

# 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, 18 APRIL 2002

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## **GOVERNMENT GAZETTE NOTICES**

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

Department of the Premier and Cabinet Adelaide, 18 April 2002

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Firearms Consultative Committee, pursuant to the provisions of the Firearms Act 1977:

Member: (from 18 April 2002 until 31 December 2002) Robert Wilfred Hamdorf Andrew Henry Lenthal Swifte David Neal Tamblyn Ingrid Griggs Shannon Clair Murray Y vonne Hill

Deputy Member: (from 18 April 2002 until 31 December 2002)

Owen Llewelyn Willett Bevan (Deputy to Hamdorf) Rosemary Joy Batt (Deputy to Swifte) Michael Thomas Hudson (Deputy to Tamblyn) Rex Clifton Senior (Deputy to Griggs) Richard Way (Deputy to Murray) David Nathan Hillan (Deputy to Hill)

Chairman: (from 18 April 2002 until 31 December 2002) Robert Wilfred Hamdorf

By command,

J. W. WEATHERILL, for Premier

MPOL 0002/02 CS

Department of the Premier and Cabinet Adelaide, 18 April 2002

HER Excellency the Governor in Executive Council has been pleased to appoint as officers of the Crown for the purpose of providing the range of custodial services for Prisoner Movement and In-Court Management services, in accordance with the South Australian Prisoner Movement In-Court Management contract, without pay or other industrial entitlement, staff of Group 4 Correction Services Pty Ltd, as listed, pursuant to section 68 of the Constitution Act 1934:

Jennifer Rae Barton Shane Phillip Edmonds Diane Amanda Ellbourn Kevin Fraser Andrew Gordon Chantelle Louise Harris Kata Klarin Priscilla Narelle Kennedy Gillian Dianne Mackay Robert William Miller Anthony Davis George Milsom Richard Michael Mills Brett Anthony Sullivan Bruce Malcolm Thompson Robert Michael Wright Roy Anthony Pront

By command,

J. W. WEATHERILL, for Premier

MCS 0005/02 CS

Department of the Premier and Cabinet Adelaide, 18 April 2002

HER Excellency the Governor in Executive Council has revoked the appointment as officers of the Crown for the purpose of providing the range of custodial services for Prisoner Movement and In-Court Management services, the former staff of Group 4 Correction Services Pty Ltd, as listed, pursuant to section 68 of the Constitution Act 1934:

Rino Palombella Hamish Jonathon Hickman Vicki Heinrich Frank Marron Jose Manuel Mosquera David Michael Wellings Thomas Richard Vardon Rodney Charles Durie Lynne Banks Tania Lee Cochrane Colin John Edson David Brian Fox Ryan Scott Hill Peta Stuart Malcolm James Pinnell Jason Ernest George Morton

By command,

J. W. WEATHERILL, for Premier

Department of the Premier and Cabinet Adelaide, 18 April 2002

HER Excellency the Governor in Executive Council has declined to grant development authorisation in respect of the proposal to establish a waste transfer station at lots 277 and 278 Schenker Drive, Royal Park outlined in the development application by Adelaide Resource Recovery Pty Ltd lodged on 11 January 2002, pursuant to section 42(2)(a) of the Development Act 1993, and has issued a notice accordingly.

By command,

M. J. WRIGHT, for Premier

MTUP 0005/02 CS

# DEVELOPMENT ACT 1993

Notice by the Governor

Preamble

1. Pursuant to subsection (1) of section 46 of the Development Act 1993, being of the opinion that a declaration is appropriate for the proper assessment of development of major environmental, social and economic importance, the Minister for Transport and Urban Planning declared that section 46 of the Act applied to a proposed waste transfer station at Schenker Drive, Royal Park (gazetted 20 September 2001, page 4215).

2. The development application for the proposed waste transfer station was lodged on 11 January 2002 and is subject to the processes set out in Division 2 of Part 4 of the Development Act 1993.

3. I have decided to indicate under section 48(2)(a) of the Development Act 1993 that I will not, in relation to the application referred to in clause 2, grant a development authorisation for development within the ambit of the declaration.

Notice

PURSUANT to section 48(2)(a) of the Development Act 1993 and with the advice and consent of the Executive Council, I indicate that I will not, in relation to the application referred to in clause 2 of the preamble, grant a development authorisation for development within the ambit of the declaration referred to in the preamble.

Given under my hand at Adelaide on 18 April 2002.

MARJORIE JACKSON-NELSON, Governor

MTUP 0005/02 CS

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 5: COMMITTAL OF ACTS TO MINISTERS

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 5 of the *Administrative Arrangements Act* 1994 and with the advice and consent of the Executive Council, I commit the administration of an Act referred to in the Schedule to the Minister whose title appears immediately above the name of the Act.

SCHEDULE

Acts Committed to Ministers

Minister for Health Nurses Act 1999

MCS 0005/02 CS

Minister for Social Justice Adoption Act 1988 Guardianship and Administration Act 1993

Treasurer

Electricity Corporations Act 1994

Electricity Corporations (Restructuring and Disposal) Act 1999

Given under my hand and the Public Seal of South Australia, at Adelaide, 18 April 2002.

#### By command,

J. W. WEATHERILL, for Premier

DPC 50/96 CS

#### ADMINISTRATIVE ARRANGEMENTS ACT 1994, SECTION 5: ADMINISTRATION OF OFFSHORE MINERALS ACT 2000 COMMITTED TO THE MINISTER FOR MINERAL RESOURCES DEVELOPMENT

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 5 of the *Administrative Arrangements Act* 1994 and with the advice and consent of the Executive Council, I commit the administration of the Offshore Minerals Act 2000 to the Minister for Mineral Resources Development.

Given under my hand and the Public Seal of South Australia, at Adelaide, 18 April 2002.

By command,

J. W. WEATHERILL, for Premier

MMRD 02/0038 CS

## MINING ACT 1971 SECTION 73N: HUNDRED OF BLANCHE—VARIATION OF PRIVATE MINE

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

Preamble

1. The following areas were declared to be a private mine by proclamation on 21 November 1974 (see *Gazette* 21 November 1974 p. 3260):

- (a) Section 126, Hundred of Blanche, County of Grey;
- (b) That portion of sections 132 and 135, Hundred of Blanche, County of Grey comprised and described in certificate of title register book, volume 3428, folio 94.

2. The Warden's Court has declared (in Action No. 251 of 2001) that proper grounds exist for varying the declaration referred to in clause 1 by excising the following area from the area of the private mine:

That portion of the private mine within certificate of title volume 5497, folio 299, being allotment 3 of filed plan 1325.

#### Proclamation

PURSUANT to section 73N of the *Mining Act 1971*, on the basis of the declaration of the Warden's Court referred to in clause 2 of the preamble and with the advice and consent of the Executive Council, I vary the declaration referred to in clause 1 of the preamble by excising from the area of the private mine the following land:

That portion of the private mine within certificate of title volume 5497, folio 299, being allotment 3 of filed plan 1325.

Given under my hand and the Public Seal of South Australia, at Adelaide, 18 April 2002.

By command,

J. W. WEATHERILL, for Premier

AG 00047/02 CS

SOUTH AUSTRALIAN HEALTH COMMISSION ACT 1976 SECTION 27: INCORPORATION OF ROCKY RIVER HEALTH SERVICE INCORPORATED

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

Preamble

1. The Gladstone and District Community Health and Welfare Centre Incorporated is incorporated under the *South Australian Health Commission Act 1976* (see *Gazette 29* August 1996 p. 1035).

2. The Laura and Districts Hospital Incorporated is incorporated under the *South Australian Health Commission Act 1976* (see *Gazette* 21 October 1993 p. 1775).

3. The governing body of the health centre referred to in clause 1 and the governing body of the hospital referred to in clause 2 have consented to the establishment of an incorporated hospital under the *South Australian Health Commission Act 1976* to take over the functions of the health centre and the hospital and have agreed with the Minister for Health on the terms of the constitution under which the incorporated hospital is to operate.

#### Proclamation

PURSUANT to section 27 of the South Australian Health Commission Act 1976 and with the advice and consent of the Executive Council, I—

- (a) dissolve the Gladstone and District Community Health and Welfare Centre Incorporated and the Laura and Districts Hospital Incorporated; and
- (b) establish an incorporated hospital to take over the function of providing health services from the Gladstone and District Community Health and Welfare Centre Incorporated and the Laura and Districts Hospital Incorporated and to provide health services in accordance with the constitution referred to in the preamble; and
- (c) assign to that incorporated hospital the name 'Rocky River Health Service Incorporated'.
- Given under my hand and the Public Seal of South Australia, at Adelaide, 18 April 2002.

By command,

J. W. WEATHERILL, for Premier

DHSCS 01/42

## COUNTRY FIRES ACT 1989

# SECTION 35

Fire Danger Season

NOTICE is hereby given that the Country Fire Service hereby:

1. Extends the ending date of the Fire Danger Season within the part of the State defined as the Lower South East Fire Ban District so as to conclude on 31 May 2002.

2. Extends the ending date of the Fire Danger Season within the part of the State defined as the Mount Lofty Ranges Fire Ban District so as to conclude on 31 May 2002.

3. Extends the ending date of the Fire Danger Season within the part of the State defined as the Yorke Peninsula Fire Ban District so as to conclude on 31 May 2002.

V. MONTEROLA, Chief Executive Officer

#### CROWN LANDS ACT 1929: SECTION 5

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

## THE SCHEDULE

Allotment 1 of DP 35073, Hundred of Holder, County of Albert, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 5865 Folio 225, together with an existing easement to the Minister for Water Resources for water supply purposes and for access purposes over portions of allotments 3 and 4 marked A on DP 35073.

J. HILL, Minister for Environment and Conservation

DL 3495/1985

#### CROWN LANDS ACT 1929: SECTION 5

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

1. Resume the land defined in The First Schedule.

2. Dedicate the Crown Land defined in The Second Schedule as a Civic Centre Reserve and declare that such land shall be under the care, control and management of the District Council of Loxton Waikerie.

#### THE FIRST SCHEDULE

Plantation and Civic Centre Reserve, section 176, Hundred of Pyap, County of Alfred, the notice of which was published in the *Government Gazette* of 24 October 1985 at pages 1207 and 1208, The Third Schedule being the land comprised in Crown Record Volume 5688 Folio 640.

#### THE SECOND SCHEDULE

Allotment 2 of DP 56619, Hundred of Pyap, County of Alfred, exclusive of all necessary roads.

J. HILL, Minister for Environment and Conservation

DL 3205/1982

#### CROWN LANDS ACT 1929: SECTION 5

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

1. Resume the land defined in The First Schedule.

2. Dedicate the Crown Land defined in The Second Schedule as Park Lands and declare that such lands shall be under the care, control and management of The District Council of Tatiara.

#### THE FIRST SCHEDULE

Park Lands, allotment 3 of DP 46113, adjacent to the Town of Bordertown, Hundred of Tatiara, County of Buckingham, the notice of which was published in the *Government Gazette* of 19 September 1996 at page 1161, The Second Schedule, being the whole of the land comprised in Crown Record Volume 5386 Folio 834.

#### THE SECOND SCHEDULE

Allotment 7 of DP 56142, adjacent to the Town of Bordertown, Hundred of Tatiara, County of Buckingham, exclusive of all necessary roads.

J. HILL, Minister for Environment and Conservation

DEHAA 09/1775

#### CROWN LANDS ACT 1929: SECTION 5

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

#### THE SCHEDULE

The land described below is in the Hundred of Mobilong, County of Sturt and within the district of Murray Bridge.

- 1. Allotment 135 of DP 55816.
- 2. Allotments 120, 127 and 133 of DP 55812.
- 3. Allotment 11 of DP 55817.
- 4. Allotment 26 of DP 55811.

5. Section 1257.

J. HILL, Minister for Environment and Conservation

DEHAA 12/0578

#### CROWN LANDS ACT 1929: SECTION 5

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

1. Resume the land defined in The First Schedule.

2. Dedicate the Crown Land defined in The Second Schedule as a Sewerage Reserve and declare that such land shall be under the care, control and management of the Minister for Water Resources.

#### THE FIRST SCHEDULE

Sewerage Reserve, section 213, Hundred of Fisher, County of Eyre, the proclamation of which was published in the *Government Gazette* of 9 August 1979 at page 325, being the whole of the land comprised in Crown Record Volume 5759 Folio 148.

#### THE SECOND SCHEDULE

Allotment 22 of DP 58704, Hundred of Fisher, County of Eyre, exclusive of all necessary roads.

J. HILL, Minister for Environment and Conservation

DENR 17/0077

## CROWN LANDS ACT 1929: SECTION 5

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

1. Resume the land defined in The First Schedule.

2. Dedicate the Crown Land defined in The Second Schedule as a Recreation Reserve and declare that such land shall be under the care, control and management of The District Council of Mount Barker.

