



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 7 DECEMBER 2000

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## GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** (formerly Riverside 2000) so as to be *received no later than 4 p.m. on the Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: [governmentgazette@saugov.sa.gov.au](mailto:governmentgazette@saugov.sa.gov.au)*. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

Department of the Premier and Cabinet  
Adelaide, 7 December 2000

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. 69 of 2000—South Australian Country Arts Trust (Appointments to Trust and Boards) Amendment Act 2000—An Act to amend the South Australian Country Arts Trust Act 1992.

No. 70 of 2000—Legal Practitioners (Miscellaneous) Amendment Act 2000—An Act to amend the Legal Practitioners Act 1981.

No. 71 of 2000—Adelaide Festival Centre Trust (Composition of Trust) Amendment Act 2000—An Act to amend the Adelaide Festival Centre Trust Act 1971.

No. 72 of 2000—Electronic Transactions Act 2000—An Act to facilitate electronic transactions; and for other purposes.

No. 73 of 2000—Shop Theft (Alternative Enforcement) Act 2000—An Act to provide for certain persons accused of minor shop theft to be subject to a non-curial enforcement process with their consent as an alternative to prosecution; and for other purposes.

By command,  
MARK BRINDAL, for Premier

DPC 97/0415

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 7(1)(b): TRANSFER OF CERTAIN ASSETS, RIGHTS AND LIABILITIES TO THE ADELAIDE ENTERTAINMENTS CORPORATION

*Proclamation By The Governor*

(L.S.) E. J. NEAL

*Preamble*

1. The Adelaide Entertainments Corporation was established on 4 February 1999 (see *Gazette* 4 February 1999 p. 845) as a subsidiary of the Minister for Tourism with functions that include the management and operation of the Adelaide Entertainment Centre.

2. It has been decided to transfer those assets, rights and liabilities attributable to the Adelaide Entertainment Centre that are vested in the Premier and the Minister for Tourism (whether as a delegate or in the Minister's own right) to the Adelaide Entertainments Corporation.

3. In this proclamation—

“**liabilities**” include contingent liabilities.

*Proclamation*

PURSUANT to section 7(1)(b) of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I—

(a) transfer any assets, rights and liabilities attributable to the Adelaide Entertainment Centre that are being held by the body corporate constituted of the Premier to the Adelaide Entertainments Corporation; and

(b) transfer any assets, rights and liabilities attributable to the Adelaide Entertainment Centre that are being held by the body corporate constituted of the Minister for Tourism (whether as a delegate or in the Minister's own right) to the Adelaide Entertainments Corporation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 December 2000.

By command,

MARK BRINDAL, for Premier

MTOR 0005/98 CS

HIGHWAYS ACT 1926 SECTION 27AA: CLOSURE OF PORTION OF PUBLIC ROAD IN SWAN REACH, ABUTTING ALLOTMENT 500 IN DP 46438, HUNDRED OF FISHER

*Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to section 27AA of the *Highways Act 1926*, on the recommendation of the Commissioner of Highways made pursuant to that section and with the advice and consent of the Executive Council, I close that portion of public road delineated as allotment 100 in Lands Titles Registration Office Filed Plan No. 42104.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 December 2000.

By command,

MARK BRINDAL, for Premier

TSA C 2000/02585

SHOP TRADING HOURS ACT 1977 SECTION 13: ALTERATION OF SHOP TRADING HOURS—PORT LINCOLN SHOPPING DISTRICT—JUNE 2001

*Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to section 13 of the *Shop Trading Hours Act 1977* and with the advice and consent of the Executive Council, I authorise the opening of all shops in the *Port Lincoln Shopping District* from 11 a.m. until 5 p.m. on Sunday, 10 June 2001, subject to the conditions specified in the Schedule.

SCHEDULE

This proclamation only authorises the opening of a shop if—

- (a) all relevant industrial awards, workplace agreements and enterprise agreements are observed by the shopkeeper and persons employed in the business of the shop during and in relation to the hours specified in this proclamation during which the shop is open; and
- (b) subject to an industrial award, workplace agreement or enterprise agreement to the contrary—a person who is employed in the business of the shop is entitled to refuse to work at the shop during the hours specified in this proclamation unless he or she has agreed with the shopkeeper to work during those hours.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 December 2000.

By command,

MARK BRINDAL, for Premier

MWR 00/043 CS

SHOP TRADING HOURS ACT 1977 SECTION 13: ALTERATION OF SHOP TRADING HOURS—PORT LINCOLN SHOPPING DISTRICT—EASTER 2001

*Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to section 13 of the *Shop Trading Hours Act 1977* and with the advice and consent of the Executive Council, I authorise, subject to the conditions specified in the Schedule, the opening of all shops in the *Port Lincoln Shopping District* as follows:

- From 6 a.m. until 5 p.m. on Saturday, 14 April 2001
- From 11 a.m. until 5 p.m. on Sunday, 15 April 2001
- From 11 a.m. until 5 p.m. on Monday, 16 April 2001

SCHEDULE

This proclamation only authorises the opening of a shop if—

- (a) all relevant industrial awards, workplace agreements and enterprise agreements are observed by the shopkeeper and persons employed in the business of the shop during and in relation to the hours specified in this proclamation during which the shop is open; and
- (b) subject to an industrial award, workplace agreement or enterprise agreement to the contrary—a person who is employed in the business of the shop is entitled to refuse to work at the shop during the hours specified in this proclamation unless he or she has agreed with the shopkeeper to work during those hours.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 December 2000.

By command,

MARK BRINDAL, for Premier

MWR 00/043 CS

Department of the Premier and Cabinet  
Adelaide, 7 December 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Controlled Substances Advisory Council, pursuant to the provisions of the Controlled Substances Act 1984:

Member: (from 7 December 2000 until 24 June 2001)  
Edward John Maynard

Presiding Member: (from 7 December 2000 until 24 June 2001)

Edward John Maynard

By command,

MARK BRINDAL, for Premier

MHS 014/00CS

Department of the Premier and Cabinet  
Adelaide, 7 December 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint His Honour Senior Judge William David Jennings as the President of the Industrial Relations Commission of South Australia from 8 December 2000 to 7 December 2006, pursuant to the provisions of the Industrial and Employee Relations Act 1994.

By command,

MARK BRINDAL, for Premier

MWPR 034/00CS

Department of the Premier and Cabinet  
Adelaide, 7 December 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint John Gilbert Carey as a Competition Commissioner for the period 1 January 2001 to 31 December 2001, pursuant to section 5 of the Government Business Enterprises (Competition) Act 1996.

By command,

MARK BRINDAL, for Premier

DPC 016/97PT2

Department of the Premier and Cabinet  
Adelaide, 7 December 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint Darryl Sydney Willson as an Acting Conciliation and Arbitration Officer of the Workers Compensation Tribunal from 13 December 2000 for a period of six months, pursuant to sections 81 and 81A of the Workers Rehabilitation and Compensation Act 1986.

By command,

MARK BRINDAL, for Premier

MWPR 044/00CS

Department of the Premier and Cabinet  
Adelaide, 7 December 2000

HIS Excellency the Governor in Executive Council has been pleased to allow and countersign the proposed amendments to Statutes 7.1, 7.3 and 7.4 of The Flinders University of South Australia, sealed on 21 November 2000, pursuant to section 20 (3) of The Flinders University of South Australia Act 1966.

By command,  
MARK BRINDAL, for Premier

MECS 01/00CS

Department of the Premier and Cabinet  
Adelaide, 7 December 2000

HIS Excellency the Governor in Executive Council was pleased to declare the 'Naracoorte Lucindale Council—Naracoorte (CT), Naracoorte (DC) and Lucindale (DC) Development Plans—Minor Policy Amendment and Consolidation Plan Amendment' to be an authorised Plan Amendment and fix 7 December 2000 as the day on which it will come into operation, pursuant to section 27 (1) of the Development Act 1993.

By command,  
MARK BRINDAL, for Premier

MTUP-PL 55/00CS

#### ADMINISTRATIVE ARRANGEMENTS ACT 1994

##### *Instrument of Delegation*

I, THE Minister responsible for the administration of the Development Act 1993, hereby delegate my responsibility under section 49 of the Development Act 1993, for deciding whether the application for the construction of a rail crossing loop in the vicinity of the Mount Barker Junction (Development Application Nos. 49/580/0001/00 and 49/473/0001/00) is approved, refused or approved subject to conditions, to the Minister for Human Services.

Dated 30 November 2000.

DIANA LAIDLAW, Minister for Transport  
and Urban Development

#### CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I KOSTAS SARNECKIS, Acting Surveyor-General and Delegate appointed by IAIN EVANS, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as a Conservation Reserve and declare that such land shall be under the care, control and management of The Coorong District Council.

##### **The Schedule**

Section 181, Hundred of Coombe, County of Cardwell, exclusive of all necessary roads, being the whole of the land contained in Crown Record Volume 5701 Folio 507.

Dated 4 December 2000.

K. SARNECKIS, Acting Surveyor-General

DENR 12/0495

DEVELOPMENT ACT 1993, SECTION 27 (1): NARACOORTE LUCINDALE COUNCIL—NARACOORTE (CT), NARACOORTE (DC) AND LUCINDALE (DC)—DEVELOPMENT PLANS MINOR POLICY AMENDMENT AND CONSOLIDATION PLAN AMENDMENT

##### *Preamble*

The Minister for Transport and Urban Planning has approved the amendment entitled 'Naracoorte Lucindale Council—Naracoorte (CT), Naracoorte (DC) and Lucindale (DC)—Minor Policy Amendment and Consolidation Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

#### NOTICE

PURSUANT to section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 7 December 2000 as the day on which it will come into operation.

Dated 7 December 2000.

E. J. NEAL, Governor

MTUP CAB 55/00CS

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

##### *Preamble*

1. The decision of the Governor under section 48 of the *Development Act 1993* to approve the development of the Holdfast Shores Stage 2A development located adjacent to Chappell Drive, Glenelg was published in the *Gazette* on 8 June 2000.

2. An amended proposal to develop the Holdfast Shores Stage 2A development has been under consideration by the Development Assessment Commission as delegate of the Governor under Division 2 of Part 4 of the *Development Act 1993*.

3. The proposed amendments include:

- (a) a reduction in the total food and beverage areas from that which was previously approved;
- (b) the deletion of the ballrooms from the hotel complex;
- (c) the internal redesign of function areas;
- (d) the redesign of the guest rooms to provide suite layouts with the inclusion of 2 and 3 bedroom suites;
- (e) an increase in the total number of rooms in the hotel from the previously approved 182 to 200; and
- (f) changes to the external design of the building including an increase in the footprint of the building, relocation of the hotel entry point to a centralised position and changes to the external appearance of the building.

4. The amendments to the development are contained in:

- (a) the letter from Woodhead International to the Development Assessment Commission dated 10 November 2000;
- (b) the report entitled 'Holdfast Shores Stage 2. Hotel & Associated Facilities Amendment Report' prepared by Master Plan SA Pty Ltd dated November 2000;
- (c) the letter from Murray F Young and Associates to Woodhead International dated 9 November 2000; and
- (d) the following plans prepared by Woodhead International;
  - Perspective, supplementary plan SP 42 dated 15 November 2000;
  - Carpark Floor Plan, supplementary plan SP 43 dated 15 November 2000;
  - Ground Floor Plan, supplementary plan SP 44 dated 15 November 2000;
  - First, Second, Third, Fourth Floor Plans, supplementary plan SP 45 dated 15 November 2000;
  - Fifth, Sixth, Sixth Mezzanine, Roof Plans, supplementary plan SP 46 dated 15 November 2000;
  - Elevations, supplementary plan SP 47 dated 15 November 2000;
  - Elevations, supplementary plan SP 48 dated 15 November 2000;
  - Sections, supplementary plan SP 49 dated 15 November 2000;
  - Site Coverage Comparison: Original Masterplan & Amended Plan, supplementary plan SP 50 dated 15 November 2000;

- Site Coverage Comparison: Approved Plan & Amended Plan, supplementary plan SP 51 dated 15 November 2000;
- Traffic Circulation Diagram, supplementary plan SP 52 dated 15 November 2000; and
- Eastern Plaza: Urban Design Amendments, supplementary plan SP 53 dated 15 November 2000.

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

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

#### *Decision*

PURSUANT to section 48 of the *Development Act 1993*, the Development Assessment Commission, as delegate of the Governor, grants development approval to the amended Holdfast Shores Stage 2A proposal located adjacent to Chappell Drive, Glenelg for an hotel, car parking, landscaping and associated works, subject to conditions.

#### *Conditions of Approval*

1. The Holdfast Shores Stage 2A development must be undertaken in accordance with:

- (a) the following plans contained in the Development Report dated December 1999 as they relate to the proposals for Stage 2A, except to the extent that they are varied by the plans described in paragraphs 1 (c) and 1 (d):

- Site plan, Plan 5;
- Pedestrian movement, Plan 7;
- Vehicular movement, Plan 8;
- Urban spaces, Plan 9;
- Hotel environs study, Plan 18;
- Public art masterplan, Plan 21; and
- Hotel: landscaping plan, Plan 36; and

- (b) the following plans contained in the report from Woodhead International and Masterplan to Planning SA (a branch of the Department of Transport, Urban Planning and the Arts) dated 25 February 2000, except to the extent that they are varied by the plans described in paragraphs 1 (c) and 1 (d):

- Revised hotel plaza plan, supplementary plan, SP 6, dated February 2000;
- Revised hotel plaza section, supplementary plan SP 7, dated February 2000;
- Revised hotel plaza details, supplementary plan SP 8, dated February 2000;
- Bridge—plan, elevation & details, supplementary plan SP 23, dated February 2000;
- West plaza level detail, supplementary plan SP 30, dated February 2000;
- East plaza level detail, supplementary plan SP 31, dated February 2000;
- Open space/vegetation, supplementary plan SP 32, dated December 1999; and
- Amended dining room window, supplementary plan SP 33, dated December 1999; and

- (c) the following plans except that they are varied by the plans described in paragraph 1 (d):

- Hotel undercroft plan, supplementary plan, SP 34 Rev. A, dated 27 March 2000;
- Hotel plaza plan, supplementary plan, SP35 Rev. A, dated 27 March 2000;
- Temporary carpark option 1, supplementary plan SP36, undated;

- Temporary toilets, supplementary plan SP 39, dated 27 March 2000;
- Hotel western edge, plan detail, supplementary plan SP 40 A, dated April 2000; and
- Hotel western edge, section details, supplementary plan SP41 A, dated April 2000; and

- (d) the following plans:

- Perspective, supplementary plan SP 42 dated 15 November 2000;
- Carpark Floor Plan, supplementary plan SP 43 dated 15 November 2000;
- Ground Floor Plan, supplementary plan SP 44 dated 15 November 2000;
- First, Second, Third, Fourth Floor Plans, supplementary plan SP 45 dated 15 November 2000;
- Fifth, Sixth, Sixth Mezzanine, Roof Plans, supplementary plan SP 46 dated 15 November 2000;
- Elevations, supplementary plan SP 47 dated 15 November 2000;
- Elevations, supplementary plan SP 48 dated 15 November 2000;
- Sections, supplementary plan SP 49 dated 15 November 2000;
- Site Coverage Comparison: Original Masterplan & Amended Plan, supplementary plan SP 50 dated 15 November 2000;
- Site Coverage Comparison: Approved Plan & Amended Plan, supplementary plan SP 51 dated 15 November 2000;
- Traffic Circulation Diagram, supplementary plan SP 52 dated 15 November 2000; and
- Eastern Plaza: Urban Design Amendments, supplementary plan SP 53 dated 15 November 2000; and

- (e) the following documents except to the extent that they are varied by the plans described in paragraphs 1(a)—1 (d) inclusive:

- facsimiles dated 3 March 2000, 20 March 2000 and 22 March 2000 from Woodhead International to Planning SA (a branch of the Department of Transport, Urban Planning and the Arts);
- the reports dated 25 February 2000, 28 February 2000, 29 February 2000, 14 March 2000 and 4 April 2000 from Woodhead International and Masterplan to Planning SA (a branch of the Department of Transport, Urban Planning and the Arts);
- the two reports dated 18 April 2000 from Woodhead International to Planning SA (a branch of the Department of Transport, Urban Planning and the Arts);
- the letters from Murray Young and Associates, traffic consultants, to Woodhead International dated 3 April 2000, 14 April 2000, 28 April 2000 and 9 November 2000;
- the letter from Woodhead International to the Development Assessment Commission dated 10 November 2000; and
- the report entitled 'Holdfast Shores Stage 2. Hotel & Associated Facilities Amendment Report' prepared by Master Plan SA Pty Ltd dated November 2000.

2. No works may be commenced unless and until:

- (a) a private certifier or the City of Holdfast Bay has certified to the Development Assessment Commission that all work that constitutes building work under the *Development Act 1993* complies with the Building Rules; and

- (b) an Environmental Management Plan (EMP) has been prepared in consultation with the Environment Protection Authority and the City of Holdfast Bay to address the management issues during construction. Matters to be addressed in the EMP must include:
- traffic management during construction, including transport beyond the development site;
  - control and management of construction noise;
  - dust and mud control;
  - working hours;
  - stormwater management during construction;
  - site security and fencing;
  - disposal of building waste and refuse;
  - protection and cleaning of roads and pathways;
  - site clean up; and
  - adherence to all relevant Environment Protection Authority codes of practice for construction sites.
3. The hotel must not be used or occupied for the purposes outlined in the application until:
- (a) all car parks proposed for Stage 2A have been established in accordance with the plans listed in Condition 1 (d);
- (b) plans for street furniture and directional signs for Stage 2A (including siting, elevations and materials) have been prepared by the proponent to the satisfaction of the Development Assessment Commission in consultation with the City of Holdfast Bay;
- (c) plans for public art for Stage 2A in accordance with plan 21 entitled 'Public Art Masterplan' and dated December 1999 (including siting, elevations and materials) have been prepared by the proponent to the satisfaction of the Development Assessment Commission in consultation with the City of Holdfast Bay;
- (d) lighting of all external areas has been provided to the satisfaction of the Development Assessment Commission to ensure the safety of users of the pedestrian paths and plazas; and
- (e) —
- (i) plans for the drainage of stormwater from the Stage 2A site (including siting, elevations and materials) have been prepared by the proponent to the satisfaction of the Development Assessment Commission in consultation with the City of Holdfast Bay;
- (ii) stormwater infrastructure has been installed in accordance with the plans prepared pursuant to condition 3 (e) (i) to the satisfaction of the Development Assessment Commission in consultation with the City of Holdfast Bay; and
- (iii) stormwater infrastructure is operational.
4. Street furniture and directional signs for the Stage 2A development must be established in accordance with the plans prepared pursuant to condition 3 (b) within six months of the first occupation of the hotel to the satisfaction of the Development Assessment Commission.
5. Public art for the Stage 2A development must be established in accordance with the plans prepared pursuant to condition 3 (c) within six months of the first occupation of the hotel to the satisfaction of the Development Assessment Commission.
6. The car parking areas must be designed in accordance with Australian Standards 2890.1-1993 and line markings must be maintained in good and substantial condition at all times.
7. The pedestrian paths and plazas proposed in the application, including the area situated between the existing Glenelg Surf Life Saving Club and the hotel building, must be open for pedestrian use from the commencement of use and occupation of the hotel and must then be kept open for pedestrian use at all times.
8. An iron-barred gate of at least 1.5 m in height must be constructed at the entrance to the stairwell on the south-eastern corner of the hotel building.
9. Access for service deliveries and waste disposal vehicles at the hotel plaza level must only be allowed between 7 a.m. and 10 a.m. daily.
10. The proposed toilets to replace the existing toilets adjoining the kiosk on the north-east side of the site must be established to the satisfaction of the Development Assessment Commission in consultation with the City of Holdfast Bay prior to the demolition of these existing toilets.
11. Driveways, parking and manoeuvring areas and footpaths must be kept illuminated during the hours of darkness when the bar and lounge facilities are open to the public, and such lights must be directed and screened so that drivers are not distracted by lights.
12. Landscaping proposed in the application must be established before the first occupation of the hotel and plants must be maintained in good health and condition at all times. A plant must be replaced if or when it dies or becomes seriously diseased within the first growing season after the plant dies or becomes seriously diseased.
13. Vegetation proposed to be established along the western edge of the undercroft parking of the hotel must:
- provide sufficient foliage and density of planting to screen the undercroft to ensure that the presence of cars is not obtrusive when viewed from the promenade; and
  - not unreasonably inhibit ventilation from the undercroft parking areas (which may require pruning or thinning of the vegetation from time to time).
14. Management of stormwater from the Stage 2A site must comply with the Environment Protection Authority's 'Stormwater Pollution Prevention Code of Practice for Local, State and Federal Government' during construction of the Stage 2A development.
15. The quality of any stormwater entering the Holdfast Shores marina from the Stage 2A development must comply with the guidelines applicable to secondary recreational use and the protection of aquatic ecosystems within the ANZECC Australian Water Quality Guidelines for Fresh and Marine Waters (November 1992), or any standard that may be subsequently substituted therefor.
16. Stormwater from the Stage 2A site must not be disposed of by way of a pipe or similar structure that conveys the stormwater to the beach.
17. Site works, construction work and truck movements to and from the site must only be carried out between 7 a.m. and 6 p.m., Monday to Saturday inclusive.
- Notes to the Applicant:
1. The plans and documents referred to in Condition 1 of the approval together describe the development hereby approved.
2. No advertising signs are hereby approved. The display of any advertising sign will require separate approval.
3. This approval does not allow the use of any part of the site for outdoor dining. Any such use will require approval of an amendment of the development hereby approved. Detailed information on the use, nature and extent of outdoor dining on the plaza and the parking requirements for this additional dining area would be required in the consideration of any amendment to the development hereby approved. The proponent should also consult with the Council about any proposal for outdoor dining.
4. Noise emissions from the Stage 2A development will be subject to the *Environment Protection (Industrial Noise) Policy 1994* and the *Environment Protection Act 1993*.
5. The proponent should consult with Adelaide Airport Ltd. on crane operations prior to construction.

