



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 29 SEPTEMBER 2005

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 29 September 2005

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

No. 45 of 2005—Dog Fence (Miscellaneous) Amendment Act 2005. An Act to amend the Dog Fence Act 1946.

By command,

C. ZOLLO, for Acting Premier

DPC 02/0586

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Police Superannuation Board, pursuant to the provisions of the Police Superannuation Act 1990:

Member: (from 29 September 2005 until 28 September 2008)
Michael Anthony Ramm
Kathryn Heather Finnigan
Trevor James Haskell
Michael John Edwin Standing

Presiding Member: (from 29 September 2005 until 28 September 2008)
Michael Anthony Ramm

Deputy Member: (from 29 September 2005 until 28 September 2008)
Garry Wayne Powell (Deputy to Ramm)
David Mathew Obst (Deputy to Finnigan)
Bernadette Zimmermann (Deputy to Haskell)
James Richard Tappin (Deputy to Standing)

By command,

C. ZOLLO, for Acting Premier

TF 05/087 CS

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Residential Tenancies Tribunal, pursuant to the provisions of the Residential Tenancies Act 1995:

Member: (from 6 November 2005 until 5 November 2010)
Patricia Mary Patrick

Presiding Member: (from 6 November 2005 until 5 November 2010)
Patricia Mary Patrick

By command,

C. ZOLLO, for Acting Premier

CS 0-5CA0263 PII

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Nurses Board of South Australia, pursuant to the provisions of the Nurses Act 1999:

Member: (from 7 October 2005 until 6 April 2007)
Lynette Cusack
Margaret Catherine Moody
Ruth Smiles

Presiding Member: (from 7 October 2005 until 6 April 2007)
Lynette Cusack

Member: (from 7 October 2005 until 6 October 2008)
Bronwyn Walter
Marion Eckert
Michael McClellan
Jennifer Byrne

Roslyn Donnellan-Fernandez
Franco Camatta
Noelene Patricia Wadham
Jamie Todd Dreckow

By command,

C. ZOLLO, for Acting Premier

CAB MGR 0026

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Tourism Commission Board, pursuant to the provisions of the South Australian Tourism Commission Act 1993:

Director: (from 1 October 2005 until 30 September 2006)
Philip Hoffmann

Director: (from 1 October 2005 until 30 September 2007)
Anne Kathryn Skipper

Chair: (from 1 October 2005 until 30 September 2006)
Philip Hoffmann

Deputy Director: (from 1 October 2005 until 30 September 2007)
Anne Kathryn Skipper (Deputy to Hoffmann)

Director: (from 1 October 2005 until 30 September 2007)
Mark Christopher Butler

Director: (from 1 October 2005 until 30 September 2006)
Francene Michele Goldie Connor
Jane James
Peter Gerard Collins

Director: (from 1 October 2005 until 30 September 2007)
Jane Clarke

By command,

C. ZOLLO, for Acting Premier

MT 05/008

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint Bruno Krumins, Member of the Order of Australia, as Governor's Deputy of South Australia for the period from 8 a.m. on Wednesday, 5 October 2005 until 12 noon on Thursday, 6 October 2005.

By command,

C. ZOLLO, for Acting Premier

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Environment and Conservation, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Minister for Administrative Services, Acting Minister for Industrial Relations, Acting Minister for Recreation, Sport and Racing and Acting Minister for Gambling for the period 9 October 2005 to 16 October 2005 inclusive, during the absence of the Honourable Michael John Wright, MP.

By command,

C. ZOLLO, for Acting Premier

MA 05/001 CS

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Environment and Conservation, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Minister for Education and Children's Services and Acting

Minister for Tourism for the period 30 September 2005 to 3 October 2005 inclusive, during the absence of the Honourable Jane Diane Lomax-Smith, MP.

By command,

C. ZOLLO, for Acting Premier

MECS 05/023 CS

Deputy Member
Dennis Raymond Page (Deputy to Underdown)
Jeffrey Mervyn Boerth (Deputy to Twisk)

By command,

C. ZOLLO, for Acting Premier

MES 05/012 CS

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint Carolyn Sladden as Personal Assistant and Aide to Her Excellency the Governor from 10 October 2005 until 2 February 2007, pursuant to the provisions of the Constitution Act 1934.

By command,

C. ZOLLO, for Acting Premier

DPC 036/97PT2 CS

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint Vincent Dudley Monterola to the position of Presiding Member of the Board of the South Australian Fire and Emergency Services Commission for a term of two years commencing on 29 September 2005 and expiring on 28 September 2007, pursuant to Clause 18 of Schedule 6 of the Fire and Emergency Services Act 2005 and Section 14C of the Acts Interpretation Act 1915.

By command,

C. ZOLLO, for Acting Premier

MES 05/009 CS

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the people listed as Members of the Board of the South Australian Fire and Emergency Services Commission for a period commencing on 1 October 2005 and expiring on 30 September 2007, pursuant to Section 11 of the Fire and Emergency Services Act 2005 and Section 14C of the Acts Interpretation Act 1915:

Kathy Gramp
Lina Grant
Derren John Halleday
Wayne Brian Thorley

By command,

C. ZOLLO, for Acting Premier

MES 05/011 CS

Department of the Premier and Cabinet
Adelaide, 29 September 2005

HER Excellency the Governor in Executive Council has been pleased to appoint the people listed as Members and Deputy Members of the South Australian Bushfire Prevention Advisory Committee for a period commencing on 1 October 2005 and expiring on 26 September 2007, pursuant to the provisions of the Fire and Emergency Services Act 2005 and Section 14C of the Acts Interpretation Act 1915:

Member
Richard Philip Underdown

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 Road.

The Schedule

Allotment 53 of Deposited Plan 68003, Hundred of Goolwa, County of Hindmarsh, being within the district of Alexandrina.

Dated 29 September 2005.

J. HILL, Minister for Environment
and Conservation

DEH 11/3258

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 Reserve for Fauna, Flora and Aquaculture Purposes and declare that such land shall be under the care, control and management of The Corporation of the City of Whyalla.

The First Schedule

Portion of Flora and Fauna Reserve, Allotment 6680, Town of Whyalla, Hundred of Randell, County of York, the notice of which, together with other land was published in the *Government Gazette* of 22 January 1987 at page 178, The Second Schedule, being portion of the land comprised in Crown Record Volume 5754, Folio 340.

The Second Schedule

Allotment 6680, Town of Whyalla, Hundred of Randell, County of York, exclusive of all necessary roads.

Dated 29 September 2005.

J. HILL, Minister for Environment
and Conservation

DEH 13/1042

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 Reserve for Community Purposes and declare that such land shall be under the care, control and management of The Corporation of the City of Port Augusta.

The Schedule

Allotment 1 of Deposited Plan 67521, Town of Port Augusta West, Hundred of Copley, County of Manchester, exclusive of all necessary roads.

Dated 29 September 2005.

J. HILL, Minister for Environment
and Conservation

DEH 13/0955

AGRICULTURAL AND VETERINARY PRODUCTS (CONTROL OF USE) REGULATIONS 2004

NOTICE BY THE MINISTER

Approval of Quality Assurance Schemes

NOTICE is hereby given that pursuant to Regulation 7 (2) of the Agricultural and Veterinary Products (Control of Use) Regulations 2004, the quality assurance schemes listed in Column A are approved by the Minister for Agriculture, Food and Fisheries for the specified crops listed opposite in Column B. A person is an accredited participant of a particular scheme only if he or she satisfies the requirements specified in Column C.

Column A	Column B	Column C
A scheme established by the Woolworths Vendor Quality Management Standard (WVQMS) Version 10; or Woolworths Quality Assurance (WQA) Standard Version 1; published by Woolworths Supermarkets.	Lettuce	A current certification of WVQMS Version 10 or WQA Version 1 for the supply of a crop of a kind for which the scheme is approved, issued in accordance with the relevant Standard.

Dated 20 September 2005.

D. PLOWMAN, Executive Director Agriculture and Wine

For and on behalf of,

RORY MCEWEN, Minister for Agriculture, Food and Fisheries

ENVIRONMENT PROTECTION ACT 1993

Vary the Approval of Category B Containers

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

Vary the Approval of Category B Containers

Vary the approval of Category B Containers, subject to the conditions in subclauses (i) and (ii) below, each of the classes of containers identified by reference to the following matters described in the first four columns of Schedule 1 of this Notice which are sold in South Australia:

- (a) the product which each class of containers shall contain;
- (b) the size of the containers;
- (c) the type of containers;
- (d) the name of the holders of these approvals.

(i) *Subsection 69 (3) Arrangements:*

The holders of these approvals must ensure that the empty containers which belong to their respective class of containers hereby approved as Category B Containers are collected from collection depots approved under section 69 of the Act by the party named in Column 5 of Schedule 1 of this Notice; and

(ii) *Approved Refund Markings:*

- (a) The holders of these approvals must ensure that each container which belongs to their respective class of containers hereby approved as Category B Containers bears the refund marking approved by the Authority in respect of that class of containers.
- (b) The refund marking that appears on each container that belongs to the class of containers hereby approved, must be a minimum 1.5 mm for the smallest letter in the statement and a minimum 3 mm for the numeric ('5') in the statement.
- (c) The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Energizer Sports Drink Lemon Tang	500	PET with Polypropylene Label	Snowy Mountain Beverage Pty Ltd	Marine Stores
H+ Naturally Flavoured Spring Water Tropical Berry	500	PET with Polypropylene Label	Snowy Mountain Beverage Pty Ltd	Marine Stores

ENVIRONMENT PROTECTION ACT 1993

Variation to Existing Approval of Collection Depot

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

Variation to Existing Approval of Collection Depot

Vary the approval of the collection depot, listed at Schedule 1 of this notice, that was granted under the Act prior to the date of this Notice and impose the conditions of this approval to be as follows:

Approval of Collection Depot

The collection depot identified by reference to the following matters is approved:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this notice;
- (c) the location of the depot described in Columns 4 and 5 of Schedule 1 of this notice; and
- (d) the collection area in relation to which the collection depot is approved referred to in Column 6 of Schedule 1 of this Notice.

The collection depot listed at Schedule 1 of this Notice is approved in relation to all classes of containers which were approved under the Act, at or subsequent to the date of this Notice, as Category B Containers.

Conditions of Approval

Impose the following conditions on this approval:

- (a) The person in charge of a collection depot shall ensure the depot premises complies with Council Planning Regulations and shall be kept in an orderly condition.
- (b) The person in charge of the collection depot who wishes to transfer the operation of a depot to another person or intends to change the location of a depot shall notify the Authority in writing within one month of the change occurring.
- (c) The person in charge of a collection depot who wishes to cease operation of that depot shall give notice in writing to the Authority.
- (d) The person in charge of a collection depot shall take such measures as are necessary in the operation and maintenance of the depot to prevent or control:
 - (i) A nuisance or offensive condition.
 - (ii) A risk to health or safety.
 - (iii) Damage to the environment.
- (e) The person in charge of a collection depot is reminded of the general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, do not pollute the environment in a way which causes or may cause environmental harm.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Depot Name	Company/ Trading Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title No. Volume/Folio No.	Collection Area
Kimba Bottle Yard	G. & P. A. Hodgins	Geoff and Tricia Hodgins	17 Vintage Drive	Kimba	5475/75	Southern

ENVIRONMENT PROTECTION ACT 1993

Revocation of Category B Containers

I, STEPHEN RICHARD SMITH, Senior Adviser, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 (8) of the Environment Protection Act 1993 (SA) ('the Act') hereby revoke the approvals of the classes of Category B Containers sold in South Australia as identified by reference to the following matters, which are described in the first four columns of Schedule 1 of this notice:

- (a) the product which each class of containers shall contain;
- (b) the size of the containers;
- (c) the type of containers;
- (d) the name of the holders of these approvals.

These approvals are revoked as the Authority is satisfied that the following conditions of these approvals has been contravened:

- (i) *Subsection 69 (3) Arrangements:*

The holders of these approvals must ensure that the empty containers which belong to their respective class of containers hereby approved as Category B Containers are collected from collection depots approved under section 69 of the Act by the party named in Column 5 of Schedule 1 of this Notice.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Size (mL)	Type	Applicant	Super Collector
Tizer	330	Can—Aluminium	Fine English Sweets	Statewide Recycling
Cherry 7 UP	330	Can—Aluminium	Fine English Sweets	Statewide Recycling
Lilt	330	Can—Aluminium	Fine English Sweets	Statewide Recycling
Vimto Sparkling Grape Blackcurrant & Raspberry Juice Drink	330	Can—Aluminium	Fine English Sweets	Statewide Recycling
Cherry Coke	330	Can—Aluminium	Fine English Sweets	Statewide Recycling
Artic Ice Natural Spring Water	1 500	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Artic Ice Natural Spring Water	500	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Artic Ice Spring Water	1 500	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Artic Ice Spring Water	600	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Gold Medal Spring Water	1 500	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Snowy Mountain Natural Spring Water	1 500	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Snowy Mountain Natural Spring Water	300	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Snowy Mountain Natural Spring Water	500	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Snowy Mountain Spring Water	600	Plastic	Gold Medal Drinks Pty Ltd	Statewide Recycling
Panther Premium Lager Beer with Guarana	330	Glass with Paper Label	Panther Beer	Statewide Recycling
Mount Macedon Organic Spring Water	1 500	Plastic	Calandra International (Aust.) Pty Ltd	Statewide Recycling
Mount Macedon Organic Spring Water	600	Plastic	Calandra International (Aust.) Pty Ltd	Statewide Recycling

DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF
TEA TREE GULLY—CROUCH ROAD AND ENVIRONS
PART 1 PLAN AMENDMENT

Preamble

1. The Development Plan amendment entitled 'City of Tea Tree Gully—Crouch Road and Environs Part 1 Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

NOTICE

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

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

Dated 29 September 2005.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

PLN 02/0268

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Barbara Roswell, of the Malacological Society of South Australia Inc. (the 'exemption holder'), c/o Marine Invertebrates Section, South Australian Museum, North Terrace, Adelaide, S.A. 5000, or her agents are exempt from the provisions of Clause 65 of Schedule 1 of the Fisheries (General) Regulations 2000, to engage in the activities specified in Schedule 1 (the 'exempted activity'), subject to the conditions set out in Schedule 2 from 1 October 2005 until 31 March 2006 inclusive, unless varied or revoked earlier.

SCHEDULE 1

The collection of aquatic organisms from South Australian coastal waters (including intertidal rocky reefs) from the following areas:

- Edithburgh and Lower Yorke Peninsula.
- Fleurieu Peninsula.
- Port MacDonnell area.
- Streaky Bay area.

SCHEDULE 2

1. Specimens collected by the exemption holder pursuant to this notice must not be sold.

2. The exemption holder must notify PIRSA Fishwatch on 1800 065 522 at least two hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and boats involved, the number of agents undertaking the exempted activity and other related questions.

3. While engaged in the exempted activity, the exemption holder must carry identification proving membership of the Malacological Society.

4. Within 14 days of each collection of organisms pursuant to this notice, the exemption holder must provide a report in writing to the Director of Fisheries, (P.O. Box 1625, Adelaide, S.A. 5001), giving the following details:

- the date and time of collection;
- the description of all species collected; and
- the number of each species collected.

5. While engaged in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer upon request.

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

Dated 22 September 2005.

