules 2014 (Amendment No. 6)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935 and all other enabling powers, we, Judges of the Supreme Court of South Australia, make the following Supreme Court Civil Supplementary Rules 2014 (Amendment No. 6).

1. These Rules may be cited as the Supreme Court Civil Supplementary Rules 2014 (Amendment No. 6).

2. The amendments made by these Rules come into effect on 1 September 2016 or the date of their gazettal, whichever is later.

3. The Supreme Court Civil Supplementary Rules 2014 are amended as set out below.

4. Supplementary rule 39 is amended by substituting '40D' for '40 (3)'.

5. Supplementary rule 49 is amended by inserting new subrule (5) immediately after subrule (4) as follows:

'(5)The jurat of an affidavit must—

- (a) be signed by all deponents;
- (b) be completed and signed by the person before whom the affidavit was sworn whose name and qualification must be printed beneath his or her signature;
- (c) contain the full address of the person before whom the affidavit was sworn; and
- (d) follow immediately on from the text and not be put on a separate page.'

6. Supplementary rule 220 is amended by deleting the words 'short form' and by replacing 'rule 271 (1)' with 'rule 271 (1B)'.

7. Supplementary rule 222 is replaced with the following:

'222—Proof of service of claim for costs

Evidence in letter form is to be lodged confirming service of the claim for costs ordered to be adjudicated.'

8. Supplementary rule 224 is repealed.

9. Supplementary rule 225 is amended:

- (1) in subrule (1) by deleting the full stop immediately after the word 'dispute' and adding immediately thereafter 'and are to report to the Court on the result of such conference at the commencement of the adjudication.';
- (2) in sub rule (2) by substituting 'the claim for' for 'the schedule of'.

10. The Second Schedule is amended as follows:

- (e) in Note M by substituting 'A Claim for costs' for 'Each Schedule of costs (other than a short form Claim for costs)';
- (f) in paragraph (e) of note M by inserting 'with a total of disbursements and counsel fees after the total of the solicitor's charges' immediately after 'order';
- (g) inserting after 'done' in paragraph (f) of note M the words:

'(Examples att of sol X on cl, tel call by sol Y on cnsl; ltr to witnss, att of sol Z at dir hrng, perusng ltr from def's sols etc.)'

- (h) by inserting immediately after paragraph (f) of note M the following:

'and, where possible, use recognised abbreviations (eg sol for solicitor, cl for client, ltr for letter etc.)'

- (i) by re-numbering paragraph 'N' as 'O' and by inserting a new paragraph 'N' as follows:

'N Copies of the accounts for counsel fees and other external disbursements must be attached to the claim for costs.'

11. Form 10 in the Schedule is substituted for existing form 10 in Schedule 3 to the Supreme Court Civil Supplementary Rules 2014.

12. Form 33—Affidavit in Schedule 3 to the Supreme Court Civil Supplementary Rules 2014 is amended by adding the following at the foot of the form:

'Note

The jurat must—

- (a) be signed by all deponents;
- (b) be completed and signed by the person before whom the affidavit was sworn whose name and qualification must be printed beneath his or her signature;
- (c) contain the full address of the person before whom the affidavit was sworn; and
- (d) follow immediately on from the text and not be put on a separate page.'

13. Form 49 in the Schedule is substituted for existing form 49 in Schedule 3 to the Supreme Court Civil Supplementary Rules 2014.

14. Form 51 in Schedule 3 to the Supreme Court Civil Supplementary Rules 2014 is deleted.

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 27th day of June 2016.

C. KOURAKIS, CJ
A. M. VANSTONE, J
P. KELLY, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J
A. E. BAMPTON, J
G. J. PARKER, J
D. C. LOVELL, J
S. DOYLE, J
M. HINTON, J

THE SCHEDULE

Rule 40D

Form 10

Notice to defendant served outside Australia

**NOTICE TO DEFENDANT SERVED
OUTSIDE AUSTRALIA**

TO THE DEFENDANT

1. You have been served with an originating process outside Australia under rules 40 to 40H of the Supreme Court Civil Rules 2006 (SA). A copy of those rules is enclosed for your information. They show the scope of the jurisdiction of the Court in respect of claims against persons who are served outside Australia.
2. The grounds alleged by the plaintiff to support its claim to be entitled to serve you outside of Australia are:
[specify grounds]
3. The Court may, on application made by you in accordance with the Rules of the Court, set aside the service on you of this originating process where—
 - (a) service is not authorised by the Rules of the Court; or
 - (b) the Court is an inappropriate forum for the trial of the proceedings.
4. Alternatively you may file an unconditional notice of address for service (in the form prescribed by the Rules of the Court) within the time required under the Rules of the Court.
5. If you file a notice of address for service referred to in paragraph 4, additional procedural obligations (such as an obligation to file a defence or an affidavit) may apply to you in accordance with the Rules of the Court.
6. If you do not make an application to set aside service referred to in paragraph 3 or file a notice of address for service referred to paragraph 4, the Court may give leave to the plaintiff to proceed against you without further notice.

Date:

.....

Signed by (*name*)Plaintiff/Plaintiff's solicitor (*delete whichever is inapplicable*)

CLAIM FOR COSTS

CLAIM FOR COSTS OF THE *(ROLE OF PARTY)*, *(name)*
Presented pursuant to order dated *(date)*

TO THE *(ROLE OF PARTY)*: *(name)* of *(address)*

If you wish to dispute any item in this claim you must comply with rule 271(4) of the *Supreme/District Court Civil Rules 2006* and, within 28 calendar days of service of this claim:

- (1) set out in the appropriate columns below, your response to each disputed item and your offer for each item in the claim; and
- (2) serve on the claimant a copy of the claim containing such responses and offers.

Item No	Date	Details of item	No of Pages/ Sheets/ Length of Attendance	Amount Claimed	Response (eg Agreed, Not Agreed, Agreed in Part)		Offer
					LIABILITY	QUANTUM	
	<i>Example 1/1/16</i>						
				\$			
		TOTAL SOLICITORS FEES		\$			
		DISBURSEMENTS					
		<i>Counsel fees</i> Specify total and attach scanned copy of		\$			

	accounts					
	Total counsel fees					
	<i>Other disbursements</i> Specify total and attach scanned copy of accounts					
	Total other disbursements					
	TOTAL COSTS AND DISBURSEMENTS		\$			

GST

State if the costs claimant is not entitled to recover the GST component of its costs as an input tax credit. If the costs claimant is entitled to recover only a portion of the GST component, state what proportion is not recoverable.

Note Carefully

If you do not file and serve a response to this Claim as required by Rule 271 within 28 days of its service on you, you will be taken to have admitted the Claim in full, and judgment may be entered against you for its total amount.