Dated 5 December 2000.

GLORIA HOLLAND-BOOKER, Secretary, Development Assessment Commission



### Christmas/New Year Holiday Publishing Information

***Last Gazette for 2000 will be Thursday, 21 December 2000***

Closing date for notices for publication will be  
**4 p.m. Tuesday, 19 December 2000**

***First Gazette for 2001 will be Thursday, 4 January 2001***

Closing date for notices for publication will be  
**4 p.m. Tuesday, 2 January 2001**

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

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ENVIRONMENT PROTECTION ACT 1993 SECTION 31:  
DECLARATION OF OPERATION OF DRAFT ENVIRONMENT  
PROTECTION POLICY ON INTERIM BASIS

*Notice By The Governor*

PURSUANT to section 31 of the *Environment Protection Act 1993*, being of the opinion that it is necessary for the proper administration of that Act that the draft policy should come into operation without delay and with the advice and consent of the Executive Council, I declare that the draft *Environment Protection (Motor Vehicle Fuel Quality) Policy 2000* prepared by the Environment Protection Authority will come into operation on an interim basis on 14 December 2000.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 December 2000.

By command,

MARK BRINDAL, for Premier

MEH 6/2000 CS

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, T. J. Ayres and G. Dulwich (19875) (or his agent) (hereinafter referred to as the 'exemption holder'), Narrung Road, Narrung S.A. 5259 shall not be guilty of an offence when engaging in the activities and to do the acts specified in Schedule 1 subject to the conditions specified in Schedule 2 from the date of gazettal of this exemption until revoked by the Director of Fisheries.

SCHEDULE 1

The importation and release of Black Bream (*Acanthopagrus butcheri*) into tanks located at Section 567 in the Hundred of Baker.

SCHEDULE 2

1. The exemption holder must maintain adequate security arrangements to prevent escapement of fish (ova, fry or adult) into any South Australian waters.

2. Fish obtained within South Australia for use on the registered fish farm must be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

3. Fish must not be collected from rivers, streams, lakes or other inland waters of this State unless prior approval for this collection is granted by the Director of Fisheries.

4. The exemption holder must not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

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

6. The exemption holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a PIRSA Fisheries and Aquaculture Compliance Officer, produce that permit for inspection.

7. The fish farmer must report all notifiable diseases to the General Manager Aquaculture.

8. The fish farmer must monitor farm fish mortalities and notify the General Manager, Aquaculture of a mortality rate over 5% in 24 hours.

Dated 4 December 2000.

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

FT00649

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, David J. Warland (or his agent) (hereinafter referred to as the 'exemption holder'), 5 Mallee Crescent, Port Lincoln, S.A. 5606 shall not be guilty of an offence when engaging in the activities and to do the acts specified in Schedule 1 subject to the conditions specified in Schedule 2 from the date of gazettal of this exemption until revoked by the Director of Fisheries.

SCHEDULE 1

The importation and release of Australian species of seahorse/ pipefish (Family Syngnathidae) into ponds located at Mallee Crescent, Port Lincoln

SCHEDULE 2

1. The exemption holder must maintain adequate security arrangements to prevent escapement of fish (ova, fry or adult) into any South Australian waters.

2. Fish obtained within South Australia for use on the registered fish farm must be obtained from registered fish farmers, licensed fishers or other persons as approved by the Director of Fisheries.

3. Fish must not be collected from waters of the State unless prior approval for this collection is granted by the Director of Fisheries.

4. The exemption holder must not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

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

6. The exemption holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a PIRSA Fisheries and Aquaculture Compliance Officer, produce that permit for inspection.

7. The fish farmer must monitor farm fish mortalities and notify the General Manager Aquaculture of a mortality rate over 5% in 24 hours.

8. The exemption holder must keep a register of all species of seahorse and pipefish (Family Syngnathidae) held at the approved site and produce that register for inspection if requested by an officer authorised by the Director of Fisheries.

9. The exemption holder must notify the General Manager, Aquaculture SA within 24 hours of receipt of any new species of seahorse or pipefish (Family Syngnathidae).

Dated 3 December 2000.

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

FT00550

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00049  
(PREVIOUS LICENCE NO. F584)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

Stephen J. Moriarty (1643)  
21 Ocean Avenue  
Port Lincoln, S.A. 5606



a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

#### CONDITIONS OF THIS LICENCE

##### 1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

##### 2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

##### 3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

##### 4. Permitted Use

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

##### 5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

##### 6. Marking and Maintaining the Site

The licensee:

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

##### 7. Site Inspection and Supervision

The licensee:

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

##### 8. Fees and Returns

The licensee:

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

##### 9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
  - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
  - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

##### 10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

##### 11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

##### 12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

##### 13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

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

#### 14. *No Assignment*

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

#### 15. *Default by Licensee and Termination*

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
  - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
  - 15.4.2 an order is made for the winding up or liquidation of the licensee;
  - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
  - 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
  - 15.4.5 a mortgagee, chargee or other encumbrance is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
  - 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
  - 15.5.2 is convicted of an indictable offence.

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

#### 16. *Interpretation*

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;

16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;

16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and

16.8 time is of the essence in respect of any obligation relating to time in this licence.

#### 17. *Delegation*

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

#### 18. *Severance*

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

#### 19. *Modification*

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

#### 20. *Waiver*

20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.

20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.

20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

#### 21. *Notices*

21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:

21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;

21.1.3 deemed to be duly served or made in the following circumstances:

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

(c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 24 November 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said S. MORIARTY

In the presence of: T. MOIR, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
542363E 6172218N	3
542491E 6172118N	
542387E 6171972N	
542253E 6172063N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

*When the site is in navigable water and a possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.*

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

- Native Oysters (*Ostrea angasi*)  
Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 3 at \$9.50 each.....	28.50
EMP Fee per hectare 3 at \$17.70 each.....	53.10
Base Licence Fee per hectare 3 at \$66 each.....	198.00
SASQAP (Classified Area) per hectare 3 at \$80 each.....	240.00
<b>Total Annual Licence Fee.....</b>	<b>519.60</b>
Quarterly Instalments.....	129.90

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

- Name of licensee.
- Address of licensee.
- Species of fish farmed and held on the site.
- Location of aquaculture operation.
- Period covered by return.
- Number of life stage of each species of fish held.
- Number, weight and value of each species of fish held.
- Details of any disease detected in any fish kept.
- Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
- If any fish were brought into the state, the number of fish and the life stage of the fish.
- If fish were brought into the state, the purpose for which they were brought in.
- Method of disposal of water and packaging use for transporting the fish.
- If any disease or symptom of disease occurred in the acquired fish.
- Method of disposal of diseased or dead fish and the number disposed of.
- Signature, date and telephone number.
- Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00140  
(PREVIOUS LICENCE NO. F817)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

Stephen J. Moriarty (1643)  
21 Ocean Avenue  
Port Lincoln, S.A. 5606

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. *Permitted Species*

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
  - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
  - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. *Public Risk Liability*

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. *Release*

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. *Public Risk Insurance*

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

### 13. *Guarantee or Indemnity Scheme*

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

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

### 14. *No Assignment*

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

### 15. *Default by Licensee and Termination*

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
  - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
  - 15.4.2 an order is made for the winding up or liquidation of the licensee;
  - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
  - 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
  - 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
  - 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
  - 15.5.2 is convicted of an indictable offence.

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

### 16. *Interpretation*

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

### 17. *Delegation*

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

### 18. *Severance*

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

### 19. *Modification*

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

### 20. *Waiver*

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

### 21. *Notices*

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
  - 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
  - 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;

21.1.3 deemed to be duly served or made in the following circumstances:

- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 24 November 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said S. MORIARTY

In the presence of: T. MOIR, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectare
AGD 66—Zone 53	
532576E 6175917N	1
532647E 6175846N	
532718E 6175917N	
532647E 6175988N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
  - (2) Posts to be not less than 125 mm in diameter.
  - (3) Posts and crosses to be painted yellow.
  - (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
  - (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
  - (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
  - (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
  - (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and a possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

#### Item 2—Marked-Off Areas

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

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

#### SCHEDULE 2

##### Item 1 ~~3/4~~ Permitted Species

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

Native Oysters (*Ostrea angasi*)

Pacific Oysters (*Crassostrea gigas*)

##### Item 2 ~~3/4~~ Permitted Farming Methods

#### Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

##### Item 3 ~~3/4~~ Stocking Rates

#### Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

#### SCHEDULE 3

##### Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 1 at \$9.50 each.....	9.50
EMP Fee per hectare 1 at \$17.70 each.....	17.70
Base Licence Fee per hectare 1 at \$66 each.....	66.00
SASQAP (Classified Area) per hectare 1 at \$80 each.....	80.00
<b>Total Annual Licence Fee.....</b>	<b>173.20</b>
Quarterly Instalments.....	43.30

##### Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

#### SCHEDULE 4

#### Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.

11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

#### FISHERIES ACT 1982

##### MARINE MOLLUSC FARMING LICENCE FM00143 (PREVIOUS LICENCE NO. F824)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

Stephen J. Moriarty (1643)  
21 Ocean Avenue  
Port Lincoln, S.A. 5607

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

#### CONDITIONS OF THIS LICENCE

##### 1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

##### 2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

##### 3. *Permitted Species*

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

##### 4. *Permitted Use*

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

##### 5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;

5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;

5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

##### 6. *Marking and Maintaining the Site*

The licensee:

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

##### 7. *Site Inspection and Supervision*

The licensee:

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

##### 8. *Fees and Returns*

The licensee:

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

##### 9. *Compliance With Relevant Laws*

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
  - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
  - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

##### 10. *Public Risk Liability*

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

### 11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

### 12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

### 13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

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

### 14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

### 15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
  - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
  - 15.4.2 an order is made for the winding up or liquidation of the licensee;
  - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

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

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

15.5 if the licensee is an individual, the licensee:

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

15.5.2 is convicted of an indictable offence.

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

### 16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

### 17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

### 18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

### 19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

### 20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.



20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.

20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:

21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;

21.1.3 deemed to be duly served or made in the following circumstances:

- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 24 November 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said S. MORIARTY

In the presence of: T. MOIR, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531092E 6177384N	2
531192E 6177406N	
531192E 6177606N	
531092E 6177584N	
531092E 6177584N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.

or

- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least

900 mm above the buoy, cross arms 900 mm long x 75 mm wide.

(2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).

(3) All buoys, posts, crosses and markers must be maintained in good condition.

*When the site is in navigable water and a possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.*

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3/4~~ Permitted Species

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

Native Oysters (*Ostrea angasi*)

Pacific Oysters (*Crassostrea gigas*)

Item 2 ~~3/4~~ Permitted Farming Methods

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3 ~~3/4~~ Stocking Rates

Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 2 at \$9.50 each.....	19.00
EMP Fee per hectare 2 at \$17.70 each.....	35.40
Base Licence Fee per hectare 2 at \$66 each.....	132.00
SASQAP (Classified Area) per hectare 2 at \$80 each.....	160.00
<b>Total Annual Licence Fee.....</b>	<b>346.40</b>
Quarterly Instalments.....	86.60

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

- 1. Name of licensee.
- 2. Address of licensee.
- 3. Species of fish farmed and held on the site.
- 4. Location of aquaculture operation.

5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

#### FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00160  
(PREVIOUS LICENCE NO. F844)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

Jeffrey R. Swincer (7592)  
Maija Swincer (12253)  
14 Wellington Road  
Cowell, S.A. 5602

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

#### CONDITIONS OF THIS LICENCE

##### 1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

##### 2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

##### 3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

##### 4. Permitted Use

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

##### 5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

##### 6. Marking and Maintaining the Site

The licensee:

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

##### 7. Site Inspection and Supervision

The licensee:

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

##### 8. Fees and Returns

The licensee:

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

##### 9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
  - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
  - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

### 10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

### 11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

### 12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

### 13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

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

### 14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

### 15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
  - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
  - 15.4.2 an order is made for the winding up or liquidation of the licensee;

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

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

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

15.5 if the licensee is an individual, the licensee:

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

15.5.2 is convicted of an indictable offence.

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

### 16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

### 17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

### 18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

### 19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. *Waiver*

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. *Notices*

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
  - 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
  - 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
  - 21.1.3 deemed to be duly served or made in the following circumstances:
    - (a) if delivered, upon delivery;
    - (b) if sending by mail, upon posting;
    - (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
 but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.
- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 20 November 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said J. SWINCER

In the presence of: M. SWINCER, Witness

SCHEDULE 1

*Item 1—The Site*

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
678233E 6268550N	2.5
678244E 6268297N	
678343E 6268301N	
678332E 6268551N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.

- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.

or

- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

*When the site is in navigable water and a possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.*

*Item 2—Marked-Off Areas*

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

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

SCHEDULE 2

*Item 1—Permitted Species*

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

Pacific Oysters (*Crassostrea gigas*)

*Item 2—Permitted Farming Methods*

*Longlines*

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

*Item 3—Stocking Rates*

*Oysters*

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

*Item 1—Fees*

Annual licence fees are:

	\$
FRDC Levy per hectare 2.5 at \$9.50 each.....	23.75
EMP Fee per hectare 2.5 at \$17.70 each.....	44.25
Base Licence Fee per hectare 2.5 at \$66 each.....	165.00
SASQAP (Classified Area) per hectare 2.5 at \$80 each..	200.00
<b>Total Annual Licence Fee.....</b>	<b>433.00</b>
Quarterly Instalments.....	108.25

*Item 2—Public Risk Insurance*

Five million dollars (\$5 000 000).

## SCHEDULE 4

*Returns*

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

## FISHERIES ACT 1982

## MARINE MOLLUSC FARMING LICENCE FM00316

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species'), the Minister for Primary Industries ('the Minister') hereby grants to:

Stephen J. Moriarty (1643)  
21 Ocean Avenue  
Port Lincoln, S.A. 5606

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions:

## CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. *Permitted Species*

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
  - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
  - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

#### 10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

#### 11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

#### 12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

#### 13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

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

#### 14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

#### 15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or

15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or

15.4 if the licensee is a body corporate, any of the following occur:

- 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 15.4.2 an order is made for the winding up or liquidation of the licensee;
- 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or

15.5 if the licensee is an individual, the licensee:

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

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

#### 16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

#### 17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

#### 18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. *Modification*

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. *Waiver*

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. *Notices*

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 21.1.3 deemed to be duly served or made in the following circumstances:
- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
- but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.
- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted by the General Manager Aquaculture, delegate of the Minister, on 24 November 2000.

I. NIGHTINGALE, General Manager Aquaculture

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said S. MORIARTY

In the presence of: T. MOIR, Witness

## SCHEDULE 1

*Item 1—The Site*

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
543819E 6169937N	2
543819E 6169737N	
543919E 6169737N	
543919E 6169937N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

*When the site is in navigable water and a possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.*

*Item 2—Marked-Off Areas*

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

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

## SCHEDULE 2

*Item 1 ~~3/4~~ Permitted Species*

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

Pacific Oysters (*Crassostrea gigas*)

*Item 2 ~~3/4~~ Permitted Farming Methods**Racks*

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

*Item 3 ~~3/4~~ Stocking Rates**Oysters*

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

## SCHEDULE 3

*Item 1—Fees*

Annual licence fees are:

	\$
FRDC Levy per hectare 2 at \$9.50 each.....	19.00
EMP Fee per hectare 2 at \$17.70 each.....	35.40
Base Licence Fee per hectare 2 at \$66 each.....	132.00
SASQAP (Classified Area) per hectare 2 at \$80 each.....	160.00
<b>Total Annual Licence Fee.....</b>	<b>346.40</b>
Quarterly Instalments.....	86.60

*Item 2—Public Risk Insurance*

Five million dollars (\$5 000 000).

## SCHEDULE 4

*Returns*

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

## GAMING MACHINES ACT 1992

*Notice of Application for Increase in Gaming Machines*

NOTICE is hereby given, pursuant to section 29 of the Gaming Machines Act 1992, that Royal Hotel Enterprise Pty Ltd has applied to the Liquor and Gaming Commissioner for an increase in the number of gaming machines from 12 to 40, in respect of premises situated at 2 North Terrace, Kent Town, S.A. 5067.

The application has been set down for hearing on 5 January 2001 at 9 a.m.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 4 December 2000.

Applicant

## GAMING MACHINES ACT 1992

*Notice of Application for Grant of Gaming Machine Licence*

NOTICE is hereby given, pursuant to section 29 of the Gaming Machines Act 1992, that Mount Barker District Golf Club Inc., corner Alexandrina and Bald Hills Road, Mount Barker, S.A. 5251 has applied to the Liquor Licensing Commissioner for a Gaming Machine Licence in respect of premises situated at corner Alexandrina and Bald Hills Road, Mount Barker and known as Mount Barker District Golf Club Inc.

The application has been set down for hearing on 5 January 2001 at 9 a.m.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 29 November 2000.

Applicant

## GEOGRAPHICAL NAMES ACT 1991

*Notice of Declaration of Names of Places*

NOTICE is hereby given pursuant to Section 8(1) of the Geographical Names Act 1991, that the names of those places set out in The Schedule hereunder shall be the geographical names of those said places.

## THE SCHEDULE

<i>Name</i>	<i>Grid Reference</i>
1:50 000 Mapsheet 6028-1 'Lincoln'	
HAPPY VALLEY	576455 6158611
LITTLE SWAMP	572600 6160500
1:50 000 Mapsheet 6429-4 'Moonta'	
BOORS PLAIN	753800 6232200
AGERY HILL	751200 6216300
1:50 000 Mapsheet 6526-1 'Torrens Vale'	
FIRST CREEK	256929 6052603
WATERFALL CREEK	259665 6066375
NEW CALLAWONGA TRIG	262660 6058201
1:50 000 Mapsheet 6527-2 'Yankalilla'	
ALDINGA TRIG	267534 6093438
CARRICKALINGA TRIG	260558 6077690
M GULLY	253731 6068997
ALDINGA BEACH	267581 6091659

Dated 27 November 2000.