D. CASEMENT, Principal Fisheries Manager

FISHERIES ACT 1982: SECTION 59

TAKE notice that the notice made under section 59 of the Fisheries Act 1982, and published in the *South Australian Government Gazette* on page number 1075, dated 22 April 2004, being the second notice on that page, referring to Michael Harper and being for the exemption to conduct research surveys, is hereby revoked.

Dated 16 September 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Joe Ciura, Cleanseas Aquaculture/Stehr Group, 7 North Quay Boulevard, Port Lincoln, S.A. 5606 (the 'exemption holder'), or a person acting as his agent, is exempt from the Fisheries Act 1982 and the Fisheries (General) Regulations 2000, but only insofar as the exemption holder may engage in the collection of up to 20 Yellowtail Kingfish (*Seriola lalandi Valenciennes*) using a purse seine net for the purpose of aquaculture broodstock, in the waters described in Schedule 1 (the 'exempted activity'), subject to the conditions set out in Schedule 2, from 28 September 2005 until 10 October 2005, unless varied or revoked earlier.

SCHEDULE 1

Port Patterson (net closure area).

SCHEDULE 2

1. The specimens collected by the exemption holder must only be used for aquaculture broodstock; all other species must be immediately released.

2. The exemption holder may collect a maximum of 10 Yellowtail Kingfish per trip and must allow a minimum of 7 days in between collections.

3. All Yellowtail Kingfish taken pursuant to this notice must not be sold or transferred to another party, except other hatcheries in South Australia licensed to farm this species.

4. The exemption holder must report any Yellowtail Kingfish mortalities to PIRSA Aquaculture and contact Kate Rodda at SARDI Aquatic Sciences (Port Lincoln—Phone 8683 2555) as soon as possible to receive instructions on what to do with the mortalities. Additional fish must not be caught to replace these mortalities.

5. The Yellowtail Kingfish captured pursuant to this exemption must not be held with any other captive specimens except with fish collected pursuant to this or another exemption issued for the purposes of broodstock collection and may be held in a polar circle cage on the location listed on Aquaculture Licence No. FF00036 for a maximum of 14 days prior to being delivered to and retained in the Landbased Aquaculture Licence No. FT00560.

6. Before collecting any specimens pursuant to this notice, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption with them at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and boats involved, the number of agents undertaking the exempted activity and other related questions.

7. The exemption holder must provide a report in writing detailing the collection of fish pursuant to this notice to the Director of Fisheries, (G.P.O. Box 1625, Adelaide, S.A. 5001) within 14 days of any collection, giving the following details:

- the date, time and location of collection;
- the description of all species collected.

8. The exemption holder shall record the number of wild broodstock held pursuant to this notice in a register to be maintained at the registered aquaculture site, which must be made available for inspection by a PIRSA Fisheries Officer if requested.

9. PIRSA Fishwatch retains the right for a Fisheries Officer to accompany the exemption holder at any time during the exempted activity.

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

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

Dated 28 September 2005.

D. CASEMENT, Principal Fisheries Manager

LAND AND BUSINESS (SALE AND CONVEYANCING)
ACT 1994

Exemption

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

SCHEDULE 1

Margaret Anne Meadows, an employee of D. & L. Morris Real Estate Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5367, folio 672, situated at 17 Potts Crescent, Burton, S.A. 5110.

Dated 29 September 2005.

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

M. BODYCOAT, Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING)
ACT 1994

Exemption

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

SCHEDULE 1

Caterina Cavaleri, an employee of Brock Real Estate Pty Ltd.

SCHEDULE 2

A portion of the land described in certificate of title register book volume 5867, folio 970, situated at Apartment 103, 220 Greenhill Road, Eastwood, S.A. 5063.

Dated 29 September 2005.

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

M. BODYCOAT, Commissioner

HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, the South Australian Housing Trust in the exercise of the powers conferred by the said Part, does hereby fix as the maximum rental per week which shall be payable subject to section 55 of the Residential Tenancies Act 1995, in respect of each house described in the following table the amount shown in the said table opposite the description of such house and this notice shall come into force on the date of this publication in the *Gazette*.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
26 Wright Court, Adelaide	Allotment 594 of portion of Town Acre 459, Hundred of Adelaide	5879	686	28.5.81, page 1563	150.00
28 Wright Court, Adelaide	Allotment 594 of portion of Town Acre 459, Hundred of Adelaide	5879	686	28.5.81, page 1563	150.00
217 Wright Street, Adelaide	Allotment 479 of portion of Town Acre 474, Hundred of Adelaide	5684	187	28.8.86, page 669	100.00
17 McArthur Place, Beachport	Allotment 20 of the subdivision of portion of section 48, Hundred of Rivoli Bay	5310	802	26.1.89, page 227	90.00
122 Drayton Street, Bowden	Allotment 22 of portion of section 354, Hundred of Yatala	5607	294	9.5.68, page 1469	235.00
Lots 1 and 2, Brown Terrace, Bordertown	Allotment 2 of section 50, Hundred of Tatiara	5460	880	24.3.94, page 799	5.00
11 Copley Street, Broadview	Allotment 77 in Deposited Plan 4308, Hundred of Yatala	5284	957	7.1.99, page 7	155.00
595 Regency Road, Broadview	Allotment 50 in Filed Plan 111758, Hundred of Yatala	5300	718	26.9.02, page 3466	214.00
10 Taylor Street, Brompton	Allotment 127 of portion of section 370, Hundred of Yatala	5730	263	13.4.67, page 1281	90.00
7 Coglein Street, Brompton	Allotments 202, 203 of portion of section 370, Hundred of Yatala	5629	392	9.2.67, page 361	145.00
18 Taylor Street, Brompton	Allotment 136 of portion of section 370, Hundred of Yatala	5475	8	22.12.66, page 2314	75.00
	Allotment 134 of portion of section 370, Hundred of Yatala	5719	825	22.12.66, page 2314	75.00
100 West Street, Brompton	Allotment 73 of section 355, Hundred of Yatala	5659	431	12.1.67, page 107	200.00
54 Chief Street, Brompton	Portion of allotment 84 of section 355, Hundred of Yatala	5777	375	15.12.66, page 2230	280.00
32 Second Street, Brompton	Allotment 80 of portion of section 370, Hundred of Yatala	5878	28	4.8.66, page 370	90.00
12 Secombe Street, Elizabeth Grove	Allotment 74 in Deposited Plan 6184, Hundred of Munno Para	5889	944	28.7.05, page 2512	120.00
7 Teakle Street, Exeter	Allotment 28 in Deposited Plan 1064 in the area named Exeter, Hundred of Port Adelaide	5194	620	28.7.05, page 2512	165.00
9 Musgrave Street, Goodwood (main dwelling and rear dwelling)	Allotment 18 of portion of section 222, Hundred of Adelaide	5575	960	1.9.77, page 625	210.00 (main house) 95.00 (rear house)
35 Holden Street, Hindmarsh	Allotment 6 in Filed Plan 121415, Hundred of Yatala	5218	556	1.5.03, page 1835	195.00
9 Old Adelaide Road, Kapunda	Allotment 96 of section 1400, Hundred of Kapunda	5572	878	25.5.78, page 1833	105.00
Unit 1/24 Northcote Street, Kilburn	Allotment 44 in Deposited Plan 2267, Hundred of Yatala	5735	602	28.7.05, page 2512	95.00
26 Sandford Street, Kensington Gardens	Allotment 120 of portion of section 272, Hundred of Adelaide	5841	610	7.5.92, page 1352	145.00

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
12 Tutt Avenue, Kingswood	Allotment 261 of portion of section 244, Hundred of Adelaide	5094	204	30.8.90, page 759	145.00
18 Edward Street, Loxton	Allotment 5 of section 282, Hundred of Bookpurnong	5452	47	29.3.90, page 893	140.00
12 Gilbert Street, Lyndoch	Allotment 248 in Filed Plan 171699, Hundred of Barossa	5876	98	28.7.05, page 2512	120.00
462 South Road, Marleston	Allotment 337 of portion of section 45, Hundred of Adelaide	5854	264	25.8.88, page 893	160.00
12 Crouch Street North, Mount Gambier	Allotment 2 of portion of section 8, Hundred of Blanche	5436	893	24.11.88, page 1847	5.00
1 Kingston Avenue, Naracoorte	Allotment 20 in Deposited Plan 5002, Hundred of Naracoorte	5360	33	25.6.98, page 2691	65.00
15 McCoy Street, Naracoorte	Allotment 13 of Part Block 15, Hundred of Naracoorte	5360	36	25.6.98, page 2691	65.00
	Allotment 110 in area of Naracoorte, Hundred of Naracoorte	5328	534	16.3.89, page 794	135.00
5 Birks Street, Parkside	Allotment 3 of portion of section 253, Hundred of Adelaide	5798	358	25.9.97, page 886	200.00
3 Union Street, Robe	Allotment 101 in Filed Plan 24479, Hundred of Waterhouse	5438	545	27.5.04, page 1372	120.00
71 Railway Terrace West, Snowtown	Allotment 17 of portion of section 310, Hundred of Barunga	5083	251	25.11.93, page 2605	105.00
39 Aveland Avenue, Trinity Gardens	Portion of Allotment 101 of portion of section 287, Hundred of Adelaide	5700	155	25.6.92, page 2055	145.00

Dated at Adelaide, 29 September 2005.

M. DOWNIE, General Manager, Housing Trust

HOUSING IMPROVEMENT ACT 1940

NOTICE is hereby given that the South Australian Housing Trust in the exercise of the powers conferred by the Housing Improvement Act 1940, does hereby declare the houses described in the table hereunder to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940.

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
203 Esplanade	Aldinga Beach	Allotment 260 in Deposited Plan 4625, Hundred of Willunga	5677	891
3 Ada Street	Goodwood	Allotment 73 in Deposited Plan 572, Hundred of Goodwood	5577	550
6 Gazeby Street	Glandore	Allotment 1 in Deposited Plan 38881, Hundred of Adelaide	5184	650
19 Gray Street	Murray Bridge	Allotment 5 in Filed Plan 103229, Hundred of Mobilong	5129	421
24 Emerald Road	Morphett Vale	Allotment 18 in Deposited Plan 8504, Hundred of Noarlunga	5604	185
Unit 5/122 Edward Street	Norwood	Unit 5, Strata Plan 5093, Hundred of Adelaide	5037	639
136 Railway Terrace (also known as 50 Railway Terrace)	Tailem Bend	Section 137, Hundred of Seymour in the area named Tailem Bend	5596	109
Unit 3/21 Peace Avenue	Victor Harbor	Allotment 70 in Filed Plan 218176, Hundred of Encounter Bay	5824	361
15 Daly Street	Wallaroo	Allotment 3 in Filed Plan 37166, Hundred of Wallaroo	5326	866

Dated at Adelaide, 29 September 2005.

M. DOWNIE, General Manager, Housing Trust

HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, and whereas the South Australian Housing Trust is satisfied that each of the houses described hereunder has ceased to be substandard, notice is hereby given that, in exercise of the powers conferred by the said Part, the South Australian Housing Trust does hereby revoke the said declaration in respect of each house.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
200 Halifax Street, Adelaide	Allotment 683 of portion of Town Acre 517, Hundred of Adelaide	5812	108	26.4.74, page 1463
1 Taylor Terrace, Christies Beach	Allotment 28 in Deposited Plan 5407, Hundred of Noarlunga	5709	638	28.6.01, page 2401
67 Kyle Street, Glenside	Allotment 76 in Deposited Plan 2091 in the area named Glenside, Hundred of Adelaide	5418	93	21.9.00, page 2147
6 Bond Street, Hindmarsh West (now one house, formerly east and west flats)	Allotment 112 of portion of section 372, Hundred of Yatala	5573	490	19.8.76, page 605
Part Section 814, Jervois Road, Jervois (Woods Point)	Section 814, Hundred of Brinkley in the area named Woods Point	5454	809	29.1.04, page 274
1 Richmond Street, Kensington	Allotment 6 of portion of section 289, Hundred of Adelaide	5212	144	5.9.68, page 753
8 Hill Street, Kingswood	Allotment 322 of portion of section 245, Hundred of Adelaide	5808	242	15.1.81, page 88
85A Gladstone Road, Mile End (formerly Unit 1)	Unit 1, Strata Plan 12210, Hundred of Adelaide	5113	159	24.6.04, page 2259
62A Rose Street, Mile End	Allotment 12 in Filed Plan 119731, Hundred of Adelaide	5391	560	26.5.05, page 1334
313 Esplanade, Moana	Allotment 60 in Deposited Plan 3752, Hundred of Willunga	5720	695	25.11.04, page 4390
4 McInnes Avenue, Naracoorte (formerly Flats A and B, Lot 22)	Allotment 1 of portion of Block 1, Hundred of Naracoorte	5494	56	29.10.87, page 1494
12 Muller Street, Norwood	Allotment 22 of portion of section 260, Hundred of Adelaide	5090	303	12.9.74, page 1905
144A Gover Street, North Adelaide (also known as Unit 1/144 Gover Street)	Unit 1, Strata Plan 11559, Hundred of Yatala	5053	151	24.10.02, page 3892
1/8 Macklin Street, Parkside	Unit 1, Strata Plan 5809 of portion of section 254, Hundred of Adelaide	5019	265	28.9.93, page 1370
3 Brandford Street, Port Pirie	Allotment 19 in Deposited Plan 854 in the area of Solomontown, Hundred of Pirie	5895	247	20.7.78, page 254
45 Grey Terrace, Port Pirie South	Allotment 456 in Filed Plan 189398, Hundred of Pirie	5678	399	28.7.05, page 2512
115 Cedar Avenue, Royal Park	Allotment 72 in Deposited Plan 1375, Hundred of Yatala	5471	508	21.4.94, page 1083
6 Palm Avenue, Royal Park	Allotment 16 of portion of section 441, Hundred of Yatala	5798	241	23.8.84, page 639
25 Pudney Street, Seaton	Allotment 41 in Deposited Plan 3249, Hundred of Yatala	5555	875	29.7.04, page 2669
79 Eyre Street, Seaview Downs	Allotment 41 in Filed Plan 148579, Hundred of Noarlunga	5324	720	27.1.05, page 293
209 Murray Street, Tanunda	Allotment 818 in Filed Plan 172269, Hundred of Moorooroo	5814	162	26.3.92, page 946
71 Brookside Avenue, Tranmere	Allotment 20 of portion of section 273, Hundred of Adelaide	4071	336	26.4.01, page 1664

Dated at Adelaide, 29 September 2005.