Notes

- 1 The claim should be in date order, listing all claims based on scale items and including only charges claimable under the costs order.
- 2 Frequently used abbreviations: eg sol for solicitor, cl for client, ltr for letter and for scale items should be used where possible. The full date in a day/month/year format should be provided for each item: eg. 1/1/16.
- 3 Disbursements and counsel fees should be claimed as lump sums at the conclusion of the claim, but copies of all accounts for same must be attached and included in the overall figure claimed.
- 4 The description of each item should be as brief as possible but include enough detail to enable the respondent to make appropriate offers and abbreviated reasons for dispute. For example, names of solicitors etc should be provided, documents drawn or perused and their length should be identified, and the nature of attendances should be briefly described, eg on client, on witness, and their length.
- 5 It is expected that the completion of this Form will take account of the increases from time to time in the costs contained in the Scales comprising Schedules 1 and 2 of the *Supreme/District Court Supplementary Rules 2014* – see rule 264 of the *Supreme/District Court Civil Rules 2006*. The claim is to be divided into parts that correspond to the period over which any particular percentage increase is applicable and make provision for the amount of the percentage increase to be added at the end of each part.

South Australia
Supreme Court Fast Track Rules
Adoption Rules 2014
(Amendment No. 3)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935 and all other enabling powers, we, Judges of the Supreme Court of South Australia, make the following Supreme Court Fast Track Rules Adoption Rules 2014 (Amendment No. 3).

1. These Rules may be cited as the Supreme Court Fast Track Rules Adoption Rules 2014 (Amendment No. 3).

2. The amendments made by these Rules come into effect on 1 September 2016 or the date of their gazettal, whichever is later ('the commencement date').

3. The Fast Track Rules 2014 being the Schedule to the Supreme Court Fast Track Rules Adoption Rules 2014 are amended as set out below.

4. Rule 31 is amended by inserting the following subrules immediately after subrule (2):

'(3) If all parties agree in writing that Parts 1 and 2 of Chapter 12 of the Supreme Court Civil Rules 2006 or of the District Court Civil Rules 2006 (as applicable) are to apply to a proceeding in the Fast Track Stream, those rules apply to that proceeding in lieu of rules 33 to 35.

(4) The Court may if it thinks fit order that Parts 1 and 2 of Chapter 12 of the Supreme Court Civil Rules 2006 or of the District Court Civil Rules 2006 (as applicable) are to apply to a proceeding in the Fast Track Stream in lieu of rules 33 to 35.'

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 27th day of June 2016.

C. KOURAKIS, CJ
A. M. VANSTONE, J
P. KELLY, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J
A. E. BAMPTON, J
G. J. PARKER, J
D. C. LOVELL, J
S. DOYLE, J
M. HINTON, J

South Australia
Supreme Court Fast Track
Supplementary Rules Adoption Rules 2014
(Amendment No. 3)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935 and all other enabling powers, we, Judges of the Supreme Court of South Australia, make the following Supreme Court Fast Track Supplementary Rules Adoption Rules 2014 (Amendment No. 3).

1. These Rules may be cited as the Supreme Court Fast Track Supplementary Rules Adoption Rules 2014 (Amendment No. 3).

2. The amendments made by these Rules come into effect on 1 September 2016 or the date of their gazettal, whichever is later ('the commencement date').

3. The Fast Track Supplementary Rules 2014 being the Schedule to the Supreme Court Fast Track Supplementary Rules Adoption Rules 2014 are amended as set out below.

4. Supplementary rule 10 (4) is amended by inserting a new paragraph (*ha*) immediately after paragraph (*h*) as follows:

(*ha*) whether an order should be made under rule 31 (4) that the costs of the action be determined in accordance with Parts 1 and 2 of Chapter 12 of the Supreme Court Civil Rules 2006 or of the District Court Civil Rules 2006 (as applicable).

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 27th day of June 2016.

C. KOURAKIS, CJ
A. M. VANSTONE, J
P. KELLY, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J
A. E. BAMPTON, J
G. J. PARKER, J
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M. HINTON, J

South Australia

Public Corporations (TechInSA) Regulations 2016

under the *Public Corporations Act 1993*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public Corporations (TechInSA) Regulations 2016*.

2—Commencement

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

3—Interpretation

- (1) In these regulations—

Act means the *Public Corporations Act 1993*;

board means the board of directors continued as the governing body of the subsidiary under Part 3;

director means a person appointed or holding office as a member of the board under Part 3;

high-tech industry—see subregulation (2);

Minister means the Minister for Science and Information Economy;

premises includes—

- (a) land; and
- (b) a building; and
- (c) a part of a building; and
- (d) any place, whether built on or not;

repealed regulations means the *Public Corporations (Bio Innovation SA) Regulations 2001* repealed under Schedule 1;

subsidiary—see regulation 5(1).

TechInSA means the subsidiary of the Minister continued under regulation 5(1);

- (2) For the purposes of these regulations, a person or body involved in an industry will be taken to be involved in a high-tech industry if the focus of the involvement includes 1 or more of the following activities:
- (a) high-technology manufacturing, or the development of novel technology related to such manufacturing;
 - (b) the development or production of innovative or intellectual property focussed products (including software);
 - (c) the provision of knowledge-intensive services that utilise research and development, science or technology, and highly skilled workers.
- (3) For the purposes of Part 3 Division 2, a person or body involved in a high-tech industry will have the necessary *South Australian nexus* if—
- (a) the person or body is a public sector agency (within the meaning of the *Public Sector Act 2009*); or

- (b) the person or body has been established by or under an Act of the State; or
- (c) the person or body is a research institution predominantly funded by the State; or
- (d) the person or body is a company or registered body within the meaning of the *Corporations Act 2001* of the Commonwealth that, in the opinion of the board, has a predominant connection with the State.

Part 2—Application of Act to Minister

4—Application of Act to Minister

The following provisions of the Act apply to the Minister:

- (a) Part 1 (Preliminary);
- (b) section 24 (Formation of subsidiary by regulation);
- (c) section 25 (Dissolution of subsidiary established by regulation);
- (d) the Schedule (Provisions applicable to subsidiaries).

Part 3—TechInSA

Division 1—Continuation and constitution of subsidiary

5—Continuation of subsidiary (section 24)

- (1) *Bio Innovation SA*, established as a subsidiary of the Minister for Innovation under the repealed regulations, continues (without change of its corporate identity) as a subsidiary of the Minister for Science and Information Economy as *TechInSA*.
- (2) The subsidiary—
 - (a) is a body corporate; and
 - (b) has perpetual succession and a common seal; and
 - (c) is capable of suing and being sued in its corporate name.

6—Establishment of board

- (1) A board of directors continues as the governing body of the subsidiary.
- (2) A member of the board (other than an *ex officio* member) in office immediately before the commencement of this regulation continues in office, subject to these regulations, for the remainder of the term for which he or she was appointed.
- (3) A member of the board *ex officio* in office immediately before the commencement of this regulation will, on the commencement of this regulation, cease to be a member.
- (4) Anything done by the board in the administration of the subsidiary's affairs is binding on the subsidiary.

7—Composition of board

- (1) The board consists of not more than 7 members appointed by the Minister.
- (2) One director will be appointed by the Minister to chair meetings of the board.
- (3) The Minister may appoint a director to be the deputy of the director appointed to chair the board and the deputy may perform or exercise the functions and powers of that director in his or her absence.
- (4) On the office of a director becoming vacant, a person may be appointed in accordance with this regulation to the vacant office.
- (5) The Minister may appoint a suitable person to be deputy of a member of the board during any period of absence of the member (and any reference to a director in these regulations will be taken to include, unless the contrary intention appears, a reference to a deputy while acting as a member of the board).