K. SARNECKIS, Acting Surveyor-General

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

*Exemption*

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

## SCHEDULE 1

Karen Ann Lombe, an officer/employee of Toop Real Estate Group Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5173, folio 122 situated at 17 Gray Street, Norwood, S.A. 5067.

Dated 7 December 2000.

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

M. BODYCOAT, Commissioner



LAND AND BUSINESS (SALE AND CONVEYANCING) ACT  
1994*Exemption*

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

## SCHEDULE 1

Melissa-Anne Nicole Bussenschutt, an officer/employee of Andrews and Hodges Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5173, folio 913 situated at 39 Sullivan Road, Elizabeth Park, S.A. 5113.

Dated 7 December 2000.

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

M. BODYCOAT, Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT  
1994*Exemption*

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

## SCHEDULE 1

Pauline Margaret Perry, an officer/employee of Johnson Craigie Real Estate Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5709, folio 3 situated at 34 Three Chain Road, Port Pirie, S.A. 5540.

Dated 7 December 2000.

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

M. BODYCOAT, Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT  
1994*Exemption*

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

## SCHEDULE 1

Scott Andrew Torney, an officer/employee of Graney and Graney Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5576, folio 332 situated at 15 Morley Street, Flagstaff Hill, S.A. 5159.

Dated 7 December 2000.

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

M. BODYCOAT, Commissioner

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES  
ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992 that Royal Hotel Enterprise Pty Ltd, c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000, has applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and Gaming Machine Licence in respect of premises situated at 2 North Terrace, Kent Town, S.A. 5067 and known as Royal Hotel.

The applications have been set down for hearing on 5 January 2001.

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

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

Dated 29 November 2000.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES  
ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992 that Mile End Hotel Nominees Pty Ltd, c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000, has applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and Gaming Machine Licence in respect of premises situated at 30 Henley Beach Road, Mile End, S.A. 5031 and known as Mile End Hotel.

The applications have been set down for hearing on 5 January 2001 at 9 a.m.

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

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

Dated 30 November 2000.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES  
ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992 that Daryl James Kendall and Garry Ernest Kendall, c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000, have applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and Gaming Machine Licence in respect of premises situated at 60 Main Road, Woodside, S.A. 5244 and known as Bedford Hotel.

The applications have been set down for hearing on 5 January 2001.

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

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

Dated 23 November 2000.

Applicants

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that M. L. Barrey (S.A.) Pty Ltd has applied to the Licensing Authority for a variation to the Extended Trading Authorisation in respect of premises situated at 96 Ellen Street, Port Pirie, S.A. 5540 and known as Portside Tavern.

The application has been set down for hearing on 22 December 2000.

*Conditions*

The following licence conditions are sought:

Extended Trading Authorisation to include New Year's Eve (any day), 2 a.m. to 4.30 a.m.

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

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

Dated 1 December 2000.

Applicant

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Lyndon Grantley Elliott and Adele Ann Elliott, RSD 225 Elliott Road, McLaren Vale, S.A. 5171 have applied to the Licensing Authority for a Producer's Licence in respect of premises to be situated at Elliott Road, McLaren Flat, and to be known as Elliott Wines.

The application has been set down for hearing on 5 January 2001 at 9 a.m.

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

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

Dated 24 November 2000.

Applicants

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Organics Australia Pty Ltd (ACN 070 764 457), c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000, has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 5 Druids Avenue, Stirling, S.A. 5152 and known as The Organic Market and Cafe.

The application has been set down for hearing on 5 January 2001 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- (1) (a) To authorise the sale, supply and consumption of liquor on the licensed premises with or ancillary to a meal provided by the licensee; and
- (b) to authorise the sale and supply of liquor for consumption on the licensed premises by persons:
  - (i) seated at a table; or
  - (ii) attending a function at which food is provided,
 at the following times:
  - Sunday to Wednesday: 8 a.m. to 11 p.m.
  - Thursday to Saturday: 8 a.m. to midnight.
- (2) To sell liquor produced in accordance with the National Standard for Organic and Biodynamic Produce for consumption off the licensed premises between the hours of 8 a.m. and 9 p.m. on any day except Good Friday or Christmas Day.
- (3) Entertainment Consent to apply to the whole of the licensed premises including the hours sought under the Extended Trading Authorisation, limited to folk, jazz and acoustic music.

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

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

Dated 30 November 2000.

Applicant

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Ottomede Pty Ltd (ACN 083 059 170) has applied to the Licensing Authority for the variation of conditions of a Hotel Licence in respect of premises situated at Main Street, Hahndorf and known as German Arms Hotel.

The application has been set down for hearing on Friday, 5 January 2001 at 9 a.m.

*Conditions*

The following licence conditions are sought:

It is proposed to delete condition 1 which states that 'there shall be no discotheque or like entertainment provided at any time upon the licensed premises', thereby permitting the current style of recorded music entertainment to continue.

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

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

Dated 1 December 2000.

Applicant

LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Jakob Kornaat and Jaqueline Snell have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Shop 24, corner Vale Avenue and Pauls Drive, Valley View, S.A. 5093 and to be known as Southern Curries Cafe.

The application has been set down for hearing on 5 January 2001.

*Conditions*

The following licence conditions are sought:

- Authorises the consumption of liquor on the licensed premises at any time with or ancillary to a meal provided by the licensee.
- Authorises the licensee to sell liquor at any time for consumption on the licensed premises with or ancillary to a meal provided by the licensee.
- To authorise the licensee to sell liquor on any day except Good Friday and Christmas Day, for consumption on the licensed premises by persons seated at a table or attending a function at which food is provided, between the following hours:  
Monday to Sunday: 9 a.m. to midnight.
- The licence will authorise the sale of liquor on the licensed premises at any time for consumption at a place other than the licensed premises provided that such consumption is only by persons attending a pre-booked function and ancillary to food provided by the licensee at the function.

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

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

Dated 28 November 2000.

Applicants

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that La Cucina Adelaide Pty Ltd, Suite 21, 168 Melbourne Street, North Adelaide, S.A. 5006, has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 22-24 Grote Street, Adelaide and known as Eccolo and to be known as Auge.

The application has been set down for hearing on 5 January 2001 at 9 a.m.

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

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

Dated 29 November 2000.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that FACAC Pty Ltd (ACN 069 265 578) has applied to the Licensing Authority for a Special Circumstances Licence with Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 123 Gouger Street, Adelaide, S.A. 5000 and to be known as The Bar On Gouger.

The application has been set down for hearing on 5 January 2001.

#### *Conditions*

The following licence conditions are sought:

- To sell and supply liquor for consumption on the licensed premises between the following hours:  
Monday to Sunday: 9 a.m. to 3 a.m. the following morning.
- Entertainment Consent is sought.

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

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

Dated 1 December 2000.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Killibinbin Pty Ltd, c/o David Watts & Associates, Liquor Licensing Consultants, 1 Cator Street, Glenside, S.A. 5065, has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 82 West Street, Torrensville, S.A. 5031 and to be known as Killibinbin.

The application has been set down for hearing on 5 January 2001 at 9 a.m.

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

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

Dated 1 December 2000.

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Wetdog Pty Ltd, 192 Hindley Street, Adelaide, S.A. 5000, has applied to the Licensing Authority for an Entertainment Venue Licence in respect of premises situated at 192 Hindley Street, Adelaide, S.A. 5000.

The application has been set down for hearing on 5 January 2001 at 9 a.m.

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

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

Dated 30 November 2000.

Applicant

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Brooke-Tia Mudge and Emma Liggins have applied to the Licensing Authority for a variation of Conditions of Licence in respect of premises situated at 106 Gertrude Street, Port Pirie, S.A. 5540 and known as Harvey's Restaurant.

The application has been set down for hearing on 5 January 2001.

*Conditions*

The following licence conditions are sought:

The licence will authorise the sale of liquor on the licensed premises at any time for consumption at a place other than the licensed premises provided that such consumption is only by persons attending a pre-booked function and ancillary to food provided by the licensee at the function.

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

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

Dated 1 December 2000.

Applicants

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Desmond John Eiffe and Annette Madeline Eiffe have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 50 Molesworth Street, North Adelaide and to be known as Odyssey Houseboats.

The application has been set down for hearing on 5 January 2001.

*Conditions*

The following licence conditions are sought:

1. The licence will authorise the sale and supply of liquor for consumption on the vessel at any time on any day to persons on board the vessel:

- (a) for the purpose of a voyage and during the course of the voyage; or
- (b) attending an organised function, exhibition or trade show conducted on the vessel.

2. On any days when there is a major event or attraction.

3. There shall be no trading on Good Friday other than to a diner for consumption with or ancillary to a meal provided by the licensee.

4. Entertainment Consent is sought on the vessel.

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

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

Applicants

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Kemble Li, 11/25 Ashburn Place, Gladesville, N.S.W. 2111, has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 227 Main Road, Blackwood, S.A. 5051 and known as Yangtze Chinese Restaurant.

The application has been set down for hearing on 8 January 2001 at 9 a.m.

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

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

Dated 8 November 2000.

Applicant

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Community Aid Abroad Trading Pty Ltd, 278 Grand Junction Road, Athol Park has applied to the Licensing Authority for a Direct Sales Licence in respect of premises to be situated at 278 Grand Junction Road, Athol Park and known as Community Aid Abroad Trading.

The application has been set down for hearing on 12 January 2001.

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

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

Dated 1 December 2000.

Applicant

## LOCAL GOVERNMENT ACT 1999

*Approval of a Subsidiary—Nuriootpa Centennial Park Authority*

THE Barossa Council has resolved to establish a subsidiary pursuant to section 42 of the Local Government Act 1999, to manage the land owned by the council known as the Nuriootpa Centennial Park Complex.

Pursuant to clause 1 of Part 1 of Schedule 2 of the Local Government Act 1999, I approve the establishment of the Nuriootpa Centennial Park Authority.

The charter of the Nuriootpa Centennial Park Authority is set out below.

DOROTHY KOTZ, Minister for Local Government

## CHARTER OF THE NURIOOTPA CENTENNIAL PARK AUTHORITY

*1. Establishment*

- 1.1 The Nuriootpa Centennial Park Authority ('the Authority') is established by the Barossa Council ('the Council') as a subsidiary under section 42 of the Local Government Act 1999 ('the Act') on the 21st day of November 2000 and this Charter governs the affairs of the Authority.

- 1.2 The Authority is established to undertake the management, care and control of all land owned by or under the care, control and management of the Council and known as the Nuriootpa Centennial Park Complex ('Centennial Park') being all of the land comprised in Certificates of Title Register Book Volume 4083 Folio 819, Volume 4083 Folio 820, Volume 4082 Folio 291, Volume 1740 Folio 17 and Volume 4082 Folio 290.
- 1.2 This Charter must be read in conjunction with Schedule 2 to the Act. The Authority shall conduct its affairs in accordance with Schedule 2 except as modified by this Charter.
2. *Objects and Purposes*
- 2.1 The Authority has been established with the following objects and purposes:
- 2.1.1 to undertake the management, care and control of all land owned by or under the care, control and management of the Council and known as Centennial Park;
- 2.1.2 to develop and implement policies designed to develop and improve the facilities of Centennial Park as a Sporting Complex, Caravan Park and Recreation Reserve (Coulthard Reserve) for the benefit of members of the community and visitors;
- 2.1.3 to undertake key strategic and policy decisions for the purpose of enhancing, promoting and developing Centennial Park;
- 2.1.4 to promote a community spirit in the district and to the public generally towards Centennial Park;
- 2.1.5 to be financially self sufficient;
- 2.1.6 to undertake such other matters, purposes and things incidental to and in furtherance of these objects.
- 2.2 The Authority is involved in a significant business activity as defined in the Clause 7 Statement prepared under the Competition Principles Agreement of the National Competition Policy.
3. *The Board—Role and Membership*
- 3.1 The Authority will be governed by a Board.
- 3.2 The Board is responsible for the administration of the affairs of the Authority. The Board must ensure insofar as it is practicable, that the Authority observes the objectives set out in this Charter, that information provided to the Council is accurate and that the Council is kept informed of the solvency of the Authority as well as any material developments which may affect the operating capacity and financial affairs of the Authority.
- 3.3 The Council will appoint a minimum of 10 persons to the Board one of whom will be an elected member of the Council and the remainder of whom will, in the opinion of the Council, possess demonstrated business, professional and commercial expertise.
- 3.4 Members of the Board, shall not be entitled to a sitting fee.
- 3.5 There will be a Chairperson and a Deputy Chairperson of the Board elected by ballot of the Board for a 24 month period.
- 3.6 The outgoing Chairperson will be eligible for re-election.
- 3.7 In the absence of the Chairperson the Deputy Chairperson will act as Chairperson. In the absence of the Chairperson and the Deputy Chairperson the Board will elect one of their number to act as the Chairperson for that meeting.
4. *Term of Office—The Board*
- 4.1 Subject only to the following subclauses, the term of office of each member of the Board will be as determined by the Council.
- 4.2 A Board Member will be appointed by the Council for a term not exceeding two years specified in the instrument of appointment and at the expiration of the term of office, is eligible for reappointment.
- 4.3 The term of office of a member of the Board will cease upon the Council providing written notice to the Board, or upon the happening of any other event through which the member would be ineligible to remain as a member of the Board.
- (see Clause 4, Part 1 of Schedule 2 to the Act)
- 4.4 The Board may by a two thirds majority vote of the members present (excluding the member subject to this Clause 4.4) make a recommendation to the Council seeking the Council's approval to terminate the appointment of the member in the event of:
- 4.1.1 any behaviour of the member which in the opinion of the Board amounts to impropriety;
- 4.1.2 serious neglect of duty in attending to the responsibilities of a member of the Board;
- 4.1.3 breach of fiduciary duty to the Board or the Council;
- 4.1.4 breach of the duty of confidentiality to the Board and the Council;
- 4.1.5 breach of the conflict of interest rules of the Board; or
- 4.1.6 any other behaviour which may discredit the Board.
- 4.5 The Council will appoint a replacement member for any member whose term of office becomes vacant and in so doing will have regard to any recommendation of the Board.
5. *Proceedings of the Board*
- 5.1 The Board shall meet together for the despatch of business at least once in every calendar month.
- 5.2 Questions arising at any meeting shall be decided by a majority of votes and in the event of an equality of votes the Chairperson shall have a casting vote in addition to a deliberative vote.
- 5.3 A quorum for a meeting of the Board shall be three members. No meeting of the Board will commence until a quorum of numbers is present and no meeting may continue unless there is a quorum of members present.
- 5.4 For the purpose of this Clause, the contemporary linking together by a telephone, audio-visual or other instantaneous means ('telecommunication meeting') of a number of members of the Board provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board members taking part in the telecommunication meeting, must be able to hear and be heard by each of the other Board members present. At the commencement of the meeting, each Board member must announce his/her presence to all other Board members taking part in the meeting. A Board member must not leave a telecommunication meeting by disconnecting his/her telephone, audio visual or other communication equipment, unless that Board member has previously notified the Chairperson of the meeting.
- 5.5 In the event that there is not a quorum present at two consecutive meetings of the Board, then an extraordinary meeting of the Board may be convened in the same manner as for a special meeting (see Clause 5.8), at which the business which was on the agendas for the two previous but failed meetings may be transacted at the extraordinary meeting of the Board. Decisions made at such a meeting will be binding on all members of the Board and the Council.
- 5.6 Subject only to any specific requirement of this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the members present and entitled to vote on the matter. All members present and entitled to vote on a matter are required to cast a vote. Subject to Clause 5.2 all members are entitled only to a deliberative vote. Board members may not vote by proxy.
- 5.7 A special meeting of the Board may be held at any time and may be called at the request of the Chairman or at the written request of two members of the Board.
- 5.8 Notice of all meetings will be given in accordance with the provisions applicable to a committee meeting under Part 2 of Chapter 6 of the Act and the associated Regulations.
- 5.9 The Board may exclude any staff member from a meeting of the Board where it is deemed necessary to discuss in

- confidence a personal matter concerning a particular staff member employed by the Authority.
- 5.10 Meetings of the Board will not be open to the public unless the Board so resolves.
- 5.11 All members must keep confidential all documents and any information provided to them for their consideration prior to a meeting of the Board.
- 5.12 The Board must ensure that accurate written minutes of its proceedings are kept and are produced for verification at the subsequent meeting of the Board.
6. *Propriety of Members of the Board*
- 6.1 The principles regarding conflict of interest prescribed in the Act will apply to all members of the Board as if they were elected members of the Council.
- 6.2 The members of the Board will not be required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 6.3 The members of the Board will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the Board as required by Part 4, Division 1, Chapter 5 of the Act and Clause 7 of Part 1 of Schedule 2 to the Act.
7. *Powers*
- 7.1 The Authority is constituted as a body corporate under the Act and in all things acts through the Board.
- 7.2 The Authority has:
- 7.2.1 the power to acquire, deal with and dispose of real and personal property (wherever situated) and rights in relation to real and personal property;
- 7.2.2 the power to sue and be sued in its corporate name;
- 7.2.3 the power to enter into any kind of contract or arrangement;
- 7.2.4 the power to return surplus revenue to the Council in such proportion as the Board considers appropriate at the end of any financial year;
- 7.2.5 the power to set aside surplus revenue for future capital expenditure;
- 7.2.6 the power to invest funds and in doing so to take into account Part 4 of Chapter 9 of the Act;
- 7.2.7 the power to do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.
- 7.3 The Authority will have a common seal which may be affixed to documents requiring execution under common seal and must be witnessed by the Chairperson of the Board and one other Board member.
- 7.4 The Common Seal must not be affixed to a document except to give effect to a resolution of the Board. The Executive Officer will maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with particulars of the persons who witnessed the fixing of the seal and the date.
- 7.5 The Board may by instrument under seal authorise a person to execute documents on behalf of the Authority. The Executive Officer will maintain a register of such resolutions and details of any documents executed in this way, together with particulars of the person executing the document.
8. *Committees*
- 8.1 The Board may establish committees for such purposes and with terms of reference as the Board determines from time to time.
- 8.2 The members of committees need not be members of the Board.
- 8.3 The Chairperson of the Board is *ex officio* a member of all committees.
- 8.4 The Board may not delegate any of its powers or functions to a committee and any determination of a committee shall be by way of recommendation to the Board.
9. *Administrative Matters*
- 9.1 There will be an Executive Officer of the Authority appointed by the Board on terms and conditions to be determined by the Council.
- 9.2 The Executive Officer will be responsible to the Board:
- 9.2.1 to ensure that the policies and lawful decisions of the Authority are implemented in a timely manner;
- 9.2.2 for the efficient and effective management of the operations and affairs of the Authority; and
- 9.2.3 to provide advice and reports to the Board on the exercise and performance of the Authority's powers and functions;
- 9.3 The Executive Officer has such powers, functions and duties prescribed by this Clause and as determined necessary by the Board from time to time to ensure the efficient and effective management of the operations and affairs of the Authority.
- 9.4 The Board may employ other officers and it may authorise the Executive Officer to employ such other officers on its behalf as are required for the efficient and effective management of the operations and affairs of the Authority.
- 9.5 The Board may engage professional consultants and it may authorise the Executive Officer to engage professional consultants to provide services to the Authority to ensure the proper execution of its decisions, the efficient and effective management of the operations and affairs of the Authority, and for giving effect to the general management objectives and principles of personal management prescribed by this Charter.
10. *Financial Contributions to the Authority*
- 10.1 The Board will determine annually the funds required by the Authority to enable it to function.
- 10.2 The Council agrees to allow all revenue from fees and charges raised from hirers of the Sporting Complex, Coulthard Reserve and the Caravan Park, to be retained by the Authority and used both to offset its recurrent expenditure and for capital replacement and improvements.
- 10.3 The Board is accountable to the Council to ensure that the Authority functions in accordance with its objects and purposes and within approved budgets.
11. *Financial Contributions by the Authority*
- 11.1 The Board will reimburse the Council for any loan repayments in respect of any debenture loans that the Council has raised on behalf of the Authority.
- 11.2 The Board may be requested to pay and when requested must pay to the Council a dividend from the annual profit of the Authority where there is a surplus after funding its budgeted recurrent expenditure and budgeted capital improvements.
- 11.3 The Board will pay to the Council an annual debt guarantee fee of one per centum per annum of any outstanding loan liability (including over draft) of the Authority as at 30 June in the preceding year on account of the Council guaranteeing the liabilities incurred or assumed by the Authority (as per Clause 16).