M. DOWNIE, General Manager, Housing Trust

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2005

	\$		\$
Agents, Ceasing to Act as.....	36.50	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	24.30
Incorporation	18.60	Discontinuance Place of Business	24.30
Intention of Incorporation	46.00	Land—Real Property Act:	
Transfer of Properties	46.00	Intention to Sell, Notice of.....	46.00
Attorney, Appointment of.....	36.50	Lost Certificate of Title Notices	46.00
Bailiff's Sale.....	46.00	Cancellation, Notice of (Strata Plan)	46.00
Cemetery Curator Appointed.....	27.25	Mortgages:	
Companies:		Caveat Lodgment.....	18.60
Alteration to Constitution	36.50	Discharge of.....	19.50
Capital, Increase or Decrease of	46.00	Foreclosures.....	18.60
Ceasing to Carry on Business	27.25	Transfer of	18.60
Declaration of Dividend.....	27.25	Sublet.....	9.35
Incorporation	36.50	Leases—Application for Transfer (2 insertions) each	9.35
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	27.25
First Name.....	27.25	Licensing.....	54.50
Each Subsequent Name.....	9.35	Municipal or District Councils:	
Meeting Final.....	30.50	Annual Financial Statement—Forms 1 and 2	513.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	364.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	72.50
First Name.....	36.50	Each Subsequent Name.....	9.35
Each Subsequent Name.....	9.35	Noxious Trade.....	27.25
Notices:		Partnership, Dissolution of	27.25
Call.....	46.00	Petitions (small).....	18.60
Change of Name	18.60	Registered Building Societies (from Registrar-	
Creditors.....	36.50	General).....	18.60
Creditors Compromise of Arrangement	36.50	Register of Unclaimed Moneys—First Name.....	27.25
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	9.35
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	46.00	Rate per page (in 8pt)	233.00
Release of Liquidator—Application—Large Ad.....	72.50	Rate per page (in 6pt)	308.00
—Release Granted	46.00	Sale of Land by Public Auction.....	46.50
Receiver and Manager Appointed.....	42.50	Advertisements.....	2.60
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Restored Name.....	34.50	½ page advertisement	218.00
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Order of Supreme Court for Winding Up Action.....	36.50	column line, tabular one-third extra.	
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17-32	3.00	1.85	513-528	32.00	30.75	
33-48	3.90	2.80	529-544	33.00	32.00	
49-64	4.90	3.75	545-560	34.00	33.00	
65-80	5.75	4.75	561-576	34.75	34.00	
81-96	6.70	5.55	577-592	35.75	34.50	
97-112	7.60	6.50	593-608	36.75	35.50	
113-128	8.55	7.45	609-624	37.50	36.50	
129-144	9.60	8.50	625-640	38.50	37.00	
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177-192	12.40	11.30	673-688	41.75	40.00	
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225-240	15.10	14.00	721-736	44.75	43.00	
241-257	16.20	14.70	737-752	45.25	44.00	
258-272	17.10	15.70	753-768	46.25	44.50	
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321-336	20.70	19.60	817-832	49.75	48.50	
337-352	21.80	20.60	833-848	50.75	49.50	
353-368	22.60	21.60	849-864	51.50	50.00	
369-384	23.60	22.50	865-880	52.50	51.50	
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401-416	25.50	24.20	897-912	54.50	53.00	
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433-448	27.50	26.25	929-944	56.00	55.00	
449-464	28.25	27.00	945-960	57.00	55.50	
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LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Maurice Peter and Lorraine Belinda Behan as trustees for Behan Family Trust have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 417 Braeside Road, Finnis, S.A. 5255 and to be known as Finnis Valley.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicants' address for service is c/o Maurice Behan, RSD 417, Strathalbyn, S.A. 5255.

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

Dated 19 September 2005.

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 Nova Vita Investments Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 46 East Terrace, Henley Beach, S.A. 5022 and to be known as Nova Vita Wines.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicant's address for service is c/o Mark Kozned, 46 East Terrace, Henley Beach, S.A. 5022.

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

Dated 19 September 2005.

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 South Australian Wine Group Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at Level 2, 89 King William Street, Adelaide, S.A. 5000 and to be situated at 69 King William Street, Kent Town, S.A. 5067 and known as South Australian Wine Group Pty Ltd.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicant's address for service is c/o David Harris, P.O. Box 169, Kent Town, S.A. 5061.

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

Dated 19 September 2005.

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 C. & E. Projects Pty Ltd as trustee for C. & E. Projects Unit Trust has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 295 Barossa Valley Way, Lyndoch, S.A. 5351 and to be known as Creed Wines.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicant's address for service is c/o Mark Creed, P.O. Box 481, Lyndoch, S.A. 5351.

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

Dated 20 September 2005.

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 Palace Cafe & Bar Pty Ltd as trustee for Karafotias Hyde Park Trust has applied to the Licensing Authority for a Restaurant Licence with section 34 (1) (c) and Extended Trading Authorisation in respect of premises situated at 1/179 King William Road, Hyde Park, S.A. 5061 and to be known as Un Caffe Bar—Hyde Park.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Approval under section 34 (1) (c) to sell liquor for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- Extended Trading Authorisation:
 - Sunday: 7 a.m. to 11 a.m. and 8 p.m. to midnight;
 - Sunday Christmas Eve: 8 p.m. to midnight;
 - Sundays preceding Public Holidays: 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 (viz: 20 October 2005).

The applicant's address for service is c/o Camatta Lempens, Level 1, 345 King William Street, Adelaide, S.A. 5000. (Attention: Amanda Warley).

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

Dated 21 September 2005.

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 United Bowling & Sporting Association Inc. has applied to the Licensing Authority for a variation to an Extended Trading Authorisation and a variation to an Entertainment Consent in respect of premises situated at Lot 1798, Robins Boulevard, Coober Pedy, S.A. 5723 and known as United Bowling & Sporting Association.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to Extended Trading Authorisation:
 - Friday: Midnight to 2 a.m. the following day;
 - Sundays preceding Public Holidays: 8 p.m. to 2 a.m. the following day.
- Variation to Entertainment Consent to apply to the above-mentioned hours.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicant's address for service is c/o Darren Zechner, P.O. Box 469, Coober Pedy, S.A. 5723.

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

Dated 21 September 2005.

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 Sladem Wines Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at Lot 503, Light Pass Road, Light Pass, S.A. 5355 and to be known as Sladem Wines Pty Ltd.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicant's address for service is c/o Neil Doddridge, P.O. Box 354, Nuriootpa, S.A. 5355.

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

Dated 21 September 2005.

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 Pholi Vineyards Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Section 1988, Hundred of Kondoparinga, Rymill Road, Ashbourne, S.A. 5157 and to be known as Pholi Vineyard.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicant's address for service is c/o Wallmans Lawyers, 173 Wakefield Street, Adelaide, S.A. 5000 (Attention: Scott Lumsden).

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

Dated 20 September 2005.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Gregory Burk and Jane Vivienne Salter have applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at Lot 4, Paisley Road, Blanchetown, S.A. 5357 and to be known as Burk Salter Wines.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicants' address for service is c/o Terry Reilly Lawyer, P.O. Box 567, Goodwood, S.A. 5034.

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

Dated 22 September 2005.

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 Radford & Roennfeldt Wines Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Attirkama, Nuriootpa Road, Greenock, S.A. 5360, (Allotment 2 in Filed Plan 4531 of Section 120, Hundred of Nuriootpa) and to be known as Radford & Roennfeldt Wines.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicant's address for service is c/o Heuzenroeder & Heuzenroeder Solicitors, P.O. Box 60, Tanunda, S.A. 5352.

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

Dated 22 September 2005.

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 Jayme Colin Wood, Bradley Nicholas Currie and Steven Baraglia have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 36 Parawae Road, Salisbury Plain, S.A. 5109 and to be known as Naked Run Wines.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicants' address for service is c/o Jayme Wood, 36 Parawae Road, Salisbury Plain, S.A. 5109.

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

Dated 22 September 2005.

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 Sea Sport Agencies Pty Ltd as trustee for the Coastal Lodge & Lounge Trust has applied to the Licensing Authority for a Restaurant Licence, section 34 (1) (c), Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 52-54 Main Street, Normanville, S.A. 5204 and to be known as the Coastal Lodge and Lounge.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Approval under section 34 (1) (c) to sell liquor for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- Extended Trading Authorisation:
 - Monday to Saturday: Midnight to 2 a.m. the following day;
 - Sunday: 8 a.m. to 11 a.m. and 8 p.m. to midnight;
 - Good Friday: Midnight to 2 a.m.;
 - Christmas Day: Midnight to 2 a.m.;
 - Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;
 - Days preceding other Public Holidays: Midnight to 2 a.m. the following day;
 - Sundays preceding Public Holidays: 8 p.m. to 2 a.m. the following day.

- Entertainment Consent:

On any day: 12 noon to 10 p.m.;

New Year's Eve: 12 noon to 2 a.m. the following day.

- Only acoustic entertainment to be provided.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

The applicant's address for service is c/o Camatta Lempens Lawyers, Level 1, 345 King William Street, Adelaide, S.A. 5000.

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

Dated 23 September 2005.

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 Frobisher Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 163 Melbourne Street, North Adelaide, S.A. 5006 and to be known as The Lion Hotel—Catering.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Condition

The following licence condition is sought:

- The licence will authorise the sale and supply of liquor at a pre-booked function at any time for consumption at a place other than the licensed premises pursuant to section 40 (4).

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 20 October 2005).

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

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

Dated 26 September 2005.

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 John Leslie Matz and Tania Leslie Matz have applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at Lot 58, Main North Road, Rhynie, S.A. 5450 and to be known as Baker's Springs Wines.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 20 October 2005).

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

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

Dated 22 September 2005.

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 Pirie Agencies Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel Licence, Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 5 Mason Street, Wellington, S.A. 5259 and known as Wellington Hotel.

The application has been set down for hearing on 28 October 2005 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation:
 - Thursday: Midnight to 1 a.m. the following day;
 - Friday: Midnight to 2.30 a.m. the following day;
 - Saturday: Midnight to 2.30 a.m. the following day;
 - Sunday: 10 a.m. to 11 a.m. and 8 p.m. to midnight;
 - Good Friday: Midnight to 2 a.m.;
 - Christmas Day: Midnight to 2 a.m.;
 - Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;
 - New Year's Eve: 2 a.m. the following day to 2.30 a.m. the following day;
 - Sundays preceding Public Holidays: 8 p.m. to midnight.
- Variation to entertainment to apply to the hours sought in 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 (viz: 20 October 2005).

The applicant's address for service is c/o Piper Alderman Lawyers, 167 Flinders Street, Adelaide, S.A. 5000 (Attention: Geoff Forbes).

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

Dated 26 September 2005.

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 C.P. Unley Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Shops 3 and 7, 254-266 Unley Road, Hyde Park, S.A. 5061, known as Cafe Metro and to be known as Caffe Primo Unley.

The application has been set down for hearing on 31 October 2005 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 (viz: 21 October 2005).

The applicant's address for service is c/o Camatta Lempens, Level 1, 345 King William Street, Adelaide, S.A. 5000. (Attention: Amanda Warley).

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

Dated 20 September 2005.

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 Fleurieu Vintners Pty Ltd has applied to the Licensing Authority for the transfer of a Producer's Licence in respect of premises situated at Grants Gully Road, Clarendon, S.A. 5157, known as Cockatoo Ridge and to be known as Fleurieu Vintners.

The application has been set down for hearing on 31 October 2005 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 (viz: 21 October 2005).

The applicant's address for service is c/o Richard Phillips Solicitors, Roper Street Chambers, Ground Floor, 21 Roper Street, Adelaide, S.A. 5000.

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

Dated 20 September 2005.

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 Matzi Pty Ltd as trustee for Lai Bun Unit Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 351 Greenhill Road, Toorak Gardens, S.A. 5065 and known as Royal Garden Chinese Restaurant.

The application has been set down for hearing on 1 November 2005 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 (viz: 24 October 2005).

The applicant's address for service is c/o Moody Rossi & Co., Barristers and Solicitors, 7th Floor, 185 Victoria Square, Adelaide, S.A. 5000. (Attention: Bill Moody).

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

Dated 21 September 2005.

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 RDMH Enterprises Pty Ltd as trustee for the RDMH Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Lots 677 and 678, Mason Street, Wellington, S.A. 5259 and known as Wellington Courthouse.

The application has been set down for hearing on 1 November 2005 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 (viz: 24 October 2005).

The applicant's address for service is c/o Darren Niblett, 60 Bridge Street, Murray Bridge, S.A. 5253.

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

Dated 21 September 2005.

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 Rising Sun Hotel (Adelaide) Pty Ltd has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 60 Bridge Street, Kensington, S.A. 5068 and known as Rising Sun Inn.

The application has been set down for hearing on 2 November 2005 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 25 October 2005).

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

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

Dated 26 September 2005.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Port Adelaide Magpies Football Club Inc. has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 215 Port Road, Queenstown, S.A. 5014 and known as Prince of Wales Hotel.

The application has been set down for hearing on 31 October 2005 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 21 October 2005).

The applicant's address for service is c/o Kelly & Co., Level 17, Santos House, 91 King William Street, Adelaide, S.A. 5000.

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

Dated 27 September 2005.

Applicant

LOCAL GOVERNMENT ACT 1999

Regulations by the Local Government Superannuation Board

THE Local Government Superannuation Board makes the following regulations pursuant to Part 2 of Schedule 1 of the Local Government Act 1999.

The rules constituting the Local Government Superannuation Scheme known as Local Super are amended with effect from 1 February 2006 as follows:

1. Rule 2 (a) is amended as follows:

1.1 inserting a definition of 'Australian Shares Portfolio' immediately after the definition of 'Approved Scheme' as follows:

'Australian Shares Portfolio means the Investment Portfolio identified as such by the Board and maintained pursuant to Part XII of these rules.'

1.2 deleting the reference to 'Growth' in the definition of 'Conservative Growth Portfolio' without replacement;

1.3 inserting a definition of 'International Shares Portfolio' immediately after the definition of 'Interdependency Relationship' as follows:

'International Shares Portfolio means the Investment Portfolio identified as such by the Board and maintained pursuant to Part XII of these rules.'

1.4 deleting the definition of 'Shares Portfolio' without replacement.

2. Rule 80 (a) is amended by:

2.1 deleting the reference to 'Shares Portfolio' in Rule 80 (a) (i) and substituting the following:

'Australian Shares Portfolio';

2.2 inserting a new Rule 80 (a) (ii) as follows:

'(ii) International Shares Portfolio';

2.3 altering the numbering of existing Rule 80 (a) (ii) to Rule 80 (a) (iii);

2.4 altering the numbering of existing Rule 80 (a) (iii) to Rule 80 (a) (iv);

2.5 altering the numbering of existing Rule 80 (a) (iv) to Rule 80 (a) (v);

2.6 altering the numbering of existing Rule 80 (a) (v) to Rule 80 (a) (vi);

2.7 deleting the words 'Conservative Growth Portfolio' in existing Rule 80 (a) (iv) (to be re-numbered above as Rule 80 (a) (v)) and replacing it with the following:

'Conservative Portfolio'.

3. Rule 87 (e) is amended by deleting paragraph (v) and replacing it with the following:

'(v) in respect of the period immediately following the Member's cessation of service and prior to any other provision of these Rules applying to the investment of the Member's benefit—as follows:

(A) if and to the extent that a Member's benefit is represented by a Salarylink Benefit (other than an Accrued Salarylink Benefit in respect of Members over age 65 years or a deferred benefit for Members over 55 years)—to the Cash Portfolio;

(B) if and to the extent that a Member's benefit is represented by a pension (other than an Allocated Pension, Non-commutable Allocated Pension or Term Allocated Pension) or a deferred benefit to which a CPI Factor applies—as follows:

- (1) if and while the Member is under age 55 years—to the Growth Portfolio;
- (2) if and while the Member is at least 55 years but is under age 60 years—to the Conservative Portfolio;
- (3) if and while the Member is at least 60 years—to the Cash Portfolio.'