8—Conditions of membership

- (1) A director will be appointed for a term, not exceeding 3 years, specified in the instrument of appointment and, at the expiration of a term of appointment, will be eligible for reappointment.
- (2) The office of a director becomes vacant if the director—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by written notice to the Minister; or
 - (d) becomes bankrupt or applies to take the benefit of a law for the relief of insolvent debtors; or
 - (e) is convicted of an indictable offence; or
 - (f) is removed from office by the Minister by written notice.

9—Vacancies or defects in appointment of directors

An act of the board is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a director.

10—Allowances and expenses

A director is entitled to be paid from the funds of the subsidiary such remuneration, allowances and expenses as may be determined by the Minister.

11—Proceedings

- (1) A quorum of the board consists of one-half the total number of its members (ignoring any fraction resulting from the division) plus 1.
- (2) The director appointed to chair the board will preside at meetings of the board at which he or she is present.
- (3) If the director appointed to chair the board is absent from a meeting of the board—
 - (a) if another director has been appointed as that director's deputy and is present at the meeting—the deputy; or

- (b) in any other case—a director chosen by the directors present at the meeting, will preside.
- (4) A decision carried by a majority of the votes cast by directors at a meeting is a decision of the board.
- (5) Each director present at a meeting of the board has 1 vote on a question arising for decision and, if the votes are equal, the director presiding at the meeting may exercise a casting vote.
- (6) A telephone or video conference between directors will, for the purposes of this regulation, be taken to be a meeting of the board at which the participating directors are present if—
- (a) notice of the conference is given to all directors in the manner determined by the board for that purpose; and
 - (b) each participating director is capable of communicating with every other participating director during the conference.
- (7) A proposed resolution of the board becomes a valid decision of the board despite the fact that it is not voted on at a meeting of the board if—
- (a) notice of the proposed resolution is given to all directors in accordance with procedures determined by the board; and
 - (b) a majority of the directors express their concurrence in the proposed resolution by letter, telex, fax, email or other written means of communication setting out the terms of the resolution.
- (8) The board must cause accurate minutes to be kept of its proceedings.
- (9) Subject to a duty of confidence owed by the subsidiary to another person, the directors may, in their discretion, authorise any other person to attend (but not participate in) a meeting of the board and that person may have access to papers provided to directors for the purpose of the meeting.
- (10) A person authorised in writing by the Minister or the Treasurer may attend (but not participate in) a meeting of the board and may have access to papers provided to directors for the purpose of the meeting.
- (11) If the board considers that a matter to be dealt with at a meeting attended by a representative of the Minister or the Treasurer should be treated as confidential, the board may advise the Minister or the Treasurer (as the case requires) of that opinion giving the reason for the opinion and the Minister or the Treasurer may, subject to subregulation (12), act on that advice as he or she thinks fit.
- (12) If the Minister or the Treasurer is satisfied on the basis of the board's advice under subregulation (11) that the subsidiary owes a duty of confidence in respect of a matter, the Minister or the Treasurer must ensure the observance of that duty in respect of the matter, but this subregulation does not prevent a disclosure as required in the proper performance of ministerial functions or duties.
- (13) Subject to these regulations, the board may determine its own procedures.

12—Disclosure

- (1) If the subsidiary discloses to the Minister or the Treasurer under the Act or these regulations a matter in respect of which the subsidiary owes a duty of confidence, the subsidiary must give notice in writing of the disclosure to the person to whom the duty is owed.
- (2) A director of the subsidiary does not commit any breach of duty by reporting a matter relating to the affairs of the subsidiary to the Minister or the Treasurer.

Division 2—Functions and performance

13—Subsidiary's functions

- (1) The subsidiary's functions are limited to the following:
 - (a) to contribute to the development of South Australia's high-tech industry by—
 - (i) facilitating the translation of research into intellectual property, products and services associated with high-tech industries from concept to commercialisation in collaboration with universities in South Australia and research institutions with a South Australian nexus; and
 - (ii) encouraging participation in the development and commercialisation of intellectual property, products and services associated with high-tech industries that have a South Australian nexus to facilitate the growth of high-tech industry companies; and
 - (iii) providing business support (including by funding grants and repayable grants and access to business incubation facilities) to persons or bodies involved, or commencing involvement, in high-tech industries that have, or will have, a South Australian nexus; and
 - (iv) facilitating access to public or private funding, including from pre-seed, investment trusts, seed and venture capital funds; and
 - (v) providing funding for related professional development, information and referral services and for facilitating mentoring and professional networking opportunities; and
 - (vi) contributing to policy development to accelerate the development of high-tech industries with a South Australian nexus for the economic and social benefit of the State consistent with broader government policy and in collaboration with other government agencies; and
 - (vii) managing premises held or to be held by the Minister for the purposes of establishing or maintaining a high-tech precinct, including leasing, subdividing, buying or selling, or undertaking construction on land for the purposes of any such premises;
 - (b) to carry out other functions conferred on the subsidiary by the Minister;
 - (c) to do anything necessary or expedient to be done for the purposes of a function referred to in a preceding paragraph.

- (2) The subsidiary must obtain the approval of the Minister before it makes a material change to its policy direction or budget.

14—Charter

- (1) The Minister and the Treasurer must prepare a charter for the subsidiary.
- (2) The charter must address—
 - (a) the nature and scope of the subsidiary's operations;
 - (b) the subsidiary's obligations to report on its operations;
 - (c) the form and contents of the subsidiary's accounts and financial statements;
 - (d) any accounting, internal auditing or financial systems or practices to be established or observed by the subsidiary;
 - (e) the acquisition or disposal of capital or assets.
- (3) The charter may deal with any other matter not specifically referred to in subregulation (2).
- (4) The charter must be reviewed by the Minister at the end of each financial year.
- (5) The Minister and the Treasurer may amend the charter at any time.
- (6) The charter, or an amendment to the charter, comes into force and is binding on the subsidiary on a day specified in the charter or amendment (but without affecting any contractual obligations previously incurred by the subsidiary).
- (7) On the charter or an amendment to the charter coming into force, the Minister must, within 12 sitting days, have copies of the charter, or the charter in its amended form, laid before both Houses of Parliament.

15—Performance statement

- (1) The Minister must, when preparing the charter for the subsidiary, also prepare, after consultation with the subsidiary, a performance statement setting the various performance targets that the subsidiary is to pursue in the coming financial year or other period specified in the statement and dealing with such other matters as the Minister considers appropriate.
- (2) The Minister must, after consultation with the subsidiary, review the performance statement when reviewing the subsidiary's charter.
- (3) The Minister may, after consultation with the subsidiary, amend the performance statement at any time.

16—Subsidiary companies

- (1) The subsidiary must not, without the approval of the Treasurer—
 - (a) form a subsidiary company; or
 - (b) acquire, or enter into an arrangement under which it will at a future time or would on the happening of some contingency hold, relevant interests in shares in a company such that the company becomes a subsidiary of the subsidiary.