- 11.4 The Board will reimburse the Council the insurance premiums relating to Local Government Special Risks insurance including buildings, structures and equipment, as listed on the Asset Schedule for Centennial Park by Local Government Risk Services.
12. *Budget*
- 12.1 The Authority must prepare a budget for each financial year.
- 12.2 The Authority must submit the draft budget to the Council in time for it to receive appropriate consideration by the Council prior to adoption by the Authority.
- 12.3 The Authority must provide a copy of its budget to the Council within five business days after adoption.
- 12.4 The Authority must reconsider its budget in accordance with Regulation 7 of the Local Government (Financial Management) Regulations 1999.  
(See Clause 9, Part 1, Schedule 2 to the Act for the contents of the budget).
13. *Business Plan*
- 13.1 The Authority shall adopt a business plan after appropriate consultation with the Council.
- 13.2 The Authority must review the Business Plan in conjunction with the Council on at least an annual basis.  
(See Clause 8, Part 2, Schedule 2 to the Act for the content of the Business Plan).
14. *Accounting*
- The Authority must ensure that its accounting records, accounts and financial statements are prepared and maintained in accordance with all relevant Australian Accounting Standards.  
(See Regulations 8 and 9, Local Government (Financial Management) Regulations 1999 in relation to particular accounting practices).
15. *Audit*
- 15.1 The Authority must appoint an auditor. The first auditor of the Authority shall be the Council's current auditor.
- 15.2 The Authority must provide its audited financial statements to the Chief Executive Officer of the Council by 30 September in each year.  
(See Part 5, Local Government (Financial Management) Regulations 1999 in relation to the Authority's audit responsibilities).
- 15.3 The Authority is not obliged to establish an audit committee, but may do so if determined appropriate by the Board.  
(See Clause 13, Part 1, Schedule 2 to the Act for the functions of an Audit Committee).
16. *Liabilities*
- 16.1 Liabilities incurred or assumed by the Authority are guaranteed by the Council.
- 16.2 All borrowings of the Authority require the prior approval of the Council (which may be absolute or conditional).
17. *Finance*
- 17.1 The Board must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 17.2 All cheques to be authorised must be signed by two members of the Board or one member of the Board and the Executive Officer.
- 17.3 The Executive Officer must act prudently in the handling of all financial transactions for the Board and must provide quarterly financial and corporate reports to the Board and if requested, the Council.
18. *Insurance and Superannuation Requirements*
- 18.1 The Authority shall register with the Local Government Mutual Liability Scheme and the Local Government Workers Compensation Scheme and comply with the Rules of the Schemes.
- 18.2 The Authority shall advise Local Government Risk Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Authority.
- 18.3 The Authority shall register with the Local Government Superannuation Scheme and comply with the Rules of the Scheme.
19. *Reports and Information*
- 19.1 The Authority must submit its annual report on its work and operations including its audited financial statements, to the Council before 30 September in each year.
- 19.2 At any time, on written request from the Council, the Board shall report to the Council on matters being undertaken by the Authority.
20. *Alteration to the Rules*
- 20.1 This Charter may be amended by resolution of the Council.
- 20.2 The Executive Officer of the Authority must ensure that the amended Charter is published in the *Gazette* and a copy of the amended Charter provided to the Minister.
- 20.3 Before the Council votes on a proposal to alter this Charter it must take into account any recommendations of the Board.
21. *Dissolution of the Authority*
- 21.1 The Authority may be dissolved by the Minister in the circumstances envisaged by Clause 16, Part 2 of Schedule 2 to the Act.
- 21.2 In the event of there being net assets upon dissolution and after realisation of all assets and meeting all liabilities, the net assets will vest in the Council.
- 21.3 In the event of there being an insolvency of the Authority at the time of dissolution, the Council will be responsible to pay the liabilities of the Authority.

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#### MINING ACT 1971

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

Applicant: Flinders Diamonds Ltd

Location: Mount Pleasant Area—Approximately 60 km east-north-east of Adelaide, bounded as follows: Commencing at a point being the intersection of latitude 34°35'S and longitude 138°52'E, thence east to longitude 139°15'E, south to latitude 34°37'S, west to longitude 139°09'E, south to latitude 34°39'S, east to longitude 139°10'E, south to latitude 34°44'S, east to longitude 139°11'E, south to latitude 34°45'S, east to longitude 139°14'E, south to latitude 34°50'S, west to longitude 139°10'E, north to latitude 34°49'S, west to longitude 139°07'E, south to latitude 34°53'S, west to longitude 139°04'E, north to latitude 34°45'S, west to longitude 139°03'E, north to latitude 34°44'S, west to longitude 139°01'E, south to latitude 34°45'S, west to longitude 138°58'E, south to latitude 34°47'S, west to longitude 138°52'E and north to the point of commencement, but excluding Kaiser Stuhl Conservation Park, Hale Conservation Park, Warren Conservation Park and areas reserved (see G.G. 3.3.83), all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 1 Year

Area in km<sup>2</sup>: 719

Ref: 091/00

H. TYRTEOS, Acting Mining Registrar,  
Department of Primary Industries  
and Resources

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## MINING ACT 1971

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

Applicant: Platsearch NL

Location: Rudall Area—Approximately 40 km west of Cowell, bounded as follows:

Area A—Commencing at a point being the intersection of latitude 33°38'S and longitude 136°27'E, thence east to longitude 136°30'E, south to latitude 33°41'S, west to longitude 136°23'E, north to latitude 33°39'S, east to longitude 136°27'E, and north to the point of commencement.

Area B—Commencing at a point being the intersection of latitude 33°42'S and longitude 136°16'E, thence east to longitude 136°18'E, south to latitude 33°44'S, west to longitude 136°16'E, and north to the point of commencement.

Area C—Commencing at a point being the intersection of latitude 33°47'S and longitude 136°16'E, thence east to longitude 136°19'E, south to latitude 33°49'S, west to longitude 136°18'E, north to latitude 33°48'S, west to longitude 136°16'E, and north to the point of commencement.

All the within latitudes and longitudes are geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 1 Year

Area in km<sup>2</sup>: 71

Ref: 092/00

H. TYRTEOS, Acting Mining Registrar,  
Department of Primary Industries  
and Resources

## MINING ACT 1971

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

Applicant: Helix Resources NL

Location: Charleston Area—Approximately 40 km north-east of Cowell, bounded as follows: Commencing at a point being the intersection of latitude 33°16'S and longitude 137°00'E, thence east to longitude 137°05'E, south to latitude 33°19'S, east to longitude 137°07'E, north to latitude 33°18'S, east to longitude 137°12'E, south to a western boundary of Munyaroo Conservation Park, thence generally southerly and easterly along the boundary of the said Conservation Park to longitude 137°15'E, south to a line parallel to, and 800 m inland from highwater mark, Spencer Gulf (western side), thence generally south-westerly along the said parallel line to latitude 33°36'S, west to longitude 137°00'E and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 6 months

Area in km<sup>2</sup>: 745

Ref: 086/00

H. TYRTEOS, Acting Mining Registrar,  
Department of Primary Industries  
and Resources

## NATIONAL PARKS REGULATIONS 1990

*National Parks and Wildlife Reserves—Fire Restrictions*

PURSUANT to Regulation 14 (1) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks, impose fire restrictions for National Parks and Wildlife Reserves as listed in Schedule 1 below.

The purpose of these fire restrictions is to ensure the safety of visitors using the Reserves, and in the interests of protecting the Reserves and neighbouring properties.

Dated 26 November 2000.

L. BEST, Director, National Parks and Wildlife

## SCHEDULE 1

*Eyre and Far West Districts*

1. All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 15 April 2001. Gas fires are permitted (except on days of total fire bans). Note Wood Fires are permitted and are allowed between high water mark and low water mark in the following parks: Lincoln National Park and Coffin Bay National Park, providing the following conditions are applied; it is not a day of declared total fire ban, wood has been supplied from outside the park, an adult is in attendance and the fire is extinguished before departure.

*Southern Flinders District*

2. All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

*Flinders District*

3. The following reserves: Flinders Ranges National Park, Gammon Ranges National Park—All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 31 March 2001. Gas fires are permitted (except on days of total fire bans).

*Far North District*

4. The following reserve: Witjera National Park. All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 31 March 2001 except for local residential Aboriginal people using traditional use of fires for cooking.

*Yorke District*

5. All Reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

*Kangaroo Island District*

6. The following reserves: Flinders Chase National Park, Kelly Hill Conservation Park, Cape Gantheaume Conservation Park and Seal Bay Conservation Park—All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

*Fleurieu District*

7. The following reserves: Deep Creek Conservation Park, Newland Head Conservation Park and Tolderol Game Reserve. All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

*Lofty District*

8. Morialta Conservation Park, Para Wirra Recreation Park, Sandy Creek Conservation Park—All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

*Cleland Conservation Park*

9. All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

*Sturt District*

10. All Reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans). Belair National Park has a permanent prohibition of all wood fires.



*Coorong District, Upper South East and Lower South East District*

11. All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Please note: Wood fires are allowed between high water mark and low water mark of foreshore of the following reserves: Piccaninnie Ponds Conservation Park, Little Dip Conservation Park and Coorong National Park, except on days of total fire bans. Aberdour, Bool Lagoon, Ewens Ponds, Lower Glenelg River, Mt. Monster, Piccaninnie Ponds, (above HWM), and Poocher Swamp Conservation Parks have permanent prohibition of all wood fires.

*Burra and Districts*

12. All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

Spring Gully and Mokota Conservation Parks have permanent prohibition of all wood fires.

*Mallee District*

13. All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

*Riverland District*

14. All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

RADIATION PROTECTION AND CONTROL ACT 1982

*Exemption*

TAKE notice that the specified employer, the Women's and Children's Hospital is exempted from the requirements of Regulation 18 of the Ionizing Radiation Regulations 2000, insofar as that regulation applies to:

- (i) medical specialists (all orthopaedic surgeons, urologists, general surgeons, gastroenterologists and craniofacial specialists, with the exception of cardiologists) who operate or are involved in the use of X-ray apparatus; and
- (ii) nurses from the Department of Paediatric Anaesthesia who assist with anaesthetics in the Department of Medical Imaging, provided that:
  1. the X-ray apparatus used in the above procedures are maintained in good working order and condition; and
  2. the specified employer issues a personal monitoring device to a radiation worker if directed in writing by the Department of Human Services to do so.

PROF. B. KEARNEY, Executive Director, Statewide Division, Department of Human Services

RADIATION PROTECTION AND CONTROL ACT 1982

*Exemption*

TAKE notice that the specified employer, the Molecular Biology Laboratories of SARDI—Livestock Systems at Glenside, is exempted from the requirements of Regulation 18 of the Ionizing Radiation Regulations 2000, subject to the following conditions:

1. The radiation worker handles only the following unsealed radioactive substances:
  - (a) Group 2 radionuclides in type C premises provided that the activity handled does not exceed 4 MBq;
  - (b) Group 3 radionuclides in type C premises provided that the activity handled does not exceed 40 MBq; or
  - (c) Group 4 radionuclides in type C premises provided that the activity handled does not exceed 400 MBq.
2. The specified employer notifies radiation workers of condition 1 by including it in both the radiation safety manual prepared in accordance with Regulation 11 and in the working rules posted in accordance with Regulation 178 of the Ionizing Radiation Regulations 2000.
3. The specified employer makes the following entries in a register:

- (a) the name of any radiation worker who has not been issued a personal device in accordance with this exemption;
- (b) the registration number of the premises in which the radiation worker uses or handles unsealed radioactive substances;
- (c) the name of any person licensed under section 28 of the Act who is a supervisor of the radiation worker; and
- (d) a list of the radionuclides with their maximum activities normally handled by the radiation worker.

4. The specified employer supplies a copy of the register specified in condition 3 to the Department of Human Services if directed in writing by the Department to do so.

5. The specified employer issues a personal monitoring device to a radiation worker if directed in writing by the Department of Human Services to do so.

PROF. B. J. KEARNEY, Executive Director, Statewide Division Department of Human Services.

REMUNERATION TRIBUNAL

REPORT RELATING TO DETERMINATION NO. 1 OF 2000

1. *Introduction*

1.1 In accordance with the provisions of the Remuneration Act 1990, the Remuneration Tribunal by letters dated 30 August 2000 invited the Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman and the Ombudsman to make submissions in relation to the remuneration of those respective office holders. The Tribunal also invited the Minister for Workplace Relations to make submissions in the public interest.

1.2 On 4 September 2000 the following was published in *The Advertiser* newspaper:

REMUNERATION TRIBUNAL

*Review of Salaries for Statutory Office Holders*

Section 8 (2) of the Remuneration Act 1990 requires the Tribunal to sit at least once in each year to review its previous determinations. Accordingly, the Tribunal is conducting a review of the determination incorporating the salaries payable to the following statutory office holders:

Auditor-General;  
Electoral Commissioner;  
Deputy Electoral Commissioner;  
Employee Ombudsman; and  
Ombudsman

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

The closing date is 22 September 2000 and submissions should be forwarded to:

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

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

1.3 The Tribunal received written submissions from the Auditor-General, the Electoral Commissioner, the Deputy Electoral Commissioner and the Employee Ombudsman. The Electoral Commissioner, Deputy Electoral Commissioner and Ombudsman made oral submissions to the Tribunal on 23 October 2000. In addition, the Government made written and oral submissions in relation to all of the positions being considered.

1.4 The Tribunal did not receive any written submissions from the public.

## 2. Auditor-General

2.1 The remuneration of the Auditor-General was last determined in Determination No. 7 of 1999 and the salary is currently \$189 000 per annum operative from 1 October 1999.

2.2 The Auditor-General submitted that 'the responsibilities of the Office of the Auditor-General have not changed in a material way' since the Tribunal's last determination and provided the Tribunal with a copy of the 'Auditor-General's Part A Commentary of the 1999-2000 Annual Report'.

2.3 The Government submitted that it was appropriate to have regard to the pay levels of executives in the public service and supported the flow on of increases applying to executive officers to the Statutory Officers. The Tribunal was advised that an increase of 2% on executives Total Employment Cost packages is effective from 1 July 2000. The Tribunal was also made aware of adjustments to the employer contributions for Superannuation for Executives in the public service.

2.4 Having regard to these submissions the Tribunal determines that the salary for the Office of Auditor-General will be \$194 600 per annum, operative from 1 October 2000. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

## 3. Electoral Commissioner

3.1 The remuneration of the Electoral Commissioner was last determined in Determination No. 7 of 1999 and the salary is currently \$105 600 per annum operative from 1 October 1999.

3.2 The Electoral Commissioner submitted that the impact from the changes to the Local Government Act 1999, which came into operation on 1 January 2000, had resulted in a significant increase in function and responsibility with the most significant developments occurring since the Tribunal's last determination.

3.3 The Tribunal was advised by the Electoral Commissioner that his responsibilities as Returning Officer for all Local Government elections and polls, including supplementary elections caused by the retirement or death of previously elected members had resulted in a greater complexity due to the:

- 3.3.1 complex range of voting entitlements;
- 3.3.2 information programs run for all councils;
- 3.3.3 establishment of a Statewide telephone enquiry service;
- 3.3.4 establishment of a network of Deputy Returning Officers and Electoral Officers with written delegations for all Electoral Officers;
- 3.3.5 development and distribution of procedural manuals, candidate guides and elector instructions sheets;
- 3.3.6 development of computer software;
- 3.3.7 administrative arrangements associated with printing, mail out and postage;
- 3.3.8 the vetting of candidate profiles;
- 3.3.9 the complex proportional representation system requiring specialist training; and
- 3.3.10 capacity to investigate breaches of legislation and bring matters to court (which was previously a role of the Minister for Local Government).

3.4 The Electoral Commissioner pointed out that previously the positions were classified as an executive officer level C and executive officer level A under the public service executive structure.

3.5 The Government submitted that the remuneration for the position of Electoral Commissioner and for the position of Deputy Electoral Commissioner should keep pace with and not significantly exceed the increases which apply to executive officers in the public service. In respect to the changes associated with local Government elections, the Government referred the Tribunal to the Report No. 7 of 1999 wherein the Tribunal referred to amendments to the Local Government Act and submitted that 'whilst the involvement with Local Government may have developed over the past year, it is not new work and does not justify an increase in excess of that which will apply to public service executives'.

3.6 The Tribunal has considered all submissions and is of the view that there has been an increase in the complexity and responsibility of the duties undertaken not previously taken into account and accordingly the Tribunal has determined that the

salary for this Office will be \$112 300 per annum, operative from 1 October 2000. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

## 4. Deputy Electoral Commissioner

4.1 The remuneration of the Deputy Electoral Commissioner was last determined in Determination No. 7 of 1999 and the salary is currently \$75 750 per annum, operative from 1 October 1999.

4.2 The submissions from both the Government and the Electoral Commissioner on behalf of the Deputy Electoral Commissioner in respect to a salary increase mirrored the submissions made in respect of the Electoral Commissioner. Having regard to all submissions the Tribunal has determined that the salary for this office will be \$81 400 per annum, operative from 1 October 2000. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

## 5. Employee Ombudsman

5.1 The remuneration of the Employee Ombudsman was last determined in Determination No. 7 of 1999 and the salary is currently \$81 050 per annum, operative from 1 October 2000.

5.2 The Employee Ombudsman referred the Tribunal to wage movements in the private and public sectors over the previous 12 months and sought that any salary increase determined by the Tribunal for the Office of Employee Ombudsman should have regard to those as well as to increases applicable to executives in the public sector. He submitted that his remuneration be increased by 4.0% on the basis of wage increases within the public and private sector award employees.

5.3 The Tribunal has determined that the salary for this Office will be \$83 000 per annum, operative from 1 October 2000. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

## 6. Ombudsman

6.1 The remuneration of the Ombudsman was last determined in Determination No. 7 of 1999 and the salary is currently \$140 000 per annum, operative from 1 October 1999.

6.2 Although the Ombudsman did not provide a written submission to the Tribunal, the Tribunal did have the opportunity to receive oral submissions from the Ombudsman. The Ombudsman informed the Tribunal of the work that Office had undertaken in the preceding 12 months and which would be included in the Office's Annual Report to be tabled in Parliament and sought a similar increase to that granted to public service executives.

6.3 Having regard to these submissions the Tribunal has determined that the salary for this office will be \$144 200 per annum, operative from 1 October 2000. Telephone rental and calls allowance for this Office will remain unaffected by this Determination.

Dated 5 December 2000.

H. R. BACHMANN, President

## DETERMINATION OF THE REMUNERATION TRIBUNAL

No. 1 OF 2000

*Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman and Ombudsman*

### 1. Scope of Determination

This Determination applies to the separate offices of Auditor General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman and Ombudsman.

### 2. Salary

#### 2.1 Auditor-General

The salary of the office of Auditor-General shall be \$194 600 per annum from 1 October 2000.

## 2.2 Electoral Commissioner

The salary of the office of Electoral Commissioner shall be \$112 300 per annum from 1 October 2000.