4. Rule 87 (f) is amended as follows:

4.1 Rule 87 (f) (iv) is amended by deleting the words 'for the period from 1 June 2003' and replacing them with the following:

'for the period between 1 June 2003 and 31 January 2006';

4.2 Rule 87 (f) (iv) (B) is amended by deleting the words 'Conservative Growth Portfolio' and replacing them with the following:

'Conservative Portfolio';

4.3 new Rule 87 (f) (v) is inserted as follows:

(v) for the period from 1 February 2006—to apply such all or part of the then balance (as the case may be) of their Member's Credit and other amounts referred to under Rule 87 (a) (including any future contributions to be applied to the Member's Credit or other amounts) as follows:

- (A) in the case of a Member who is deemed under paragraph (iv) to have made an election in respect of the Conservative Portfolio current as at 31 January 2006—to the Conservative Portfolio;
- (B) in the case of a Member who is deemed under paragraph (iv) to have made an election in respect of the Cash Portfolio current as at 31 January 2006—to the Cash Portfolio;
- (C) for all other Members—to the Growth Portfolio.

5. Rule 87 is amended by inserting a new Rule 87 (i) immediately after Rule 87 (h) as follows:

(i) Notwithstanding any election made by a Member or deemed to have been made by a Member or any allocation of Units to one or more Investment Portfolios made by the Board, to the extent a Member has claimed an insured benefit entitlement, being:

- (i) a Marketlink Basic Insurance Benefit; or
- (ii) a Marketlink Insurance Plus Benefit; or
- (iii) a Salarylink Insurance Benefit; and
- (iv) the proceeds of any voluntary insurance benefit payable pursuant to Rule 66,

the Board must not make any allocation of Units in any Investment Portfolio and the Member may not exercise any election in respect of the insured amount of the benefit until such insured benefit entitlement is approved by the Board or an authorised delegate of the Board.'

Dated 27 September 2005.

C. GIBSON, Executive Officer

LOCAL GOVERNMENT ACT 1999

Regulations by the Local Government Superannuation Board

THE Local Government Superannuation Board makes the following regulations pursuant to Part 2 of Schedule 1 of the Local Government Act 1999.

The Rules constituting the Local Government Superannuation Scheme known as Local Super are amended with effect from 1 November 2005 as follows:

1. Rule 71 is amended by deleting paragraph (d) and substituting the following:

(d) With the approval of the Board and subject to any requirements of the Commonwealth Act, a Member who has elected to receive a deferred benefit may during any period until the deferred benefit becomes payable make an election to establish a special account to be maintained in the same manner and subject to the same conditions as a special account under Rule 73. All of the provisions of Rule 73 shall apply to the special account established under this Rule 71 (d) in the same manner as if the Member had elected to retain benefits in the Fund under Rule 73. For the avoidance of doubt, no part of the Member's deferred benefit will be credited or otherwise allocated to such special account for the Member.

2. Rule 73 is amended by:

2.1 inserting a new paragraph (ca) immediately after paragraph (c) as follows:

(ca) The Board may accept contributions in respect of a Member paid by an employer of a Member that is not a Council if the acceptance of those contributions would not cause the Scheme to be treated as a public offer superannuation fund for the purposes of the Commonwealth Act.'

2.2 re-numbering existing subparagraphs (iv) and (v) of paragraph (d) as (v) and (vi); and

2.3 inserting a new subparagraph (iv) immediately after subparagraph (iii) of paragraph (d) as follows:

(iv) any contributions paid into the Fund under paragraph (ca) of this Rule 73;'

2.4 inserting before the full stop at the end of paragraph (f) the following:

'or, in the case of a Member who has elected to receive a deferred benefit under Rules 61 or 71 (c), the deferred benefit to which the Member is also entitled.'

Dated 27 September 2005.

C. GIBSON, Executive Officer

LOCAL GOVERNMENT ACT 1999

ROBE MARINA CORPORATION

THE District Council of Robe pursuant to Clause 6.4 of the Charter of the Robe Marina Corporation amended the Charter at the Council meeting held on 16 September 2005.

In accordance with section 3 (5) of Schedule 2, Part 1 of the Local Government Act 1999, a copy of the amended Charter of the Robe Marina Corporation Single Council Subsidiary is set out below.

ROBE MARINA CORPORATION CHARTER

1. INTRODUCTION

1.1 Name

The name of the Subsidiary is the 'Robe Marina Corporation' (referred to as 'the Subsidiary' in this Charter).

1.2 Definitions

- 1.2.1 'absolute majority' means a majority of the whole number of the Board members;
- 1.2.2 'Act' means the Local Government Act 1999 and all relevant Regulations made thereunder;
- 1.2.3 'Board' means the Board of Management established under Clause 4.2 of this Charter;
- 1.2.4 'Council' means the District Council of Robe;
- 1.2.5 'deliberative vote' means a vote cast by each member of the Board (including the Chairperson) for the purpose of deciding a matter under deliberation;
- 1.2.6 'Financial Year' means from 1 July in each year to 30 June in the subsequent year;
- 1.2.7 '*Gazette*' means the *South Australian Government Gazette*;
- 1.2.8 'Marina' means the proposed Marina and the services and facilities comprising the Marina to be developed and constructed by the Council and to be known as the Robe Marina, Lake Butler, Robe, South Australia; and
- 1.2.9 'simple majority' means a majority of those present and entitled to vote.

1.3 Establishment

The Subsidiary is a Subsidiary established pursuant to section 42 of the Act by the Council and notwithstanding the 'objects and purposes' specified in Clause 1.5 below, the Subsidiary is established for the purpose of operating, maintaining and running the day to day activities, facilities and services that comprise the Marina.

1.4 Local Government Act 1999

This Charter must be read in conjunction with Parts 1 and 3 of Schedule 2 of the Act. The Subsidiary shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter in a manner permitted by Schedule 2.

1.5 Objects and Purposes

The Subsidiary is established to:

- 1.5.1 develop, maintain and operate the facilities and services to comprise the Marina;
- 1.5.2 market the Marina berths, services and associated facilities to be offered by the Marina;
- 1.5.3 further develop and implement relationships reflecting a co-operative approach to the development, maintenance and operation of the Marina and efficient and effective provision, planning, funding and management of facilities and services for the benefit of berth holders, users of the Marina's facilities and services, the Council and the community;
- 1.5.4 initiating specific actions on individual issues that the Subsidiary considers relevant to the Marina and the Council; and

1.5.5 addressing the long term sustainability, viability and financial viability of the Marina, and in so doing the Subsidiary will give due weight to economic, social and environmental considerations.

1.6 Powers Functions and Duties

The powers, functions and duties of the Subsidiary are to be exercised in the performance of the Subsidiary's objects and purposes. The Subsidiary shall have those powers, functions and duties delegated to it by the Council from time to time which include but are not limited to:

- 1.6.1 becoming a member or co-operating or contracting with any other association or organisation;
- 1.6.2 entering into contracts or arrangements with any government agency or authority, including but not limited to the entry into a lease (or sublease as the case may be) from the Council in respect of the area to comprise the Marina;
- 1.6.3 entering into contracts with any person or body for the acquisition or provision of goods and services;
- 1.6.4 entering into contracts with any person or body for the sale, leasing or licensing of Marina berths or for the provision of services or facilities offered by the Marina;
- 1.6.5 appointing, employing, remunerating, removing or suspending officers, managers, employees or agents;
- 1.6.6 acquiring, holding, dealing with and disposing of any real or personal property;
- 1.6.7 opening and operating bank accounts;
- 1.6.8 accumulating surplus funds for investment purposes;
- 1.6.9 subject to Clause 1.7, borrowing money;
- 1.6.10 printing and publishing any reports, articles, books, leaflets, statistics or other like writings;
- 1.6.11 providing a forum for the discussion and consideration of topics related to the Council's obligations and responsibilities in respect of the Subsidiary's objects; and
- 1.6.12 the power to do anything else necessary or convenient for or incidental to the exercise, performance or discharge of the Subsidiary's powers, functions or duties.

1.7 Borrowing Money

The Subsidiary has the power to borrow money conferred by Clause 1.6.9:

- 1.7.1 Subject to Clause 1.7.4, if the Subsidiary intends to borrow money, the Subsidiary must make a proposal in writing to the Council outlining the amount of money proposed to be borrowed, the terms of conditions of the loan and the purpose to which the money will be put.
- 1.7.2 The Council will vote on the proposal at its next general meeting.
- 1.7.3 To authorise the borrowing of money by the Subsidiary, there must be an absolute majority of the Council voting in favour of it.
- 1.7.4 The Subsidiary shall not be required to make a proposal to the Council in accordance with Clause 1.7.1 if:
 - 1.7.4.1 the amount the Subsidiary is borrowing is not more than \$50 000;
 - 1.7.4.2 the terms and conditions of the loan are of a usual and commercial standard; and
 - 1.7.4.3 the purpose of the loan is consistent with the objects and purposes of the Subsidiary as specified in Clause 1.5.

1.8 Delegation by the Subsidiary

The Board may by resolution delegate any of its powers, functions and duties under this Charter but may not delegate:

- 1.8.1 subject to Clause 1.7, the power to borrow money, or obtain any form of financial accommodation;

- 1.8.2 the power to approve expenditure of money on the works, services or operations of the Subsidiary not set out or included in a budget approved by the Council; and
- 1.8.3 the power to approve the reimbursement of expenses or payment of allowances to members of the Board.

A delegation is revocable at will and does not prevent the Subsidiary from acting in a matter.

1.9 **Property**

- 1.9.1 All property held by the Subsidiary is held by it on behalf of the Council.
- 1.9.2 No person may sell, encumber or otherwise deal with any property without the approval of the Board by way of resolution at a Board meeting.

1.10 **National Competition Policy**

- 1.10.1 The Subsidiary must undertake any commercial activities that constitute a significant business activity of the Subsidiary, in accordance with the principles of competitive neutrality.
- 1.10.2 Where the Subsidiary does not undertake a significant business activity it will implement the principles of competitive neutrality by way of annual review of its business operations in the market place and application of the relevant principles, or principles where that is appropriate to do so, unless the benefits to be realised through the application of the principles of competitive neutrality outweigh the costs associated with the implementation as provided for in Part 4 of the Government Business Enterprises (Competition) Act 1996.

(See Clause 15, Part 1, Schedule 2 of the Act)

2. **STRUCTURE**

- 2.1 The Subsidiary is a body corporate and is governed, (subject to the Act over this Charter), by its Board, which has the responsibility to manage the business and other affairs of the Subsidiary ensuring that the Subsidiary acts in accordance with this Charter, with any relevant State legislation and with any conditions attached to grants received from the Commonwealth or South Australian Government or other parties.
- 2.2 All meetings of the Subsidiary shall be meetings of the Board.
- 2.3 All Board Meetings shall be open to the public unless the Board in accordance with Clause 3.5.16 of this Charter makes an order to the contrary. Members of the public may upon approval of the Board address the Board on issues on the agenda of the Board meeting but will not have voting rights and may not debate issues.
- 2.4 The Board will be entitled to make decisions in accordance with the powers and functions of the Subsidiary established in this Charter.

3. **BOARD OF MANAGEMENT**

The Board shall have the responsibility to manage all of the activities of the Subsidiary ensuring that the Subsidiary acts in accordance with this Charter.

3.1 **Functions of the Board**

- 3.1.1 The formulation of strategic plans and strategies aimed at improving the activities and ensuring financial viability of the Subsidiary.
- 3.1.2 To provide professional input and policy direction to the Subsidiary.
- 3.1.3 Monitoring, overseeing and evaluating the performance of the Executive Officer of the Subsidiary.
- 3.1.4 Ensuring that ethical behaviour and integrity is established and maintained by the Subsidiary and its Board Members in all activities undertaken by the Subsidiary.
- 3.1.5 Subject to subclause 3.5.16 ensuring that the activities of the Subsidiary are undertaken in an open and transparent manner.
- 3.1.6 The preparation and development of Business Plans (specified in Clause 5.3 of this Charter) to be considered in consultation with the Council.
- 3.1.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

3.2 Membership of the Board

- 3.2.1 Subject to subclause 3.2.2 the Board shall consist of six members all of whom shall be appointed by Council.
- 3.2.2 The term of office of all Board Members of the first Board shall expire at midnight on 31 December 2005.
- 3.2.3 The Board Members shall be comprised of people, being experienced and suitably qualified and having either current or recent:
- (a) legal expertise;
 - (b) local government experience at a management level;
 - (c) marketing experience;
 - (d) finance experience at a senior management level with project experience;
 - (e) local knowledge of the fishing (and in particular crayfish) industry at a senior management level; or
 - (f) engineering experience.
- 3.2.4 Subject to subclause 3.2.2 a Board Member shall hold office for a term specified by the Council in the instrument of appointment.
- 3.2.5 At the expiration of the term of office a Board Member will be eligible for re-appointment, but shall only hold office for a maximum of three consecutive terms.
- 3.2.6 The appointment of a Board Member shall terminate upon any of the grounds set out at Clause 4, Part 1, Schedule 2 of the Act arising or otherwise in respect of any Board appointment upon the happening of any other event through which the Board Member would be ineligible to remain as a member of the Board.

(See Clause 4, Part 1, Schedule 2 of the Act for the grounds which give rise to a vacancy).

- 3.2.7 The Board may by a two-thirds majority vote of the Board Members present (excluding the Board Member subject to this Clause 3.2.5) make a recommendation to the Council requesting the Council to terminate the appointment of a Board Member that it has appointed under Clause 3.2.1 or terminate the appointment of a Board Member appointed under Clause 3.4 for:
- (a) any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;
 - (b) serious neglect of duty in attending to his/her responsibilities as a Board Member;
 - (c) breach of fiduciary duty to the Subsidiary or the Council;
 - (d) breach of the duty of confidentiality to the Subsidiary or the Council;
 - (e) breach of the conflict of interest provisions (referred to in Clause 3.3.1 of this Charter); or
- any other behaviour which may discredit the Subsidiary.
- 3.2.8 A Board Member may be removed from office as a Board Member prior to the expiration of a term of appointment by the Council by resolution.
- 3.2.9 If any casual vacancy occurs in the membership of the Board it will be filled in the same manner as the original appointment. The person appointed to the Board to fill a casual vacancy must have the same (or similar) qualifications as the Board Member's position which gave rise to the casual vacancy and will be appointed for the balance of the term of the original appointment.
- 3.2.10 A Board Member shall be eligible for such allowance from the funds of the Subsidiary as the Board shall determine from time to time.

3.3 Propriety of Members of the Board

- 3.3.1 The principles regarding conflict of interest prescribed in the Act apply to all Board Members in the same manner as if they were elected members of the Council.

(See Chapter 5, Part 4, Division 3 of the Act for Conflict of Interest Provisions).

- 3.3.2 The Board Members are not required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 3.3.3 The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties as required by Chapter 5, Part 4, Division 1 of the Act and Section 7 of Part 1 of Schedule 2 to the Act.