#### THE FIRST SCHEDULE

Recreation Reserve, allotment 526 of DP 41791, Hundred of Macclesfield, County of Hindmarsh, the notice of which was published in the *Government Gazette* of 2 October 1997 at pages 946 and 947, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5482 Folio 723.

#### THE SECOND SCHEDULE

Allotment 11 of DP 58933, Hundred of Macclesfield, County of Hindmarsh, exclusive of all necessary roads, subject nevertheless to an easement to The District Council of Mount Barker for drainage purposes over that portion of allotment 11 marked A on DP 58933.

J. HILL, Minister for Environment and Conservation

DENR 17/1157

## CROWN LANDS ACT 1929: SECTION 5

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

## THE SCHEDULE

1. Police Reserve, section 1470, Hundred of Noarlunga, the proclamation of which was published in the *Government Gazette* of 12 October 1933 at page 796, being the whole of the land comprised in Crown Record Volume 5688 Folio 641.

2. Reserve for Police Purposes, section 1542, Hundred of Noarlunga, County of Adelaide, the proclamation of which was published in the *Government Gazette* of 21 December 1967 at page 2607, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5688 Folio 642.

J. HILL, Minister for Environment and Conservation

DEHAA 17/1125

#### ELECTORAL DISTRICTS BOUNDARIES COMMISSION

## Notice of Hearing

THE South Australian Electoral Districts Boundaries Commission has given notice that it is about to commence proceedings for the purpose of making an electoral redistribution of House of Assembly Districts in the State of South Australia.

Representations in relation to the proposed redistribution have been invited by advertisements published in *The Advertiser* newspaper on Tuesday, 2 April 2002 and in other newspapers circulating generally throughout the State at about that date.

The Commission will hear some evidence at a hearing fixed for Monday, 6 May 2002 at 10 a.m. on Level 11, SGIC Building, 211 Victoria Square, Adelaide. Persons who have then made or intend to make representations by 9 August 2002, are invited to attend that hearing, particularly if they wish to make representations on demographic changes.

> CLIVE ANSON, Secretary of the Commission, c/o The State Electoral Office, 134 Fullarton Road, Rose Park, S.A. 5067.

#### FISHERIES ACT 1982: SECTION 53

TAKE note that the licence FM00327 to farm fish made under section 53 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, dated 14 August 2001, on page number 2991, being the second notice on that page, through to page number 2994 and referring to Christine A. Greatbatch, Deborah K. Greatbatch, Noel R. Greatbatch and Peter W. Greatbatch is hereby revoked.

Dated 11 April 2002.

I. NIGHTINGALE, General Manager Aquaculture, as the delegate of the Minister for Agriculture, Food and Fisheries

#### FISHERIES ACT 1982: SECTION 53

TAKE note that the licence FM00404 to farm fish made under section 53 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, dated 28 November 2001, on page number 5180, being the second notice on that page, through to page number 5182 and referring to Geoffrey M. Octoman and Colleen D. Octoman is hereby revoked.

Dated 11 April 2002.

I. NIGHTINGALE, General Manager Aquaculture, as the delegate of the Minister for Agriculture, Food and Fisheries

#### FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00327

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

THE Minister for Agriculture, Food and Fisheries ('the Minister') hereby grants to:

Christine A. Greatbatch (20073) Deborah K. Greatbatch (20071) Noel R. Greatbatch (20072) Peter W. Greatbatch (20070) Lot 24, Crocker Court Smoky Bay, S.A. 5680

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

## CONDITIONS OF THIS LICENCE

# 1. Marked-off Areas

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

## 2. Permitted Species

The licensee:

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

#### 3. Permitted Use

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

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

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

#### 5. Marking and Maintaining the Site

The licensee:

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

#### 6. Site Inspection and Supervision

The licensee:

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

#### 7. Fees and Returns

The licensee:

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

#### 8. Public Risk Insurance

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

## 9. Guarantee or Indemnity Scheme

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

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

#### 10. No Assignment

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

#### 11. Variation and Cancellation

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

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

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 11 April 2002.

## I. NIGHTINGALE, General Manager Aquaculture

## SCHEDULE 1

#### Item 1—The Site

Area applicable to this licence:

	Licensed Hectares
e 53	
23189N	10
23338N	
22954N	
22812N	
	23189N 23338N

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

#### Item 2—Marked-off Areas

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

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

## SCHEDULE 2

### Item 1—Permitted Species

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

Pacific Oysters (Crassostrea gigas)

Item 2—Permitted Farming Methods

BST Longlines

Racks

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

Item 3—Criteria for Development of Marine Aquaculture Sites

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

1 ha developed by 30 June 2002.

#### SCHEDULE 3

#### Item 1—Fees

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

Item 2—Insurance

## Ten million dollars (\$10 000 000).

Item 3—Guarantee

Ten thousand dollars (\$10 000).

#### SCHEDULE 4

### Production Returns

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

#### SCHEDULE 5

#### Environmental Monitoring Program

MATTERS TO BE ADDRESSED

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

Farm Management

1. Approximate layout of all structures on the site during the term including location, number and size.

2. Growth and condition of the permitted species.

3. Occurrence of disease incidents in the permitted species.

#### Water Ouality

1. Phytoplankton including species composition and abundance.

2. Status of the site under the South Australian Shellfish Quality Assurance Program during the term (including closures).

#### Feral Oysters

Presence and numbers of feral oysters.

#### **Benthic Sediments**

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

#### Benthic Fauna and Flora

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

#### METHODOLOGY

#### Video Transects

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

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

#### Report

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

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

#### SCHEDULE 6

#### Schedule of Environmental Monitoring Reports

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

## FISHERIES ACT 1982

## MARINE MOLLUSC FARMING LICENCE FM00404

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

THE Minister for Agriculture, Food and Fisheries ('the Minister') hereby grants to:

Anderson I. Blesing (1114) Lot 14, Reevesby Court

Port Lincoln, S.A. 5606

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

## CONDITIONS OF THIS LICENCE

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

## 2. Permitted Species

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

## 3. Permitted Use

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

- 4. Permitted Methods
  - 4.1 The licensee must, in undertaking the permitted use, take all reasonable and practicable measures to prevent or minimise damage to the environment. Without limiting the generality of the foregoing, the licensee:
    - 4.1.1 must ensure the total length of each unit does not exceed 3 km of longline or 1 km of racking per hectare, and each unit must be at least 5 m from any other unit;

- 4.1.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 4.1.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 4.1.4 must undertake an environmental monitoring program approved by the Minister and as specified in Clause 4.3;
- 4.1.5 must not introduce the permitted species to the site before the approval of the environmental monitoring program referred to in 4.1.4 by the Minister;
- 4.1.6 must comply with the schedule of reporting for the environmental monitoring program as prescribed in Schedule 6 and submit the final results of the environmental monitoring program to the Minister 30 days before expiry of the term of this licence.
- 4.2 SASQAP
  - 4.2.1 It is a condition of your licence to farm bivalve molluscs that only shellfish from areas Classified under the South Australian Shellfish Quality Assurance Program (SASQAP) may be sold for human consumption.
  - 4.2.2 The licensee must continue to meet all the regulations required under the Food Standards Code to produce a product safe for human consumption.
- 4.3 The licensee must submit a draft environmental monitoring program to the Minister for approval within 60 days of the grant of the licence by the Minister. The draft environmental monitoring program must include the qualifications and experience of the person(s) designing and undertaking the program and address the matters listed in Schedule 5.

## 5. Marking and Maintaining the Site

The licensee:

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

## 6. Site Inspection and Supervision

The licensee:

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

## 7. Fees and Returns

The licensee:

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

## 8. Public Risk Insurance

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

#### 9. Guarantee or Indemnity Scheme

The licensee must either:

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

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

#### 10. No Assignment

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

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

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

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 11 April 2002.

I. NIGHTINGALE, General Manager Aquaculture

SCHEDULE 1

Item 1—The Site

Area app	licable	e to this	licence:
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Licensed A	Area	Licensed Hectares
AGD 66-	-Zone 53	
543647E	6169938N	0.5
543672E	6169938N	
543672E	6169738N	
543647E	6169738N	

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

#### Item 2—Marked-off Areas

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

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

#### SCHEDULE 2

#### Item 1—Permitted Species

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

#### Item 2—Permitted Farming Methods

Racks

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

Item 3—Criteria for Development of Marine Aquaculture Sites

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

 $0.2~{\rm ha}$  developed with 0.5 km of BST longline or 0.2 km of racking on the site.

#### SCHEDULE 3

#### Item 1-Fees

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

### Item 2—Insurance

Ten million dollars (\$10 000 000).

## Item 3—Guarantee

Ten thousand dollars (\$10 000).

## SCHEDULE 4

#### Production Returns

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

#### SCHEDULE 5

#### Environmental Monitoring Program

#### MATTERS TO BE ADDRESSED

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

#### Farm Management

1. Approximate layout of all structures on the site during the term including location, number and size.

2. Growth and condition of the permitted species.

3. Occurrence of disease incidents in the permitted species.

#### Water Quality

1. Phytoplankton including species composition and abundance.

2. Status of the site under the South Australian Shellfish Quality Assurance Program during the term (including closures).

## Feral Oysters

Presence and numbers of feral oysters.

Benthic Sediments

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

#### Benthic Fauna and Flora

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

## METHODOLOGY

#### Video Transects

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

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

#### Report

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

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

#### SCHEDULE 6

#### Schedule of Environmental Monitoring Reports

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

#### FISHERIES ACT 1982

#### MARINE MOLLUSC FARMING LICENCE FM00415

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

THE Minister for Agriculture, Food and Fisheries ('the Minister') hereby grants to:

Geoff Evans (14796) 37 Denton Street Smoky Bay, S.A. 5680

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

## CONDITIONS OF THIS LICENCE

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

### 2. Permitted Species

The licensee:

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

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

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

#### 5. Marking and Maintaining the Site

The licensee:

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

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

## 6. Site Inspection and Supervision

The licensee:

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

## 7. Fees and Returns

#### The licensee:

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

#### 8. Public Risk Insurance

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

#### O. Guarantee or Indemnity Scheme

The licensee must either:

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

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

#### 10. No Assignment

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

## 11. Variation and Cancellation

- 11.1 The Minister may without prior notice vary or cancel this licence immediately during the term for the purposes of preventing or minimising any damage or threat of damage to the environment. For the purpose of this condition the Minister may have regard to but is not limited by the following considerations:
  - 11.1.1 the results of monitoring undertaken pursuant to Clause 4.1.5;
  - 11.1.2 the results of any other monitoring as may from time to time be carried out; or
  - 11.1.3 such other relevant information within the knowledge of the Minister.
- 11.2 Subject to and without limiting Condition 13.1, in the event of breach by the licensee of any term or condition of this licence, the Minister may:

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

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 11 April 2002.

I. NIGHTINGALE, General Manager Aquaculture

# SCHEDULE 1

*Item 1—The Site* Area applicable to this licence:

Licensed AGD 66–		Licensed Hectares
394264E 394417E 394454E 394435E 394736E 394633E 394332E 394301E	6424695N 6424779N 6424734N 6424724N 6424502N 642446N 64244667N 6424650N	5
594501E	042403011	

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

#### Item 2—Marked-off Areas

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

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

#### SCHEDULE 2

#### Item 1—Permitted Species

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

Pacific Oysters (Crassostrea gigas)

## Item 2—Permitted Farming Methods

Racks

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

Item 3—Criteria for Development of Marine Aquaculture Sites

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

1 ha developed by 30 June 2002.

## SCHEDULE 3

#### Item 1—Fees

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

Item 2—Insurance

Ten million dollars (\$10 000 000).

Item 3—Guarantee

Ten thousand dollars (\$10 000).

#### Schedule 4

#### Production Returns

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

#### SCHEDULE 5

#### Environmental Monitoring Program

MATTERS TO BE ADDRESSED

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

#### Farm Management

1. Approximate layout of all structures on the site during the term including location, number and size.

2. Growth and condition of the permitted species.

3. Occurrence of disease incidents in the permitted species.

#### Water Quality

1. Phytoplankton including species composition and abundance.

2. Status of the site under the South Australian Shellfish Quality Assurance Program during the term (including closures).

## Feral Oysters

Presence and numbers of feral oysters.

## Benthic Sediments

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

#### Benthic Fauna and Flora

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

#### METHODOLOGY

#### Video Transects

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

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

#### Report

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

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

#### SCHEDULE 6

#### Schedule of Environmental Monitoring Reports

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

#### LIQUOR LICENSING ACT 1997

#### Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Central Home Products Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 10 The Crescent, Blair Athol, S.A. 5084 and to be known as Central Home Products.

The application has been set down for hearing on 17 May 2002.

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

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

Dated 8 April 2002.

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 Hahn Barossa Vineyards Pty Ltd, c/o Heuzenroeder and Heuzenroeder, 49 Murray Street, Tanunda, S.A. 5352 has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 22 King Street, North Stockwell, S.A. 5355 and to be known as Hahn Estate.