## 2.3 Deputy Electoral Commissioner

The salary of the office of Deputy Electoral Commissioner shall be \$81 400 per annum from 1 October 2000 except when acting as Electoral Commissioner for a continuous period of more than one week in which case the Deputy Electoral Commissioner will be paid for the acting period at the rate of the salary for the Electoral Commissioner.

## 2.4 Employee Ombudsman

The salary of the office of Employee Ombudsman shall be \$83 000 per annum from 1 October 2000.

## 2.5 Ombudsman

The salary of the office of Ombudsman shall be \$144 200 per annum from 1 October 2000.

## 3. Telephone Rental and Calls Allowance

When a person to whom this Determination applies is required to have a telephone at home for official purposes, that person shall be paid the whole of the telephone rental for a single point connection without extra services and one third of the cost of metered calls.

## 4. Travelling and Accommodation Allowances

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

## 5. Conveyance Allowances

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

## 6. Date of Operation

The salaries prescribed in Clause 2 are operative from 1 October 2000 and supersede those of all previous Determinations covering persons whose office is listed herein.

H. R. BACHMANN, President

D. FLUX, Member

J. MEEKING, Member

Dated 5 December 2000.

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## ROADS (OPENING AND CLOSING) ACT 1991

### *Hoxton Street, Goodwood*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that THE CORPORATION OF THE CITY OF UNLEY proposes to make a Road Process Order to close and transfer to RYLES INVESTMENTS PTY LTD portion of the public road (Hoxton Street) adjoining the Goodwood Hotel on Goodwood Road, as more particularly delineated and lettered 'A' on Preliminary Plan No. PP32/0625.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, 181 Unley Road, Unley, S.A. 5061 and the Adelaide office of the Surveyor-General during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, P.O. Box 1, Unley, S.A. 5061 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 7 December 2000.

K. SARNECKIS, Acting Surveyor-General

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## REAL PROPERTY ACT NOTICE

WHEREAS the person named in the schedule at the foot hereof has made application to the Registrar-General, under section 140 of the Real Property Act 1886, for an order for foreclosure as mortgagee of the land set forth and described before it's name in the said schedule: Notice is hereby given that the said land is offered for sale by the Registrar-General, until the period mentioned in the schedule, upon and after the expiration of which said period an order for foreclosure will be issued to the said person, unless in the interval, sufficient amounts have been realised by the sale of such land to satisfy the principal and interest moneys due and all expenses occasioned by sale and proceedings.

## THE SCHEDULE

No. of Application	No. of Mortgage	Description of Property	Name and Address of Applicant	Date upon or after which Foreclosure Order may be issued
9000973	8023030	Allotment 2, Hundred of Macclesfield in the area named Mount Barker (L.T.R.O. Deposited Plan No. 29988 comprised in Certificate of Title Volume 5238, Folio 960	Nanette Roe Lintern, c/o Post Office Tungkillo, S.A. 5236, Donald Gilbert Lock, 20 Knox Drive, Woodcroft, S.A. 5162, Public Trustee as the executor of the estate of Alexander Watson Henderson (deceased), 25 Franklin Street, Adelaide, S.A. 5000, Suzanne Kaye Woodhead, 3 Hutt Place, Modbury Heights, S.A. 5092, William James Laurence Lane and Bette Georgina Lane, 8 Yeltana Avenue, Wattle Park, S.A. 5066, Barbara Edith Munro, P.O. Box 19, Mount Pleasant, S.A. 5235, Maxwell William Pearson and Rita Margaret Pearson, 11 Surrey Avenue, Blair Athol, S.A. 5084, Madeline Waye, 7 Trevor Street, Christies Beach, S.A. 5165 C.M. Freeman Nominees Pty Ltd, 3 Terama Court, Salisbury Heights, S.A. 5109, Valerie Margaret Shenton, 32 Dayman Street, Urangan, Qld 4655, George Roger Sargent and Rosslyn Mary Sargent, P.O. Box 520, Blackwood, S.A. 5051, Leonard Raymond Field and Clara Beryl Field, 40 Dauncey Street, Kingscote, S.A. 5223 and Ada Mary Lundberg, P.O. Box 206, Glenside, S.A. 5065	9 January 2001

Dated 4 December 2000, at the Lands Titles Registration Office, Adelaide.

A. J. SHARMAN, Registrar-General



Please Note: The Business Unit  
which publishes the South  
Australian Government Gazette has  
changed its name, effective from  
Friday, 1<sup>st</sup> December 2000.  
Riverside 2000 is now known as:

## **GOVERNMENT PUBLISHING SA**

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49-64	4.15	3.10	545-560	28.50	27.75
65-80	4.90	4.00	561-576	29.25	28.50
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161-176	9.70	8.70	657-672	33.75	33.00
177-192	10.40	9.50	673-688	35.00	33.75
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369-384	19.90	19.00	865-880	44.25	43.50
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## ROAD TRAFFIC ACT 1961

*Exemption for Motor Vehicles or Combinations Carrying Agricultural Vehicles or Implements to exceed Front and Side Projection Limits and a Width of 2.5 m*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor vehicles or vehicle combinations carrying agricultural vehicles:

From the provisions of:

- Rule 66—Width, of the Road Traffic (Vehicle Standards) Rules 1999; and
- Schedule 1, Part 2, Regulation 6—Front and side projections, of the Road Traffic (Mass and Loading Requirements) Regulations 1999,

Subject to the following conditions:

1. General Conditions

- 1.1 That only a load comprising of the agricultural vehicle or implement is permitted to exceed a width of 2.5 m.
- 1.2 The height of the vehicle and load must not exceed 4.3 m.
- 1.3 The overall length of a vehicle or vehicle combination must not exceed 20.117 m.

2. Travel

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

3. Vehicle Flags

- 3.1 Brightly coloured red, yellow, or red and yellow flags, at least 450 mm long and at least 450 mm wide shall be attached to each side of the front and rear of any projecting load.
- 3.2 The flags must be clearly visible at a distance of 100 m to a person with normal vision.

This exemption becomes effective as from 1 January 2001 and expires at midnight on 31 March 2001.

T. N. ARGENT, Executive Director, Transport SA

## ROAD TRAFFIC ACT 1961

*Exemption for Trailers Transporting Gliders to have a Rear Overhang of up to 5 m*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, trailers fitted with a single axle or one axle group which are built specifically for the purpose of transporting gliders:

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

- Rule 20—Compliance with third edition Australian Design Rules, but only in so far as it relates to Australian Design Rule 43.4.2.1 Rear Overhang. All other requirements under Rule 20 must be complied with; and
- Rule 70 (3)—Rear Overhang.

Subject to the following conditions:

1. This notice or a legible copy shall be carried by the driver of the vehicle at all times when operating under this exemption and be produced when requested by an inspector appointed under the Road Traffic Act 1961 and/or the Motor Vehicles Act 1959, or a Police Officer.

2. That the trailer is fitted only with a single axle or one axle group.

3. That the rear overhang, measured from the centre of the trailer axle or axle group to the rearmost point of the trailer or rearmost point of any load carried on the trailer, shall not exceed 5 m.

4. That the width of the load carrying area or body of the trailer shall not exceed 2 m, if the rear overhang, measured from the centre of the trailer axle or axle group to the rearmost point of the trailer or any load carried on the trailer, exceeds 3.7 m in length.

5. That the overall length of the trailer measured from the point of articulation of the trailer and the towing vehicle to the rearmost point of the trailer or rearmost point of any load carried on the trailer, shall not exceed 12.2 m.

6. That the trailer shall only be used for the purpose of transporting gliders and any accessories associated with the sport of gliding or for empty travel.

7. That if the rear load area of the trailer is longer than the front load area there shall be a positive downward force on the towing vehicle's tow coupling in the static condition.

NOTES: The overall length of the towing vehicle and trailer combination including any load shall not exceed 19 m.

That the distance from the point of articulation of the trailer and the towing vehicle to the centre of the trailer axle or axle group shall not exceed 8.5 m.

T. N. ARGENT, Executive Director, Transport SA



## ROAD TRAFFIC ACT 1961

*Exemption from Front Projection and Rear Overhang Requirements for Trailers Manufactured Prior to 1 November 2000 Transporting Rowing Boats*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, trailers manufactured prior to 1 November 2000 and built specifically for the purpose of transporting rowing boats:

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

- Rule 20—Compliance with third edition Australian Design Rules, but only in so far as it relates to Australian Design Rule 43.4.2.1 Rear Overhang. All other requirements under Rule 20 must be complied with; and
- Rule 70 (3)—Rear Overhang; and

From the following provisions of the Road Traffic (Mass and Loading Requirements) Regulations 1999:

- Schedule 1, Part 2, Regulations 5 (1) and (2)—Size limits; and
- Schedule 1, Part 2, Regulation 6 as it relates to Front Projections,

Subject to the following conditions:

1. That the trailer is fitted only with a single axle or one axle group.
2. That the trailer shall only be used for the purpose of transporting rowing boats and any accessories associated with the sport of rowing or for empty travel.

NOTES: The overall length of the towing vehicle and trailer combination including any load shall not exceed 19 m.

If the load projects more than 1.2 m behind the trailer it must in the day time be fitted with brightly coloured flags at least 300 mm x 300 mm and in addition, at night time be fitted with a red light to the rear, visible at a distance of 200 m.

This exemption will expire at midnight on 30 June 2003.

T. N. ARGENT, Executive Director, Transport SA

## ROAD TRAFFIC ACT 1961

*Exemption for Trailers Manufactured on or after 1 November 2000 Transporting Rowing Boats to have a Rear Overhang of up to 5 m*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, trailers manufactured on or after 1 November 2000 and built specifically for the purpose of transporting rowing boats:

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

- Rule 20—Compliance with third edition Australian Design Rules, but only in so far as it relates to Australian Design Rule 43.4.2.1 Rear Overhang. All other requirements under Rule 20 must be complied with; and
- Rule 70(3)—Rear Overhang; and

From the following provision of the Road Traffic (Mass and Loading Requirements) Regulations 1999:

- Schedule 1, Part 2, Regulations 5 (1) and (2)—Size limits,

Subject to the following conditions:

1. This notice or a legible copy shall be carried by the driver of the vehicle at all times when operating under this exemption and be produced when requested by an inspector appointed under the Road Traffic Act 1961 and/or the Motor Vehicles Act 1959, or a Police Officer.
2. That the trailer is fitted only with a single axle or one axle group.
3. That this exemption is only valid whilst the trailer is transporting rowing boats.
4. That the rear overhang, measured from the centre of the trailer axle or axle group to the rearmost point of the load carried on the trailer, shall not exceed 5 m.
5. That the portion of the load (rowing boats) that exceeds a rear overhang of 3.7 m shall not exceed a width of 2 m.
6. That the overall length of the trailer including load, measured from the point of articulation between the trailer and the towing vehicle to the rearmost point of the load carried on the trailer, shall not exceed 13.5 m.
7. That the trailer shall only be used for the purpose of transporting rowing boats and any accessories associated with the sport of rowing or for empty travel.
8. That the constructed dimensions of the trailer must comply with the Road Traffic Act and Regulations.

NOTES: The overall length of the towing vehicle and trailer combination including any load shall not exceed 19 m.

That the distance from the point of articulation of the trailer and the towing vehicle to the centre of the trailer axle or axle group shall not exceed 8.5 m.

The part of any load which projects forward may extend up to 1.2 m beyond the point of articulation between the trailer and the towing vehicle.

If the load projects more than 1.2 m behind the trailer it must in the day time be fitted with brightly coloured flags at least 300 mm x 300 mm that delineates the outer extremities of the load and in addition, at night time be fitted with a red light or lights to the rear, visible at a distance of 200 m.

T. N. ARGENT, Executive Director, Transport SA

## SEWERAGE ACT 1929

*Removal of Land from, and Addition of Land to, Angaston Country Drainage Area*

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

- (a) removes from the Angaston Country Drainage Area all the land contained in allotment 3 in Deposited Plan 48262 (except the portion of that land already outside the Angaston Country Drainage Area);
- (b) adds to the Angaston Country Drainage Area all the land contained in allotment 4 in Deposited Plan 48262 (except the portion of that land already in the Angaston Country Drainage Area);
- (c) adds to the Angaston Country Drainage Area all the land contained in allotment 104 in Deposited Plan 49562 (except the portion of that land already in the Angaston Country Drainage Area); and
- (d) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 22 November 2000.

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

N. K. T. WHITE, General Manager, Retail

In the presence of: P. M. RUCIOCH, Rates Officer

SAWATER 01274/2000 D1096

**SOUTH AUSTRALIAN MOTOR SPORT ACT 1984, PART 3A:  
REMOVAL OF CERTAIN RESTRICTIONS RELATING  
TO THE SALE AND CONSUMPTION OF LIQUOR**

*Notice by the Minister for Tourism*

PURSUANT to Section 27AB of the South Australian Motor Sport Act 1984, I, the Minister to whom the administration of that Act has been committed, hereby declare that Sections 27B and 27C of the South Australian Motor Sport Act 1984, apply in relation to the 'Le Mans Race of a Thousand Years':

- (i) with respect to licensed premises within the metropolitan area of Adelaide; and
- (ii) for that part of the prescribed period commencing at 5 a.m. on 29 December 2000 and concluding at 5 a.m. on 1 January 2001.

JOAN HALL, Minister for Tourism

**SOUTH AUSTRALIAN MOTOR SPORT REGULATIONS 1999,  
REGULATION 12: CONDITIONS IMPOSED ON TICKETS**

*Notice by the Minister for Tourism*

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

1. Except to the extent permitted by the Trade Practices Act 1974, tickets cannot be exchanged or refunded after purchase.
2. Tickets are non-transferable on the day or during the day of presentation. Upon exit, the ticket holder's hand must be stamped to regain entry on the same day. The stamp must be shown along with a valid ticket clipped for that day to regain entry.
3. The promoter reserves the right to refuse admittance to or evict from the event any person with reasonable cause.

4. The promoter reserves the right to add, withdraw or substitute any drivers, performers or activities associated with the event, vary programs, seating arrangements or audience capacity and determine and publish additional conditions from time to time.

5. A person cannot make, reproduce or use any form of still or moving pictures or any sound recording (footage) of the motor sport event (as defined in the Act) or any part of it for profit, gain, public advertisement, display or for any other purpose except for the private enjoyment of the person making the footage, without the consent of the promoter and will on demand assign all rights thereto to the promoter or its nominees.

6. Any ticket purchased and the ticket holder's entry to and presence at the event is subject to these conditions of sale, conditions of entry displayed at event entrances and the South Australian Motor Sport Act 1984 and its regulations. Details freely available from Panoz Motorsport Australia Pty Ltd, Ground Floor, 186 Pulteney Street, Adelaide.

7. Important item to note for the safety, comfort and protection of fellow patrons, please be aware that the following articles will not be allowed into the circuit: no alcohol; no bottles or glass; no animals; no weapons of any kind; no cans; no fireworks; no material for use in construction of a viewing structure.

8. Spectators are reminded that motor sport is dangerous and accidents can happen. Care is taken to protect the public, but spectators are warned that there is the possibility of accidents causing injury, death or property damage. By purchase of a ticket, the spectators acknowledge that the entry to the racing circuit has a degree of danger and the promoter, clubs, corporations, organisation, and persons having any connection with the promoting, organising or conduct of the event shall have no liability to the spectator except in regard to any rights you may have arising under the Trade Practices Act 1974.

JOAN HALL, Minister for Tourism

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

*Notice by the Minister for Tourism*

PURSUANT to section 26 of the South Australian Motor Sport Act 1984, the Minister to whom the administration of that Act has been committed, hereby designates the offices of Brown & Root Services Asia Pacific Pty Ltd, 186 Greenhill Road, Park-side as the place at which may be inspected by members of the public, plans of all works proposed to be carried out by the South Australian Motor Sport Board in relation to the event known as, the 'Le Mans Race of a Thousand Years'.

JOAN HALL, Minister for Tourism

**SOUTH AUSTRALIAN MOTOR SPORT REGULATIONS 1999,  
REGULATION 11: OPENING AND CLOSING TIME OF  
THE DECLARED AREA**

*Notice by the South Australian Motor Sport Board*

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

Day	Opening Time	Closing Time
Friday, 29 December 2000	10 a.m.	10 p.m.
Saturday, 30 December 2000	9 a.m.	6 p.m.
Sunday, 31 December 2000	10.30 a.m.	2 a.m. (1 January 2001)

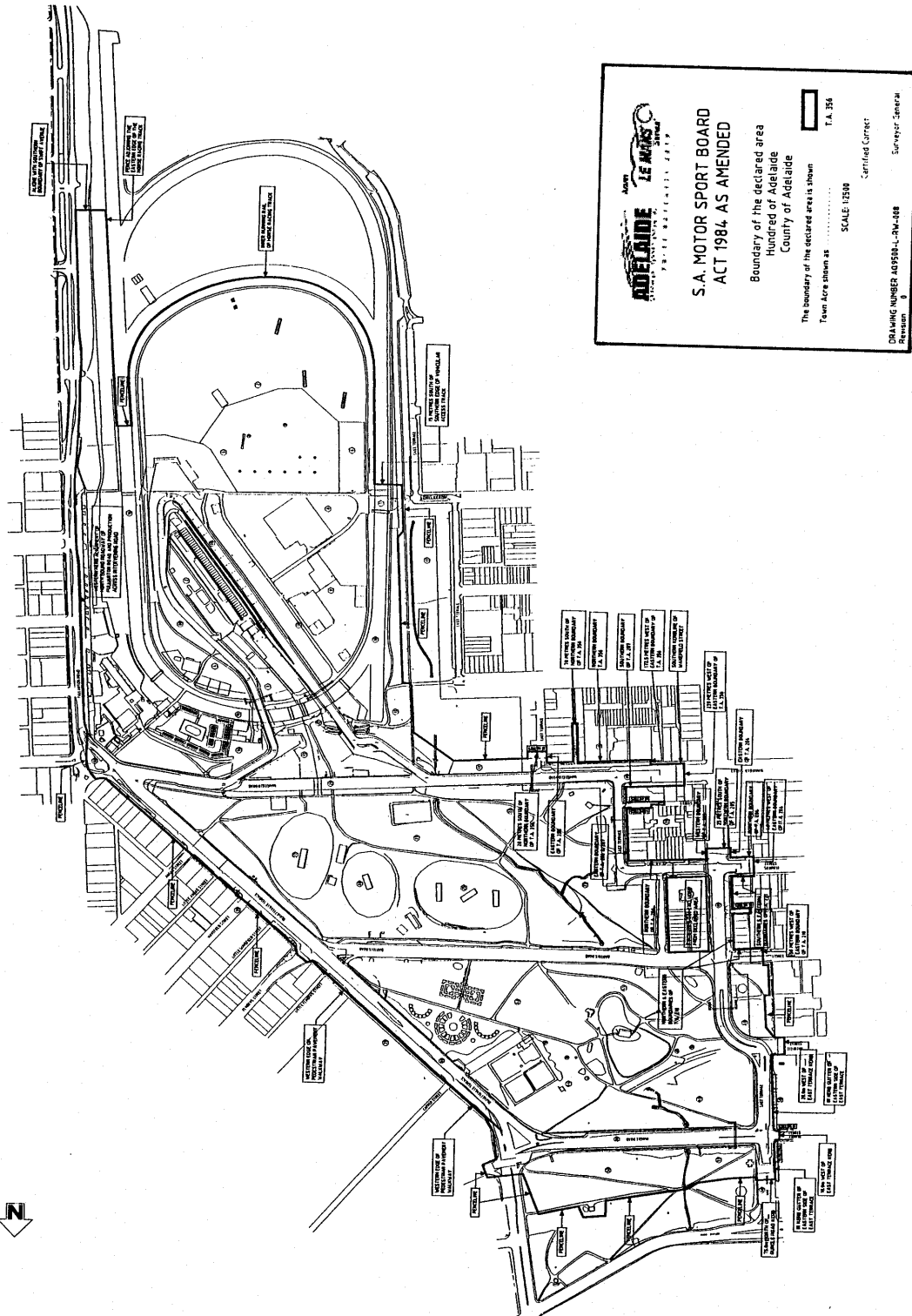
JOAN HALL, Minister for Tourism

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

Notice by the Minister for Tourism

PURSUANT to section 20 (1) of the South Australian Motor Sport Act 1984, I, the Minister to whom the administration of that Act has been committed, in respect of the motor sport event under the name 'Le Mans Race of a Thousand Years', acting on the recommendation of the Board, declare:

- (a) that the area delineated on the plan in the schedule will be a declared area under the Act for the purposes of the event; and
- (b) that the period commencing on 28 December 2000 and ending on 1 January 2001 (both days inclusive) will be a declared period under the Act for the purposes of the event.