3.4 **Chairperson of the Board**

- 3.4.1 The Chairperson of the Board shall be appointed by the Council and shall hold office for a term of three years, unless he/she resigns or is removed from office pursuant to a resolution of the Board or until he/she is otherwise no longer eligible to act as a Board Member.
- 3.4.2 There shall also be a Deputy Chairperson of the Board who shall be appointed by the Board from amongst its members and shall hold office for a term of three years, unless he/she resigns or is removed from office pursuant to a resolution of the Board or until he/she is otherwise no longer eligible to act as a Board Member.
- 3.4.3 The Chairperson and the Deputy Chairperson are eligible for re-appointment at the expiration of their terms of office but shall only hold office for a maximum of three consecutive terms.
- 3.4.4 In the event that the appointed Chairperson either resigns or is no longer eligible to act as a Board Member prior to the expiration of that person's term, then the Deputy Chairperson shall act in that office or in the event of the Deputy Chairperson refusing or being unable to so act the Board shall elect from amongst the other Board Members a new Deputy Chairperson who shall hold office until a further appointment is made pursuant to Clause 3.4.1 whereupon the person so appointed will hold office for the duration of the original appointment.
- 3.4.5 The Chairperson shall preside at all meetings of the Board and, in the event of the Chairperson being absent from a meeting, the Deputy Chairperson shall preside and in the event of both the Chairperson and the Deputy Chairperson being absent from a meeting the Board Members present shall appoint a member from amongst them, who shall preside for that meeting or until the Chairperson or the Deputy Chairperson is present.

3.5 **Meetings of the Board**

- 3.5.1 The Board may determine procedures, in addition to but not inconsistent with those specified in this Charter, to apply at or in relation to its meetings.
- 3.5.2 Ordinary meetings of the Board must take place at such times and places as may be fixed by the Board or the Executive Officer of the Subsidiary from time to time, and in any event not less than four times per financial year.
- 3.5.3 An ordinary meeting of the Board will constitute an ordinary meeting of the Subsidiary. The Board shall administer the business of the ordinary meeting.
- 3.5.4 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting, must at all times during the telecommunications meeting, be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chairperson of the meeting.
- 3.5.5 Subject to Clause 3.5.6 a proposed resolution in writing and given to all Board Members in accordance with proceedings determined by the Board will be a valid decision of the Board where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Executive Officer. The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.

- 3.5.6 If the meeting is being held in accordance with Clause 3.5.4 and is a special meeting of the Board or an urgent general meeting of the Board constituted in accordance with Clauses 3.5.9, 3.5.10 and 3.5.11, a proposed resolution need not be in writing such that a valid decision of the Board will be made where a majority of the Board Members vote in favour of the resolution by indicating at that time whether they are in favour or not. The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.
- 3.5.7 Notice of ordinary meetings of the Board must be given by the Executive Officer to each Board Member not less than 14 clear business days prior to the holding of the meeting and the agenda must be given not less than three clear business days prior to the holding of the meeting.
- 3.5.8 Notice of a meeting for the purpose of making a recommendation to wind up the Subsidiary will be sent to Board Members and to the Chief Executive Officer of the Council at least six weeks before the date of the meeting at which the recommendation will be considered.
- 3.5.9 The Executive Officer, the Chairperson, or any three Board Members (not including the Chairperson) may by delivering a written request to the Executive Officer of the Subsidiary require a special meeting of the Board to be held. On receipt of the request the Executive Officer shall send a notice of the special meeting to all Board Members and the Chief Executive Officer of the Council at least 24 hours prior to the commencement of the special meeting. Such notice shall specify the date, time and place of the special meeting and be signed by the Executive Officer of the Subsidiary, and contain, or be accompanied by, the agenda for the meeting.
- 3.5.10 The request by any Board Member to the Executive Officer of the Subsidiary requiring a special meeting to be held must be accompanied by the proposed agenda for the meeting and any written reports intended to be considered at the meeting (and if the proposed agenda is not provided the request is of no effect).
- 3.5.11 The Chairperson may convene urgent general meetings of the Board at the Chairperson's discretion.
- 3.5.12 The Chairperson shall convene other general meetings of the Board as the Board may direct.
- 3.5.13 A majority of the Board Members present at a meeting of the Board may adjourn the meeting from time to time and from place to place.
- 3.5.14 Subject to Clause 3.5.16 meetings of the Board must be conducted in a place open to the public.
- 3.5.15 All Board Members must keep confidential all documents and any information provided to them on a confidential basis for their consideration prior to a meeting of the Board.
- 3.5.16 The Board may order that the public be excluded from attendance at any meeting in order to enable the Board to consider in confidence any information or matter listed in section 90 (3) of the Act (after taking into account any relevant consideration under that subsection) and without limiting the generality of this clause, to enable the Board to consider in confidence:
- (a) legal or other professional advice;
 - (b) complaints against an officer or employee of the Subsidiary;
 - (c) proposals for the appointment, suspension, demotion disciplining or dismissal of an officer or employee of the Subsidiary;
 - (d) proposals relating to the remuneration or conditions of service of an officer or employee of the Subsidiary;
 - (e) tenders for the supply of goods and services;
 - (f) matters that the Board considers to be of a commercial and/or confidential nature;
 - (g) proposals relating to the acquisition or disposal of land;
 - (h) information relating to the health or financial position of any person; and
 - (i) information given to the Subsidiary on the understanding that it would be treated as confidential.

- 3.5.17 Matters relating to actual or possible litigation involving the Subsidiary or an officer or employee of the Subsidiary.

This exercise of this power does not exclude Board Members and any other person permitted by the Board to remain in the room.

- 3.5.18 Where an order is made under Clause 3.5.16, a note must be made in the minutes of the making of the order and of the grounds on which it was made.
- 3.5.19 Where the Board has considered any information or a matter in confidence under Clause 3.5.16 it may subsequently resolve to keep minutes and/or documents considered during that part of the meeting as confidential in accordance with section 91 of the Act.
- 3.5.20 The Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented to the next ordinary meeting of the Board for confirmation and adoption.
- 3.5.21 Where the Executive Officer is excluded from attendance at a meeting of the Board pursuant to Clause 3.5.16, the person presiding at the meeting shall cause the minutes to be kept.
- 3.5.22 The Board may invite any person to attend at a meeting of the Board to act in an advisory capacity.

3.6 **Quorum**

- 3.6.1 The quorum for any meeting of the Board is a majority of the number of Board Members in office being a number ascertained by dividing the total number of Board Members for the time being in office by two, ignoring any fraction resulting from the division, and adding one and no business will be transacted at a meeting of the Board unless a quorum is present.
- 3.6.2 In the matter of a meeting for the purpose of recommending the winding up of the Subsidiary, a quorum will be constituted by the attendance of all Board Members.

3.7 **Voting**

- 3.7.1 Every Board Member, including the Chairperson, shall have a deliberative vote. The Chairperson shall not in the event of an equality of votes have a second or casting vote.
- 3.7.2 All matters will be decided by a simple majority of votes of the Board Members present except where this Charter provides otherwise. In the event of an equality of votes the matter will lapse.
- 3.7.3 A recommendation to the Council to wind up the Subsidiary requires a majority of the votes of the Board Members of the Subsidiary.
- 3.7.4 Subject to conflicts of interest, each Board Member validly present at a meeting must vote on a matter arising for decision at the meeting. Failure by any Board Member to vote other than in conflict of interest situations will be deemed to be a negative vote in relation to the question for decision.
- 3.7.5 A majority of the Board Members present at a meeting of the Board may adjourn the meeting from time to time and from place to place.
- 3.7.6 Subject to this Charter and to any direction of the Council the Board may determine its own procedures for voting which must be fair and contribute to free and open decision-making.

3.8 **Minutes**

- 3.8.1 Subject to Clause 3.8.3.1 a person is entitled to inspect, without payment of a fee:
- (a) minutes of a Board Meeting;
 - (b) reports to the Board received at a meeting of the Board; and
 - (c) recommendations presented to the Board in writing and adopted by resolution of the Board.
- 3.8.2 Subject to Clause 3.8.3, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents available for inspection under Clause 3.8.1.

3.8.3 Clauses 3.8.1 and 3.8.2 do not apply in relation to a document or part of a document if:

3.8.3.1 the document or part of the document relates to a matter of a kind referred to in Clause 3.5.16; and

3.8.3.2 the Board has ordered in accordance with Clause 3.5.19 that the document or part of the document be kept confidential (provided that in so ordering the Board must specify the duration of the order or the circumstances in which it will cease to apply or a period after which it must be reviewed).

4. EMPLOYEES OF THE SUBSIDIARY

4.1 The Board must appoint an Executive Officer of the Subsidiary to manage the business of the Board on terms agreed between the Executive Officer and the Board. The Executive Officer may be a natural person or a body corporate approved by the Board.

4.2 The Board shall determine the Executive Officer's terms and conditions of engagement and remuneration as part of its Business Plan and Budget (as referred to in Clauses 5.3 and 5.4 respectively).

4.3 The Executive Officer shall cause records to be kept of the business and financial affairs of the Subsidiary in accordance with this Charter, in addition to other duties provided for by this Charter and those specified in the terms and conditions of appointment.

4.4 In the absence of the Executive Officer for any period exceeding six weeks a suitable person to act in the position of Executive Officer of the Subsidiary must be appointed by the Board.

4.5 The Board shall delegate responsibility for the day to day management of the Subsidiary to the Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Subsidiary.

4.6 The functions of the Executive Officer shall be specified in the terms and conditions of appointment and shall include but are not limited to:

4.6.1 attending at all meetings of the Board unless excluded by resolution of the Board;

4.6.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;

4.6.3 providing information to assist the Board to assess the Subsidiary's performance against its Business Plans;

4.6.4 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;

4.6.5 ensuring that the Subsidiary is at all times complying with Schedule 2 to the Act;

4.6.6 ensuring that the Subsidiary's reporting requirements under the Act are complied with and the requisite reports are distributed to the Council in time to be incorporated in its annual report;

4.6.7 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Subsidiary;

4.6.8 ensuring that the assets and resources of the Subsidiary are properly managed and maintained;

4.6.9 exercising, performing or discharging other powers, functions or duties conferred on the Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board; and

4.6.10 invite any person to attend at a meeting of the Board to act in an advisory capacity.

4.7 The Executive Officer shall provide a report on his/her activities to the Board every Board Meeting.

4.8 The Executive Officer may delegate or sub-delegate to:

(a) an employee of the Subsidiary;

(b) an employee of the Council; or

(c) a person from time to time being occupying a particular office or position,

any power or function vested in the Executive Officer. Such delegation or sub-delegation may be subject to any conditions or limitations as determined by the Executive Officer and/or the Board.

- 4.9 Where a power or function is delegated to an employee, or a person occupying a particular office or position, that employee or person is responsible to the Executive Officer for the efficient and effective exercise or performance of that power or function.
- 4.10 A written record of all delegations and sub-delegations must be kept by the Executive Officer at all times.

5. MANAGEMENT

5.1 Financial Management

- 5.1.1 The Subsidiary shall keep proper books of accounts in accordance with the requirements of the Local Government (Financial Management) Regulations 1999.
- 5.1.2 The Subsidiary must reconsider its Budget at least three times in each Financial Year at intervals of not less than three months between 30 September and 31 May (inclusive) in accordance with the requirements of the Local Government (Financial Management) Regulations 1999.
- 5.1.3 The Subsidiary's books of account must be available for inspection by any Board Member or authorised representative of the Council at any reasonable time on request.
- 5.1.4 The Subsidiary must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 5.1.5 The Subsidiary shall appoint Board Members, including but not limited to the Chairperson and the Deputy Chairperson and the Executive Officer, as authorised operators of the bank accounts. A minimum of two authorised operators must be required to deal with the bank account at any one time.
- 5.1.6 All cheques must be signed by two persons authorised by resolution of the Board.
- 5.1.7 Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior approval of the Auditor.

The Executive Officer must act prudently in the handling of all financial transactions for the Subsidiary and must provide quarterly financial and corporate reports to the Board and if requested, the Council.

5.2 Audit

- 5.2.1 The Board shall appoint an Auditor in accordance with the Local Government (Financial Management) Regulations 1999, being the Auditor used by the Council from time to time.
- 5.2.2 The Auditor shall hold office until the appointment is rescinded by a resolution of the Board at an ordinary meeting.
- 5.2.3 The Auditor will have the same powers and responsibilities as set out in the Act in relation to the Council.
- 5.2.4 The audit of financial statements of the Subsidiary, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Council.
- 5.2.5 The books of account and financial statements shall be audited at least once per year.
- 5.2.6 The Subsidiary is not required to establish an Audit Committee.

5.3 Business Plan

- 5.3.1 The Subsidiary shall, in conjunction with the Council, prepare a Business Plan every three years consequent upon Clause 5.3.2.
- 5.3.2 The initial Business Plan must be prepared within six months of establishment of the Subsidiary.
- 5.3.3 The Business Plan must:
- 5.3.3.1 link the core activities of the Subsidiary to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;
 - 5.3.3.2 include the performance targets of the Subsidiary; and
 - 5.3.3.3 include those measures to be employed to monitor and assess performance and achievement of targets.

- 5.3.4 The Board shall compare the Business Plan against performance targets at least twice every Financial Year.
- 5.3.5 In conjunction with the Council, the Board shall review the contents of the Business Plan annually.

(See Clause 8, Part 1, Schedule 2 to the Act for the contents of the Business Plan).

5.4 **Budget**

- 5.4.1 Before the end of June in each Financial Year, in accordance with the Act and the Local Government (Financial Management) Regulations 1999, a proposed Budget detailing those items required, including but not limited to the estimated revenues and costs for the forthcoming Financial Year, shall be submitted by the Executive Officer to the Board.
- 5.4.2 The proposed Budget must be referred to Council at the same time as the Executive Officer submits its to the Board Members.
- 5.4.3 The Council may comment in writing to the Executive Officer on the Budget at least three business days before the Board meeting at which the Budget will be considered by the Board for adoption.
- 5.4.4 The Board shall adopt the Budget after 31 May for the ensuing Financial Year and before a date fixed by Council.
- 5.4.5 The Board must provide a copy of the adopted Budget to the Chief Executive Officer of the Council within five business days after the adoption.
- 5.4.6 The Board shall review and reconsider the adopted Budget at least three times in the Financial Year and in accordance with the Local Government (Financial Management) Regulations 1999, must include, in its first reconsideration of the Budget, a review in relation to the audited Financial Statements of the Subsidiary for the previous Financial Year.
- 5.4.7 Reports summarising the financial position and performance of the Subsidiary against the Budget shall be prepared and presented to the Board every three calendar months and copies provided to the Council within five days of the Board meeting to which they have been presented.

(See Clause 9, Part 1, Schedule 2 to the Act for the contents of the Budget).

5.5 **Reporting**

- 5.5.1 The Executive Officer shall ensure the Chief Executive Officer of the Council shall receive a copy of the minutes from each Board meeting for distribution to the elected members of the Council.
- 5.5.2 The Board must submit to the Council by 30 September in each Financial Year a report on the work and operations of the Subsidiary detailing achievement of the aims and objectives of its Business Plan and incorporating the audited Financial Statements of the Subsidiary and any other information or reports required by the Council.
- 5.5.3 The Board shall present Financial Statements in accordance with the Local Government (Financial Management) Regulations 1999 to the Council at the end of each Financial Year.

6. **MISCELLANEOUS**

6.1 **Insurance and Superannuation Requirements**

- 6.1.1 The Subsidiary shall register with the Local Government Mutual Liability Scheme and comply with the Rules of that Scheme.
- 6.1.2 If the Subsidiary employs any person it shall register with the Local Government Superannuation Scheme and the Local Government Workers Compensation Scheme and comply with the Rules of those Schemes.