The application has been set down for hearing on 17 May 2002 at 9 a.m.

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

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

Dated 8 April 2002.

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 Kay Psaromatis has applied to the Licensing Authority for a Special Circumstances Licence with Extended Trading Authorisation in respect of premises situated at

640 Magill Road, Magill, S.A. 5072 and to be known as Yeusis Caterers.

The application has been set down for hearing on 17 May 2002 at 9 a.m.  $\,$ 

#### Conditions

The following licence conditions are sought:

· Hours of Operation:

Monday to Sunday-7 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 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 9 April 2002.

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 Portlin No. 4 Pty Ltd has applied to the Licensing Authority for a Variation to the Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 51 South Road, Thebarton, S.A. 5031 and known as West Thebarton Hotel.

The application has been set down for hearing on 17 May 2002.

#### Conditions

The following licence conditions are sought:

Variation the Extended Trading Authorisation to authorise the sale of liquor for consumption on the licensed premises as follows:

Monday to Thursday inclusive—midnight to 3 a.m. the following day (currently 2 a.m.)

Entertainment Consent is sought for the whole of the licensed premises during these hours.

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

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

Dated 5 April 2002.

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 Moana Surf Life Saving Club Inc, Esplanade, Moana, S.A. 5169 has applied to the Licensing Authority for a Variation to the Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Esplanade, Moana, S.A. 5169 and known as Moana Surf Life Saving Club

The application has been set down for hearing on 17 May 2002 at 9 a.m.

## Conditions

The following licence conditions are sought:

A variation to the Extended Trading Authorisation

- Monday to Saturday—midnight to 1 a.m. the following day.
- Sunday—8 p.m. to midnight. (currently trading to 10 p.m. on Sunday).

Public Holidays-midnight to 1 a.m. the following day.

Entertainment Consent is sought during normal trading hours and the Extended Trading Authorisation.

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

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

Dated 10 April 2002.

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 Pettman Investments Pty Ltd, 73 Ormerod Street, Naracoote, S.A. 5271 has applied to the Licensing Authority for an Entertainment Consent, alterations and to redefine the Licensed Premises in respect of premises situated at 73 Ormerod Street, Naracoorte, S.A. 5271 and known as Naracoorte Hotel.

The application has been set down for hearing on 17 May 2002 at 9 a.m.

#### Conditions

The following licence conditions are sought:

Entertainment Consent is sought for the following hours:

Monday to Thursday—6 a.m. to midnight.

Friday—6 a.m. to 1.30 a.m. the following day.

Saturday—7.30 a.m. to 1.30 a.m. the following day.

Sunday—8 a.m. to midnight.

Public Holidays and Christmas Day—midnight to 1.30 a.m. the following day.

Alterations and redefinition of licensed premises to improve Bottle Shop Facilities, increase accommodation and upgrade Saloon Bar as per plan lodged with the Liquor and Gaming Commissioner.

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

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

Dated 10 April 2002.

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 Far Northern Motor Cycle Club Inc, Pony Club Road, Leigh Creek, S.A. 5731 has applied to the Licensing Authority for a Limited Club Licence with an Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Pony Club Road, Leigh Creek, S.A. 5731 and to be known as Far Northern Motor Cycle Club.

The application has been set down for hearing on 17 May 2002 at 9 a.m.  $\,$ 

Conditions

The following licence conditions are sought:

An Extended Trading Authorisation:

Saturday—midnight to 1 a.m. the following day.

Sunday-8 a.m. to 11 a.m. and 8 p.m. to midnight.

Entertainment Consent is sought during normal trading hours and during the Extended Trading Authorisation.

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

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

Dated 10 April 2002.

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 Guran Pty Ltd (ACN 098 842 025) as trustee for the Marree Hotel Unit Trust, c/o Fisher Jeffries, SGIC Building, Level 15, 211 Victoria Square, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Redefinition of the licensed area to include the beer garden, variation to the Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at Railway Terrace (South), Marree, S.A. 5733 and known as Marree Hotel.

The application has been set down for hearing on 17 May 2002 at 9 a.m.

#### Conditions

The following licence conditions are sought:

1. That liquor may be sold for consumption on the whole of the licensed premises (including the proposed beer garden area) Monday to Sunday from midnight to 2 a.m. the following day.

2. That the existing Entertainment Consent for the premises be extended to include the proposed beer garden area and the hours mentioned in condition 1.

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 11 April 2002.

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 Hollick Wines Pty Ltd, Racecourse Road, Penola, c/o Finlaysons, 81 Flinders Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Restaurant Licence with Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Racecourse Road, Penola and to be known as Hollick Wines.

The application has been set down for hearing on 17 May 2002 at 9 a.m.

#### Conditions

The following licence conditions are sought:

The application seeks the following Extended Trading Authorisation:

Monday to Saturday—midnight to 2 a.m. the following morning.

Sunday—8 p.m. to 11 a.m. and 8 p.m. to 2 a.m. the following morning.

Public Holidays—9 a.m. to midnight.

To authorise the licensee to sell liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons:

(a) seated at a table or

(b) attending a function at which food is provided.

The applicant also seeks an Entertainment Consent for the whole premises as depicted in the plan for the above hours.

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

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

Dated 11 April 2002.

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 Adelaide Lutheran Football Club Inc. has applied to the Licensing Authority for a Limited Club Licence with Entertainment Consent in respect of premises situated at Park 21 West, corner South Terrace and Goodwood Road, Adelaide, S.A. 5000.

The application has been set down for hearing on 17 May 2002.

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

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

Dated 10 April 2002.

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 Huw Griffith Morgan and George Ranembe Morgan, c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000 have applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 8 Davenport Terrace, Wayville, S.A. 5034.

The application has been set down for hearing on 17 May 2002 at 9 a.m.

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

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

Dated 11 April 2002.

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 Brew Holdings Pty Ltd (ACN 098 145 101), c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Residential Licence with extended trading authorisation and entertainment consent in respect of premises situated at 55 Waymouth Street, Adelaide, S.A. 5000 and to be known as Rendezvous Allegra Hotel Adelaide.

The application has been set down for hearing on 17 May 2002 at 9 a.m.

#### Condition

The following licence condition is sought:

Extended trading authorisation (including entertainment consent) to apply to the whole of the licensed premises on Monday to Saturday: midnight to 3 a.m. the following day, Sunday: 8 a.m. to 11 a.m. and 8 p.m. to midnight.

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 11 April 2002.

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 G. & M. S. Di Stasio Pty Ltd, 140A North Terrace, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 140A North Terrace, Adelaide, S.A. 5000 and known as Vivaldi Ristorante.

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

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

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

Dated 9 April 2002.

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 Hollick Wines Pty Ltd, c/o Andrew Williams of Finlaysons, has applied to the Licensing Authority for the transfer of a Producer's Licence and redefinition of licensed premises in respect of premises situated at Racecourse Road, Penola, S.A. 5277 and known as Hollick Wines.

The application has been set down for hearing on 21 May 2002 at 11 a.m.

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

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

Dated 12 April 2002.

Applicant

## LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

#### Notice of Application for Transfer of Liquor Licence and Gaming Machine Licence

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Trevcol Pty Ltd, c/o Kelly & Co. Solicitors, has applied to the Liquor and Gaming Commissioner for the transfer of a Hotel and Gaming Licence in respect of premises situated at 40 Ellen Street, Port Pirie, S.A. 5540 and known as International Hotel—Port Pirie.

The applications have been set down for hearing on 21 May 2002 at 10.30 a.m.

Any person may object to the transfer 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 11 April 2002.

Applicant

#### LIQUOR LICENSING ACT 1997

#### Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Casual Dining (SA) Pty Ltd (ACN 098 418 994), c/o Thomson Playford Solicitors, 101 Pirie Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 235 Greenhill Road, Dulwich, S.A. 5065 known as Pizza Hut and to be known as La Porchetta Italian Restaurant.

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

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

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

Dated 11 April 2002.

Applicant

#### MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area.

Applicant: Avoca Resources Ltd.

- Location: Port Broughton area—Approximately 50 km northeast of Wallaroo, bounded as follows:
  - Area 'A'—Commencing at a point being the intersection of latitude  $33^{\circ}45'S$  and longitude  $137^{\circ}52'E$ ,

thence west to longitude 137°45′E, north to a line parallel to and 800 m inland from highwater mark, Spencer Gulf (eastern side), thence generally northeasterly along the said parallel line to longitude 137°52′E, and south to the point of commencement.

Area 'B'—Commencing at a point being the intersection of latitude 33°25'S and longitude 138°10'E, thence east to longitude 138°13'E, south to latitude 33°40'S, west to longitude 138°10'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  $\text{km}^2$ : 211.

Ref: 031/2002.

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 Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area.

Applicant: South Australian Iron Ore Group Pty Ltd.

Location: Lake Mookra area—Approximately 40 km eastsouth-east of Tarcoola, bounded as follows: Commencing at a point being the intersection of latitude 30°48'S and longitude 134°52'E, thence east to longitude 135°02'E, south to latitude 30°49'S, west to longitude 134°52'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: 1 year.

Area in km<sup>2</sup>: 29.

Ref: 203/2001.

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 Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area.

Applicant: Havilah Resources NL.

Location: Pernatty Lagoon area—Approximately 70 km south-west of Woomera, bounded as follows:

Area 'A'—Commencing at a point being the intersection of latitude  $31^{\circ}29'S$  and longitude  $137^{\circ}18'E$ , thence east to longitude  $137^{\circ}19'E$ , south to latitude  $31^{\circ}31'S$ , east to longitude  $137^{\circ}23'E$ , south to latitude  $31^{\circ}32'S$ , east to longitude  $137^{\circ}23'E$ , south to latitude  $31^{\circ}34'S$ , east to longitude  $137^{\circ}23'E$ , south to latitude  $31^{\circ}36'S$ , east to longitude  $137^{\circ}23'E$ , south to latitude  $31^{\circ}37'S$ , east to longitude  $137^{\circ}29'E$ , south to latitude  $31^{\circ}37'S$ , east to longitude  $137^{\circ}29'E$ , south to latitude  $31^{\circ}34'S$ , west to longitude  $137^{\circ}22'E$ , south to latitude  $31^{\circ}42'S$ , west to longitude  $137^{\circ}22'E$ , south to latitude  $31^{\circ}44'S$ , west to longitude  $137^{\circ}22'E$ , north to latitude  $31^{\circ}44'S$ , west to longitude  $137^{\circ}19'E$ , north to latitude  $31^{\circ}41'S$ , west to longitude  $137^{\circ}18'E$ , and north to the point of commencement.

Area 'B'—Commencing at a point being the intersection of latitude 31°37'S and longitude 137°30'E, thence east to longitude 137°32'E, south to latitude 31°39'S, west to longitude 137°30'E, and north to the point of commencement.

Area 'C'—Commencing at a point being the intersection of latitude 31°48'S and longitude 137°31'E, thence east to longitude 137°33'E, south to latitude 31°50'S, west to longitude 137°31'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>: 316.

Ref: 055/2002.

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 Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area.

Applicant: Havilah Resources NL.

Location: Old Parakylia area—Approximately 10 km west of Andamooka, bounded as follows: Commencing at a point being the intersection of latitude 30°10'S and longitude 136°37'E, thence east to longitude 136°45'E, south to latitude 30°15'S, west to longitude 136°37'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: 1 year.

Area in  $\text{km}^2$ : 119.

Ref: 054/2002.

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 Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area.

Applicant: Goldsearch Ltd.

Location: Mt Ogilvie area—Approximately 30 km north-east of Leigh Creek, bounded as follows: Commencing at a point being the intersection of latitude 30°16'S and longitude 138°36'E, thence east to longitude 138°46'E, south to latitude 30°25'S, west to longitude 138°36'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: 1 year.

Area in km<sup>2</sup>: 240.

Ref: 007/2002.

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 Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area.

Applicant: Castlegem Pty Ltd.

Location: Mount Eba area—Approximately 85 km northnorth-east of Kingoonya, bounded as follows: Commencing at a point being the intersection of latitude 30°00'S and longitude 135°17'E, thence east to longitude 135°45'E, south to latitude 30°14'S, west to longitude 135°17'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: 1 year.

Area in km<sup>2</sup>: 1 162.

Ref: 202/2001.