## SOIL CONSERVATION AND LAND CARE ACT 1989

*Appointment*

I, ROBERT GERARD KERIN, Deputy Premier, Minister for Primary Industries and Resources, Minister for Regional Development in the State of South Australia, to whom the administration of the Soil Conservation and Land Care Act 1989 has been committed, do hereby appoint the following person as a member of the Northern Flinders Soil Conservation Board, pursuant to section 24 of the Act until 30 June 2003:

Catherine Zwick

Dated 25 November 2000.

ROB KERIN, Deputy Premier, Minister for  
Primary Industries and Resources,  
Minister for Regional Development.

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## WATERWORKS ACT 1932

*Removal of Land from Warren Country Lands Water  
District and Addition to Seppeltsfield Water District*

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

- (a) removes from the Warren Country Lands Water District and adds to the Seppeltsfield Water District all the land contained in:
  - (i) allotment 1 in Deposited Plan 20972 (except the portion of that land already in the Seppeltsfield Water District); and
  - (ii) allotment 111 in Deposited Plan 44273 (except the portion of that land already in the Seppeltsfield Water District); and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 22 November 2000.

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

N. K. T. WHITE, General Manager, Retail

In the presence of: P. M. RUCIOCH, Rates Officer

SAWATER 01273/2000 W1095

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## WATERWORKS ACT 1932

*Water Rates in Respect of Non-Commercial Land (except Residential and Vacant Land)*

PURSUANT to section 65C (1) (d) of the Waterworks Act 1932, and after consultation with the South Australian Water Corporation, I fix the following water rates in respect of all water supplied to all classes of non-commercial land except residential and vacant land for the financial year commencing on 1 July 2001 and ending on 30 June 2002:

- (i) for each kilolitre supplied up to, and including, 125 kilolitres—\$0.38 per kilolitre;
- (ii) for each kilolitre supplied over 125 kilolitres—\$0.94 per kilolitre.

Dated 7 December 2000.

MICHAEL ARMITAGE, Minister For Government Enterprises

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## WATERWORKS ACT 1932

*Supply Charge in Respect of Non-Commercial Land (except Residential and Vacant Land)*

PURSUANT to section 65C (1) (a) of the Waterworks Act 1932, and after consultation with the South Australian Water Corporation, I fix the supply charge in respect of all classes of non-commercial land except residential and vacant land for the financial year commencing on 1 July 2001 and ending on 30 June 2002 at \$138 per annum.

Dated 7 December 2000.

MICHAEL ARMITAGE, Minister For Government Enterprises

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## WATERWORKS ACT 1932

*Supply Charge in Respect of Non-Commercial (Residential and Vacant) Land*

PURSUANT to section 65C (1) (a) of the Waterworks Act 1932, and after consultation with the South Australian Water Corporation, I fix the supply charge in respect of residential and vacant land for the financial year commencing on 1 July 2001 and ending on 30 June 2002 at \$125 per annum.

Dated 7 December 2000.

MICHAEL ARMITAGE, Minister For Government Enterprises

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## WATERWORKS ACT 1932

*Water Rates in Respect of Non-Commercial (Residential and Vacant) Land*

PURSUANT to section 65C (1) (d) of the Waterworks Act 1932, and after consultation with the South Australian Water Corporation, I fix the following water rates in respect of water supplied to residential and vacant land for the financial year commencing on 1 July 2001 and ending on 30 June 2002:

- (i) for each kilolitre supplied up to, and including, 125 kilolitres—\$0.38 per kilolitre;
- (ii) for each kilolitre supplied over 125 kilolitres—\$0.94 per kilolitre.

Dated 7 December 2000.

MICHAEL ARMITAGE, Minister For Government Enterprises

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## WATERWORKS ACT 1932

*Water Rates in Respect of Commercial Land*

PURSUANT to section 65C (1) (d) of the Waterworks Act 1932, and after consultation with the South Australian Water Corporation, I fix the water rate in respect of water supplied to commercial land for the financial year commencing on 1 July 2001 and ending on 30 June 2002 at \$0.94 per kilolitre.

Dated 7 December 2000.

MICHAEL ARMITAGE, Minister For Government Enterprises

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## WATERWORKS ACT 1932

*Rates for Supply by Agreement*

IN relation to agreements for the supply of water entered into pursuant to section 37 (1) of the Waterworks Act 1932, the rates payable in respect of the 2001-2002 financial year are as set out in the Schedule.

## SCHEDULE

Supply charge payable in respect to each supply in any water district other than those in the Marla water district .....	\$125
Water rates payable in respect to each and every supply in any water district other than those in the Marla water district for water supplied during the consumption year ending in the 2001-2002 financial year:	
(i) for each kilolitre supplied up to, and including, 125 kilolitres .....	\$0.38 per kilolitre
(ii) for each kilolitre supplied over 125 kilolitres.....	\$0.94 per kilolitre
Charge payable in respect to each supply in the Marla water district .....	\$250
Water rates payable in respect to each and every supply in the Marla water district for water supplied during the consumption year ending in the 2001-2002 financial year:	
(i) for each kilolitre supplied up to, and including, 125 kilolitres .....	\$0.76 per kilolitre
(ii) for each kilolitre supplied over 125 kilolitres.....	\$1.88 per kilolitre

Dated 7 December 2000.

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

ANNE HOWE, Acting Chief Executive

In the presence of: I. MILLER, Corporation Secretary



## VOCATIONAL EDUCATION, EMPLOYMENT AND TRAINING ACT 1994

### PART 4 - CONTRACTS OF TRAINING

Pursuant to the provisions of the Vocational Education, Employment and Training Act (VEET Act) the Accreditation and Registration Council (ARC) gives notice that it has determined the following:

#### Occupations that Constitute Trades and Other Declared Vocations

The following schedule is additional to:

1. the gazettal of 24 April 1996 (page 2045)
3. the gazettal of 5 December 1996 (page 1818)
5. the gazettal of 17 April 1997 (page 1571)
7. the gazettal of 12 June 1997 (page 2984)
9. the gazettal of 7 August 1997 (page 311)
11. the gazettal of 22 December 1997 (page 1776)
13. the gazettal of 18 June 1998 (page 2594)
15. the gazettal of 24 September (page 990)
17. the gazettal of 15 October 1998 (page 1150)
19. the gazettal of 19 November 1998 (page 1583)
21. the gazettal of 10 December 1998 (page 1870)
23. the gazettal of 23 December 1998 (page 2039)
25. the gazette of 25 March 1999 (page 1480)
27. the gazette of 22 April 1999 (page 2219)
29. the gazettal of 6 May 1999 (page 2482)
31. the gazettal of 27 May 1999 (Errata) (page 2723)
33. the gazettal of 24 June 1999 (page 3261)
35. the gazettal of 29 July 1999 (page 602)
37. the gazettal of 14 October 1999 (page 1973)
39. the gazettal of 6 January 2000 (page 1169)
41. the gazettal of 6 April 2000 (page 2047)
43. the gazettal of 4 May 2000 (page 2416)
45. the gazettal of 15 June 2000 (page 3282) Errata (page 3285)
47. the gazettal of 6 July 2000 (page 22) Errata (page 24)
49. the gazettal of 10 August 2000 (page 467)
51. the gazettal of 14 September 2000 (page 2002)
53. the gazettal of 16 November 2000 (page 3208) Errata (page 3211)
2. the gazettal of 31 October 1996 (page 1544)
4. the gazettal of 6 February 1997 (page 830)
6. the gazettal of 29 May 1997 (page 2758)
8. the gazettal of 3 July 1997 (page 33)
10. the gazettal of 18 December 1997 (page 1677)
12. the gazettal of 23 April 1998 (page 1959)
14. the gazettal of 6 August 1998 (page 339)
16. the gazettal of 1 October 1998 (page 1038)
18. the gazettal of 12 November 1998 (page 1389)
20. the gazettal of 3 December 1998 (page 1742)
22. the gazettal of 17 December 1998 (page 1954)
24. the gazette of 11 March 1999 (page 1359)
26. the gazette of 1 April 1999 (page 1605) (Errata)
28. the gazettal of 29 April 1999 (page 2381) (Errata)
30. the gazettal of 13 May 1999 (page 2595)
32. the gazettal of 17 June 1999 (page 3123)
34. the gazettal of 1 July 1999 (page 22)
36. the gazettal of 30 September 1999 (page 1364)
38. the gazettal of 11 November 1999 (page 2327)
40. the gazettal of 30 March 2000 (page 1921)
42. the gazettal of 13 April 2000 (Errata) (page 2167)
44. the gazettal of 18 May 2000 (page 2606) Errata (page 2609)
46. the gazettal of 29 June 2000 (page 3490)
48. the gazettal of 20 July 2000 (page 267)
50. the gazettal of 24 August 2000 (page 643)
52. the gazettal of 12 October 2000 (page 2475) Errata (page 2480)
- 54.



which set out the occupations that constitute trades and other declared vocations and the terms and conditions applicable to such declared vocations.

**SCHEDULE - DECLARED VOCATIONS, REQUIRED COURSES OF INSTRUCTION AND ASSOCIATED CONDITIONS**  
Changes to courses and conditions determined by ARC for existing Declared Vocations appear in Bold.

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
# Clerical Processing (Office Administration)	Endorsed to 31/01/01	Administration Training Package			
ARC September 2000	BSA10197	Certificate I in Business (Office Administration)	Exit point	*590 hours	1 month
ARC September 2000	BSA20197	Certificate II in Business (Office Administration)	12 months	*265-345 hours	1 month
ARC September 2000	BSA30197	Certificate III in Business (Office Administration)	12 months	*345-360 hours	1 month
ARC September 2000	BSA40197	Certificate IV in Business (Administration)	12 months		
		Note: People entering at Level 3 may be required to undertake some training in order to gain Level 2 competencies where skill gaps are identified			
		*Up to 140 hours of pre requisite competencies may be added, if required, to the nominal hours for each qualification level			
ARC October 2000	BSA30200	Certificate III in Business (Legal Administration)	12 months	300-385 hours	1 month
ARC October 2000	BSA40200	Certificate IV in Business (Legal Services)	24 months	590-740 hours*	2 months
		*6 Units of Competency (totaling 225 hours) from the Certificate III underpin all units of competency in the Legal Services Stream of the Administration Training Package			
		Alternate courses of instruction:			
ARC June 1997	3947 NS95/525LFX November 2000	Certificate II in Arts Administration (Level 2)	12 months	328 hours	1 month
ARC June 1998	12319SA CFF December 2001 Endorsed to 9/4/01	Certificate III in Business (Real Estate Corporate Support) (Level 3)	12 month	580 hours	1 month
		Correctional Services Training Package Qualification			



Occupation/Occupation Levels Declared + Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
	CSC30398	Certificate III in Correctional Practice (Administration/Ancillary)	12 or 24 months	385 hours	1 or 2 months
	Endorsed to 30/8/02	Automotive Industry Retail Service and Repair Training Package			
	AUR10199	Alternative Courses of Instruction:	Exit Point		
ARC June 2000	AUR20199	Certificate II in Automotive	18 months	501 hours	6 weeks
ARC December 1999	AUR20299	Certificate II in Automotive (Administration – Clerical)	18 months	551 hours	6 weeks
	AUR20399	Certificate II in Automotive (Administration – Service Reception)	12 months	351 hours	1 month
	AUR 20499	Certificate II in Automotive (Administration – Vehicle Financing and Insuring)	12 months	286 hours	1 month
	AUR 20599	Certificate II in Automotive (Administration – Vehicle Financing and Insuring – Loss Assessing)	12 months	291 hours	1 month
	Endorsed to 30/11/02	Certificate II in Automotive (Administration – Vehicle Valuating/Purchasing)			
ARC September 2000	PSP20199	Public Services Training Package	12 months	160-200 hours	1 month
ARC September 2000	PSP30199	*Certificate II in Government	12 months	255-350 hours	1 month
ARC September 2000	PSP40199	*Certificate III in Government	24 months	300-650 hours	2 months
ARC September 2000	PSP50199	Certificate IV in Government	36 months	385-705 hours	3 months
ARC September 2000	PSP60199	Diploma of Government	48 months	590-1030 hours	3 months
ARC September 2000	PSP50299	Advanced Diploma of Government	36 months	365-505 hours	3 months
ARC September 2000	PSP40399	Diploma of Government (Policy Development)	24 months	445-565 hours	2 months
		Certificate IV in Government (Procurement and Contracting)			
		*An industrial agreement for a training wage has been negotiated for Certificates II and III only.			

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National/State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
ARC December 2000	Endorsed to March 2003 LGA10100 LGA20100 LGA20200	Local Government Training Package (LGA00) Commencement Date for Registration of Contracts of Training is from 1/1/2001 Certificate I in Local Government (Governance and Administration) Certificate II in Local Government (Governance and Administration) Certificate II in Local Government (Environmental Health and Regulation)	12 months 12 months 24 months	170-180 hours 210-350 hours 206-550 hours	1 month 1 month 2 months
# Management	Endorsed to 30/1/2002 ZWA40199 ZWA50199	Woolworths Supermarket Enterprise Training Package Certificate IV in Woolworths Management Diploma of Woolworths Management	36 months (72 months part time) 48 months (72 months part time)	349 hours 366 hours	3 months 3 months
Declared (ARC) August 1998	5437 V12311AEB 31 Dec 2000	Certificate III in Small Business Franchising (Bakers Delight)	12 months	550 hours	1 month
ARC June 1999	1968 BFX 31 Dec 2002	Alternate course of instruction: Certificate IV in First Line Management	24 months	260 hours	2 months
ARC December 1999	AUR40199 30 Aug 02	Certificate IV in Automotive (Business Management Stream)	48 months	1320 hours	3 months
ARC June 2000	7040 QLFM1003 15/07/01	Certificate III in Frontline Management	12 months	240 hours	1 month
ARC June 2000	7041 QLFM1004 15/07/01	Certificate IV in Frontline Management	24 months	400 hours	2 months



Occupation/Occupation Levels Declared * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
ARC September 2000	Endorsed to 30/11/02	Public Services Training Package			
ARC September 2000	PSP60299	Advanced Diploma of Government (Compliance Management)	48 months	605-1010 hours	3 months
ARC September 2000	PSP60399	Advanced Diploma of Government (Contract Management)	48 months	630-970 hours	3 months
ARC September 2000	PSP60499	Advanced Diploma of Government (Human Resources)	48 months	535-700 hours	3 months
ARC September 2000	PSP50399	Diploma of Government (Management)	36 months	495 hours	3 months
ARC September 2000	PSP60599	Advanced Diploma of Government (Management)	48 months	630-690 hours	3 months
ARC September 2000	PSP60699	Certificate IV in Government (Project Management)	24 months	480-640 hours	2 months
ARC September 2000	PSP50699	Diploma of Government (Project Management)	36 months	505-646 hours	3 months
ARC September 2000	PSP50799	Diploma of Government (Financial Management)	36 months	425-665 hours	3 months
ARC October 2000	Endorsed to 31/1/01 BSA50200	Administration Training Package Diploma of Business (Legal Services)	36 months	685-965 hours*	3 months
		*6 Units of Competency (totalling 225 hours) from the Certificate III underpin all units of competency in the Legal Services Stream of the Administration Training Package.			
ARC December 2000	Endorsed to March 2003	Local Government Training Package (LGA00) Commencement Date for Registration of Contracts of Training is from 1/1/2001			
	LGA30100	Certificate III in Local Government (Governance and Administration)	24 months	300-590 hours	2 months
	LGA30200	Certificate III in Local Government (Environmental Health and Regulation)	24 months	225-480 hours	2 months
# Extractive Industries Operator	Endorsed to 24/7/01	Extractive Industries Training Package:			
	MNQ20198	Certificate II in Extractive Industries (Operator)	24 months	560 hours	2 months
	MNQ30198	Certificate III in Extractive Industries (Operator)	36 months	925 hours	3 months

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
ARC December 2000	Endorsed to April 2002	<b>Metalliferous Mining Training Package (MINM99)</b> Commencement date for Registration of Contract of Training is from 1/1/2000	12 months	350-450 hours	1 month
	MNM20199	Certificate II in Metalliferous Mining Operations (Open Cut)	12 months	350-450 hours	1 month
	MNM20299	Certificate II in Metalliferous Mining Operations (Underground)	12 months	350-450 hours	1 month
	MNM20399	Certificate II in Metalliferous Mining Operations (Processing)	24 months	650-750 hours	2 months
	MNM30199	Certificate III in Metalliferous Mining Operations (Open Cut)	24 months	850-950 hours	2 months
	MNM30299	Certificate III in Metalliferous Mining Operations (Underground)	24 months	700-800 hours	2 months
	MNM30399	Certificate III in Metalliferous Mining Operations (Processing)	36 months	850-950 hours	3 months
	MNM40199	Certificate IV in Metalliferous Mining Operations (Open Cut)	36 months	850-950 hours	3 months
	MNM40299	Certificate IV in Metalliferous Mining Operations (Underground)	36 months	1050 hours	3 months
	MNM40399	Certificate IV in Metalliferous Mining Operations (Processing)	36 months	1050 hours	3 months
	MNM50299	Diploma of Metalliferous Mining (Open Cut & Underground)	48 months	960 hours	3 months
	MNM50399	Diploma of Metalliferous Mining (Processing)	48 months	1040 hours	3 months
Sprinkler Fitting Declared ICTC July 1986 ARC October 2000	I3190VIC Expiry date 31/12/2002	Previously course conducted at the Royal Melbourne Institute of Technology Certificate III in Sprinkler Fitting	48 months	960 hours	3 months
			48 months	1040 hours	3 months



### Vocational Education, Employment and Training Act 1994

#### *Errata*

In the *Government Gazette* of 6 July 2000, the notices appearing on page 23 related to the Declared Vocation of Jewellery Making had the incorrect course code listed as follows:

- Jewellery Making – Endorsed to 31/12/01 Course Code 40040SA SALFZ

#### **Corrections should now appear as:**

- Jewellery Making – Endorsed to 31/12/01 – Course Code 40050SA SALFZ

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
* Jewellery Making ARC July 2000	Endorsed to 31/12/01 40050SA SALFZ	Certificate III in Engineering (Jewellery)	48 months	912 hours	3 months
ARC June 1999	endorsed to 21/10/01 MEM30398	Alternate course of instruction: Metal and Engineering Training Package qualification Certificate III in Engineering - Fabrication Trade (Jewellery)	48 months	912 hours	3 months

In the *Government Gazette* of 16 November 2000, the notices appearing on page 3211 related to the Declared Vocation of Aboriginal and Torres Strait Islander Education Worker incorrectly indicated the probationary period as follows:

- Certificate III in Aboriginal and Torres Strait Islander Education – 12 months full time or 24 months part time – 390 hours – 1 month part time or 2 months full time
- Certificate III in Aboriginal Education Worker – 12 months full time or 24 months part time – 390 hours – 1 month part time or 2 months full time
- Certificate IV in Aboriginal Education Worker – 12 months full time or 24 months part time – 390 hours – 1 month part time or 2 months full time