6.2 **Winding-up**

- 6.2.1 The Subsidiary may be wound-up by the Minister acting upon a unanimous resolution of the Council or by the Minister in accordance with Schedule 2, Part 1, Section 16 (1) (b) of the Act.
- 6.2.2 In the event of a winding-up of the Subsidiary, any surplus assets after payment of all expenses shall be returned to the Council prior to the passing of the resolution to wind-up.

6.3 Non-Derogation and Direction by the Council

- 6.3.1 The establishment of the Subsidiary does not derogate from the power of the Council to act independently in relation to a matter within the jurisdiction of the Subsidiary.
- 6.3.2 For the purpose of Clause 6.3.1, any decision of the Council under this Charter and/or direction given or control exercised by the Council must be given in writing to the Executive Officer of the Subsidiary.

6.4 Alteration and Review of Charter

- 6.4.1 This Charter will be reviewed by the Council acting in concurrence at least once in every five years.
- 6.4.2 This Charter may be amended by a resolution passed by the Council.
- 6.4.3 The Executive Officer must ensure that the amended Charter is published in the *Gazette* and a copy of the amended Charter provided to the Minister.

6.5 Committees

- 6.5.1 The Board may establish a Committee of Board Members for the purpose of:
- 6.5.1.1 enquiring into and reporting to the Board on any matter within the Subsidiary's functions and powers and as detailed in the terms of reference given by the Board to the Committee;
 - 6.5.1.2 exercising, performing or discharging delegated powers, functions or duties.
- 6.5.2 A member of a Committee established under Clause 6.5.1 holds office at the pleasure of the Board.
- 6.5.3 The Board may establish Advisory Committees consisting of or including persons who are not Board Members for enquiring into and reporting to the Board on any matter within the Subsidiary's functions and powers and as detailed in the terms of reference which must be given by the Board to the Advisory Committee.
- 6.5.4 The Chairperson of the Board is an *ex officio* member of any Committee or Advisory Committee established by the Board.

6.6 Common Seal

- 6.6.1 The Subsidiary shall have a common seal upon which its corporate name shall appear in legible characters.
- 6.6.2 The common seal shall not be used without the express authorisation of a resolution of the Subsidiary and every use of the common seal shall be recorded in the minute book of the Subsidiary.
- 6.6.3 The affixing of the common seal shall be witnessed by the Chairperson or the Deputy Chairperson and the Executive Officer or such other person as the Subsidiary may appoint for the purpose.
- 6.6.4 The common seal shall be kept in the custody of the Executive Officer or such other person as the Subsidiary may from time to time decide.

6.7 Circumstances Not Provided For

- 6.7.1 If any circumstance arises about which this Charter is either incapable of taking effect in relation to, or any action is incapable of being implemented according to its strict provisions, the Chairperson may decide the action to be taken to ensure achievement of the objects of the Subsidiary and its effective administration.
- 6.7.2 The Chairperson shall report any such decision at the next ordinary meeting of the Subsidiary.

Dated 16 September 2005.

R. J. KAY, Chief Executive Officer

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: Quasar Resources Pty Ltd
 Location: Moonaree area—Approximately 140 km south-west of Woomera.
 Term: 1 year
 Area in km²: 999
 Ref.: 2005/00203

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: International Base Metals Limited
 Location: Mount Craig area—Approximately 110 km north-east of Port Augusta.
 Term: 1 year
 Area in km²: 230
 Ref.: 2005/00340

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: Mutooro West area—Approximately 55 km east of Olary.
 Term: 1 year
 Area in km²: 72
 Ref.: 2005/00248

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: International Base Metals Limited
 Location: Eudunda area—Approximately 90 km north-east of Adelaide.
 Term: 1 year
 Area in km²: 406
 Ref.: 2005/00341

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: Tasman Resources NL
 Location: Gambier Hill area—Approximately 90 km north-west of Woomera.
 Term: 1 year
 Area in km²: 62
 Ref.: 2005/00272

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: International Base Metals Limited
 Location: Andamooka Station-Pernatty Lagoon area—Approximately 60 km south of Andamooka.
 Term: 1 year
 Area in km²: 376
 Ref.: 2005/00345

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: Tasman Resources NL
 Location: Reid Lookout area—Approximately 70 km west of Port Augusta.
 Term: 1 year
 Area in km²: 223
 Ref.: 2005/00339

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: Tasman Resources NL
 Location: Bopeechee area—Approximately 60 km west of Marree.
 Term: 1 year
 Area in km²: 826
 Ref.: 2005/00685

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: Goldstream Mining NL

Location: Coober Pedy Billa Kalina—Kangaroo Dam area—
Approximately 40 km south-east of Coober Pedy.

Term: 1 year

Area in km²: 510

Ref.: 2005/00686

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

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: Gunson Resources Limited

Location: Woocalla area—Approximately 110 km north-west
of Port Augusta.

Term: 1 year

Area in km²: 196

Ref.: 2005/00701

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. TYRTEOS, Mining Registrar

PETROLEUM ACT 2000

(SECTION 25 (5) (B))

*Resumption of Suspension of
Petroleum Exploration Licence PEL 101*

PURSUANT to section 90 of the Petroleum Act 2000 notice is hereby given that the suspension of the abovementioned Exploration Licence dated 22 June 2005, and granted temporary cessation from 14 July 2005, has been resumed under the provisions of the Petroleum Act 2000, from and including 5 September 2005 to 23 October 2005, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of PEL 101 is 29 October 2008.

Dated 26 September 2005.

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

PETROLEUM ACT 2000

Grant of Geothermal Exploration Licence—GEL 207

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

No. of Licence	Licensee	Locality	Area in km ²	Reference
GEL 213	Green Rock Energy Limited	Near Roxby Downs, South Australia	206	27/02/356

Description of Area—GEL 213

All that part of the State of South Australia, bounded as follows: Commencing at a point being the intersection of latitude 30°22'20"S GDA94 and longitude 136°36'00"E GDA94, thence east to longitude 136°41'06"E GDA94, south to latitude 30°36'00"S GDA94, west to longitude 136°36'00"E GDA94 and north to the point of commencement.

Area: 206 km² approximately.

Dated 22 September 2005.

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

PETROLEUM ACT 2000

*Grant of Associated Facilities Licence—AFL 29
(Adjunct to Petroleum Exploration Licence—PEL 95)*

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

Description of Area

A 50 m buffer around line segments defined by the following pairs of co-ordinates (GDA 94), adjacent to Petroleum Exploration Licence PEL 95:

From		To	
482031E	6838322N	485423E	6840398N
484168E	6838317N	488322E	6840835N

Area: 0.89 km² approximately.

Dated 23 September 2005.

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

ROAD TRAFFIC ACT 1961

Exemption from the Road Traffic (Vehicle Standards) Rules 1999, for Three and Four Wheel Motor Bikes which are being used for Work Related Activities by Primary Producers and Nominated Government Departments and Authorities

PURSUANT to section 163AA of the Road Traffic Act 1961, I hereby exempt vehicles of a specified class, which can be identified as follows:

1. A vehicle which has 4 wheels or a vehicle which has 3 wheels where one wheel is at the front and two wheels are at the rear and the wheels are symmetrically placed about the longitudinal axis of the vehicle; and
2. A vehicle designed and constructed for the driver to sit astride; and
3. A vehicle for which the design of the engine, transmission and steering is common with those components used in the manufacture of motor bikes; and
4. A vehicle which is manufactured in volume by a company who manufactures either:
 - 4.1 motor bikes approved by the Administrator of Vehicle Standards, Vehicle Safety Standards Safety Branch, for compliance with Australian Design Rules and road use in Australia; or
 - 4.2 agricultural or industrial vehicles.

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

- Part 8—Lights and reflectors;
- Rule 19—Compliance with second edition Australian Design Rules;
- Rule 20—Compliance with third edition Australian Design Rules;
- Rule 34—Horns, alarms etc;
- Rule 35—Rear vision mirrors;
- Rule 129—Motor vehicle braking system requirements.

Subject to the following conditions:

1. The vehicle is either:
 - 1.1 owned by a person who qualifies as a primary producer for the purposes of the Motor Vehicles Act 1959, and the motor bike is only used in connection with the working of one or more separate parcels of land that are worked in conjunction with each other; or
 - 1.2 owned by Department for Environment and Heritage, Primary Industries and Resources SA, South Australia Police, or Local Government Authorities and the motor bike is only used on a road or road related area for the purposes of undertaking duties directly associated with the functions of that Government Department or Authority.
2. The vehicle complies with all other requirements of the Road Traffic (Vehicle Standards) Rules 1999, applicable to motor bikes.
3. The vehicle does not tow a trailer that has a laden mass which exceeds the unladen mass of the towing vehicle.
4. The vehicle is only permitted to be operated on a road or road related area for the purpose of undertaking activities involved directly with primary production or for the purpose of undertaking duties directly involved with those Government Departments or Authorities identified in Clause 1.2.
5. The vehicle is not operated at a speed exceeding 40 km/h.
6. The vehicle is fitted with:
 - 6.1 Headlight(s), tail light, brake light and rear reflector(s).
 - 6.2 Parking lights, if the vehicle is left standing on a road or road related area between sunset and sunrise or during periods of low visibility.
 - 6.3 For the purpose of this notice 'a period of low visibility' means any time when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.

- 6.4 Brakes to two or more wheels complying with the requirements of Rule 128 of the Road Traffic (Vehicle Standards) Rules 1999.
- 6.5 A parking brake that operates on at least two wheels and that is capable of holding the vehicle stationary on a 12 per cent gradient.
- 6.6 An actuating mechanism for the parking brake that incorporates a device that prevents accidental release of that mechanism and holds the brake in the applied position unless intentionally released by the driver.
- 6.7 A rear vision mirror or mirrors complying with the requirements of Rule 35 and 36 of the Road Traffic (Vehicle Standards) Rules 1999.
- 6.8 Footrests for the driver and if a seating position for a passenger is provided, footrests for the passenger, complying with the requirements of Rule 56 of the Road Traffic (Vehicle Standards) Rules 1999.
7. That if the vehicle was manufactured on or after 1 July 1996 it is fitted with:
 - 7.1 Two rear vision mirrors, complying with the requirements of Rule 35 and 36 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 7.2 A horn complying with the requirements of Rule 34 of the Road Traffic (Vehicle Standards) Rules 1999.
 - 7.3 A headlight which remains illuminated while the vehicle is being operated on roads and road related areas.
8. All lights and reflectors required by this notice shall meet the location and performance requirements of Part 8—'Lights and Reflectors', of the Road Traffic (Vehicle Standards) Rules 1999.
9. That the vehicle is conditionally registered pursuant to the requirements of Section 25 of the Motor Vehicle Act 1959.

The notice titled 'Exemption from the Road Traffic (Vehicle Standards) Rules 1999, for Three and Four Wheel Motor Bikes which are being used for Work Related Activities by Primary Producers and Nominated Government Departments and Authorities' appearing in the *South Australian Government Gazette*, dated 12 October 2000, is hereby revoked.

Executive Director, Transport Services Division

ROAD TRAFFIC ACT 1961

Exemption for Single Axle Pig Trailers to Exceed the Maximum Mass Limit of 8.5 Tonnes

PURSUANT to section 163AA of the Road Traffic Act 1961, I hereby exempt pig trailers fitted with a single axle from the maximum mass limit requirement of 8.5 tonnes specified in Schedule 1, Table 1 'Mass limits for single axles and axle groups', of the Road Traffic (Mass and Loading Requirements) Regulations 1999 subject to the following conditions:

1. The single axle is fitted with dual tyres.
2. That the wheels and tyres fitted to the axle of the vehicle must be of sufficient size and capacity to carry the part of the vehicle's gross mass transmitted to the ground through the axle.
3. The pig trailer was manufactured prior to 1 December 1999.
4. The mass carried on the pig trailer does not exceed the least of:
 - 4.1 The manufacturer's specified aggregate Trailer Mass; or
 - 4.2 The manufacturer's specified Gross Trailer Mass; or
 - 4.3 The Gross Trailer Mass specified by the Registering Authority; or
 - 4.4 9 tonnes.

This exemption expires at midnight on 30 September 2006.

The notice titled 'Exemption for single axle pig trailers to exceed the maximum mass limit of 8.5 tonnes', appearing in the *South Australian Government Gazette*, dated 12 August 2004, is hereby revoked.

Executive Director, Transport Services Division

ROAD TRAFFIC ACT 1961

Exemption for Tandem Axle Pig Trailers to Exceed the Maximum Mass Limit of 15 Tonnes

PURSUANT to section 163AA of the Road Traffic Act 1961, I hereby exempt pig trailers fitted with a tandem axle group from the maximum mass limit requirement of 15 tonnes specified in Schedule 1, Table 1 'Mass limits for single axles and axle groups', of the Road Traffic (Mass and Loading Requirements) Regulations 1999 subject to the following conditions:

1. The pig trailer is fitted with a load sharing tandem axle group.
2. Both axles are fitted with dual tyres.
3. The wheels and tyres fitted to an axle of the vehicle must be of sufficient size and capacity to carry the part of the vehicle's gross mass transmitted to the ground through the axle.
4. The pig trailer was manufactured prior to 1 December 1999.
5. The mass carried on the pig trailer does not exceed the least of:
 - 5.1 The manufacturer's specified aggregate Trailer Mass; or
 - 5.2 The manufacturer's specified Gross Trailer Mass; or
 - 5.3 The Gross Trailer Mass specified by the Registering Authority; or
 - 5.4 16.5 tonnes.

This exemption expires at midnight on 30 September 2006.

The notice titled 'Exemption for Tandem Axle Pig Trailers to Exceed the Maximum Mass Limit of 15 tonnes', appearing in the *South Australian Government Gazette*, dated 12 August 2004, is hereby revoked.

Executive Director, Transport Services Division

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Closure
Adjacent Wilson Street, Adelaide*

BY Road Process Order made on 23 December 2004, The Corporation of the City of Adelaide ordered that:

1. The whole of the public road (allotment 91 in Filed Plan 209473) adjoining Wilson Street and allotment 21 in Deposited Plan 60695 more particularly delineated and lettered 'A' in Preliminary Plan No. 03/0030 be closed.

2. The whole of the land subject to closure be transferred to Nerraw Pty Ltd in accordance with agreement for transfer dated 15 April 2004 entered into between The Corporation of the City of Adelaide and Nerraw Pty Ltd.

3. The following easement be granted over portion of the land subject to that closure:

Grant to the South Australian Water Corporation an easement for sewerage purposes.

On 6 May 2005 that order was confirmed by the Minister for Administrative Services conditionally upon the deposit by the Registrar-General of Deposited Plan 66895 being the authority for the new boundaries.

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 29 September 2005.

J. R. CLARKE, Acting Surveyor-General

SEWERAGE ACT 1929

Addition of Land to Murray Bridge Country Drainage Area

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

(a) adds to the Murray Bridge Country Drainage Area all the land contained in:

- (i) allotment 1005 in Deposited Plan 20607;
- (ii) the portion of Jaensch Road, Murray Bridge abutting allotment 1005 in Deposited Plan 20607 not already in the Murray Bridge Country Drainage Area;
- (iii) the portion of Jaensch Road, Murray Bridge abutting allotment 1 in Filed Plan 142292; and

(b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 23 September 2005.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. McNAMARA, Manager Billing

SAWATER 05/06792 D1290

NOTICE TO MARINERS

NO. 29 OF 2005 (FORMERLY NOTICE NO. 40 OF 2004)

South Australia—Warning—Access Past River Murray Mouth

MARINERS are advised to exercise extreme caution as restrictions on access through the Murray Mouth Dredging Exclusion Zone will be temporarily lifted during daylight hours from 9 a.m. on Saturday, 1 October 2005 until 4 p.m. on Monday, 3 October 2005.