- (2) The Treasurer may, as a condition of approval under this section, or by direction, require the subsidiary to take steps to include in a subsidiary company's constitution such provisions as the Treasurer considers appropriate—
 - (a) imposing limitations on the nature or scope of the company's operations; or
 - (b) imposing other controls or practices,consistent with those applicable to the subsidiary.

17—Indirect or joint operations by subsidiary

The subsidiary must not, without the approval of the Treasurer, establish a trust scheme or a partnership or other scheme or arrangement for sharing of profits or joint venture with another person or undertake any operations or transactions pursuant to such a scheme or arrangement.

18—Advisory and other committees

The subsidiary may establish committees to advise or assist it in the performance of any of its functions.

Division 3—Chief executive

19—Chief executive

- (1) There will be a chief executive of the subsidiary.
- (2) The chief executive is to be appointed by the board with the approval of the Minister on terms and conditions approved by the Minister.
- (3) The chief executive is, subject to the control and direction of the board, responsible for—
 - (a) giving effect to the policies and decisions of the board; and
 - (b) attaining the performance objectives set from time to time by the board; and
 - (c) effectively managing the staff and resources of the subsidiary.
- (4) The chief executive may not be a director but may attend a meeting of the board in an advisory capacity if invited to do so.
- (5) The board must obtain the approval of the Minister before removing a person from the position of chief executive of the subsidiary.

Division 4—Financial and related matters

20—Internal audit

- (1) The subsidiary must establish and maintain effective internal auditing of its operations.
- (2) The subsidiary must, unless exempted by the Minister, establish an audit committee.
- (3) The audit committee will comprise—
 - (a) a member of the board of the subsidiary, or such members of the board as the board may from time to time determine; and
 - (b) such other person or persons as the board may from time to time appoint,

but may not include the chief executive of the subsidiary.

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

21—Quarterly reports

The subsidiary must report to the Minister on the subsidiary's financial position on a quarterly basis.

22—Loans etc require approval

- (1) The subsidiary must not lend or advance to a person any money, securities or property without the prior written approval of the Minister and the Treasurer.
- (2) The subsidiary must not undertake commercial borrowings without the prior written approval of the Minister and the Treasurer.

23—Provision of information

- (1) The subsidiary must, at the request in writing of the Minister or the Treasurer, provide such information or records in the possession or control of the subsidiary as the Minister or the Treasurer may require in such manner and form as the Minister or the Treasurer may require.
- (2) If a record in the possession or control of the subsidiary is provided to the Minister or the Treasurer under this regulation, the person to whom it is provided may make, retain and deal with copies of the record as he or she thinks fit.
- (3) If the board considers that information or a record provided under this regulation contains matters that should be treated as confidential, the board may advise the person to whom it is provided of that opinion giving the reason for the opinion and the Minister or the Treasurer may, subject to subregulation (4), act on that advice as he or she thinks fit.
- (4) If the Minister or the Treasurer is satisfied on the basis of the board's advice under subregulation (3) that the subsidiary owes a duty of confidence in respect of a matter, the Minister or the Treasurer must ensure the observance of that duty in respect of the matter, but this subregulation does not prevent a disclosure as required in the proper performance of ministerial functions or duties.
- (5) The subsidiary must—
 - (a) notify the Minister if a request is made by the Treasurer under this regulation; and
 - (b) notify the Treasurer if a request is made by the Minister under this regulation.

24—Dividends

- (1) The Treasurer may, after consultation with the Minister and the subsidiary, by notice in writing to the subsidiary at any time during a financial year, determine that the subsidiary pay a specified dividend, or a specified interim dividend or specified interim dividends, for that financial year, as the Treasurer considers appropriate.
- (2) If the Treasurer determines under this regulation that a dividend or interim dividend or dividends be paid by the subsidiary, the dividend or interim dividend or dividends must be paid at the direction of the Treasurer, in the manner and at the time or times determined by the Treasurer, after consultation with the subsidiary and the Minister.
- (3) A recommendation under this regulation must be made by the board and may not be made by any person or committee pursuant to a delegation.

25—Common seal and execution of documents

- (1) The common seal of the subsidiary must not be affixed to a document except pursuant to a decision of the board, and the affixing of the seal must be attested by the signatures of 2 directors.
- (2) The board may, by instrument under the common seal of the subsidiary, authorise a director, an employee of the subsidiary (whether nominated by name or by office or title) or any other person to execute documents on behalf of the subsidiary subject to limitations (if any) specified in the instrument of authority.
- (3) Without limiting subregulation (2), an authority may be given so as to authorise 2 or more persons to execute documents jointly on behalf of the subsidiary.
- (4) A document is duly executed by the subsidiary if—
 - (a) the common seal of the subsidiary is affixed to the document in accordance with this regulation; or
 - (b) the document is signed on behalf of the subsidiary by a person or persons in accordance with authority conferred under this regulation.

26—Annual report

- (1) The subsidiary must, within 3 months after the end of each financial year, deliver to the Minister a report on the operations of the subsidiary during that financial year.
- (2) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after receipt of the report.

Schedule 1—Repeal and transitional provisions

1—Repeal of *Public Corporations (Bio Innovation SA) Regulations 2001*

The *Public Corporations (Bio Innovation SA) Regulations 2001* are repealed.

2—Transitional provision

- (1) TechInSA is the same body corporate as Bio Innovation SA established under the repealed regulations and continued under these regulations.
- (2) A reference in an instrument to Bio Innovation SA is (where the context admits) to be read as a reference to TechInSA.

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 4 August 2016

No 188 of 2016

15MSIE02CS

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NOTE:

Closing time for lodging new copy is 4 p.m. on Tuesday preceding the regular Thursday *Gazette*.

ADELAIDE CITY COUNCIL

Declaration of Public Road

NOTICE is hereby given pursuant to Section 210 of the Local Government Act 1999, that at a future meeting, Council intends to declare Tavistock Lane (as defined on Filed Plan No. 35036 and located approximately 30 metres north of the intersection of Rundle Street and Frome Street) a public road.

M. GOLDSTONE, Chief Executive Officer

ADELAIDE CITY COUNCIL

DEVELOPMENT ACT 1993

*North Adelaide Former Channel 9 Site Development Plan
Amendment Draft for Public Consultation*

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

The DPA seeks to amend policy affecting the former Channel 9 site in Tynte Street, North Adelaide to promote re-development primarily for residential use, and conservation and re-use of the site's buildings of heritage value. The DPA also proposes to add a Local Heritage Place (row cottages at 62-80 Wellington Square on the former Channel 9 site) while removing a cottage at 136-137 Mackinnon Parade, North Adelaide from the Schedule of Local Heritage Places.

The DPA will be available from Thursday, 4 August 2016, until 5 p.m. Friday, 30 September 2016, for inspection or downloading at:

- yoursay.adelaidecitycouncil.com (Former Channel 9 Site DPA);
- Adelaide City Council's Customer Centre—Ground Floor, 25 Pirie Street, Adelaide; and
- Adelaide City Council Libraries and Community Centres.

Public information sessions will be held at North Adelaide Community Centre, 176 Tynte Street, North Adelaide on:

- Tuesday, 16 August, from 10 a.m. to 1 p.m. and from 4 p.m. to 7 p.m.—a Council staff member will be at the Centre to discuss the draft DPA with people who drop by (no RSVP required); and
- Monday, 22 August, 7.30 p.m.—please RSVP by 19 August to Cassia Dafoe on (08) 8203 7634 or c.dafoe@adelaidecitycouncil.com.