**Corrections and additional information should now appear as:**

- Certificate III in Aboriginal and Torres Strait Islander Education – 12 months full time or 24 months part time – 390 hours – 1 month full time or 2 months part time
- Certificate III in Aboriginal Education Worker – 12 months full time or 24 months part time – 390 hours – 1 month full time or 2 months part time
- Certificate IV in Aboriginal Education Worker – 12 months full time or 24 months part time – 390 hours – 1 month full time or 2 months part time

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
# Aboriginal and Torres Strait Islander Education Worker Declared (ARC) October 1996	7530 / X192 30 April 2004	Certificate III in Aboriginal and Torres Strait Islander Education	12 months	390 hours	1 month
ARC June 1999	15375SA/X713 30 April 2004	Alternate courses of instruction: Certificate III in Aboriginal and Torres Strait Islander Education	12 months full time or 24 months part time	390 hours	1 month full time or 2 months part time
	15374SA/X712 30 April 2004	Certificate III in Aboriginal Education Worker	12 months full time or 24 months part time	390 hours	1 month full time or 2 months part time
	15373SA/X711 30 April 2004	Certificate IV in Aboriginal Education Worker	12 months full time or 24 months part time	390 hours	1 month full time or 2 months part time



In the *Government Gazette* of 24 February 2000, the notices appearing on page 1169 showed the following Certificates under the Declared Vocation of Motor Mechanic (Diesel) as follows :

- Automotive Industry Retail Service and Repair Training Package
- Certificate III in Automotive (Mechanical – Diesel Fitter)
- Certificate III in Automotive (Mechanical – Diesel Fuel Specialists)
- Certificate III in Automotive (Mechanical – Heavy Vehicle Road Transport)
- Certificate III in Automotive (Mechanical – Heavy Vehicle Mobile Equipment Plant/Earth Moving/Agricultural)
- Certificate III in Automotive (Mechanical – Automatic Transmission)
- Certificate III in Automotive (Mechanical – Driveline)
- Certificate III in Automotive (Mechanical – Light Vehicle)
- Certificate III in Automotive (Mechanical – Natural Gas Vehicle (NGV) Installer)
- Certificate IV in Automotive (Technical – Stream)

**Corrections should now appear as:**

**The following certificates should be shown under the heading Motor Mechanic (Diesel)**

- Automotive Industry Retail Service and Repair Training Package
- Certificate III in Automotive (Mechanical – Diesel Fitter)
- Certificate III in Automotive (Mechanical – Diesel Fuel Specialists)
- Certificate III in Automotive (Mechanical – Heavy Vehicle Road Transport)
- Certificate III in Automotive (Mechanical – Heavy Vehicle Mobile Equipment Plant/Earth Moving/Agricultural)

**The following certificates should be moved from under the heading Motor Mechanic (Diesel) and shown under the heading Motor Mechanic**

- Certificate III in Automotive (Mechanical – Automatic Transmission)
- Certificate III in Automotive (Mechanical – Driveline)
- Certificate III in Automotive (Mechanical – Light Vehicle)
- Certificate III in Automotive (Mechanical – Natural Gas Vehicle (NGV) Installer)
- Certificate IV in Automotive (Technical – Stream)

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
* Motor Mechanic (Diesel) ARC December 1999 ARC December 1999 ARC December 1999 ARC December 1999 ARC December 1999	Endorsed to 30/8/02 AUR30499 AUR30599 AUR30899 AUR30999	Automotive Industry Retail Service and Repair Training Package Certificate III in Automotive (Mechanical – Diesel Fitter) Certificate III in Automotive (Mechanical – Diesel Fuel Specialists) Certificate III in Automotive (Mechanical – Heavy Vehicle Road Transport) Certificate III in Automotive (Mechanical – Heavy Vehicle Mobile Equipment Plant/Earth Moving/Agricultural)	48 months 36 months 48 months 48 months 48 months	1148 hours 560 hours 1142 hours 1137 hours 1000 hours	3 months 3 months 3 months 3 months 3 months
Course (ICTC) September 1993	--- LKF 31 December 00	<i>Replacing the following courses of instruction : Certificate in Automotive Mechanical Repairs (Heavy Vehicle)</i>	48 months	1000 hours	3 months
Motor Mechanic ARC December 1999 ARC December 1999 ARC December 1999 ARC December 1999 ARC December 1999	AUR30299 AUR30699 AUR31099 AUR31299 3530	Certificate III in Automotive (Mechanical – Automatic Transmission) Certificate III in Automotive (Mechanical – Driveline) Certificate III in Automotive (Mechanical – Light Vehicle) Certificate III in Automotive (Mechanical – Natural Gas Vehicle (NGV) Installer) Certificate IV in Automotive (Technical – Stream)	36 months 48 months 48 months 48 months 12 months	668 hours 763 hours 968 hours 928 hours AQF Level 3 Certificate plus 340 hours	3 months 3 months 3 months 3 months 1 month
	QLCN0351A November 2000	<i>Replacing the following course of instruction Certificate III in Automotive Engineering Motor Mechanics (Light Vehicle)</i>	48 months	880 hours	3 months



In the *Government Gazette* of 16 November 2000, the notices appearing on page 3209 related to the Declared Vocation of Coopering and Vatmaking had the incorrect probationary period listed as follows:

- Alternate Course of Instruction Certificate III in Furnishing – Course Code 13211SA Probationary Period 1 month

**Corrections should now appear as:**

- Alternate Course of Instruction Certificate III in Furnishing – Course Code 13211SA Probationary Period 3 months

Occupation/Occupation Levels Declared Vocation * Trade # Other than trade	Course code National / State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of Attendance at approved course	Probationary Period
* Coopering and Vatmaking ARC September 1999	5350 NS95/130E 31/1/01	Certificate II in Furnishing (Timber Cutting and Dressing) Alternate Course of Instruction Certificate II in Furnishings – Timber Shaping Operations	12 months 12 months	340 hours 340 hours	1 month 1 month
ARC September 1999	13211SA/AHG 31 Dec 00	Certificate III in Furnishing (Cabinetmaking)  OR Certificate III in Wood Machining*	48 months 48 months	800 hours 800 hours	3 months 3 months
ARC November 2000	13211SA/FAC 31 Dec 00 13211SA SAFAA	Alternate Course of Instruction Certificate III in Furnishing  * Certificate III in Wood Machining is a stream of the Certificate III in Furnishing and therefore has the same overall national code as the other streams	48 months	800 hours	3 months

**REGULATIONS UNDER THE NATIONAL PARKS AND WILDLIFE ACT 1972**

No. 278 of 2000

*At the Executive Council Office at Adelaide 7 December 2000*

PURSUANT to the *National Parks and Wildlife Act 1972* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

IAIN EVANS Minister for Environment and Heritage

**SUMMARY OF PROVISIONS****PART 1  
PRELIMINARY**

1. Citation
2. Commencement
3. Regulations under section 68(1)(c) of the Act
4. Interpretation
5. Application of these regulations

**PART 2  
WHALES****DIVISION 1—INTERACTION OF VESSELS AND WHALES**

6. Distance from whales and speed of vessels
7. Obligation where whale too close to vessel

**DIVISION 2—INTERACTION OF AIRCRAFT AND WHALES**

8. Restrictions on aircraft

**DIVISION 3—SWIMMING AND WHALES**

9. Restrictions on swimming
10. Circumstances in which swimmers must move away from a whale
11. Non application of this Division to submersibles

**DIVISION 4—COMMERCIAL OPERATIONS**

12. Restrictions on the commercial observation of whales

**DIVISION 5—THE ENCOUNTER BAY RESTRICTED AREA**

13. The Encounter Bay restricted area

**DIVISION 6—GENERAL**

14. Noise in the vicinity of whales

**PART 3  
DOLPHINS AND PORPOISES**

15. Distance from dolphins and porpoises and speed of vessels
16. Swimming and dolphins and porpoises

**PART 4  
MISCELLANEOUS**

17. Swimmers and marine mammals
18. Approaching marine mammals on land
19. Feeding marine mammals
20. Exemption

**PART 1  
PRELIMINARY**

**Citation**

1. These regulations may be cited as the *National Parks and Wildlife (Whales and Dolphins) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 January 2001.

**Regulations under section 68(1)(c) of the Act**

3. (1) These regulations are made under section 68(1)(c) of the Act.

(2) The Minister is able to grant a permit to a person to act in contravention of these regulations under section 68(2) of the Act.

**Interpretation**

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

"**the Act**" means the *National Parks and Wildlife Act 1972*;

"**adult whale**" means a whale that is not a whale calf;

"**aircraft**" means any machine or equipment that is designed to be flown by a person who has control over its speed and direction of movement but does not include a hovercraft;

"**dolphin**" means an animal of one of the following genera;

- (a) Delphinus;
- (b) Grampus;
- (c) Lagenorhynchus;
- (d) Orcinus;
- (e) Pseudorca;

(f) Tursiops;

"**marine mammal**" means a mammal of a species whose natural habitat is a marine environment;

"**motorised vessel**" means a vessel that has a motor or engine as its principal source, or one of its principal sources, of motive power;

"**observe**" in relation to a marine mammal means to watch, or listen to, the mammal and includes to take photographs or films or to make audio, video or other recordings of the mammal;

"**porpoise**" means an animal of the genus *Phocoena*;

"**prescribed vessel**" means a jet ski or a hovercraft;

"**submersible**" means a machine designed to move one or more persons underwater;

"**swimmer**" includes a person using a surfboard;

"**vessel**" means a boat or other craft or a device that is designed to float on water and to be manoeuvred by a person who has control over its speed and direction of movement and includes—

(a) a submersible; and

(b) a hovercraft,

but does not include a surfboard;

"**whale**" means an animal of one of the following families:

(a) *Balaenidae*;

(b) *Balaenopteridae*;

(c) *Neobalaenidae*;

(d) *Physeteridae*;

(e) *Kogiidae*;

(f) *Ziphiidae*,

or of the genus *Globicephala*;

"**whale calf**" means a young whale that is less than two thirds of the length of an adult female whale.

#### **Application of these regulations**

5. (1) These regulations only apply to, and in relation to, marine mammals living in the wild.

(2) These regulations apply to, and in relation to, a vessel or aircraft except where the observing of marine mammals or swimming near marine mammals is not the purpose, or one of the purposes, for which the vessel or aircraft is being used.

(3) Where a whale, dolphin or porpoise is in a situation in which it is reasonable to assume that it is distressed, the whale, dolphin or porpoise will be taken to appear to be distressed for the purposes of these regulations.

(4) Subregulation (3) does not limit the circumstances in which a whale, dolphin or porpoise may appear to be distressed.

**PART 2  
WHALES**

**DIVISION 1—INTERACTION OF VESSELS AND WHALES**

**Distance from whales and speed of vessels**

6. (1) A person who is in control of a prescribed vessel must not move it closer to a whale than 300 metres.

(2) A person who is in control of any other kind of vessel must not—

(a) move it closer than 300 metres to—

(i) a whale that appears to be distressed; or

(ii) a whale calf; or

(b) move it closer than 100 metres to any other whale.

(3) A person who is in control of a vessel that is within 300 metres of a whale—

(a) must not approach the whale head on or tail on;

(b) if the whale is moving towards the vessel—must not use, or continue using, the vessel to enable persons on the vessel to observe the whale or swim near it unless he or she either maintains the vessel's position or moves it away from the whale;

(c) must not move the vessel between the whale and another whale that is within 300 metres of the vessel;

(d) must not drop an anchor from the vessel.

(4) A person who is in control of a motorised vessel must not drive the vessel at a speed exceeding 5 knots if the vessel is within 300 metres of a whale.

**Obligation where whale too close to vessel**

7. (1) Subject to subregulation (2), where a whale is—

(a) within 300 metres of a prescribed vessel; or

(b) within 100 metres of any other vessel,

the person in control of the vessel must not use, or continue using, it to enable persons on the vessel to observe the whale or swim near it unless he or she maintains the position of the vessel or moves it away from the whale.

(2) Where a whale that appears to be distressed or a whale calf is within 300 metres of a vessel, the person in control of the vessel must not use, or continue using, it to enable persons on the vessel to observe the whale or swim near it unless—

(a) in the case of a whale that appears to be distressed by the presence of the vessel—he or she moves the vessel away from the whale until the distance between the whale and the vessel—

- (i) is such that the whale is no longer distressed by the vessel; or
- (ii) is 300 metres,

whichever is the greater;

- (b) in the case of a whale that appears to be distressed but not by the presence of the vessel—he or she moves the vessel away from the whale until the distance between the whale and the vessel is 300 metres;
- (c) in the case of a whale calf that does not appear to be distressed—he or she moves the vessel away from the whale calf until the distance between the whale calf and the vessel is 300 metres.

## DIVISION 2—INTERACTION OF AIRCRAFT AND WHALES

### Restrictions on aircraft

8. (1) A person who is in control of a helicopter must not fly it—

- (a) at an altitude of less than 600 metres above a whale; or
- (b) at an altitude of less than 600 metres above any part of a circular area that has a whale at its centre and a radius of one kilometre.

(2) A person who is in control of an aircraft other than a helicopter must not fly it—

- (a) at an altitude of less than 300 metres above a whale; or
- (b) at an altitude of less than 300 metres above any part of a circular area that has a whale at its centre and a radius of 300 metres.

(3) Where a whale appears to be distressed by the presence of an aircraft, the person in control of the aircraft must not use, or continue using, it to enable persons in the aircraft to observe the whale unless he or she flies it away from the whale until the whale is no longer distressed by the presence of the aircraft.

## DIVISION 3—SWIMMING AND WHALES

### Restrictions on swimming

9. (1) A swimmer must not—

- (a) approach closer than 30 metres to a whale;
- (b) approach closer than 100 metres to a whale calf.

(2) A swimmer who is using scuba or hookah equipment must not approach closer than 100 metres to a whale.

### Circumstances in which swimmers must move away from a whale

10. If a person is swimming to observe whales and is—

- (a) closer than 100 metres to a whale calf; or

(b) using scuba or hookah equipment and is closer than 100 metres to an adult whale; or



- (c) closer than 30 metres to an adult whale in any other circumstances,

he or she must not continue swimming for that purpose unless he or she either maintains his or her position or moves away from the whale.

#### **Non application of this Division to submersibles**

**11.** Division 1 applies, instead of this Division, to a swimmer who is using a submersible or other vessel.

### **DIVISION 4—COMMERCIAL OPERATIONS**

#### **Restrictions on the commercial observation of whales**

**12.** (1) A person must not, for fee or reward, use a vessel or an aircraft to take another person into the vicinity of a whale for the purpose of—

- (a) observing the whale from the vessel or aircraft; or

- (b) swimming near the whale.

(2) A person must not, for fee or reward—

- (a) take another person by any other means into the vicinity of a whale; or

- (b) assist another person in the vicinity of a whale,

for the purpose of enabling that person to swim near the whale.

### **DIVISION 5—THE ENCOUNTER BAY RESTRICTED AREA**

#### **The Encounter Bay restricted area**

**13.** (1) A person who is in control of a vessel must not move it closer than 300 metres to a whale that is in the Encounter Bay restricted area.

(2) The boundary of the Encounter Bay restricted area is as follows:

Commence at longitude 138°34'5" latitude 35°36'23" (being a point at high water about 1.5 kilometres west of Kings Head) then one nautical mile to the south east to longitude 138°35'0" latitude 35°37'0" then to longitude 138°46'25" latitude 35°31'23" (being a point at high water near the Goolwa Beach car park) then to the point of commencement along the high water mark.

### **DIVISION 6—GENERAL**

#### **Noise in the vicinity of whales**

**14.** A person who is in the vicinity of a whale for the purpose of observing the whale must not—

- (a) make, or cause to be made, a noise that is likely to frighten or otherwise cause distress to the whale because of its loudness or suddenness or for any other reason; or

- (b) play back a recording of sounds made under water in a manner that is likely to be heard by the whale.

**PART 3**  
**DOLPHINS AND PORPOISES**

**Distance from dolphins and porpoises and speed of vessels**

**15.** (1) A person who is in control of a prescribed vessel must not move it closer to a dolphin or a porpoise than 150 metres;

(2) A person who is in control of any other kind of vessel must not move it closer to a dolphin or a porpoise than 50 metres.

(3) If a dolphin or a porpoise is closer to a vessel than the distance prescribed by subregulation (1) or (2) for that vessel, the person who is in control of the vessel must not use, or continue using, it to enable persons on the vessel to observe the dolphin or porpoise or to swim near it unless he or she avoids as far as is reasonably practicable changing course or speed suddenly.

(4) Where a dolphin or a porpoise appears to be distressed by the presence of a vessel, the person in control of the vessel must not use, or continue using, it to enable persons on the vessel to observe the dolphin or porpoise unless he or she moves the vessel away from the dolphin or porpoise until it is no longer distressed by the presence of the vessel.

(5) A person who is in control of a motorised vessel must not drive the vessel at a speed exceeding 5 knots if the vessel is within 150 metres of a dolphin or a porpoise.

**Swimming and dolphins and porpoises**

**16.** (1) A swimmer must not approach closer than 10 metres to a dolphin or porpoise.

(2) If a person is swimming to observe dolphins or porpoises and is closer than 10 metres to a dolphin or porpoise, he or she must not continue swimming for that purpose unless he or she either maintains his or her position or moves away from the dolphin or porpoise.

**PART 4**  
**MISCELLANEOUS**

**Swimmers and marine mammals**

**17.** (1) This regulation applies to marine mammals except whales, dolphins and porpoises.

(2) A swimmer must not approach closer than 10 metres to a marine mammal.

(3) If a swimmer is swimming to observe marine mammals and is closer than 10 metres to a marine mammal, he or she must not continue swimming for that purpose unless he or she either maintains his or her position or moves away from the marine mammal.

**Approaching marine mammals on land**

**18.** A person who is on land must not approach closer than 10 metres to a marine mammal that is on land or in the water.

**Feeding marine mammals**

**19.** A person must not—

(a) feed a marine mammal; or

(b) dispose of any material into water if—

(i) the person knows, or ought reasonably to know, that a marine mammal is in the vicinity; and

(ii) the material is likely to be eaten, ingested or otherwise absorbed by the marine mammal.

**Exemption**

**20.** (1) These regulations do not apply to a person to the extent that he or she is acting reasonably in the best interests of a marine mammal that is—

(a) suffering from injury, disease or exhaustion; or

(b) stranded or entangled or otherwise incapacitated by material of human origin.

(2) These regulations do not apply to a person to the extent that he or she is responding in a reasonable manner to an emergency involving danger to human life.

**REGULATIONS UNDER THE TAXATION ADMINISTRATION ACT 1996**

No. 279 of 2000

*At the Executive Council Office at Adelaide 7 December 2000*

PURSUANT to the *Taxation Administration Act 1996* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROB LUCAS Treasurer

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Insertion of reg. 2A
  - 2A. Interpretation
4. Variation of reg. 3—Permitted disclosure of information

**Citation**

1. The *Taxation Administration Regulations 1997* (see *Gazette* 2 January 1997 p. 46), as varied, are referred to in these regulations as "the principal regulations".

**Commencement**

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

**Insertion of reg. 2A**

3. The following regulation is inserted after regulation 2 of the principal regulations:

**Interpretation**

2A. In these regulations—

"Act" means the *Taxation Administration Act 1996*.

**Variation of reg. 3—Permitted disclosure of information**

4. Regulation 3 of the principal regulations is varied—

(a) by striking out "*Taxation Administration Act 1996*" and substituting "Act";

(b) by inserting after its present contents (now to be designated as subregulation (1)) the following subregulation:

(2) In accordance with section 78(e) of the Act, a tax officer may disclose information obtained under or in relation to the administration or enforcement of a taxation law in connection with the administration or enforcement of the *First Home Owner Grant Act 2000*.