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

#### PUBLIC CORPORATIONS ACT 1993

#### Direction Pursuant to Section 6

Background:

- A. Under the Electricity Corporations (Restructuring and Disposal) Act 1999 (S.A.), a former employee of an Electricity Corporation transferred into the employment of a purchaser of the relevant business of the Electricity Corporation, who, after two years, is subsequently found to be surplus to the requirements of the electricity business, must be offered a position of employment in the South Australian Public Sector. A former employee who accepts such a position is referred to as a Returning State Employee.
- B. A number of transferred employees who were employed by AGL South Australia Pty Limited ('AGL') have become or are about to be Returning State Employees, and are referred to in this direction as AGL Returning State Employees.
- C. AGL is obliged to make a payment of an amount ('the VSP Equivalent Amount') to the Treasurer in respect of each AGL Returning State Employee.
- D. The Government has determined that an agency which provides a position of employment for an AGL Returning State Employee should receive sufficient funding for initial retraining and Two Years Employment Costs, and to the extent that the VSP Equivalent Amount does not cover those costs, the funding should be provided by RESI Corporation by way of supplementation.
- E. The Government has also determined that additional funding to assist the transition of AGL Returning State Employees should be provided by RESI Corporation.
- F. The payments by RESI Corporation in respect of AGL Returning State Employees are to be made as a departmental transfer of funds.

## Direction:

I, Patrick Frederick Conlon, the Minister for Energy for the State of South Australia hereby direct RESI Corporation to pay to the Treasurer:

1. The sum of twenty thousand dollars (\$20 000), as a once off payment, to be utilised for transition assistance for all of the AGL Returning State Employees.

2. In respect of each AGL Returning State Employee as advised by the Department of Treasury and Finance, an amount as advised by the Department of Treasury and Finance which may include and shall not exceed the following:

- 2.1 One thousand five hundred dollars (\$1 500) initial training costs; plus
- 2.2 Two Years Employment Costs in respect of the AGL Returning State Employee, less the amount of the VSP Equivalent Amount payable by AGL.
- 'Two Years Employment Costs' are calculated as follows:

The annual salary of the AGL Returning State Employee applicable immediately before leaving the employment of AGL, which includes disability allowance and clothing allowance, plus payroll tax and employer superannuation contributions, multiplied by two.

Dated 8 April 2002.

The Common Seal of the Minister of Energy was hereunto affixed by Authority of the Minister in the presence of:

(L.S.) P. CONLON, Minister for Energy C. KING, Witness

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

#### NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER

Cross Keys Road and Mawson Lakes Boulevard, Mawson Lakes—Deposited Plan 59275

BY Road Process Order made on 25 October 2001, the City of Salisbury ordered that:

1. Portion of the public roads (Cross Keys Road) adjoining allotment 11 in Deposited Plan 51194 and (Mawson Lakes Boulevard) adjoining allotment 507 in Deposited Plan 50045 more particularly lettered 'A' and 'B' (respectively) in Preliminary Plan No. PP32/0561 be closed.

2. The whole of the land subject to closure be transferred to the Land Management Corporation in accordance with agreement for transfer dated 25 October 2001 entered into between the City of Salisbury and the Land Management Corporation.

On 11 April 2002 that order was confirmed by the Minister for Administrative Services.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, notice of the order referred to above and its confirmation is hereby given.

Dated 18 April 2002.

P. M. KENTISH, Surveyor-General

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

#### NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER

Cross Keys Road, Mawson Lakes—Deposited Plan 59275

BY Road Process Order made on 5 March 2002, the City of Salisbury ordered that:

1. Portion of the public road (Cross Keys Road) south of Bennett Road adjoining allotment 11 in Deposited Plan 51194 more particularly lettered 'A' in Preliminary Plan No. PP32/0591 be closed.

2. The whole of the land subject to closure be transferred to the Land Management Corporation in accordance with agreement for transfer dated 24 December 2001 entered into between the City of Salisbury and the Land Management Corporation.

3. The following easements are granted over the land subject to that closure:

Grant to the South Australian Water Corporation an easement for water supply purposes over the whole of the land.

Grant to Envestra (SA) Limited an easement for gas supply purposes over portion of the land.

On 11 April 2002 that order was confirmed by the Minister for Administrative Services.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, notice of the order referred to above and its confirmation is hereby given.

Dated 18 April 2002.

P. M. KENTISH, Surveyor-General

# **IMPORTANT NOTICE** *Government Gazette Publication*

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# **Anzac Day Holiday Week Publishing Information**

Government Gazette Notices Publishing Date: Wednesday, 24 April 2002

Closing date for notices for publication will be 4 p.m. Monday, 22 April 2002

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# GOVERNMENT GAZETTE ADVERTISEMENT RATES

# To apply from 1 July 2001

	\$
Agents, Ceasing to Act as	32.75
Associations:	
Incorporation	16.70
Intention of Incorporation	41.25
Transfer of Properties	41.25
Attorney, Appointment of	32.75
Bailiff's Sale	41.25
Cemetery Curator Appointed	24.50
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Alteration to Constitution	32.75
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Meeting Final Regarding Liquidator's Report on	
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First Name Each Subsequent Name	8.40
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Creditors	32.75
Creditors Compromise of Arrangement	32.75
Creditors (extraordinary resolution that 'the Com-	52.75
Creditors (extraordinary resolution that 'the Com- pany be wound up voluntarily and that a liquidator	
be appointed?)	41.25
Release of Liquidator—Application—Large Ad —Release Granted	65.50
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Register of Interests—Section 84 (1) Exempt	74.00
Order of Supreme Court for Winding Up Action Register of Interests—Section 84 (1) Exempt Removal of Office	16.70
Proof of Debts	32.75
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Estates:	
Assigned	24.50
Deceased Persons-Notice to Creditors, etc	41.25
Each Subsequent Name	8.40
Deceased Persons—Closed Estates	24.50
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Public Trustee, each Estate	8.40

	\$
Firms: Ceasing to Carry on Business (each insertion) Discontinuance Place of Business	21.80 21.80
Land—Real Property Act: Intention to Sell, Notice of Lost Certificate of Title Notices Cancellation, Notice of (Strata Plan)	41.25 41.25 41.25
Mortgages: Caveat Lodgment Discharge of Foreclosures Transfer of Sublet	16.70 17.60 16.70 16.70 8.40
Leases—Application for Transfer (2 insertions) each	8.40
Lost Treasury Receipts (3 insertions) each	24.50
Licensing	48.75
Municipal or District Councils: Annual Financial Statement—Forms 1 and 2 Electricity Supply—Forms 19 and 20 Default in Payment of Rates: First Name Each Subsequent Name	
Noxious Trade	24.50
Partnership, Dissolution of	24.50
Petitions (small)	16.70
Registered Building Societies (from Registrar- General)	16.70
Register of Unclaimed Moneys—First Name Each Subsequent Name	24.50 8.40
Registers of Members—Three pages and over: Rate per page (in 8pt) Rate per page (in 6pt)	209.00 276.00
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Advertisements, other than those listed are charged at \$2 column line, tabular one-third extra.	.30 per
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## **GOVERNMENT GAZETTE NOTICES**

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# MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2001

	Acts	, Bills, Rules, Parliame	ntary Papers and Regula	ations	
Pages	Main	Amends	Pages	Main	Amends
1-16	1.85	0.80	497-512	27.00	26.00
17-32	2.60	1.65	513-528	27.75	26.50
33-48	3.35	2.40	529-544	28.50	27.50
49-64	4.25	3.20	545-560	29.25	28.50
65-80	5.00	4.10	561-576	30.00	29.25
81-96	5.75	4.80	577-592	31.00	29.75
97-112	6.60	5.60	593-608	31.75	30.75
113-128	7.40	6.45	609-624	32.50	31.75
129-144	8.30	7.30	625-640	33.25	32.25
145-160	9.10	8.05	641-656	34.00	33.00
	9.95	8.90			
161-176			657-672	34.50	33.75
177-192	10.70	9.75	673-688	36.00	34.50
193-208	11.50	10.60	689-704	36.75	35.50
209-224	12.30	11.30	705-720	37.25	36.50
225-240	13.00	12.10	721-736	38.50	37.00
241-257	13.90	12.80	737-752	39.00	38.00
258-272	14.80	13.60	753-768	40.00	38.50
273-288	15.60	14.60	769-784	40.50	39.75
289-304	16.30	15.30	785-800	41.25	40.50
305-320	17.10	16.10	801-816	42.00	41.00
321-336	17.90	16.90	817-832	43.00	42.00
337-352	18.80	17.80	833-848	43.75	42.75
353-368	19.60	18.60	849-864	44.50	43.50
369-384	20.40	19.50	865-880	45.25	44.50
385-400	21.10	20.20	881-896	45.75	45.00
401-416	21.90	20.90	897-912	47.25	45.75
417-432	22.90	21.80	913-928	47.75	47.25
433-448	23.60	22.60	929-944	48.75	47.75
449-464	24.50	22.00	945-960	49.50	48.25
465-480	25.00	23.40	961-976	50.25	49.25
481-496	26.00	24.20 24.90	977-992	51.25	49.23
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# **VOCATIONAL EDUCATION, EMPLOYMENT AND TRAINING ACT 1994**

# **PART 4 - CONTRACTS OF TRAINING**

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

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

# The following schedule is additional to the gazettals of:

		. 9.			
1.	24 April 1996 (pg 2045)	29.	6 May 1999 (pg 2482)	57.	19 April 2001 (pg 1645)
2.	31 October 1996 (pg 1544)	30.	13 May 1999 (pg 2595)	58.	31 May 2001 (pg 1914)
3.	5 December 1996 (pg 1818)	31.	27 May 1999 (Errata) (pg 2723)	59.	28 June 2001 (pg 2416)
4.	6 February 1997 (pg 830)	32.	17 June 1999 (pg 3123)	60.	12 July 2001 (Errata) (pg 2610)
5.	17 April 1997 (pg 1571)	33.	24 June 1999 (pg 3261)	61.	19 July 2001 (Errata) (pg 2713)
6.	29 May 1997 (pg 2758)	34.	1 July 1999 (pg 22)	62.	26 July 2001 (pg 2785)
7.	12 June 1997 (pg 2984)	35.	29 July 1999 (pg 602)	63.	16 August 2001 (pg 3091)
8.	3 July 1997 (pg 33)	36.	30 September 1999 (pg 1364)	64.	20 September 2001 (pg 4268)
9.	7 August 1997 (pg 311)	37.	14 October 1999 (pg 1973)	65.	27 September 2001 (pg 4316)
10.	18 December 1997 (pg 1677)	38.	11 November 1999 (pg 2327)	66.	11 October 2001 (Errata) (pg 4466)
11.	22 December 1997 (pg 1776)	39.	6 January 2000 (pg 1169)	67.	15 November 2001 (pg 5041)
12.	23 April 1998 (pg 1959)	40.	30 March 2000 (pg 1921)	68.	29 November 2001 (pg 5227)
13.	18 June 1998 (pg 2594)	41.	6 April 2000 (pg 2047)	69.	13 December 2001 (pg 5385)
14.	6 August 1998 (pg 339)	42.	13 April 2000 (Errata) (pg 2167)	70.	20 December 2001 (Errata) (pg 5646)
15.	24 September 1998 (pg 990)	43.	4 May 2000 (pg 2416)	71.	10 January 2002 (pg 19) Errata (pg 20)
16.	1 October 1998 (pg 1038)	44.	18 May 2000 (pg 2606) Errata (pg 2609)	72.	14 February 2002 (pg 861) Errata (pg 869)
17.	15 October 1998 (pg 1150)	45.	15 June 2000 (pg 3282) Errata (pg 3285)	73.	14 March 2002 (pg 1329)
18.	12 November 1998 (pg 1389)	46.	29 June 2000 (pg 3490)	74.	11 April 2002 (pg 1579)
19.	19 November 1998 (pg 1583)	47.	6 July 2000 (pg 22) Errata (pg 24)		
20.	3 December 1998 (pg 1742)	48.	20 July 2000 (pg 267)		
21.	10 December 1998 (pg 1870)	49.	10 August 2000 (pg 467)		
22.	17 December 1998 (pg 1954)	50.	24 August 2000 (pg 643)		
23.	23 December 1998 (pg 2039)	51.	14 September 2000 (pg 2002)		
24.	11 March 1999 (pg 1359)	52.	12 October 2000 (pg 2475) Errata (pg 2480)		
25.	25 March 1999 (pg 1480)	53.	16 November 2000 (pg 3208) Errata (pg 3211)		
26.	1 April 1999 (Errata) (pg 1605)	54.	7 December 2000 (pg 3461) Errata (pg 3467)		
27.	22 April 1999 (pg 2219)	55.	15 February 2001 (pg 641) Errata (pg 647)		
28.	29 April 1999 (Errata) (pg 2381)	56.	5 April 2001 (pg 1561)		
				-	

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

18

April 2002]

# 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
* Electrical Tradesperson (Fire Systems and Security Systems) ARC April 2002	UTE30299	Electrotechnology Training Package Certificate III in Electrical Tradesperson (Fire Systems and Security Systems)	48 months	1040 hours	3 months

## WATER MAINS AND SEWERS

Office of the South Australian Water Corporation Adelaide, 18 April 2002.