Comments on the Former Channel 9 Site DPA can be submitted in writing addressed to:

DPA Consultation,
Adelaide City Council,
G.P.O. Box 2252,
Adelaide, S.A. 5001.

If you wish to lodge your submission electronically, please go to Council's web page www.yoursay.adelaidecitycouncil.com and complete the required fields.

All submissions should be received by 5 p.m. Friday, 30 September 2016, and should clearly state your name and indicate whether you wish to be heard by Council at a public hearing in support of your submission.

A public hearing will be held at 5.30 p.m. on Monday, 10 October 2016, at the Adelaide Town Hall, 128 King William Street, Adelaide at which time interested persons may be heard in relation to the DPA and the submissions. People do not need to make a submission to be able to speak at the public hearing. If no-one requests to be heard or if no submissions are received the public hearing will not be held.

Copies of all submissions will be available for inspection at the Customer Centre, Ground Floor, 25 Pirie Street, Adelaide from Monday, 3 October 2016, until the conclusion of the public hearing. The submissions can also be viewed at www.yoursay.adelaidecitycouncil.com (Former Channel 9 Site DPA) during this time.

If you would like further information about the DPA, please contact Council on (08) 8203 7684.

Dated 4 August 2016.

M. GOLDSTONE, Chief Executive Officer

CITY OF ONKAPARINGA

Review of Elector Representation

NOTICE is hereby given that the City of Onkaparinga is undertaking a review to determine whether a change of arrangements are required in respect to elector representation so as to ensure that the electors of the area are being adequately and fairly represented.

Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, notice is hereby given that Council has prepared a Representation Options Paper which examines the advantages and disadvantages of the various options available in regards to the composition and structure of Council, and the division of the Council area into wards.

A copy of the Representation Options Paper is available on the Council's website (www.onkaparingacity.com), or a copy can be inspected and/or purchased at any of the following Council offices.

Noarlunga:	Ramsay Place, Noarlunga centre
Aberfoyle Park:	The Hub, Aberfoyle Park
Willunga:	St Peters Terrace, Willunga
Woodcroft:	175 Bains Road, Morphett Vale.

Written submissions are invited from interested persons from Thursday, 4 August 2016, and should be directed to the Chief Executive Officer, P.O. Box 1, Noarlunga Centre, S.A. 5168, or emailed to mail@onkaparinga.sa.gov.au by close of business on Friday, 16 September 2016.

Information regarding the elector representation review can be obtained by contacting Therese Brunotte, Senior Governance Officer, on telephone (08) 8384 0666 or by email at mail@onkaparinga.sa.gov.au.

M. DOWD, Chief Executive Officer

CITY OF PLAYFORD

ROADS (OPENING AND CLOSING) ACT 1991

Proposed Road Closure—Un-made Road, Sampson Flat

NOTICE is hereby given pursuant to Section 10 of the Act the City of Playford proposes to make a Road Process Order to close and transfer to the adjoining owner the portion of the Un-made road on the Eastern side of Shillabeer Road between Section 261 and Allotment 14 in F102147 and Allotment 9 in F101947 as marked 'A' on the Preliminary Plan No. 16/0019.

A copy of the plan and statement of persons affected are available for public inspection at Playford Civic Centre, 10 Playford Boulevard, Elizabeth; Playford Operations Centre, 12 Bishopstone Road, Davoren Park; Stretton Centre, 307 Peachey Road, Munno Para and the office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any application for easement or objection must be made in writing within 28 days from 4 August 2016, to the Council at 12 Bishopstone Road, Davoren Park, S.A. 5113 and the Surveyor-General at G.P.O. Box 1354, Adelaide, S.A. 5001 and must set out the full name, address and details of the submission. Where a submission is made, Council will give notification of a meeting at which the matter will be considered.

Enquiries relating to this proposal can be directed to Laura Tully on (08) 8256 0138.

Dated 4 August 2016.

M. HEMMERLING, Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Change of Name for a Portion of a Public Road

NOTICE is hereby given that the Council of the City of Port Adelaide Enfield at its meeting held on 12 July 2016, resolved pursuant to Section 219 (1) of the Local Government Act 1999, that the name of a portion of a certain public road located in the suburb of Blair Athol be changed as follows;

- The name of the portion of Deakin Street as shown on Map 1 and running between Trigg Street and Manuel Avenue be changed and assigned the name Kelsh Street.

A plan that delineates the portion of public road that is subject to the change of street name, together with a copy of the Council's resolution are both available for inspection at the Council's principal office, 163 St Vincent Street, Port Adelaide, Enfield Library—Council Office, 1-9 Kensington Crescent, Enfield and Greenacres—Library Council Office, 2 Fosters Road, Greenacres, during their normal business hours.

M. WITHERS, Chief Executive Officer

PORT AUGUSTA CITY COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the Corporation of the City of Port Augusta at a Meeting held on 4 July 2016, resolved for the 2016-2017 financial year as follows:

Adoption of Valuation

That the Corporation of the City of Port Augusta for the 2016-2017 financial year adopts pursuant to Section 167 (2) (a) of the Local Government Act 1999, the valuations of the Valuer-General of site values for all land in the area of the Council which amounts in total to value of \$687 116 440 and which represents the sum of all properties set forth in the assessment records of the Council for the 2016-2017 financial year and hereby specifies 4 July 2016, as the day upon which the adoption of such valuations of the Valuer-General shall become the valuations of the Council.

Declaration of Rates

1. That pursuant to Section 156 (1) (c) of the Local Government Act 1999, the Council declares differential general rates according to the locality and the use of the land based upon the site value of the land on all rateable land within the area of the Council for the year ending 30 June 2017, as follows:

- (a) in the area of the City zoned in the Development Plan as Residential, Residential (Davenport), Highway Services, Bulky Goods, Residential Stables, Neighbourhood Centre, Urban Coastal, District Centre, Local Centre, Industry, Airport, Recreation:
 - (i) 2.481199 cents in the dollar on rateable land with a land use category of (a), (h) and (i);
 - (ii) 3.971415 cents in the dollar on all rateable land with a land use category of (b), (c), (d), (e) and (f); and
 - (iii) 0.639721 cents in the dollar for all rateable land with a land use category of (g).
- (b) in the area of the City zoned in the Development Plan as Public Purposes, Defence, Conservation, Rural Living, Coastal Conservation, Primary Industry:
 - (i) 1.721001 cents in the dollar on rateable land with a land use category of (a) and (i);
 - (ii) 3.971415 cents in the dollar on all rateable land with a land use category of (b), (c), (d), (e) and (f);
 - (iii) 0.639721 cents in the dollar for all rateable land within a land use category of (g); and
 - (iv) 0.881265 cents in the dollar on all rateable land with a land use category of (h).
- (c) in the area of the City zoned in the Development Plan as Coastal Holiday Settlement:
 - (i) 0.790489 cents in the dollar on all rateable land with a land use category of (a), (b), (c), (d), (e) and (f);
 - (ii) 0.639721 cents in the dollar on all rateable land with a land use category of (g);
 - (iii) 0.881265 cents in the dollar on all rateable land with a land use category of (h); and
 - (iv) 2.481199 cents in the dollar on all rateable land with a land use category of (i).