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Enquiries: (08) 8207 1045

NOTICE is hereby given that the City of Charles Sturt, pursuant to section 25 of the Development Act 1993, has prepared the Ray Street Plan Amendment Report (PAR) in order to amend the Hindmarsh and Woodville (City) Development Plan.

The Ray Street PAR has been prepared to rezone land formerly used for landfill by the former City of Woodville at Ray Street, Findon to allow for residential development, as well as to rezone land between the former Ray Street landfill and Grange Road to facilitate medium density housing.

The Ray Street PAR is available for inspection and purchase (\$5 per copy) during opening hours at the Council Office, 72 Woodville Road, Woodville, S.A. 5011 and also at Council's Libraries at Woodville, Findon, West Lakes and Henley Beach from Thursday, 7 December 2000 until Monday, 19 February 2001.

Persons interested in making submissions in relation to the Ray Street PAR, for consideration by council, should do so by Monday, 19 February 2001. All submissions should be addressed to the Acting Chief Executive, City of Charles Sturt, P.O. Box 1, Woodville, S.A. 5011. Submissions will be available for inspection by any interested party at the Council Office, 72 Woodville Road, Woodville, S.A. 5011, until the conclusion of the public hearing.

Pursuant to Regulation 12 of the Development Regulations 1993, a public hearing will be held on Wednesday, 28 February 2001, commencing at 2.30 p.m. The public hearing will be held at the office of the City of Charles Sturt, 72 Woodville Road, Woodville, S.A. 5011. Persons interested in being heard at the public hearing are requested to indicate their interest to be heard on their submission.

Interested persons may appear to be heard in relation to the Ray Street PAR and/or the submissions.

If no submissions are received or no submission indicates an interest to be heard, the public hearing will not be held.

P. PERRY, Acting Chief Executive

CITY OF ONKAPARINGA  
DEVELOPMENT ACT 1993

*Beach Road and Linear Centres Plan Amendment Report—  
Draft for Public Consultation*

NOTICE is hereby given that the City of Onkaparinga has prepared a Plan Amendment Report (PAR) pursuant to section 25 (11) of the Development Act 1993. The Plan Amendment Report proposes to:

- address existing anomalies within the Development Plan associated with the Centre—Christies Beach Zone;
- redirect the emphasis of the Centre—Christies Beach Zone from being a zone conflicting with the Regional Centre to a zone which supports and allows long term development potential; and
- to incorporate appropriate provisions for the proper management and design of linear centres in general and for the Centre—Christies Beach Zone specifically.

The Plan Amendment Report addresses the role of the Centre—Christies Beach Zone and the nature of its relationship with the Noarlunga Regional Centre. This proposed amendment also incorporates specific policies to guide the siting, form, design and appearance of buildings, car parks, landscape buffers, access, retail mix and character for the Centre—Christies Beach Zone.

The Plan Amendment Report, which includes the statement of investigations, will be available for public inspection and comment during normal office hours at all three of the City of Onkaparinga Council offices:

- Happy Valley Office, The Hub Library, Aberfoyle Park;
- Noarlunga Office, Ramsay Place, Noarlunga Centre;
- Willunga Office, St Peters Terrace, Willunga,

at the following Council Libraries:

- The Hub Library, The Hub, Aberfoyle Park;
- Woodcroft Library, 175 Bains Road, Woodcroft;
- Noarlunga Library, Hannah Road, Noarlunga Centre;
- Seaford Library, Grand Boulevard, Seaford;
- Willunga Library, High Street, Willunga;
- Aldinga Library, Aldinga Shopping Centre, Aldinga Beach Road, Aldinga Beach,

and at the following web address: [onkapingacity.com](http://onkapingacity.com)

The Plan Amendment Report will be available for viewing from 6 December 2000 to 16 February 2001. Copies of the Plan Amendment Report will also be available for purchase (for \$5 to cover the cost of copying) by interested persons from all three Council offices. Copies can also be downloaded for free from council's website.

Any written submissions regarding the Plan Amendment Report should be forwarded to the City of Onkaparinga by no later than 16 February 2001. All submissions should be addressed to the City Manager, City of Onkaparinga, P.O. Box 1, Noarlunga Centre, S.A. 5168 and marked attention to Stephanie Hensgen.

Copies of all submissions received will be available for inspection by all interested persons at the Council offices from 16 February 2001, until the date of the public hearing.

A public hearing will be held commencing at 7 p.m. on 21 February 2001, at the Noarlunga office of the City of Onkaparinga, at which all interested persons may appear and be heard in relation to the Plan Amendment Report and submissions.

J. TATE, City Manager

CITY OF PROSPECT

*Temporary Street Closure*

NOTICE is hereby given that in the interests of traffic control and public safety and pursuant to powers contained in section 359 of the Local Government Act 1934, as amended, all classes of motor vehicles, with the exception of emergency vehicles and vehicles of residents of Clifton Street between Prospect Road and Braund Road, Prospect between the hours of 6 p.m. and 10 p.m. on Sunday, 10 December 2000 for the purpose of a street party.

M. LLEWELLYN-SMITH, City Manager

CITY OF PROSPECT

*Temporary Street Closure*

NOTICE is hereby given that in the interests of traffic control and public safety and pursuant to powers contained in section 359 of the Local Government Act 1934, as amended, all classes of motor vehicles, with the exception of emergency vehicles and vehicles of residents of Salisbury Terrace, be excluded from Salisbury Terrace, Collinswood between the hours of 5.30 p.m. and midnight on Monday, 18 December 2000 for the purpose of a street party.

M. LLEWELLYN-SMITH, City Manager

TOWN OF WALKERVILLE

*Change of Date for Council Meeting*

NOTICE is hereby given that the meeting of council scheduled for Monday, 1 January 2001, has been deferred and will be held on Monday, 15 January 2001, commencing at 8 p.m.

D. BRIA, Executive Assistant

THE BAROSSA COUNCIL

*Temporary Street Closure*

NOTICE is hereby given that pursuant to the provisions of section 359 of the Local Government Act 1934, as amended, The Barossa Council resolves that the following public road will be closed to all vehicles, except emergency vehicles and

authorised service vehicles, between 3 p.m. and midnight on Friday, 8 December 2000, for the staging of the Lyndoch Street Party:

Barossa Valley Way, Lyndoch, between Kauffmann Avenue and the intersection of Gilbert Street/Lyndoch Valley Road and Barossa Valley Way.

J. G. JONES, Chief Executive Officer

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*Temporary Street Closure*

NOTICE is hereby given that pursuant to the provisions of section 359 of the Local Government Act 1934, as amended, The Barossa Council resolves that the following public road will be closed to all vehicles, except emergency vehicles and authorised service vehicles, between 5.15 p.m. and 6.15 p.m. on Sunday, 10 December 2000, for the staging of the Mount Pleasant Community Christmas Party:

Melrose Street, Mount Pleasant

J. G. JONES, Chief Executive Officer

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THE BAROSSA COUNCIL  
DEVELOPMENT ACT 1993

*Angaston (DC), Barossa (DC), Tanunda (DC), Mount Pleasant (DC) Development Plans—Consolidation and General Plan Amendment Report—Draft for Public Consultation*

NOTICE is hereby given that The Barossa Council has prepared a draft Plan Amendment Report to amend the Angaston (DC), Barossa (DC), Tanunda (DC) and Mount Pleasant (DC) Development Plans as it affects those areas.

The Plan Amendment Report will amend the Angaston (DC), Barossa (DC), Mount Pleasant (DC) and Tanunda (DC) Development Plans by consolidating each Development Plan, rationalising zones and maps, and introducing a new format with updated policies and the inclusion of public notification tables.

The draft Plan Amendment Report and statement will be available for public inspection and purchase during normal office hours at The Barossa Council Library and branch offices in Angaston, Lyndoch, Nuriootpa, Tanunda and Mount Pleasant from 8 December 2000 to 8 March 2001.

A copy of the Plan Amendment Report can be purchased from the council for \$10 each. Extracts will be made available at a lesser cost.

Written submissions regarding the draft amendment will be accepted by The Barossa Council until 8 March 2001. The written submission should clearly indicate whether you wish to speak at a public hearing regarding your submission. All submissions should be addressed to the Chief Executive Officer, The Barossa Council, 1 Washington Street, Angaston, S.A. 5353.

Copies of all submissions received will be available for inspection by interested persons at The Barossa Council, Main Office, 1 Washington Street, Angaston from 8 March 2001 until the date of public hearing.

A public hearing will be held between 7.30 p.m. and 10 p.m. at the main Council Offices, 1 Washington Street, Angaston on 28 March 2001. The public hearing may not be held if no submission indicates an interest in speaking at a public hearing.

Dated 8 December 2000.

J. G. JONES, Chief Executive Officer

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DISTRICT COUNCIL OF COOBER PEDY  
*Change of Venue for Council Meeting*

NOTICE is hereby given that the next council meeting will be held at 7 p.m. on Monday, 11 December 2000, at the United Club, Robins Boulevard, Coober Pedy, S.A. 5723.

T. MCLEOD, Chief Executive Officer

*Periodical Review*

NOTICE is hereby given that pursuant to section 12 (5) of the Local Government Act 1999, the District Council of Coober Pedy is to carry out a review to determine whether a change of arrangements in respect to elector representation would result in electors being more adequately and fairly represented.

The District Council of Coober Pedy is presently comprised of:

- Mayor—elected at large.
- Eight Councillors—elected at large.

The review will include whether the composition of council should be altered (number of Councillors) and consideration of the ward system.

In undertaking this review council must consider a range of principles set out in sections 26 and 33 of the Local Government Act.

Information regarding this review is available from the Council office during normal office hours, telephone 8672 5298.

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, District Council of Coober Pedy, P.O. Box 425, Coober Pedy, S.A. 5723 and should be received by 5 p.m. on Friday, 2 February 2001. Those persons making a written submission will be provided the opportunity to address council on their submission.

T. MCLEOD, Chief Executive Officer

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DISTRICT COUNCIL OF KIMBA

*Office Closure—Christmas/New Year Period*

NOTICE is hereby given that at a meeting held on 8 November 2000, council resolved that the Council Office will be closed over the Christmas/New Year period from 5 p.m. on Friday, 22 December 2000 until 8.30 a.m. on Tuesday, 2 January 2001.

S. R. CHERITON, Chief Executive Officer

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DISTRICT COUNCIL OF LE HUNTE

*Temporary Street Closure*

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, council declares the temporary closure of Railway Terrace, Minnipa, between Clive Street and Verco Street to enable a Christmas Street Party to take place between the hours of 5 p.m. and midnight on Friday, 15 December 2000.

A. F. MCGUIRE, Chief Executive Officer

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DISTRICT COUNCIL OF LE HUNTE

*Proposal to Change Name of Council*

NOTICE is hereby given that the District Council of Le Hunte has resolved to undertake a poll of electors in order for a change to its name.

The question to be put to the electorate is to vote for a change of name of the council to either:

- Wudinna Regional Council; or
- Gawler Ranges Council.

The roll to conduct this poll will remain open for amendment until the close of business at 5 p.m. on Friday, 29 December 2000.

The poll will be conducted entirely by post with the return of ballot material to the Returning Officer no later than 12 noon on Monday, 4 February 2001.

S. H. TULLY, Returning Officer

## NARACORTE LUCINDALE COUNCIL

*Temporary Road Closure*

NOTICE is hereby given that pursuant to section 33 of the Road Traffic Act 1961, council under its delegated authority declares the temporary road closures of the following streets from 10.30 a.m. until the completion of a street parade on Saturday, 2 December 2000:

Smith Street—section DeGaris Place to Sandstone Avenue.

Sandstone Avenue—section Smith Street to Ormerod Street.

Ormerod Street—section Sandstone Avenue to DeGaris Place and that Bank Place and Jones Street be closed between the hours of 9 a.m. and 3 p.m. for activities.

D. L. BEATON, Chief Executive Officer

## NARACORTE LUCINDALE COUNCIL

*Temporary Road Closure*

NOTICE is hereby given that pursuant to section 33 of the Road Traffic Act 1961, council under its delegated authority declares the temporary road closures of the following streets from 4 p.m. until the completion of the street parade, on Sunday, 17 December 2000:

Ormerod Street—section McRae Street to DeGaris Place

Smith Street—section McRae Street to Sandstone Avenue

McRae Street—section Smith Street to Ormerod Street

Jones Street—section Smith Street to Ormerod Street

DeGaris Place—section Smith Street to Ormerod Street

D. L. BEATON, Chief Executive Officer

## NARACORTE LUCINDALE COUNCIL

*Temporary Road Closure*

NOTICE is hereby given that pursuant to section 33 of the Road Traffic Act 1961, council under its delegated authority declares the temporary road closure of Musgrave Avenue, from 5 p.m. to 11 p.m. on Wednesday, 15 December 2000, for the purpose of a street party.

D. E. BEATON, Chief Executive Officer

## NARACORTE LUCINDALE COUNCIL

*Change of Meeting Date*

NOTICE is hereby given that the next ordinary meeting of council/committees, will be held on Tuesday, 19 December 2000, commencing at 1 p.m. in lieu of the meeting which was scheduled to be held on Tuesday, 26 December 2000.

D. L. BEATON, Chief Executive Officer

## DISTRICT COUNCIL OF ORROROO/CARRIETON

*Temporary Street Closures*

NOTICE is hereby given that council at its meeting held on 14 November 2000, resolved pursuant to section 33 of the Road Traffic Act 1961, that all classes of vehicles, other than emergency vehicles, be excluded from Second Street, Ororoo between the East Terrace intersection and the Fourth Street intersection and also a portion of Fourth Street, Ororoo, between Second Street and Third Street intersection between the hours of 6 p.m. on Friday, 22 December 2000 and 2 a.m. on Saturday, 23 December 2000, for the purpose of holding pre-Christmas activities.

Notice is hereby given that council at its meeting held on 14 November 2000, resolved pursuant to section 33 of the Road Traffic Act 1961, that all classes of vehicles, other than emergency vehicles, be excluded from Fifth Street, Ororoo between Second and Third Streets, Ororoo, from 6 p.m. on Sunday, 31 December 2000 until 2 a.m. on Monday, 1 January 2001, for the purpose of holding New Year's Eve activities.

*Temporary Closure of Council Office*

Electors and residents are advised that the Council Office will be closed from 25 December 2000, until 1 January 2001, both dates inclusive.

R. MOONEY, Chief Executive Officer

## ROXBY DOWNS COUNCIL

*Temporary Road Closure*

NOTICE is hereby given that pursuant to the powers vested in the Administrator under the provisions of the Roxby Downs (Indenture Ratification) Act 1982 and in accordance with the provisions of the Local Government Act 1934, as amended, I hereby resolve that the portions of the northern and southern sections of Richardson Place between Arcoona Street and Burgoyne Street, will be closed to vehicular traffic with the exception of police, emergency or those vehicles involved in the activities for the purposes of Australia Day, between the hours of 8 a.m. and 10 a.m. on Friday, 26 January 2001.

W. J. BOEHM, Administrator

## WAKEFIELD REGIONAL COUNCIL

*Revocation of Authorised Officer*

NOTICE is hereby given that the appointments of Kenneth Winston Roberts, as detailed in the *South Australian Government Gazette*, dated 10 July 1997, page 86, are hereby revoked, due to his resignation from the employment of the council.

P. J. BARRY, Chief Executive Officer

## DISTRICT COUNCIL OF YANKALILLA

*Roads (Opening and Closing) Act 1991*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the District Council of Yankalilla proposes to make a Road Process Order to close those portions of public road marked 'A', 'B' and 'C' on Preliminary Plan No. PP32/0626. The closed road marked 'A' and 'C' is to be merged with the allotment comprising pieces 15 and 16 in deposited plan 50752, Hundred of Myponga. The closed road marked 'B' is to be merged with the allotment comprising pieces 13 and 14 in Deposited Plan 50752, Hundred of Myponga.

The closed road is to be transferred to Glenshera Pty Ltd.

The Preliminary Plan and associated statements prepared pursuant to section 9 of the Roads (Opening and Closing) Act 1991, are available for examination to the public at the office of the District Council of Yankalilla, Main Road, Yankalilla, S.A. 5203 and at the Adelaide office of the Surveyor-General during normal office hours.

Any person who wishes to object to this proposal may lodge a written objection to the District Council of Yankalilla, P.O. Box 9, Yankalilla, S.A. 5203 and a copy forwarded to the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000, within 28 days of the date of this notice. Any objectors must include their full name and address stating their reasons for objecting and stating whether or not they wish to make submissions to the District Council of Yankalilla at a meeting convened to consider such objections.

Any land owner adjoining or other person substantially affected by the closure may apply for an easement over all or part of the proposed road closure. Such application shall be in writing to the District Council of Yankalilla, P.O. Box 9, Yankalilla, S.A. 5203 and a copy must be forwarded to the office of the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000 within 28 days of the date of this notice. The applicants must include their full name and address giving particulars of the nature and location of the easement being applied for, specifying the land to which the easement is to be annexed and stating the reasons for the application for easement.

R. SWEETMAN, Chief Executive Officer



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

- Arn, Lin*, late of 14 Frew Street, Fullarton, of no occupation, who died on 21 July 2000.  
*Barker, Beatrice*, late of 32 Cross Road, Myrtle Bank, widow, who died on 12 October 2000.  
*Bartolo, Margaret Heather*, late of 8 Joseph Street, Salisbury East, retired nurse, who died on 19 August 2000.  
*Caminiti, Joseph*, late of 50 Euston Street, West Croydon, retired steward, who died on 19 August 1999.  
*Clugston, Eva Jean*, late of 288 Seaview Road, Henley Beach, of no occupation, who died on 24 October 2000.  
*Coveney, Desmond James*, late of 1 Bristol Place, Glenelg South, retired draftsman, who died on 31 July 2000.  
*Haagmans, Maria*, late of 7 Amanga Street, Gepps Cross, widow, who died on 16 October 2000.  
*Merritt, Marjorie Elsie Emily*, late of 8 Cherry Street, Freeling, of no occupation, who died on 2 September 2000.  
*Sims, Mary Amanda*, late of 156 Main North Road, Prospect, widow, who died on 6 October 2000.  
*Skelley, Muriel Nellie*, late of 81 Tapleys Hill Road, Hendon, widow, who died on 11 July 2000.  
*Spencer, Jean Gloria*, late of 2 Scott Street, Tranmere, home duties, who died on 6 October 2000.  
*Wills, Jean Elizabeth*, late of 64 Balmoral Road, Port Pirie South, widow, who died on 24 June 2000.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 5 January 2001, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 7 December 2000.

J. H. WORRALL, Public Trustee

SOUTH AUSTRALIA—In the Supreme Court. No. 1315 of 1992. In the matter of Presu Pty Ltd (in liquidation) and in the matter of the Corporations Law.

*Notice of Release of Liquidator*

Take notice that by order of the Supreme Court of South Australia dated 17 November 2000, I, Austin Robert Meerten Taylor, 99 Frome Street, Adelaide, S.A. 5000, the liquidator of the abovenamed company was granted my release as liquidator.

Dated 29 November 2000.

A. R. M. TAYLOR, Liquidator

SALE OF PROPERTY

Auction Date: Thursday, 21 December 2000 at 1.15 p.m.

Location: Midcity Motor Auctions, 165 Richmond Road, Richmond.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Orders for Sale issued by the Fines Payment Unit of South Australia—Penalty No. Exreg-00-17443/1 and others, are directed to the Sheriff of South Australia in an action wherein Robert John Harris is the Defendant, I, Tim Goodes, Sheriff, of the State of South Australia, will by my auctioneers, Midcity Motor Auctions make sale of the following:

1985 Mitsubishi L300 Express 4 x 4 Van  
 Registration No. UCH-326

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CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** (*formerly* Riverside 2000) of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

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

**NOTE: Closing time for lodging new copy (either fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Ph. 8207 1045—Fax 8207 1040.**