## WATER MAINS LAID

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

## ADELAIDE WATER DISTRICT

CITY OF ADELAIDE Private road (known as Wilson Street), Adelaide. p17 Tomsey Court, Adelaide. p17 Mill Street, Adelaide. p19

CITY OF CAMPBELLTOWN Malpas Street, Rostrevor. p1

CORPORATE TOWN OF GAWLER Finniss Street, Gawler. p4 and 5

## BEETALOO COUNTRY LANDS WATER DISTRICT

DISTRICT OF MOUNT REMARKABLE Government road south-east of section 435 (hundred of Telowie), Port Germein. p15 Government road north-east of section 435 (hundred of Telowie), Port Germein. p15

## BUNDALEER COUNTRY LANDS WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL Government road south of section 755 (hundred of Redhill), Redhill. p14 Government road north-west of section 69 (hundred of Redhill), Redhill. p14

## BURRA WATER DISTRICT

REGIONAL COUNCIL OF GOYDER Lower Thames Street, Burra. p11

## TOWNSHIP OF CLARE WATER DISTRICT

DISTRICT OF CLARE AND GILBERT VALLEYS COUNCIL Opie Street, Clare. p9

## MORGAN WATER DISTRICT

DISTRICT OF MID MURRAY COUNCIL Ninth Street, Morgan. This main is available on application only. p13

## MOUNT GAMBIER WATER DISTRICT

CITY OF MOUNT GAMBIER Dalkeith Drive, Mount Gambier. p7 Easement in lot 61, Dalkeith Drive, Mount Gambier. p7

## PORT PIRIE WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL Second Street, Port Pirie West. p12

## POINT TURTON WATER DISTRICT

DISTRICT OF YORKE PENINSULA Point Turton Road, Point Turton. p22

## WATER MAINS ABANDONED

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

## ADELAIDE WATER DISTRICT

CITY OF ADELAIDE Mill Street, Adelaide. p19

CORPORATE TOWN OF GAWLER Finniss Street, Gawler. p4

# BEETALOO COUNTRY LANDS WATER DISTRICT

DISTRICT OF MOUNT REMARKABLE Government road south-east of section 435 (hundred of Telowie), Port Germein. p15 Government road north-east of section 435 (hundred of Telowie), Port Germein. p15

## BUNDALEER COUNTRY LANDS WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL Government road south of section 755 (hundred of Redhill), Redhill. p14 Government road north-west of section 69 (hundred of Redhill), Redhill. p14

## MOUNT GAMBIER WATER DISTRICT

CITY OF MOUNT GAMBIER Dalkeith Drive, Mount Gambier. p7

## POINT TURTON WATER DISTRICT

DISTRICT OF YORKE PENINSULA Esplanade, Point Turton. p22

## SEWERS LAID

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

# ADELAIDE DRAINAGE AREA

CITY OF BURNSIDE Hughes Street, Linden Park. FB 1103 p33

CITY OF CAMPBELLTOWN Malpas Street, Rostrevor. FB 1103 p31 Sare Street, Hectorville. FB 1103 p32

CITY OF NORWOOD, PAYNEHAM AND ST. PETERS Battams Road, Royston Park. FB 1103 p30

CITY OF PLAYFORD Easement in lots 531 and 45, Dayman Street, Elizabeth Park. FB 1103 p34

CITY OF PORT ADELAIDE ENFIELD Collins Street, Broadview. FB 1103 p36

CITY OF PROSPECT Arthur Street, Prospect. FB 1103 p37

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

# **REGULATIONS UNDER THE CONVEYANCERS ACT 1994**

No. 19 of 2002

At the Executive Council Office at Adelaide, 18 April 2002

PURSUANT to the *Conveyancers Act 1994* and with the advice and consent of the Executive Council, I make the following regulations.

 $M_{\text{ARJORIE}} \; J_{\text{ACKSON-Nelson, Governor}}$ 

# SUMMARY OF PROVISIONS

- 1. Citation
- 2. Commencement
- 3. Substitution of reg. 8
  - 8. Payment of interest on trust accounts to Commissioner
  - 8A. General duty with respect to records
- 4. Variation of reg. 9—Receipt of trust money
- 5. Variation of reg. 10—Payment of trust money
- 6. Substitution of reg. 11
  - 11. Keeping of records
  - 11A. Cash books
  - 11B. Separate trust ledger accounts
  - 11C. Reconciliation statements
  - Variation of reg. 13—Audit of trust accounts

# Citation

**1.** The *Conveyancers Regulations 1995* (see *Gazette 25* May 1995 p. 2479), as varied, are referred to in these regulations as "the principal regulations".

## Commencement

7.

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

# Substitution of reg. 8

3. Regulation 8 of the principal regulations is revoked and the following regulations are substituted:

# Payment of interest on trust accounts to Commissioner

**8.** For the purposes of section 17 of the Act, interest that an ADI is liable to pay in respect of trust money held in a trust account must be paid by the ADI to the Commissioner on—

- (a) 15 January, 15 April, 15 July and 15 October in each year; or
- (b) the fifteenth day of each month in each year.

# General duty with respect to records

**8A.** If a conveyancer uses a computer program to keep records under Division 2 of Part 4 of the Act, the conveyancer must ensure that—

- (a) an electronic copy of all the records is made within 24 hours of any alteration of the records; and
- (b) at least once in each week, an electronic copy of all the records is made and kept in a safe place at a location other than the premises where the computer program is operating; and
- (c) before any information is deleted from the computer records, a hard copy of the information is made and kept by the conveyancer as part of the conveyancer's records; and
- (d) an up-to-date electronic copy of the computer program is made and kept in a safe place at a location other than the premises where the computer program is operating.

Maximum penalty: \$2 500.

# Variation of reg. 9—Receipt of trust money

4. Regulation 9 of the principal regulations is varied—

- (a) by striking out paragraph (a) and substituting the following paragraph:
  - (a) must be legibly written on a form comprised in a series of consecutively pre-numbered duplicate receipt forms marked with the name of the conveyancer and the words "Trust Account"; and;
- (b) by striking out subparagraph (i) of paragraph (b) and substituting the following subparagraph:
  - (i)
    - (A) in the case of a payment made by electronic transfer of funds into a conveyancer's trust account—the date on which the conveyancer makes out the receipt; or
    - (B) in any other case—the date of the payment; and;
- (c) by striking out from subparagraph (iii) of paragraph (b) "or bank cheque" first occurring and substituting ", bank cheque or electronic transfer of funds into the conveyancer's trust account";
- (d) by inserting after its present contents (now to be designated as subregulation (1)) the following subregulations:

(2) A conveyancer must make out a receipt in accordance with section 23(2) of the Act and this regulation—

- (a) in the case of a payment made by electronic transfer of funds into a conveyancer's trust account—immediately the conveyancer receives official confirmation that the payment has been made (whether that is by way of receipt by the conveyancer of an ADI statement or some other way, whichever occurs sooner); or
- (b) in any other case—immediately on receipt of the payment.

Maximum penalty: \$2 500.

(3) A conveyancer need not comply with subregulation (1)(a) or section 23(2)(b) of the Act if the conveyancer uses a computer program to make out the receipt and the program—

- (a) automatically produces in chronological sequence consecutively numbered receipts marked with the name of the conveyancer and the words "Trust Account"; and
- (b) automatically makes a separate contemporaneous record of the receipt so that, at any time, a hard copy of the receipt may be produced; and
- (c) requires input in each field of a data entry screen intended to receive information for the purposes of producing the receipt so that each receipt contains all of the information required by subregulation (1)(b).

# Variation of reg. 10—Payment of trust money

**5.** Regulation 10 of the principal regulations is varied by inserting after subregulation (3) the following subregulation:

(4) When a conveyancer authorises the payment of trust money by electronic transfer of funds, the conveyancer—

- (a) must prepare and keep as part of the conveyancer's records the following information:
  - (i) the date and reference number of the payment;
  - (ii) the name of the payee;
  - (iii) the client name or reference and brief particulars of the purpose of the payment;
  - (iv) the name or style of the ADI account to which the payment is made, its number and the identifying numbers of the receiving ADI and its branch;
  - (v) the amount of the payment; and

(b) must, on receiving official written confirmation that the payment has been made, keep that confirmation as part of the conveyancer's records.

Maximum penalty: \$2 500.

# Substitution of reg. 11

**6.** Regulation 11 of the principal regulations is revoked and the following regulations are substituted:

# **Keeping of records**

11. For the purposes of section 23(1)(c) of the Act, the detailed accounts of receipts and disbursements of trust money to be compiled by a conveyancer must comply with regulations 11A, 11B and 11C.

# Cash books

11A. (1) A conveyancer must keep as part of the conveyancer's records—

- (a) a cash receipts book in which the conveyancer records the following information in respect of each receipt of trust money:
  - (i) the date and reference number of the receipt;
  - (ii) the name of the person from whom the money is received;
  - (iii) the client name or reference to which the transaction relates;
  - (iv) brief particulars of the purpose of the receipt;
  - (v) the amount of the receipt; and
- (b) a cash payments book in which the conveyancer records the following information in respect of each payment of trust money:
  - (i) the date and reference number of the cheque or electronic transfer of funds by which the payment was made;
  - (ii) the name of the payee;
  - (iii) the client name or reference to which the transaction relates;
  - (iv) brief particulars of the purpose of the payment;
  - (v) the amount of the cheque or electronic transfer of funds.

(2) A conveyancer need not keep a cash receipts book or a cash payments book as required by subregulation (1) if the conveyancer uses a computer program to record the information referred to in that subregulation in respect of each receipt or payment of trust money and the program—

(a) requires input in each field of a data entry screen intended to receive information in respect of a receipt or payment so that all of the information referred to in subregulation (1) is recorded in respect of each receipt and payment; and

- (b) is capable, at any time, of producing—
  - (i) a report of the information in respect of receipts of trust money in the order in which they were received; and
  - (ii) a report of the information in respect of payments of trust money in the order in which they were made.

(3) A conveyancer who uses a computer program as referred to in subregulation (2) must ensure that—

- (a) at the end of each month, hard copies of each of the following reports are produced:
  - (i) a report of the information in respect of receipts of trust money received during that month in the order in which they were received;
  - (ii) a report of the information in respect of payments of trust money made during that month in the order in which they were made; and
- (b) those hard copies are kept as part of the conveyancer's records.

(4) The records of receipts and payments must be made by the conveyancer in accordance with this regulation in the order in which they are received or made, each such record being made within two working days after the receipt or payment in question.

(5) Subregulation (4) does not apply in relation to receipts or payments by way of electronic transfer of funds, a record of which must be made within two working days after the conveyancer receives official confirmation that the transfer has occurred.

# Separate trust ledger accounts

**11B.** (1) A conveyancer must ensure that the conveyancer's trust ledger accounts are kept separately—

- (a) in respect of each of the conveyancer's clients; and
- (b) if the conveyancer performs services for a client in respect of a number of transactions between different parties—in respect of each such transaction.

(2) The conveyancer must record in each of the separate accounts the following details:

- (*a*) the name and address of the client to whom the accounts relate;
- (b) a brief description of the service provided and the transaction to which the accounts relate;
- (c) in respect of each receipt or disbursement of trust money—
  - (i) the date and reference number of the receipt or disbursement;
  - (ii) the name of the person from whom the money is received or to whom the money is disbursed;

- 1621
- (iii) brief particulars of the purpose of the receipt or disbursement;
- (iv) the amount received or disbursed.

(3) The conveyancer must ensure that any changes in the details referred to in subregulation (2)(a) or (b) are recorded in a manner that enables the changes and the order in which they occurred to be identified.

(4) If the conveyancer transfers money between any of the separate accounts, the transfer must be clearly recorded—

- (a) in both accounts; and
- (b) in a transfer journal,

in sufficient detail that the transfer may be clearly understood.

(5) The records of receipts, disbursements and transfers must be made by the conveyancer in accordance with this regulation in the order in which the receipts, disbursements or transfers are received or made, each such record being made within two working days after the receipt, disbursements or transfer in question.

(6) Subregulation (5) does not apply in relation to receipts or payments by way of electronic transfer of funds, a record of which must be made within two working days after the conveyancer receives official confirmation that the transfer has occurred.

(7) If a conveyancer uses a computer program to keep trust ledger accounts or a transfer journal, the conveyancer must ensure that—

- (a) the program is incapable of—
  - (i) recording a transaction that would result in a debit balance in a trust ledger account unless a separate contemporaneous record of the transaction is also made so that, at any time, a hard copy may be produced of all such transactions in chronological order; and
  - (ii) deleting from its records the information relating to a trust ledger account unless—
    - (A) the balance of the account is zero; and
    - (B) a hard copy of all of the information required under these regulations relating to the account has been produced; and
  - (iii) changing existing information relating to a transaction otherwise than by making a further entry showing a separate transaction to effect the change; and
- (b) the program automatically inserts consecutive page numbers into any hard copy report produced by use of the program; and

(c) the program requires input in each field of a data entry screen intended to receive information for the purposes of a trust ledger account or transfer journal so that the entry contains all of the information required by this regulation.