- (d) in all other areas not specifically referred to in sub-paragraphs (a), (b) and (c) above, 2.481199 cents in the dollar on all other rateable land irrespective of its land use category.

2. Pursuant to Section 158 (1) (a) of the Local Government Act 1999, the Council fixes a minimum amount payable by way of rates of \$1 272 in respect of all rateable land in its area.

3. Council declares an annual service charge of \$517 per unit for all vacant and occupied properties to which the effluent drainage disposal services is made available within the City of Port Augusta for the 2016-2017 financial year in the Willsden, Augusta Park, Hospital Road, Zanuckville, Conwaytown, Transcontinental Estate and Stirling North Community Waste Water Management Schemes.

4. Council declares annual service charges of:

- (i) \$227 for the purpose of a kerbside waste collection and recycling service for all occupied properties within the City of Port Augusta (with the exception of the Commissariat Point and Blanche Harbor Coastal Home localities and Miranda Township) to which the service is provided or made available in 2016-2017 financial year; and
- (ii) \$114 for the purpose of a mixed bin waste collection service to all residential properties within the Commissariat Point and Blanche Harbor Coastal Home localities and Miranda Township to which the service is provided or made available in the 2016-2017 financial year.

5. In order to reimburse the Council for amounts contributed to the Northern and Yorke Natural Resources Management Board totalling \$294 317 the Council declares a separate rate based on a fixed charge of \$37.80 on all rateable properties within the area of the Council.

A. O'REILLY, Acting Chief Executive Officer

CITY OF SALISBURY

ERRATUM

Adoption of Valuations and Declaration of Rates for 2016-2017

NOTICE is hereby given that the City of Salisbury at a meeting on 27 June 2016, resolved to adopt its Annual Plan, Budget and Valuations and to Declare Rates for the 2016-2017 financial year, Gazetted of which occurred on 7 July 2016. Subsequently, at a meeting on 25 July 2016, the Council resolved to correct the Declaration of Rates for the financial year ending 30 June 2017, to refer to 'Regulation 14 of the Local Government (General) Regulations 2013'.

J. HARRY, Chief Executive Officer

CITY OF VICTOR HARBOR

DEVELOPMENT ACT 1993

Notice of Variation of Amounts to be Paid into a Car Parking Fund

NOTICE is hereby given that on 25 July 2016, the City of Victor Harbor resolved, pursuant to Section 50A (6) of the Development Act 1993, to vary the relevant Contribution Rate payable into Car Parking Fund established under the Act.

The relevant Car Parking Fund was established and designated by notice in the *Gazette* on 13 December 2007.

In relation to each of the designated areas in the 'Regional Town Centre Zone', for an interim period, the relevant Contribution Rate is set at \$200 per car parking space for small business proposals that only require Development Approval for a change in the use of the land and that do not result in building expansion, as from the date of this Notice until 30 June 2018.

Dated 4 August 2016.

G. MAXWELL, Chief Executive Officer

ADELAIDE HILLS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Proposed Road Closing—Portion of Schapel Road, Lobethal

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that Adelaide Hills Council proposes to make a Road Process Order to close and then merge a portion of Schapel Road between Staffords Road and Miller Road into the adjoining property, Allotment 28 in Filed Plan 155743, Certificate of Title 5502/372. The portion of road is more particularly delineated and marked 'A' on Preliminary Plan No. 16/0020. A copy of the Preliminary Plan and a statement of persons affected are available for public inspection during normal office hours at the offices of the Council, 63 Mount Barker Road, Stirling and 28 Onkaparinga Valley Road, Woodside and at the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide.

Any person is entitled to object to the proposed road process via a written submission. An objection must state whether the objector wishes to make a deputation to the Council in relation to the proposed road process. The Council will give notification of a meeting at which the matter will be considered so the person making the deputation or a representative may attend, if so desired.

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. The Council will give notification of a meeting at which the matter will be considered, so that the person making the objection or a representative may attend, if so desired.

An 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, P.O. Box 44, Woodside, S.A. 5244, within 28 days of this notice (by 5 p.m. on Thursday, 1 September 2016) and a copy must also be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001.

Dated 4 August 2016.

A. AITKEN, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that Council has adopted the 2016-2017 valuations for rating purposes, the Annual Business Plan, the financial budget and declared rates as follows:

2016-2017 Annual Business Plan

Notice is hereby given that at a meeting of Council held on 14 June 2016, it was resolved that the District Council of Barunga West adopts the 2016-2017 Annual Business Plan and Annual Budget.

Adoption of Valuations for Rating

Notice is hereby given that at a meeting of Council held on 14 June 2016, it was resolved that the District Council of Barunga West adopts the Capital Valuations of the Valuer-General, dated 8 June 2016, that are to apply for the area of rating purposes for the 2016-2017 financial year, being Capital Valuations totalling \$1 098 017 420, comprising \$1 072 182 418 for rateable land and \$25 835 002 for non-rateable land.

Adoption of Budget and Declaration of Rates

Notice is hereby given that by virtue of the powers vested in it by the Local Government Act 1999, and all other powers there unto enabling the Council of the District Council of Barunga West (hereinafter called 'the Council') at a meeting on 14 June 2016:

1. Adopts the Annual Budget as prepared pursuant to Section 123 of the Local Government Act 1999 and Regulation 7 of the Local Government (Financial Management) Regulations 2011, including Estimates of Income (excluding general rate income) totalling \$1 450 285 as amended and the Estimates of Cash Expenditure of \$4 528 415 as amended for the financial year ending 30 June 2017.

2. Declared differential general rates on rateable land with the area of the Council for the financial year ended 30 June 2017, which differential general rates are pursuant to Section 152 (1) (c) based on two components—(1) one being the value of the rateable land and (2) the other being the fixed charge applicable to the rateable land and which general rates vary according to the use in accordance with Section 156 (1) (a) of the Local Government Act 1999.

3. Declared that an amount of \$325 as a fixed charge on each separate piece of rateable land in the area of the Council for the purposes of rates, pursuant to Section 152 of the Local Government Act 1999, for the year ended 30 June 2017.

4. That the amounts of differential general rates are as follows:

- (a) That the differential general rate for all rateable land within the area of the Council which has a land use of Residential be declared at 0.3080 cents in the dollar;
- (b) That the differential general rate for all rateable land within the area of the Council which has a land use of Commercial—Shop or Commercial—Office be declared at 0.3080 cents in the dollar;
- (c) That the differential general rate for all rateable land within the area of the Council which has a land use of Commercial—Other or Industrial—Light or Industrial—Other be declared at 0.3388 cents in the dollar;
- (d) That the differential general rate for all rateable land within the area of the Council which has a land use of Primary Production be declared at 0.2690 cents in the dollar; and
- (e) That the differential general rate for all rateable land within the area of the Council which has a land use of Vacant be declared at 0.3696 cents in the dollar.