Boat operators should be aware of the possibility of varying water depths, strong tidal currents, waves, shifting sandbars and shallow water. Existing channels may shift or close in the course of a single day making return passage impossible. Dangerous conditions may prevail.

Dredging of the Murray Mouth area has been undertaken to protect the Coorong ecosystem and NOT to facilitate navigation. The dredges have been moved to one side of the dredged area for this period and must be avoided. Dredging may have caused parts of the area to have different depths and may have created steeply shelved sections.

Mariners are further advised that anchoring is prohibited in the area and will be strictly enforced. Non-compliance will result in a prosecution, in accordance with Harbors and Navigation Act 1993 and Regulations. A speed limit of 4 knots and restrictions on boating activities, apply in accordance with the Harbors and Navigation Regulations 1994.

Adelaide 22 September 2005.

PAT CONLON, Minister for Transport

TSA 2005/00419

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 29 September 2005

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 CHARLES STURT
Eucalypt Avenue, Flinders Park. p13

CITY OF HOLDFAST BAY
Acacia Avenue, Glenelg North. p54

CITY OF MITCHAM
Oak Crescent, Hawthorndene. p59
Maple Road, Hawthorndene. p59
Myrtle Road, Hawthorndene. p59

CITY OF ONKAPARINGA
Acacia Terrace, Aldinga Beach. p14
Follett Street, Aldinga Beach. p15

CITY OF PLAYFORD
Lorenzo Court, Angle Vale. p33

CITY OF SALISBURY
Winzor Street, Salisbury Downs. p30
Redwood Drive, Parafield Gardens. p52
Russo Avenue, Parafield Gardens. p52
Misale Street, Parafield Gardens. p52
Easement in lot 34 in LTRO FP 113838, Martins Road, Parafield Gardens. p52

CITY OF WEST TORRENS
Urrbrae Terrace, Plympton. p55

BLYTH WATER DISTRICT

WAKEFIELD REGIONAL COUNCIL
John Street, Blyth. p22
Moore Street, Blyth. p22

BUNDALEER COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF BARUNGA WEST
Daniels Road, Kulpara. p16 and 17
Pumping Station Road, Kulpara. p16-19

EDITHBURGH WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA
In and across Bramley Road, Edithburgh. p43
Easement in lot 205 in LTRO DP 48657, Bramley Road,
Edithburgh. p43

MILLICENT WATER DISTRICT

WATTLE RANGE COUNCIL
Wilson Court, Millicent. p12

MURRAY BRIDGE WATER DISTRICT

THE RURAL CITY OF MURRAY BRIDGE
Wattle Street, Murray Bridge. p53

PORT AUGUSTA WATER DISTRICT

CITY OF PORT AUGUSTA
Frances Street, Port Augusta. p57

PORT GERMEIN WATER DISTRICT

DISTRICT COUNCIL OF MOUNT REMARKABLE
Esplanade, Port Germein. p23
Tenth Street, Port Germein. p23

PORT PIRIE WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL
Key Street, Port Pirie South. p24

PORT VINCENT WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA
Easements in lots 204 and 205 in LTRO DP 66793, Port Vincent
Road, Port Vincent. p58

REDBANKS WATER DISTRICT

DISTRICT COUNCIL OF MALLALA
Hall Road, Redbanks. This main is available on the east side by
application only. p21

SADDLEWORTH WATER DISTRICT

CLARE AND GILBERT VALLEYS COUNCIL
Stirrup Street, Saddleworth. p56

TOWNSHIP OF SEVENHILL WATER DISTRICT

CLARE AND GILBERT VALLEYS COUNCIL
Across Anton Street, Sevenhill. p44
Easements in lot 123 in LTRO FP 190685, Anton Street,
Sevenhill. p44

WILLIAMSTOWN WATER DISTRICT

BAROSSA COUNCIL
Ian Ross Drive, Williamstown. p50 and 51
Reg Smith Crescent, Williamstown. p50
Gangell Court, Williamstown. p50
Grovermann Street, Williamstown. p50 and 51
Easements in reserve (lot 90 in LTRO DP 65276), Mount
Crawford Road, Williamstown. p51
Across Mount Crawford Road, Williamstown. p51
Gaston Court, Williamstown. p51

WILMINGTON WATER DISTRICT

DISTRICT COUNCIL OF MOUNT REMARKABLE
Third Street, Wilmington. p25

WATER MAINS ABANDONED

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

ADELAIDE WATER DISTRICT

CITY OF MITCHAM
Oak Crescent, Hawthorndene. p59
Maple Road, Hawthorndene. p59
Myrtle Road, Hawthorndene. p59

CITY OF PORT ADELAIDE ENFIELD

Across Timpson Place, Port Adelaide. p26
Easement in lot 102 in LTRO DP 13029, Todd Street, Port
Adelaide. p26
Across Todd Street, Port Adelaide. p26
Easement in lot 526 in LTRO DP 58489, Francis Street, Port
Adelaide. p32

CITY OF SALISBURY

Winzor Street, Salisbury Downs. p30

BLYTH WATER DISTRICT

WAKEFIELD REGIONAL COUNCIL
John Street, Blyth. p22

BUNDALEER COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF BARUNGA WEST
Across Pumping Station Road, Kulpara. p16
Easement in section 232, hundred of Kulpara. p16
Across Daniels Road, Kulpara. p16
Easement in sections 231 and 230, hundred of Kulpara. p16

PORT GERMEIN WATER DISTRICT

DISTRICT COUNCIL OF MOUNT REMARKABLE
Esplanade, Port Germein. p23

WATER MAINS LAID

Notice is hereby given that the undermentioned water mains have
been laid down by the South Australian Water Corporation and
are not available for a constant supply of water to adjacent land.

ADELAIDE WATER DISTRICT

CITY OF BURNSIDE
Waterworks land (lot 10 in LTRO DP 51932), Rodger Avenue,
Leabrook. p3-6
Waterworks land (lot 2 in LTRO DP 62372), Penfold Road,
Stonyfell. p27-29
Across and in Penfold Road, Stonyfell. p27-29
Waterworks land (lot 39 in LTRO FP 141800), Penfold Road,
Wattle Park. p34-39

OUTSIDE WATER DISTRICTS

ADELAIDE HILLS COUNCIL
Waterworks land (section 635, hundred of Adelaide), Greenhill.
p1 and 2

DELETION

Deletion to notice in "Government Gazette" of 27 June 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.”

“KAPUNDA WATER DISTRICT”**“LIGHT REGIONAL COUNCIL”**

“Kapunda Street, Kapunda. This main is available on application on the eastern side only. p12”

Delete “This main is available on application on the eastern side only.”

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 CHARLES STURT**

Eucalypt Avenue, Flinders Park. FB 1141 p24
Public road south of lot 157 in LTRO FP 13, Henley Beach. FB 1138 p59
Janet Street, Seaton. FB 1141 p36
Wisdom Street, Seaton. FB 1141 p37
Ryan Avenue, Woodville West. FB 1141 p38

CITY OF HOLDFAST BAY

Goods Crescent, Hove. FB 1141 p32

CITY OF MARION

Hazelmere Road, Glengowrie. FB 1141 p31
Larkdale Avenue, Marion. FB 1141 p33
Rugby Street, Dover Gardens. FB 1141 p34

CITY OF PLAYFORD

Easements in lot 23 in LTRO FP 20570, Elizabeth Way, Elizabeth. FB 1129 p47-49 and 51
Easements in lot 30 in LTRO DP 33750, Elizabeth Way, Elizabeth. FB 1129 p47, 50 and 51

CITY OF SALISBURY

Redwood Drive, Parafield Gardens. FB 1142 p15-17
Russo Avenue, Parafield Gardens. FB 1142 p15-17
Misale Street, Parafield Gardens. FB 1142 p15-17
Easements in lot 34 in LTRO FP 113838, Martins Road, Parafield Gardens. FB 1142 p15-17
Easement in lot 1 in LTRO DP 64294, Martins Road, Parafield Gardens. FB 1142 p15-17

CITY OF WEST TORRENS

Hawthorne Street, Lockleys. FB 1141 p35

MILLICENT COUNTRY DRAINAGE AREA**WATTLE RANGE COUNCIL**

Across Benton Street, Millicent. FB 1114 p46 and 47
Easements in lot 117 in LTRO FP 206402, Benton Street, and lot 13 in LTRO DP 63780, Wilson Court, Millicent. FB 1114 p46 and 47
Wilson Court, Millicent. FB 1114 p46 and 47
Easement in lots 12 and 11, Wilson Court, Millicent. FB 1114 p46 and 47

MURRAY BRIDGE COUNTRY DRAINAGE AREA**THE RURAL CITY OF MURRAY BRIDGE**

Hawke Road, Murray Bridge. FB 1141 p28
Rayson Street, Murray Bridge. FB 1141 p29
Across Waratah Avenue, Murray Bridge. FB 1141 p30
Easement in Common Property (C1), and lots 2-5 in LTRO CP 22418, and lot 562 in LTRO FP 167377, Wattle Street, Murray Bridge. FB 1141 p30

SEWERS ABANDONED

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

ADELAIDE DRAINAGE AREA**CITY OF PLAYFORD**

Easements in lot 23 in LTRO FP 20570, Elizabeth Way, and lot 31 in LTRO DP 18664, Elizabeth. FB 1129 p47 and 48
Easement in lot 26 in LTRO FP 20570, and lot 28 in LTRO DP 18478, Philip Highway, Elizabeth. FB 1129 p48
Easements in lot 30 in LTRO DP 33750, Elizabeth Way, Elizabeth. FB 1129 p50

CITY OF SALISBURY

Easement in lot 855, Glen Court, Mawson Lakes. FB 1142 p6
Across Glen Court, Mawson Lakes. FB 1142 p6
Easement in lot 340 in LTRO DP 61026, lot 31 in LTRO DP 54946, Glen Court, and lots 37-39, Emerald Street, Mawson Lakes. FB 1142 p6
Across Emerald Street, Mawson Lakes. FB 1142 p6
Easement in lots 43 and 42, Emerald Street, and lots 38-36, The Strand, Mawson Lakes. FB 1142 p6
The Strand, Mawson Lakes. FB 1142 p7
Trinity Circuit, Mawson Lakes. FB 1142 p7
Easement in lots 4-6 in LTRO CP 22839, The Strand, Common Property and lot 12 in LTRO CP 22839, and lot 6 in LTRO DP 59583, Yates Street, Mawson Lakes. FB 1142 p7
Across and in Yates Street, Mawson Lakes. FB 1142 p7
Easement in lot 616 in LTRO DP 60393, Yates Street, Common Property (C1), and lots 1-4 in LTRO CP 21335, and reserve (lot 801 in LTRO DP 64233), Warehouse Lane, Mawson Lakes. FB 1142 p7
Redwood Drive, Parafield Gardens—100 mm PVC pumping main. FB 1142 p15 and 16
Oliver Street, Parafield Gardens—100 mm PVC pumping main. FB 1142 p15 and 16

SEWERS LAID

Notice is hereby given that the undermentioned sewers have been laid down by the South Australian Water Corporation and are not available for house connections.

ADELAIDE DRAINAGE AREA**CITY OF SALISBURY**

Easement in lot 855 in LTRO DP 67939, and lot 504 in LTRO DP 61026, Glen Court, Mawson Lakes. FB 1142 p6 and 8
Trinity Circuit, Mawson Lakes. FB 1142 p6-8
The Strand, Mawson Lakes. FB 1142 p7 and 8
Yates Street, Mawson Lakes. FB 1142 p7 and 8
Easements in lot 616 in LTRO DP 60393, Yates Street, and reserve (lot 801 in LTRO DP 64233), Warehouse Lane, Mawson Lakes. FB 1142 p7 and 8

STIRLING COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Across Devon Avenue, Stirling—63 mm MDPE pressure sewer system. FB 1139 p7
Lot 26 in LTRO DP 4120, Devon Avenue, Stirling—63 mm and 40 mm MDPE pressure sewer system. FB 1139 p7

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

WATERWORKS ACT 1932

Addition of Land to Adelaide Water District

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

- (a) adds to the Adelaide Water District all the land contained in allotments 50 and 53 in Deposited Plan 60563; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 23 September 2005.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Manager Billing

SAWATER 05/06790 W1289

WATERWORKS ACT 1932

Addition of Land to Port MacDonnell Water District

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

- (a) adds to the Port MacDonnell Water District all the land contained in:
 - (i) allotments 50 and 51 in Deposited Plan 60633;
 - (ii) allotment 103 in Deposited Plan 24020;
 - (iii) the portion of Springs Road, Port MacDonnell abutting allotments 50 and 51 in Deposited Plan 60633; and
- (b) declares that this notice will have effect from 1 July 2005.

Dated 23 September 2005.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Manager Billing

SAWATER 05/06619 W1287

WATERWORKS ACT 1932

Removal of Land from Yorke Peninsula Country Lands Water District and Addition to Edithburgh Water District

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

- (a) removes from the Yorke Peninsula Country Lands Water District and adds to the Edithburgh Water District all the land contained in allotments 205 and 209 in Deposited Plan 48657; and
- (b) declares that this notice will have effect from 1 July 2005.

Dated 23 September 2005.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Manager Billing

SAWATER 05/06620 W1288

South Australia

Fire and Emergency Services Commission (Transfer of Employees—Emergency Services Administrative Unit) Notice 2005

Under Schedule 6, Part 11, 17 of the Fire and Emergency Services Act 2005.

1. Short title

This Notice may be cited as the Fire and Emergency Services Commission (Transfer of Employees—Emergency Services Administrative Unit) Notice 2005.

2. Commencement

This Notice will come into operation on 1 October 2005.

3. Transfer of employees

The employees of the Emergency Services Administrative Unit referred to in Schedules 1 to 4 are transferred to the staff of the South Australian Fire and Emergency Services Commission, The South Australian Metropolitan Fire Service, The South Australian Country Fire Service and the South Australian State Emergency Service respectively.

4. Schedule 1

All employees transferring to the staff of the South Australian Fire and Emergency Services Commission.

Schedule 2

All employees transferring to the staff of the South Australian Metropolitan Fire Service.

Schedule 3

All employees transferring to the staff of the South Australian Country Fire Service.

Schedule 4

All employees transferring to the staff of the South Australian State Emergency Service.