Maximum penalty: \$2 500.

(8) If a conveyancer uses a computer program to keep trust ledger accounts or a transfer journal, the conveyancer must, within two working days of a request from the Commissioner or the conveyancer's auditor, produce hard copies of the trust ledger accounts or transfer journal.

Penalty: \$2 500.

# **Reconciliation statements**

**11C.** (1) A conveyancer must, at the end of each month, prepare and keep as part of the conveyancer's records—

- (a) a statement reconciling the balance of the conveyancer's cash books, or equivalent computer records, kept under regulation 11A with the balance of the conveyancer's trust account; and
- (b) a statement reconciling the balances of the ledgers comprised in the conveyancer's trust ledger accounts with the balance of the conveyancer's trust account.

(2) The conveyancer is not required to set out a list of individual balances, or the names of the clients on whose behalf money is held, when preparing the statement referred to in subregulation (1)(b).

# Variation of reg. 13—Audit of trust accounts

7. Regulation 13 of the principal regulations is varied by inserting after paragraph (g) of subregulation (3) the following paragraph:

(*h*) if the conveyancer uses a computer program to keep the conveyancer's accounts and records—whether the program allows for the accounts and records to be conveniently and properly audited.

OCBA 006/01 CS

R. D. DE PALMA, Clerk of the Council

# **REGULATIONS UNDER THE LAND AGENTS ACT 1994**

No. 20 of 2002

At the Executive Council Office at Adelaide, 18 April 2002

PURSUANT to the Land Agents Act 1994 and with the advice and consent of the Executive Council, I make the following regulations.

 $M_{\text{ARJORIE}} \; J_{\text{ACKSON-Nelson, Governor}}$ 

# SUMMARY OF PROVISIONS

- 1. Citation
- 2. Commencement
- 3. Variation of reg. 9A—Exemptions from trust account provisions
- 4. Substitution of reg. 10
  - 10. Payment of interest on trust accounts to Commissioner
  - 10A. General duty with respect to records
- 5. Variation of reg. 11-Receipt of trust money
- 6. Variation of reg. 12—Payment of trust money
- 7. Substitution of reg. 13
  - 13. Keeping of records
  - 13A. Cash books
  - 13B. Separate trust ledger accounts
  - 13C. Reconciliation statements
- 8. Variation of reg. 15—Audit of trust accounts

# Citation

**1.** The *Land Agents Regulations 1995* (see *Gazette 25* May 1995 p. 2464), as varied, are referred to in these regulations as "the principal regulations".

# Commencement

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

# Variation of reg. 9A—Exemptions from trust account provisions

**3.** Regulation 9A of the principal regulations is varied by inserting after its present contents (now to be designated as subregulation (1)) the following subregulation:

(2) An agent is exempt from the operation of section 21(2) of the Act in respect of the receipt of payments of rent (within the meaning of the *Residential Tenancies Act 1995*) into the agent's trust account.

# Substitution of reg. 10

**4.** Regulation 10 of the principal regulations is revoked and the following regulations are substituted:

# Payment of interest on trust accounts to Commissioner

**10.** For the purposes of section 15 of the Act, interest that an ADI is liable to pay in respect of trust money held in a trust account must be paid by the ADI to the Commissioner on—

- (a) 15 January, 15 April, 15 July and 15 October in each year; or
- (b) the fifteenth day of each month in each year.

# General duty with respect to records

**10A.** If an agent uses a computer program to keep records under Division 2 of Part 3 of the Act, the agent must ensure that—

- (a) an electronic copy of all the records is made within 24 hours of any alteration of the records; and
- (b) at least once in each week, an electronic copy of all the records is made and kept in a safe place at a location other than the premises where the computer program is operating; and
- (c) before any information is deleted from the computer records, a hard copy of the information is made and kept by the agent as part of the agent's records; and
- (d) an up-to-date electronic copy of the computer program is made and kept in a safe place at a location other than the premises where the computer program is operating.

Maximum penalty: \$2 500.

# Variation of reg. 11—Receipt of trust money

5. Regulation 11 of the principal regulations is varied—

- (a) by striking out paragraph (a) and substituting the following paragraph:
  - (a) must be legibly written on a form comprised in a series of consecutively pre-numbered duplicate receipt forms marked with the name of the agent and the words "Trust Account"; and;
- (b) by striking out subparagraph (i) of paragraph (b) and substituting the following subparagraph:
  - (i)
- (A) in the case of a payment made by electronic transfer of funds into an agent's trust account—the date on which the agent makes out the receipt; or
- (B) in any other case—the date of the payment; and;

- (c) by striking out from subparagraph (iii) of paragraph (b) "or bank cheque" first occurring and substituting ", bank cheque or electronic transfer of funds into the agent's trust account";
- (d) by inserting after its present contents (now to be designated as subregulation (1)) the following subregulations:

(2) An agent must make out a receipt in accordance with section 21(2) of the Act and this regulation—

- (a) in the case of a payment made by electronic transfer of funds into an agent's trust account—immediately the agent receives official confirmation that the payment has been made (whether that is by way of receipt by the agent of an ADI statement or some other way, whichever occurs sooner); or
- (b) in any other case—immediately on receipt of the payment.

Maximum penalty: \$2 500.

(3) An agent need not comply with subregulation (1)(a) or section 21(2)(b) of the Act if the agent uses a computer program to make out the receipt and the program—

- (a) automatically produces in chronological sequence consecutively numbered receipts marked with the name of the agent and the words "Trust Account"; and
- (b) automatically makes a separate contemporaneous record of the receipt so that, at any time, a hard copy of the receipt may be produced; and
- (c) requires input in each field of a data entry screen intended to receive information for the purposes of producing the receipt so that each receipt contains all of the information required by subregulation (1)(b).

# Variation of reg. 12—Payment of trust money

**6.** Regulation 12 of the principal regulations is varied by inserting after subregulation (3) the following subregulation:

(4) When an agent authorises the payment of trust money by electronic transfer of funds, the agent—

- (a) must prepare and keep as part of the agent's records the following information:
  - (i) the date and reference number of the payment;
  - (ii) the name of the payee;
  - (iii) the client name or reference and brief particulars of the purpose of the payment;
  - (iv) the name or style of the ADI account to which the payment is made, its number and the identifying numbers of the receiving ADI and its branch;
  - (v) the amount of the payment; and

(b) must, on receiving official written confirmation that the payment has been made, keep that confirmation as part of the agent's records.

Maximum penalty: \$2 500.

## Substitution of reg. 13

**7.** Regulation 13 of the principal regulations is revoked and the following regulations are substituted:

# **Keeping of records**

13. For the purposes of section 21(1)(c) of the Act, the detailed accounts of receipts and disbursements of trust money to be compiled by an agent must comply with regulations 13A, 13B and 13C.

# **Cash books**

13A. (1) An agent must keep as part of the agent's records—

- (a) a cash receipts book in which the agent records the following information in respect of each receipt of trust money:
  - (i) the date and reference number of the receipt;
  - (ii) the name of the person from whom the money is received;
  - (iii) the client name or reference to which the transaction relates;
  - (iv) brief particulars of the purpose of the receipt;
  - (v) the amount of the receipt; and
- (b) a cash payments book in which the agent records the following information in respect of each payment of trust money:
  - (i) the date and reference number of the cheque or electronic transfer of funds by which the payment was made;
  - (ii) the name of the payee;
  - (iii) the client name or reference to which the transaction relates;
  - (iv) brief particulars of the purpose of the payment;
  - (v) the amount of the cheque or electronic transfer of funds.

(2) An agent need not keep a cash receipts book or a cash payments book as required by subregulation (1) if the agent uses a computer program to record the information referred to in that subregulation in respect of each receipt or payment of trust money and the program—

(a) requires input in each field of a data entry screen intended to receive information in respect of a receipt or payment so that all of the information referred to in subregulation (1) is recorded in respect of each receipt and payment; and

- (b) is capable, at any time, of producing—
  - (i) a report of the information in respect of receipts of trust money in the order in which they were received; and
  - (ii) a report of the information in respect of payments of trust money in the order in which they were made.

(3) An agent who uses a computer program as referred to in subregulation (2) must ensure that—

- (a) at the end of each month, hard copies of each of the following reports are produced:
  - (i) a report of the information in respect of receipts of trust money received during that month in the order in which they were received;
  - (ii) a report of the information in respect of payments of trust money made during that month in the order in which they were made; and
- (b) those hard copies are kept as part of the agent's records.

(4) The records of receipts and payments must be made by the agent in accordance with this regulation in the order in which they are received or made, each such record being made within two working days after the receipt or payment in question.

(5) Subregulation (4) does not apply in relation to receipts or payments by way of electronic transfer of funds, a record of which must be made within two working days after the agent receives official confirmation that the transfer has occurred.

# Separate trust ledger accounts

13B. (1) An agent must ensure that the agent's trust ledger accounts are kept separately—

- (a) in respect of each of the agent's clients; and
- (b) if the agent performs services for a client in respect of a number of transactions between different parties—in respect of each such transaction.
- (2) The agent must record in each of the separate accounts the following details:
- (*a*) the name and address of the client to whom the accounts relate;
- (b) a brief description of the service provided and the transaction to which the accounts relate;
- (c) in respect of each receipt or disbursement of trust money—
  - (i) the date and reference number of the receipt or disbursement;
  - (ii) the name of the person from whom the money is received or to whom the money is disbursed;

- (iii) brief particulars of the purpose of the receipt or disbursement;
- (iv) the amount received or disbursed.

(3) The agent must ensure that any changes in the details referred to in subregulation (2)(a) or (b) are recorded in a manner that enables the changes and the order in which they occurred to be identified.

(4) If the agent transfers money between any of the separate accounts, the transfer must be clearly recorded—

- (a) in both accounts; and
- (b) in a transfer journal,

in sufficient detail that the transfer may be clearly understood.

(5) The records of receipts, disbursements and transfers must be made by the agent in accordance with this regulation in the order in which the receipts, disbursements or transfers are received or made, each such record being made within two working days after the receipt, disbursements or transfer in question.

(6) Subregulation (5) does not apply in relation to receipts or payments by way of electronic transfer of funds, a record of which must be made within two working days after the agent receives official confirmation that the transfer has occurred.

(7) If an agent uses a computer program to keep trust ledger accounts or a transfer journal, the agent must ensure that—

- (a) the program is incapable of—
  - (i) recording a transaction that would result in a debit balance in a trust ledger account unless a separate contemporaneous record of the transaction is also made so that, at any time, a hard copy may be produced of all such transactions in chronological order; and
  - (ii) deleting from its records the information relating to a trust ledger account unless—
    - (A) the balance of the account is zero; and
    - (B) a hard copy of all of the information required under these regulations relating to the account has been produced; and
  - (iii) changing existing information relating to a transaction otherwise than by making a further entry showing a separate transaction to effect the change; and
- (b) the program automatically inserts consecutive page numbers into any hard copy report produced by use of the program; and

(c) the program requires input in each field of a data entry screen intended to receive information for the purposes of a trust ledger account or transfer journal so that the entry contains all of the information required by this regulation.

Maximum penalty: \$2 500.

(8) If an agent uses a computer program to keep trust ledger accounts or a transfer journal, the agent must, within two working days of a request from the Commissioner or the agent's auditor, produce hard copies of the trust ledger accounts or transfer journal.

Maximum penalty: \$2 500.

## **Reconciliation statements**

13C. (1) An agent must, at the end of each month, prepare and keep as part of the agent's records—

- (a) a statement reconciling the balance of the agent's cash books, or equivalent computer records, kept under regulation 13A with the balance of the agent's trust account; and
- (b) a statement reconciling the balances of the ledgers comprised in the agent's trust ledger accounts with the balance of the agent's trust account.

(2) The agent is not required to set out a list of individual balances, or the names of the clients on whose behalf money is held, when preparing the statement referred to in subregulation (1)(b).

## Variation of reg. 15—Audit of trust accounts

**8.** Regulation 15 of the principal regulations is varied by inserting after paragraph (g) of subregulation (3) the following paragraph:

(*h*) if the agent uses a computer program to keep the agent's accounts and records—whether the program allows for the accounts and records to be conveniently and properly audited.

OCBA 006/01 CS

R. D. DE PALMA, Clerk of the Council

## **REGULATIONS UNDER THE SECURITY AND INVESTIGATION AGENTS** ACT 1995

No. 21 of 2002

At the Executive Council Office at Adelaide, 18 April 2002

PURSUANT to the Security and Investigation Agents Act 1995 and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, GOVERNOR

## SUMMARY OF PROVISIONS

- 1. Citation
- 2. Commencement
- 3. Substitution of reg. 14
  - 14. General duty with respect to records14A. Keeping of records
- 4. Variation of reg. 15-Receipt of trust money
- 5. Variation of reg. 16-Withdrawal of trust money
  - Insertion of regs. 16A to 16C
    - 16A. Cash books
    - 16B. Separate trust ledger accounts
- Reconciliation statements
  Variation of reg. 23—Requirements of audit

## Citation

6.