5. That pursuant to the provisions of Section 153 (3) of the Local Government Act 1999, rebates shall be granted to the extent of a 20% maximum increase in rates from the previous year's general rates raised (2015-2016), except where the increase is the result of changes in rebates or concessions, or change in land use, or new building work or development activity, or changes to adjoining properties or Single Farm Enterprise arrangements.

*CWMS Schemes**1. Port Broughton Scheme*

Pursuant to Section 155 of Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which this service is provided as specified:

- In respect of each effluent unit applying to occupied allotments a charge of \$400; and
- In respect of each vacant allotment, a charge of \$220.

2. Bute Scheme

Pursuant to Section 155 of Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which this service is provided as specified:

- In respect of each effluent unit applying to occupied allotments a charge of \$400; and
- In respect of each vacant allotment, a charge of \$180.

3. Any reference to a 'unit' being as defined in the CWMS Property Units Code in accordance with Regulation 9A of the Local Government (General) Regulations 1999.

Natural Resources Management Levy

That pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999 and in order to reimburse the Council the amount contributed to the Northern and Yorke Natural Resources Management Board for the year ending 30 June 2017, being \$184 322 a separate rate of 0.01735 cents in the dollar is declared on all rateable land in the Council's area.

Payment of Rates

That in accordance with the provisions of Section 181 (1) of the Local Government Act 1999, the District Council of Barunga West determines that all rates imposed in respect of the year ending 30 June 2017, will fall due in four equal or approximately equal instalments and further that the Councils determines that the instalments will fall due as follows:

- (a) Wednesday, 7 September 2016;
- (b) Wednesday, 7 December 2016;
- (c) Wednesday, 8 March 2017; and
- (d) Wednesday, 7 June 2017,

failing which the said rates shall be regarded as being in arrears and subject to the imposition of fines, as prescribed.

A. COLE, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

Review of Elector Representation

NOTICE is hereby given that the District Council of Grant is undertaking a review to determine whether a change of arrangements are required in respect to elector representation so as to ensure that the electors of the area are being adequately and fairly represented.

Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, notice is hereby given that Council has prepared a Representation Options Paper which examines the advantages and disadvantages of the various options available in regards to the composition and structure of Council, and the division of the Council area into wards.

A copy of the Representation Options Paper is available on the Council's website (www.dccgrant.sa.gov.au), or a copy can be inspected and/or purchased at the Council office, 324 Commercial Street West, Mount Gambier.

Written submissions are invited from interested persons from Wednesday, 3 August 2016, and should be directed to the Chief Executive Officer, P.O. Box 724, Mount Gambier, S.A. 5290 or emailed to governance@dccgrant.sa.gov.au by close of business on Friday, 16 September 2016.

Further information regarding the elector representation review can be obtained by contacting Kate Humm, Executive Support Coordinator on telephone (08) 8721 0444 or by emailing governance@dccgrant.sa.gov.au.

T. SMART, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Adoption of Valuations and Declaration of Rates 2016-2017

NOTICE is hereby given that the District Council of Kimba at its meetings held on 13 July 2016 and 27 July 2016, for the financial year ending 30 June 2017:

1. Adopted site valuations to apply in its area for rating purposes supplied by the Valuer-General, being the most recent valuations available to the Council totalling \$184 445 640.

2. Declared differential general rates varying according to the locality of the land as follows:

- (a) 0.6020 cents in the dollar in respect of rateable land in the Rural Zone;
- (b) 14.710 cents in the dollar in respect of rateable land in the Commercial (Bulk Handling) Zone; and
- (c) 2.560 cents in the dollar in respect of rateable land in all other Zones,

as defined in the Council's Development Plan.

3. Declared that the minimum amount payable by way of general rates in respect of all rateable land within the Council's area is \$300.

4. Declared that the annual service charges on all land to which the Council provides or makes available its Community Wastewater Management System is \$240.

5. Declared an annual service charge of \$160, based on the nature of the service and varying according to land use category, on all land to which the Council provides its Waste Management Service with land use categories 1, 2 and 3.

6. Declared a separate rate based on a fixed charge of \$79.95 per assessment in respect of all rateable land in the area of the Eyre Peninsula Natural Resource Management Board.

D. CEARNs, Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that on 15 July 2016, the District Council of Lower Eyre Peninsula, pursuant to Chapter 10 of the Local Government Act 1999, and for the financial year ending 30 June 2017:

1. Pursuant to Section 167 (2) (a) of the Local Government Act 1999, adopted for rating purposes the most recent capital valuations made by the Valuer-General and available to Council that apply to rateable land within its area totalling \$1 841 978 620.

2. Pursuant to Section 153 (1) (b) of the Local Government Act 1999, declared differential general rates varying according to the locality of land as follows:

- 0.2543 cents in the dollar in respect of rateable land within the gazetted townships of Cummins, Coffin Bay, North Shields, Louth Bay, Boston, Tulka and Tiatukia;
- 0.2250 cents in the dollar in respect of rateable land within the gazetted townships of Edillilie, Yeelanna, Coult, Mount Hope, Wanilla, Mount Dutton Bay and Lake Wangary; and
- 0.2250 cents in the dollar in respect of all other rateable land outside of those gazetted townships and within the area of the Council.

3. Pursuant to Section 152 (1) (c) (ii) of the Local Government Act 1999, and in accordance with the provisions of Section 152 of the Local Government Act 1999, a fixed charge of \$400 in respect of all rateable land within the area of the Council.

4. Pursuant to Section 95 of the Natural Resource Management Act 2004, and Section 154 of the Local Government Act 1999, and in order to reimburse the Council the amounts contributed to the Eyre Peninsula Natural Resources Management Board, declared a separate rate based on a fixed charge of \$78.60 in respect of all rateable land within the area of the Board and within the area of the Council.

5. Pursuant to Section 155 of the Local Government Act 1999, declared the following annual service charges based on the nature of the service in respect of all land to which it provides or makes available Community Wastewater Management Systems within the Council area:

	\$
Occupied Allotment Charge—	
Cummins Township	455
Vacant Allotment Charge—	
Cummins Township	305
Occupied Allotment Charge—	
North Shields Township	455
Vacant Allotment Charge—	
North Shields Township	305
Occupied Allotment Charge—	
Coffin Bay Township	455
Vacant Allotment Charge—	
Coffin Bay Township	305
Occupied Pump Reduction Charge—	
Coffin Bay Township	305
Vacant Pump Reduction Charge—	
Coffin Bay Township	135

	\$
Extra Pump Out Charge—	
Coffin Bay Township	45
Occupied Allotment Charge—	
Tulka Settlement.....	455
Vacant Allotment Charge—	
Tulka Settlement.....	305
Occupied Pump Reduction Charge—	
Tulka Settlement.....	435
Full Occupied Pump Reduction Charge—	
Tulka Settlement.....	305

R. PEARSON, Chief Executive Officer

DISTRICT COUNCIL OF ORROROO CARRIETON

Adoption of Valuations and Declaration of Rates 2016-2017

NOTICE is given that the Council at an Ordinary meeting held on 27 July 2016, in respect of the financial year ending 30 June 2017, resolved as follows:

Adoption of Valuations

To adopt, for rating purposes, the most recent valuations of the Valuer-General available to Council of the Capital Value of land within the Council's area totalling \$188 768 080 of which \$180 959 440 is the total Capital Value of rateable land.