**1.** The Security and Investigation Agents Regulations 1996 (see Gazette 28 March 1996 p. 1857), as varied, are referred to in these regulations as "the principal regulations".

## Commencement

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

## Substitution of reg. 14

**3.** Regulation 14 of the principal regulations is revoked and the following regulations are substituted:

## General duty with respect to records

**14.** If a collection agent uses a computer program to keep records under section 14 of the Act and these regulations, the agent must ensure that—

- (a) an electronic copy of all the records is made within 24 hours of any alteration of the records; and
- (b) at least once in each week, an electronic copy of all the records is made and kept in a safe place at a location other than the premises where the computer program is operating; and
- (c) before any information is deleted from the computer records, a hard copy of the information is made and kept by the agent as part of the agent's records; and

(d) an up-to-date electronic copy of the computer program is made and kept in a safe place at a location other than the premises where the computer program is operating.

Maximum penalty: \$2 500.

## Keeping of records

14A. A collection agent must keep detailed records of all trust money received by the agent and of any disbursement of, or other dealing with, that money and must compile detailed accounts of those receipts and disbursements that—

- (a) accurately disclose the state of the trust account maintained by the agent; and
- (b) enable the receipt and disposition of trust money to be conveniently and properly audited; and
- (c) comply with the requirements set out in regulations 16A, 16B and 16C.

Maximum penalty: \$2 500.

## Variation of reg. 15—Receipt of trust money

4. Regulation 15 of the principal regulations is varied—

- (a) by striking out paragraph (a) of subregulation (2) and substituting the following paragraph:
  - (a) must be legibly written on a form comprised in a series of consecutively pre-numbered duplicate receipt forms marked with the name of the agent and the words "Trust Account"; and;
- (b) by striking out subparagraph (i) of paragraph (b) of subregulation (2) and substituting the following subparagraph:
  - (i)
    - (A) in the case of a payment made by electronic transfer of funds into an agent's trust account—the date on which the agent makes out the receipt; or
    - (B) in any other case—the date of the payment; and;
- (c) by striking out from subregulation (2)(b)(iii) "or bank cheque" first occurring and substituting ", bank cheque or electronic transfer of funds into the agent's trust account";
- (d) by inserting after subregulation (2) the following subregulation:
  - (3) A collection agent must make out a receipt in accordance with subregulation (2)—
  - (a) in the case of a payment made by electronic transfer of funds into an agent's trust account—immediately the agent receives official confirmation that the payment has been made (whether that is by way of receipt by the agent of an ADI statement or some other way, whichever occurs sooner); or

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(b) in any other case—immediately on receipt of the payment.

Maximum penalty: \$2 500.

## Variation of reg. 16—Withdrawal of trust money

**5.** Regulation 16 of the principal regulations is varied by inserting after subregulation (4) the following subregulation:

(5) When a collection agent authorises the payment of trust money by electronic transfer of funds, the agent—

- (a) must prepare and keep as part of the agent's records the following information:
  - (i) the date and reference number of the payment;
  - (ii) the name of the payee;
  - (iii) the client name or reference and brief particulars of the purpose of the payment;
  - (iv) the name or style of the ADI account to which the payment is made, its number and the identifying numbers of the receiving ADI and its branch;
  - (v) the amount of the payment; and
- (b) must, on receiving official written confirmation that the payment has been made, keep that confirmation as part of the agent's records.

Maximum penalty: \$2 500.

## Insertion of regs. 16A to 16C

6. The following regulations are inserted after regulation 16 of the principal regulations:

### Cash books

16A. (1) A collection agent must keep as part of the agent's records—

- (a) a cash receipts book in which the agent records the following information in respect of each receipt of trust money:
  - (i) the date and reference number of the receipt;
  - (ii) the name of the person from whom the money is received;
  - (iii) the client name or reference to which the transaction relates;
  - (iv) brief particulars of the purpose of the receipt;
  - (v) the amount of the receipt; and

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- (b) a cash payments book in which the agent records the following information in respect of each payment of trust money:
  - (i) the date and reference number of the cheque or electronic transfer of funds by which the payment was made;
  - (ii) the name of the payee;
  - (iii) the client name or reference to which the transaction relates;
  - (iv) brief particulars of the purpose of the payment;
  - (v) the amount of the cheque or electronic transfer of funds.

(2) A collection agent need not keep a cash receipts book or a cash payments book as required by subregulation (1) if the agent uses a computer program to record the information referred to in that subregulation in respect of each receipt or payment of trust money and the program—

- (a) requires input in each field of a data entry screen intended to receive information in respect of a receipt or payment so that all of the information referred to in subregulation (1) is recorded in respect of each receipt and payment; and
- (b) is capable, at any time, of producing—
  - (i) a report of the information in respect of receipts of trust money in the order in which they were received; and
  - (ii) a report of the information in respect of payments of trust money in the order in which they were made.

(3) A collection agent who uses a computer program as referred to in subregulation (2) must ensure that—

- (a) at the end of each month, hard copies of each of the following reports are produced:
  - (i) a report of the information in respect of receipts of trust money received during that month in the order in which they were received;
  - (ii) a report of the information in respect of payments of trust money made during that month in the order in which they were made; and
- (b) those hard copies are kept as part of the agent's records.

(4) The records of receipts and payments must be made by the agent in accordance with this regulation in the order in which they are received or made, each such record being made within two working days after the receipt or payment in question.

(5) Subregulation (4) does not apply in relation to receipts or payments by way of electronic transfer of funds, a record of which must be made within two working days after the agent receives official confirmation that the transfer has occurred.

## Separate trust ledger accounts

**16B.** (1) A collection agent must ensure that the agent's trust ledger accounts are kept separately in respect of each of the agent's clients.

(2) The agent must record in each of the separate accounts the following details:

- (*a*) the name and address of the client to whom the accounts relate;
- (b) a brief description of the service provided and the transaction to which the accounts relate;
- (c) in respect of each receipt or disbursement of trust money—
  - (i) the date and reference number of the receipt or disbursement;
  - (ii) the name of the person from whom the money is received or to whom the money is disbursed;
  - (iii) brief particulars of the purpose of the receipt or disbursement;
  - (iv) the amount received or disbursed.

(3) The agent must ensure that any changes in the details referred to in subregulation (2)(a) or (b) are recorded in a manner that enables the changes and the order in which they occurred to be identified.

(4) If the agent transfers money between any of the separate accounts, the transfer must be clearly recorded—

- (a) in both accounts; and
- (b) in a transfer journal,

in sufficient detail that the transfer may be clearly understood.

(5) The records of receipts, disbursements and transfers must be made by the agent in accordance with this regulation in the order in which the receipts, disbursements or transfers are received or made, each such record being made within two working days after the receipt, disbursements or transfer in question.

(6) Subregulation (5) does not apply in relation to receipts or payments by way of electronic transfer of funds, a record of which must be made within two working days after the agent receives official confirmation that the transfer has occurred.

(7) If a collection agent uses a computer program to keep trust ledger accounts or a transfer journal, the agent must ensure that—

- (a) the program is incapable of—
  - (i) recording a transaction that would result in a debit balance in a trust ledger account unless a separate contemporaneous record of the transaction is also made so that, at any time, a hard copy may be produced of all such transactions in chronological order; and

- (ii) deleting from its records the information relating to a trust ledger account unless—
  - (A) the balance of the account is zero; and
  - (B) a hard copy of all of the information required under these regulations relating to the account has been produced; and
- (iii) changing existing information relating to a transaction otherwise than by making a further entry showing a separate transaction to effect the change; and
- (b) the program automatically inserts consecutive page numbers into any hard copy report produced by use of the program; and
- (c) the program requires input in each field of a data entry screen intended to receive information for the purposes of a trust ledger account or transfer journal so that the entry contains all of the information required by this regulation.

Maximum penalty: \$2 500.

(8) If a collection agent uses a computer program to keep trust ledger accounts or a transfer journal, the agent must, within two working days of a request from the Commissioner or the agent's auditor, produce hard copies of the trust ledger accounts or transfer journal.

Penalty: \$2 500.

## **Reconciliation statements**

**16C.** (1) A collection agent must, at the end of each month, prepare and keep as part of the agent's records—

- (a) a statement reconciling the balance of the agent's cash books, or equivalent computer records, kept under regulation 16A with the balance of the agent's trust account; and
- (b) a statement reconciling the balances of the ledgers comprised in the agent's trust ledger accounts with the balance of the agent's trust account.

(2) The agent is not required to set out a list of individual balances, or the names of the clients on whose behalf money is held, when preparing the statement referred to in subregulation (1)(b).

## Variation of reg. 23—Requirements of audit

7. Regulation 23 of the principal regulations is varied by inserting after paragraph (f) of subregulation (2) the following paragraph:

(g) if the agent uses a computer program to keep the agent's accounts and records whether the program allows for the accounts and records to be conveniently and properly audited.

OCBA 006/01 CS

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## CITY OF ONKAPARINGA

#### Declaration of Public Road

NOTICE is hereby given that the council of the City of Onkaparinga at its meeting held on 20 November 2001, resolved that, in exercise of its powers under section 208 of the Local Government Act 1999, the council of the City of Onkaparinga declared that allotment 101 in deposited plan 58349 be a public road and known as Mudge Street.

J. TATE, Chief Executive Officer

#### CITY OF TEA TREE GULLY

#### Proposed Road Process Order—Reids Road, Dernancourt

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Tea Tree Gully proposes to make a Road Process Order to close the southern portion of Reids Road on Deposited Plan No 7138, more particularly delineated and marked 'A' on Preliminary Plan No. 02/0028. The closed road 'A' to be incorporated with adjoining allotment 11 Mahogany Avenue, Dernancourt.

The portion of public road to be closed marked 'A' on the plan is to be merged with the adjoining land allotment 11 in filed plan 40167, certificate of title volume 5749, folio 735, held by the City of Tea Tree Gully.

A copy of the plan and statement of persons affected are available for public inspection at the offices of the council, 571 Montague Road, Modbury and at the Adelaide Office of the Surveyor-General, 101 Grenfell Street, 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 Property Officer, City of Tea Tree Gully, P.O. Box 571, Modbury, S.A. 5092, 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 time the matter will be considered.

G. PERKIN, Chief Executive Officer

#### DISTRICT COUNCIL OF BARUNGA WEST

Exclusion of Lands from Classification of Community Land

NOTICE is hereby given that on 9 April 2002, council resolved pursuant to section 193 (1) of the Local Government Act 1999, having conducted the public consultation process, that the following parcels of land in its ownership, care and management, be excluded from the Classification of Community Land:

(1) Section 503, Hundred of Mundoora (CR5765/897)—Port Broughton Caravan Park.

(2) Section 528, Hundred of Mundoora (CR5755/695)—North Caravan Park.

(3) Section 329, Hundred of Wiltunga (CR5755/710)—Bute Depot No. 1.

(4) Section 328, Hundred of Wiltunga (CR5479/500)—Bute Depot No. 2.

(5) Lot 6, Hundred of Mundoora (CT5695/630)—Port Broughton Depot.

(6) Section 354, Hundred of Wiltunga (CT5446/671)— Deputy District Manager's House.

(7) Lot 19, Hundred of Wiltunga (CT 5773/512)—Overseer's House.

(8) Lot 20, Hundred of Wiltunga (CT 5229/516)—Vacant Town Block.

(9) Lot 79, Hundred of Wiltunga (CT 5600/877)—Works Manager's House.

(11) Sections 47 and 49, Hundred of Wiltunga (CT 5804/521)—Land adjacent to Bute.

(12) Section 315, Hundred of Wiltunga (CT 5483/620)— Land adjacent to effluent pond.

(13) Lot 23, Hundred of Mundoora (CT 4206/677)—Old Railway Land, Mundoora.

(14) Sections 104 and 114, Hundred of Mundoora (CT 5740/425)—Port Broughton Refuse Site.

(15) Sections 542 and 543, Hundred of Kulpara (CT 415/137)—South Hummocks Cemetery.

(16) Section 658, Hundred of Tickera (CT 566/143)—Alford Cemetery.

(17) Lots 9 and 10, Hundred of Wiltunga (CT 5621/437)—Bute Caravan Park.

(18) Lots 97 and 98, Hundred of Wiltunga (CT 5736/808)— Bute Institute and Council Office.

(19) Lot 53, Hundred of Mundoora (CT 5430/792)—Port Broughton Museum.

(20) Lot 459, Hundred of Wiltunga (CT 5779/507)—Former Bute ANZ Bank.

N. HAND, District Manager

#### BERRI BARMERA COUNCIL

#### Commercial Zone Plan Amendment Report—Draft for Public Consultation

NOTICE is hereby given that the Berri Barmera Council has, pursuant to sections 24 and 25 of the Development Act 1993, prepared a draft Development Plan Amendment Report to amend the Berri Barmera Development Plan.

The draft Plan Amendment Report seeks to make amendments to a number of the provisions relating to the current commercial zone and to extend the commercial zoning to a number of parcels of land within the current Western Approach zone.

Copies of the draft Plan Amendment Report will be available for public inspection and purchase during normal office hours at the offices of the Berri Barmera Council at both the Berri and Barmera offices, 19 Wilson Street, Berri (phone (08) 8582 1922) and 3A Barwell Avenue, Barmera (phone (08) 8582 2031) respectively. Alternatively, the draft Plan Amendment Report can be viewed during office hours at the council offices from Thursday, 18 April 2002 to Friday, 28 June 2002.

Enquiries relating to the:

Dated 9 April 2002.

- Purchase of the draft Plan Amendment Report can be directed to the Berri Barmera Office on telephone (08) 8582 1922;
- Queries on policies proposed in the draft Plan Amendment Report can be directed to Steven Kubasiewicz, Planning Officer, on (08) 8285 1922.

All submissions regarding the draft Plan Amendment Report should be submitted no later than 5 p.m. on Friday, 28 June 2002. Submissions should be addressed to the Chief Executive Officer, Berri Barmera Council, P.O. Box 229, Berri, S.A. 5343 and should clearly indicate whether you wish to be heard in support of your submission. Electronic submissions can be made on the Internet (bbcsk@berribarmera.sa.gov.au).

Copies of all submissions will be available for inspection by interested persons at the Berri Barmera Council offices, 19 Wilson Street, Berri, from the expiration of the display period until the conclusion of the public hearing.

A public hearing will be held on Friday, 12 July 2002 at the Berri Barmera Council offices, 19 Wilson Street, Berri, S.A. 5343 at 11 a.m. at which time interested persons may appear to be heard in relation to the draft Plan Amendment Report and the submissions. The public hearing will not be held if no submissions are received or if no submission makes a request to be heard.

M. HURLEY, Chief Executive Officer

## CLARE AND GILBERT VALLEYS COUNCIL

#### Periodical Review of Elector Representation

NOTICE is hereby given pursuant to the provisions of section 12 (5) of the Local Government Act 1999, the Clare and Gilbert Valleys Council is to carry out a review to determine whether a change of arrangements in respect to elector representation, including ward boundaries and the composition of council, will result in the electors of the area being more adequately and fairly represented.

Information regarding the nature of the periodical review is available at the council office, or by contacting Des Jennings on telephone 8842 2700.

Interested persons are invited to make a written submission to the Chief Executive Officer, 4 Gleeson Street, Clare, S.A. 5453, by the close of business on Thursday, 6 June 2002.

Any person who makes a written submission will be afforded an opportunity to appear before council, or a committee thereof, to be heard in respect to their submission.

M. GOLDSTONE, Chief Executive Officer

#### CLARE AND GILBERT VALLEYS COUNCIL

#### Naming of Road

NOTICE is hereby given that at its meeting held on 18 March 2002 council resolved, pursuant to section 219 of the Local Government Act 1999, to name the unnamed road running in a northerly direction off Slate Quarry Road and which meets section 343, Hundred of Clare as Thompson Priest Road.

M. A. GOLDSTONE, Chief Executive Officer

#### THE FLINDERS RANGES COUNCIL

#### Public Consultation

NOTICE is hereby given that council is considering the exclusion from Community Land of the following land:

- Visitor Information Centre—3 Seventh Street, Quorn, allotment 160, in Filed Plan 185863, certificate of title volume 5670, folio 400.
- Depot—lot 12, Eighth Street, Quorn, allotment 12, in Filed Plan 14845, certificate of title volume 5528, folio 950; allotment 168, in Filed Plan 185870, certificate of title volume 5641, folio 549; allotment 169, in Filed Plan 185871, certificate of title volume 5641, folio 551.
- Depot—lots 40-43 Lytton Street, Quorn, allotments 40-43 inclusive in Deposited Plan 925, certificate of title volume 5853, folio 271.
- Hawker Depot—51 Cradock Road, Hawker, allotment 51 in Deposited Plan 21624, certificate of title volume 5058, folio 611.
- Quorn Airstrip—allotment 52 in Deposited Plan 51271, certificate of title volume 5677, folio 721.

Pursuant to section 193 of the Local Government Act 1999, and as part of council's consideration submissions are invited on the matter.

Submissions are to be lodged before the close of business on Wednesday, 15 May 2002 and must be addressed to the Chief Executive Officer, P.O. Box 43, Quorn, S.A. 5433.

D. A. CEARNS, Chief Executive Officer

#### THE FLINDERS RANGES COUNCIL

#### Temporary Road Closures

NOTICE is hereby given that at its meeting held on Tuesday, 9 April 2002 in accordance with section 359 of the Local Government Act 1934, as amended, council declared that the following streets/roads be closed on the dates and times stated:

- (a) First Street, Quorn, between Sixth and Seventh Streets be closed to all vehicles, excluding council and emergency vehicles between 5 p.m. and 11 p.m. on Friday, 26 April 2002 for the purpose of conducting a street party in conjunction with the Year of the Outback event 'Sounds Under the Southern Cross';
- (b) Silo Road, Quorn, between Oval Road and Park Terrace be closed to all vehicles, excluding council and emergency vehicles between 8 a.m. and 6 p.m. on Sunday, 28 April 2002 for the purpose of conducting a novelty fun day in conjunction with the Year of the Outback event 'Sounds Under the Southern Cross';
- (c) Railway Terrace, Quorn, between the intersections of Fifth and Seventh Streets, and Sixth Street adjacent to the Quorn Newsagency to the Railway Terrace intersection, be closed to all vehicles, excluding council and emergency vehicles between 9.45 a.m. and 11.30 a.m. on Thursday, 25 April 2002 for the purpose of conducting ANZAC Day celebrations.

D. A. CEARNS, Chief Executive Officer

#### DISTRICT COUNCIL OF ORROROO/CARRIETON

#### Periodical Review of Elector Representation

PURSUANT to the provisions of section 12 (9) of the Local Government Act 1999, notice is hereby given that council, after consulting the electors during its review to determine whether a change in arrangements in respect to elector representation is required has resolved that no alteration is necessary. The *status quo* will remain, in that council will continue with no wards, have 9 Councillors, one of whom will be Chairman. Council's report may be inspected at its principal office, 17 Second Street, Orroroo, or will forwarded on request.

Written submissions on the report are invited from interested persons by 5 p.m. on Monday, 13 May 2002 and should be directed to the Chief Executive Officer, P.O. Box 3, Orroroo, S.A. 5431 any person making a written submission will be invited to appear before a meeting of council to be heard in respect of their submission.

#### T. BARNES, Chief Executive Officer

#### SOUTHERN MALLEE DISTRICT COUNCIL

#### Elector Representation Review

NOTICE is hereby given that pursuant to the provisions of section 12 of the Local Government Act 1999, the Southern Mallee District Council has undertaken a review to determine:

- whether the composition of council should be altered (number of elected members);
- whether wards should or should not exist and if so, where the boundaries should be.

At its meeting held on 10 April 2002, the council considered the report on the review and the public consultation, which had been undertaken and favours the retention of the existing system (i.e. 10 Councillors, with 5 wards, a Presiding Member/ Chairman and retain Southern Mallee District Council as its title).

A copy of the report is available for public inspection from either office of council.

Interested persons are invited to make written submissions on this report to the Chief Executive Officer, Southern Mallee District Council, P.O. Box 49, Pinnaroo, S.A. 5304. Submissions will be received up until 5 p.m. on Friday, 10 May 2002.

Any person making a submission will have the opportunity to address council on their submission.

#### P. WOOD, Chief Executive Officer

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

#### Ainsworth, Owen Lionel, late of 18 Holme Avenue, Lower Mitcham, retired confectioner, who died on 2 January 2002.

Carlson, Eric Alexs, late of 60 States Road, Morphett Vale, retired brewer's labourer, who died on 23 January 2002. Falvey, Janet, late of 66 Nelson Road, Valley View, of no

*Falvey, Janet*, late of 66 Nelson Road, Valley View, of no occupation, who died on 13 February 2002. *Forlani, Cosmo*, late of 8 Hutley Road, North Haven, retired

shopkeeper, who died on 10 February 2002. Freeborn, Karina Patricia, late of 7 Allan Place, Reynella,

care worker, who died on 17 January 2002. Heney, Francis Cooke, late of 7 Richman Avenue, Prospect,

retired sales manager, who died on 4 July 2001. Little, Lawrence Clark, late of 30 Anderson Walk, Smithfield,

retired welder, who died on 22 February 2002.

*Mudge, Phyllis Amy*, late of 668 Anzac Highway, Glenelg East, home duties, who died on 29 January 2002.

Nason, Bessie Ellen, late of 84 Reservoir Road, Modbury, of no occupation, who died on 19 February 2002.

*O'Leary, Ronald Gordon*, late of 56 High Street, Grange, retired tool inspector, who died on 5 January 2002.

*O'Sullivan, Gladys Wray*, late of 56 High Street, Grange, of no occupation, who died on 14 February 2002.

Pegler, Dorothy May, late of 580 Brighton Road, South Brighton, of no occupation, who died on 2 November 2001. Seridis, Joseph John, late of 39 Max Fatchen Drive, Angle

Vale, of no occupation, who died on 29 January 2002.

Smith, Donald James, late of 34 Margaret Street, Norwood, of no occupation, who died on 23 January 2002.

*Timbs, Stanley*, late of 16 Ford Avenue, Torrens Park, retired public servant, who died on 22 January 2002.

*Vogi, Franz*, late of 20 Waverley Street, Largs Bay, retired pattern maker, who died on 14 January 2002.

Wood, Queenie Alwine, late of Sturdee Street, Linden Park, retired office duties, who died on 2 March 2002.

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 5000, full particulars and proof of such claims, on or before 17 May 2002, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 18 April 2002.

C. J. O'LOUGHLIN, Public Trustee

#### SALE OF PROPERTY

Auction Date: Wednesday, 15 May 2002 at 10 a.m.

Location: Government Auctions SA, 47 Transport Avenue, Netley.

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-01-80574/1 and others, are directed to the Sheriff of South Australia in an action wherein Daniel John Best is the Defendant, I, Tim Goodes, Sheriff of the State of South Australia, will by my auctioneers, Government Auctions SA make sale of the following:

Holden Commodore VK sedan

Registration No. UUK 358.

### UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys held by The International Wine Investment Fund-1994 Distribution

Name	Address		Amount \$
Robert Breeze      Sunny Clime      Y. Erkerli      A. and A. Mele      John Angas and Pamela Anne Menzel      Caddy Petrol      Harminder Singh and Pieta Cody      G. and J. Wiseman	Address Unknown Address Unknown Cooltong, via Renmark, S.A. 5341 P.O. Box 27, Berri, S.A. 5343 Address Unknown P.O. Box 41, Moorook, S.A. 5332		24.16 85.52 11.74 97.24 32.00 31.23 30.83 27.67
		Total	\$340.39

### UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys held by The International Wine Investment Fund-1995 Distribution

Name	Address	Amount \$
John and Jane Bastalec	P.O Box 110, Port Elliot, S.A. 5212	414.98
B. Beal	Address Unknown	34.42
Ashley Binney	P.O. Box 32, Renmark, S.A. 5341	41.82
Sunny Clime	Address Unknown	187.87
Ernest Elsworthy	22 Lulama Crescent, Munno Para, S.A. 5155	15.78
M. Festa	Address Unknown	387.66
Iraklis and Kaliope Georgantas	P.O. Box 1042, Renmark, S.A. 5341	155.38
J. and A. Hammond		23.58
P. Howlett	Address Unknown	35.31
Issam and Omaya May Khizam	Shop 6, St Bernards Road, Magill, S.A. 5072	10.72
A. and A. Mele	Cooltong, via Renmark, S.A. 5341	113.15
A. Menzel		45.52
John Angas and Pamela Anne Menzel	P.O. Box 27, Berri, S.A. 5343	28.45
T. and H. Nikolis		11.62
Craig Orchard	c/o Houghton Wine Co., Dale Road, Middle Swan, W.A. 6056	12.52
Palmer and Palmer		66.23
Vasilios and Dimitrios Pipinis	P.O. Box 264, Barmera, S.A. 5345	15.28
P. and S. Rassios		36.14
Tony Richards	Post Office, Renmark South, S.A. 5341	26.86
Lelley and Dawn Shaw		26.74
Harminder Singh and Pieta Cody		95.97
Judith Tester		25.80
Tippl and Tippl		23.58
Satina Valente		16.00
D. L. and S. A. Wilson		59.62
	Total	\$1 911.00

## ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

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

NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040. Email: governmentgazette@saugov.sa.gov.au