General Rates

To declare a general rate to apply to all rateable land within the Council area of 0.003645 cents in the dollar.

Fixed Charge

To declare a fixed charge of \$252 on all rateable land within the Council area.

Annual Service Charge—Waste Management Collection

To declare an annual service charge—waste management collection of \$348 to be applied to all properties to which the service is provided or is made available, with a charge of \$80 for each additional bin.

Separate Rate—Natural Resources Management Levy

To declare a separate rate of 0.0001755 cents in the dollar on all rateable land within the Council area to recover the amount payable to the Northern and Yorke Natural Resources Management Board.

S. RUFUS, Chief Executive Officer

WATTLE RANGE COUNCIL

Road Naming—Eudunda Lane

NOTICE is hereby given that at a meeting of Wattle Range Council held on Tuesday, 12 July 2016, pursuant to Section 219 of the Local Government Act 1999 and in accordance with Council Policy 5.1—Naming of Roads, Council resolved to assign the name 'Eudunda Lane' to an unnamed laneway between George Street and Railway Terrace, Millicent.



B. GOWER, Chief Executive Officer

WUDINNA DISTRICT COUNCIL

Adoption of Assessment

NOTICE is hereby given that the Wudinna District Council in accordance with Section 167 of the Local Government Act 1999, as amended, at a meeting held on 19 July 2016, adopted for rating purposes for the year ending 30 June 2017, the Valuer-General's valuation of capital value in relation to the area of the Council.

Declaration of Rates

Notice is hereby given that the Wudinna District Council at a meeting held on 19 July 2016, pursuant to Section 156 of the Local Government Act 1999, declared differential general rates on rateable land within its area, which rates vary by reference to land use and locality as follows:

- (a) in respect of land within the Township of Minnipa the boundaries of which were defined by notice in the *Government Gazette* of 24 August 1989, a rate of 0.4643 cents in the dollar on land which is designated by Regulation 10 of the Local Government (General) Regulations 1999, as residential and a rate of 0.4643 cents in the dollar on land which is designated by Regulation 10 of the Local Government (General) Regulations 1999, as all categories other than residential; and
- (b) in respect of land within the Township of Wudinna the boundaries of which were defined by notice in the *Government Gazette* of 22 October 1981, a rate of 0.4643 cents in the dollar in respect of land which is designated by Regulation 10 of the Local Government (General) Regulation 1999, as residential and a rate of 0.4643 cents in the dollar on land which is designated by Regulation 10 of the Local Government (General) Regulations 1999, as all categories other than residential.

Notice is hereby given that the Wudinna District Council at a meeting held on 19 July 2016, pursuant to Sections 156 of the Local Government Act 1999, declared differential general rates on rateable land within its area, which rates vary by reference to locality as follows:

- (1) The whole of the Town of Kyancutta, Hundred of Wannamanna, County of Le Hunte, the boundaries of which were proclaimed in the *Government Gazette* of 31 May 1917, at page 886 a differential rate of 0.4643 cents in the dollar.
- (2) The whole of the Town of Warrambo, Hundred of Warrambo, County of Le Hunte, the boundaries of which were proclaimed in the *Government Gazette* of 1 July 1917, at page 109 a differential general rate of 0.4643 cents in the dollar.
- (3) The whole of the Town of Yaninee, Hundred of Yaninee, County of Le Hunte, the boundaries of which were proclaimed in the *Government Gazette* of 21 March 1916, at page 568 a differential general rate of 0.4643 cents in the dollar.
- (4) The whole of the Town of Pygery, Hundred of Pygery, County of Le Hunte, the boundaries of which were proclaimed in the *Government Gazette* of 4 May 1922, at page 1161 and amended by proclamation published in the *Government Gazette* of 5 December 1974, at pages 779 and 780 a differential general rate of 0.4643 cents in the dollar.
- (5) In respect of all land within the area of the Council not otherwise included as above, a differential general rate of 0.6390 cents in the dollar.

Minimum Rate

Notice is hereby given that pursuant to powers vested in it under Section 158 of the Local Government Act 1999, the Council at the aforesaid meeting fixed \$420 as a minimum amount that shall be payable by way of rates on rateable land within the area of Council in respect of the year ending 30 June 2017.

Annual Service Charge

Notice is hereby given that pursuant to Section 155 of the Local Government Act 1999, and in accordance with the CWMS Property Units Code as provided at Regulation 9A of the Act, Council hereby imposes an annual service charge in respect to rateable and non-rateable land where a septic effluent disposal connection is provided within the Township of Wudinna. The annual service charge of \$325 per unit in respect of land serviced by the scheme, and further fixes an annual service charge of \$290 in respect of each vacant allotment to which the scheme is available for the year ending 30 June 2017.

Separate Rate

Notice is hereby given that in accordance with Section 154 (2) (b) of the Local Government Act 1999, and the prescribed authority of the Minister for Local Government, the Wudinna District Council at a meeting held on 19 July 2016,

imposed a separate rate of \$176 based on a proportional basis of expenditure incurred in maintaining the area. The cottage home units within portion Section 175, Hundred of Pygery—Wudinna Homes for the Aged identified as being assessments:

927026901	927027001	927027101	927027201
927027301	927027401	927027501	927027601
927027701	927027801	927027811	927027821
927027831	927027841	927027861	

Natural Resource Management (NRM) Levy

Notice is hereby given that pursuant to Section 95 of the Natural Resource Management Act 2004 and Section 154 of the Local Government Act 1999, the Council declared a separate rate being a fixed NRM Levy of \$79.20 upon all rateable property in the Council area. The fixed NRM levy was declared in order to reimburse the Council the amount of \$57 080 which Council is required to contribute towards the costs of operating the Eyre Peninsula Natural Resource Management Board for the 2016-2017 year.

A. F. MCGUIRE, Chief Executive Officer

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

Felstead, Judith Anne, late of 78 Le Hunte Street, Kilburn, home duties, who died on 23 March 2016.

Gaspar, Maria, late of 83-90 Regency Road, Croydon Park, retired nurse, who died on 30 August 2015.

Heggie, Ronald William, late of 401 Portrush Road, Toorak Gardens, retired purchasing manager, who died on 15 March 2016.

Johncock, Katherine Gertrude, late of 17 Eliza Place, Panorama, home duties, who died on 30 March 2016.

Lambert, Leonie Robyn, late of 9 Phoebe Avenue, Modbury Heights, home duties, who died on 4 December 2015.

Nolan, Eileen May, late of 345 Fullarton Road, Fullarton, widow, who died on 24 April 2016.

O'Keefe, Thomas James, late of 6A Dianne Street, Klemzig, retired cleaner, who died on 19 April 2016.

Parker, Jillian Felgate, late of 2 Cardigan Street, Angle Park, of no occupation, who died on 24 February 2016.

Schwarz, Robert William, late of 6 William Street, Mount Pleasant, retired herd tester, who died on 6 April 2016.

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 2 September 2016 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated 4 August 2016.

D. A. CONTALA, Public Trustee

ATTENTION

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