C. ZOLLO, Minister for Emergency Services

SCHEDULE 1

Employees Transferring to the Staff of the South Australian Fire and Emergency Services Commission (SAFECOM)

Allen, Jodi Louise	Larsen, Harris Anker
Arthur, Judith Dawn	Lew, Lisa
August, Laura Kristine	Littler, David Andrew
Axon, Nicole Constance	Lynch, David
Ayre, Michael Paul	Mack, Herbert Talmadge
Baker, David John	Mammone, Renato Bruno
Bayly, Ann-Marie	Manton, Richard
Bollmeyer, Janine May	Mathews, Rex
Bowes, John Phillip	McAlpine, Adrian John
Boys, Anthony William	McEwing, Grant
Bremert, David Raymond	McPhedran, Gregory Stuart
Brine, Denise Kay	Merritt, Kylie
Brock, Christopher John	Millar, Julie
Brown, Timothy David	Mitchell, Ian Sutherland
Cant, David	Morris, Sharon
Carney, Martin Osmond	Nash, Terence John
Cartwright, Keith	Norman, Anthony Kennion
Chartier, Amanda Louise	Nygaard, Peter John
Chesser, Alison Joy	Pagram, Ross Martin John
Chmielowski, Alicia Gabriella	Palmer, Aداire Lynley
Christou, Christos Angelo	Papagni, David
Costanzo, Peter	Paterson, Julien Margaret
Cox, Paul John	Pavlich, Steven Lee
Cricelli, Gino	Pearce, Michael John
Dawson, Mark	Pearce, Trevor John
Dearman, Christopher	Pfeiffer, Sally
Dow, Margaret Beverly	Quinn, Elizabeth Kaye
Dunlop, Eileen Elizabeth	Regan, Daryl Frederick
Dunnicliff, Evelyn	Rogers, Stephen Roy
Duong, Anh Tuyet	Round, Corey Benjamin
Ferber, Gary Richard	Royle, David William
Foster, Aimee Louise	Savic, Snezana
Francis, Julie Diane	Schirmer, Joel Anthony
Galikowski, Andrew	Schulz, Sharon Marie
Gentilcore, Alberico	Scullen, David Charles
Gibson, Katrina	Secker, Larry Glen
Gilbert, Ann Kathleen	Shalley, Peter
Guilfoyle, Michael	Smith, Martin John
Harrison, Catherine Jane	Smith, Leigh James
Hassam, Richard James	Soucek, Pavla
Helmore, Jodie Karen	Stopford, Sarah Ellen
Heylen, Peter	Sullivan, Carole
Hincks, Lindsay	Tidswell, Robert John
Howard, Kelly Anne	Tilley, Phillip Milton
Hozier, Sarah Elizabeth	Tinagli, Geoffrey Theodore
Hunt, Jilliam Raelene	Tsiaprakas, Eleni Helen
Johns, Valma	Tuffin, Brian Richard
Kinloch, Rachel Louise	Wald, Richard Ambrose
Knowles, Michael	Whelan, Trudy
Koch, Christine Penelope	Williams, Jodie Michelle
Kolokas, Constantine	Williams, Susan Melva
Lagana, Joe	Wride, Garth

SCHEDULE 2

Employees Transferring to the Staff of the South Australian Metropolitan Fire Service

Dunstone, Heather
Jurasic, Vicki
Migliaccio, Anna Teresa

Prodanovski, Alexandra
Roylance, Shelley Louise

SCHEDULE 3

Employees Transferring to the Staff of the South Australian Country Fire Service

Andrews, Naomi
Batterham, Diane Elizabeth
Bennett, Jillian Mary
Briggs, Louise
Burton, Natasha
Chumak, Sophia
Cinnamond, Sharon Marie
Collins, Stephanie Glen
Day, Susan
Dolphin, Janette Hazel
Egel, Michelle

Haig, Andrea Kay
Hughes, Marilyn
Langsford, Susan Veronica
Ludwig, Margaret Anne
Mitchell, Tracy Jane
Pearce, Margaret Roseanna
Sinclair, Lucia Anna
Smith, Kim
Stewart, Elizabeth Carmel
Tiede, Gillian Yvonne
Williams, Vivienne

SCHEDULE 4

Employees Transferring to the Staff of the South Australian State Emergency Service

Berghofer, Lynette Joy
Bleechmore, Judith Elizabeth
Cameron, Thomas Glengary
Case, Pamela
Charlton, Robert Ryan
Church, Faith Lily
Coombe, Richard
Cooper, April Elizabeth
Cormack, Alan Forsyth
Faraguna, Robyn Stephanie
Habils, Thierry Firmin
Hall, Gillian Margaret
Hines, Leonie Carmel
Hundertmark, Pamela Lesley
Hynes, John Patrick
Kelly, Jennifer
Lawrenson, Indiana Markeeta
Lloyd, Tyrone Henry

MacLeod, Stuart Millar
Malseed, Gregory John
Maywald, Matthew Paul
McDougall, Allan Leslie
Noorlander, Mary Stella
Palm, Linda Kai
Place, David William
Purvis, Theresa Esther
Reedman, Gregory David
Scott, Pieter
Stevenson, Robert Donald
Stollery, Ramona Lea
Swalue, Claire
Sydor, Josephine Mary
Thorne, John Alan
Vincent, Jennifer Maree
Willson, Kaylene Joy

South Australia

Livestock (Restrictions on Entry of Aquaculture Stock) Notice 2005

under section 33 of the *Livestock Act 1997*

1—Short title

This notice may be cited as the *Livestock (Restrictions on Entry of Aquaculture Stock) Notice 2005*.

2—Commencement

This notice will come into operation on 1 October 2005.

3—Interpretation

In this notice, unless the contrary intention appears—

abalone means abalone (*Haliotis* spp.) of all species;

aquaculture has the same meaning as in the *Aquaculture Act 2001*;

Aquaculture Minister means the Minister responsible for the administration of the *Aquaculture Act 2001*;

aquaculture stock means aquatic organisms intended for aquaculture;

aquatic organism has the same meaning as in the *Aquaculture Act 2001* (except that it excludes organisms that are not animals);

designated pacific oyster supplier means any of the following persons who hold a current authority to engage in aquaculture issued under the law of another State or a Territory of the Commonwealth:

- (a) Cameron of Tasmania Pty. Ltd. (ACN 009 579 168);
- (b) an entity trading as Geordy River Aquaculture in Tasmania;
- (c) Shellfish Culture Ltd. (ACN 009 519 171);

exotic finfish means finfish that are not native to South Australian waters;

finfish means all members of the classes *Myxini*, *Actinopterygii* and *Elasmobranchii*;

flood plain means the area known as the 1956 River Murray Flood Plain or a Flood Zone, Flood Plain or other zone or area shown as subject to flooding in a Development Plan under the *Development Act 1993*;

Lake Eyre Basin Agreement Area has the same meaning as in the Agreement in the *Lake Eyre Basin (Intergovernmental Agreement) Act 2001*;

licence area means the area of an aquaculture licence issued under the *Aquaculture Act 2001* (as described on the public register kept under that Act);

Murray-Darling basin has the same meaning as in the Agreement in the *Murray-Darling Basin Act 1993*;

native freshwater finfish means freshwater finfish native to South Australian waters;

Note—

See Robinson, AC, Casperson KD and Hutchinson, MN, *A list of the Vertebrates of South Australia* published by the Department for Environment and Heritage, South Australia (2000)

prescribed marine or freshwater finfish means fish of any of the following species:

Lates calcarifer (barramundi)

Macquaria colonorum (estuary perch)

Macquaria novemaculeata (Australian bass)

Oxyeleotris lineolatus (sleepy cod)

Tandanus tandanus (eel tailed catfish)

protected finfish means—

- (a) finfish declared to be protected under the *Fisheries Act 1982*;
- (b) finfish that are an endangered species or vulnerable species under the *National Parks and Wildlife Act 1972*;

semi-closed system means a system of aquaculture involving control of the movement of aquatic organisms and incomplete ability to sterilise water used for aquaculture (for example, ponds or races);

semi-open system means a system of aquaculture involving control of the movement of aquatic organisms but no control over the flow of water used for aquaculture (for example, nets or pens in the sea);

sterilised seawater means seawater filtered through a 5 micrometre filter and then—

- (a) treated with ultraviolet radiation at a level of at least 25 000 microwatt seconds per square centimetre; or
- (b) chlorinated with at least 2% available chlorine for at least 10 minutes; or
- (c) ozonized at a level of at least 0.2 milligrams per litre for at least 4 minutes.

4—Documentation for tracing aquaculture stock

Aquaculture stock must not enter the State, or a licence area, unless accompanied by documentation issued by the supplier of the aquatic organisms specifying—

- (a) the name and address of the supplier of the aquatic organisms; and
- (b) the species of aquatic organisms; and
- (c) the number or biomass of the aquatic organisms; and
- (d) the age or developmental stage of the aquatic organisms; and
- (e) if the aquatic organisms have been hatchery reared—details identifying the last place at which the organisms were reared before consignment; and

- (f) if the aquatic organisms have been taken from the wild—details identifying the area from which the organisms have been taken; and
- (g) the intended destination of the aquatic organisms.

5—Introduction of aquaculture stock hatchery reared or taken in the State

- (1) Aquaculture stock comprised of abalone that have been hatchery reared in South Australia or taken from South Australian waters must not enter a licence area that is below astronomical low tide level unless—
 - (a) if there is a population of abalone within an area surrounding the licence area and extending out 1 kilometre from the boundary of the licence area, the abalone are the progeny of broodstock abalone collected from within that area surrounding the licence area; and
 - (b) the abalone are accompanied by a certificate—
 - (i) that is in a form approved by the Aquaculture Minister; and
 - (ii) that has been issued—
 - (A) by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
 - (B) within the previous 14 days; and
 - (C) following examination of the following number of animals:
 - if there are less than 10 000 abalone in the consignment—at least 30 abalone;
 - if there are 10 000 or more abalone but less than 100 000 abalone in the consignment—at least 60 abalone;
 - if there are more than 100 000 abalone in the consignment—at least 150 abalone; and
 - (iii) that certifies that the abalone in the test sample are not affected with a notifiable disease and do not display signs of being affected with a disease; and
 - (c) at least 2 days before the abalone enter the licence area the Aquaculture Minister has been provided with a copy of the certificate referred to in paragraph (b).
- (2) Aquaculture stock comprised of protected finfish, or native freshwater finfish, that have been hatchery reared in South Australia must not enter a licence area that is in a flood plain or in which aquaculture is carried on by means of a semi-closed or semi-open system unless—
 - (a) the finfish are the progeny of broodstock from the water catchment areas for the licence area; and
 - (b) the Aquaculture Minister has been given at least 2 days written notice of the proposed entry of the finfish; and
 - (c) in the case of native freshwater finfish entering a licence area in the Murray-Darling basin—the finfish are Murray-Darling species and strains; and
 - (d) in the case of native freshwater finfish entering a licence area in the Lake Eyre Agreement Area—the finfish are Cooper Creek species and strains.

- (3) Aquaculture stock comprised of protected finfish, or native freshwater finfish, that have been taken from South Australian waters (and not hatchery reared) must not enter a licence area that is in a flood plain or in which aquaculture is carried on by means of a semi-closed or semi-open system without the prior written approval of the Aquaculture Minister.
- (4) Aquaculture stock comprised of prescribed marine or freshwater finfish that have been hatchery reared in South Australia must not enter a licence area in which aquaculture is carried on by means of a semi-closed or semi-open system unless—
 - (a) —
 - (i) the fish are accompanied by a certificate—
 - (A) that is in a form approved by the Aquaculture Minister; and
 - (B) that has been issued—
 - by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
 - within the previous 7 days; and
 - following examination of at least 150 animals in the consignment; and
 - (C) certifying that the fish in the test sample are not affected with a notifiable disease; and
 - (ii) the Minister has been given at least 2 days written notice of the proposed entry of the fish; or
 - (b) the prior written approval of the Minister has been obtained.
- (5) Aquaculture stock comprised of fish of the species prescribed marine or freshwater finfish that have been taken from South Australian waters (and not hatchery reared) must not enter a licence area in which aquaculture is carried on by means of a semi-closed or semi-open system without the prior written approval of the Aquaculture Minister.
- (6) Aquaculture stock comprised of salmonids, or exotic finfish, that have been hatchery reared in South Australia or taken from South Australian waters must not enter a licence area without the prior written approval of the Aquaculture Minister.

6—Introduction of aquaculture stock hatchery reared or taken outside the State

- (1) Subject to this clause, aquaculture stock that has been hatchery reared outside South Australia or taken in waters other than South Australian waters must not enter the State, or a licence area, without the prior written approval of the Aquaculture Minister.
- (2) Aquaculture stock comprised of finfish that have been hatchery reared outside South Australia or taken in waters other than South Australian waters may enter a licence area if—
 - (a) the fish are accompanied by a certificate—
 - (i) that is in a form approved by the Aquaculture Minister; and
 - (ii) that has been issued—
 - (A) by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
 - (B) within the previous 14 days; and

- (C) following examination of—
- in the case of prescribed marine or freshwater finfish—at least 150 fish in the consignment; and
 - in the case of other freshwater finfish—at least 30 fish in the consignment; and
- (iii) that certifies that the fish in the test sample are not affected with a notifiable disease and do not display signs of being affected with a disease; and
- (b) at least 2 days before the fish enter the licence area the Aquaculture Minister has been provided with a copy of the certificate referred to in paragraph (a).
- (3) Aquaculture stock comprised of pacific oyster (*Crassostrea gigas*) spat that have been hatchery reared by a designated pacific oyster supplier may enter a licence area if the spat is accompanied by a certificate—
- (a) that is in a form approved by the Aquaculture Minister; and
- (b) that has been issued by the designated pacific oyster supplier; and
- (c) that certifies—
- (i) that the spat have been reared in a manner that achieves shell drying for at least 4 hours out of each 24 hour period; and
- (ii) that, since being harvested for consignment, the spat—
- (A) have been immersed in freshwater for a continuous period of at least 12 hours; and
- (B) have been depurated in sterilised seawater for a continuous period of at least 12 hours; and
- (iii) that, within 4 days before consignment, the spat have been passed through a mesh screen to ensure that they are no larger than 15 millimetres in any dimension.
- (4) Aquaculture stock comprised of *Anguilla* species that have been hatchery reared outside South Australia or taken in waters other than South Australian waters may enter a licence area in which aquaculture is carried on by means of a semi-closed system if—
- (a) the fish are accompanied by a certificate—
- (i) that is in a form approved by the Aquaculture Minister; and
- (ii) that has been issued—
- (A) by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
- (B) within the previous 14 days; and
- (C) following examination of at least 30 fish in the consignment; and
- (iii) that certifies that the fish in the test sample are not affected with a notifiable disease and do not display signs of being affected with a disease; and

- (b) at least 2 days before the fish enter the licence area the Aquaculture Minister has been provided with a copy of the certificate referred to in paragraph (a).

Made by the Minister

on 28 September 2005

MAFF04/003/CS & 05/0028/CS

South Australia

Acts Interpretation (Miscellaneous) Amendment Act (Commencement) Proclamation 2005

1—Short title

This proclamation may be cited as the *Acts Interpretation (Miscellaneous) Amendment Act (Commencement) Proclamation 2005*.

2—Commencement of Act and suspension of certain provisions

- (1) The *Acts Interpretation (Miscellaneous) Amendment Act 2005* (No 13 of 2005) will come into operation on 3 October 2005.
- (2) The operation of section 17 of the Act insofar as it inserts section 51 in the *Acts Interpretation Act 1915* is suspended until a day to be fixed by subsequent proclamation.

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

AGO0436/02CS

South Australia

Fire and Emergency Services Act (Commencement) Proclamation 2005

1—Short title

This proclamation may be cited as the *Fire and Emergency Services Act (Commencement) Proclamation 2005*.

2—Commencement of Act

The *Fire and Emergency Services Act 2005* (No 40 of 2005) will come into operation on 1 October 2005.

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

MES05/011CS

South Australia

Administrative Arrangements (Administration of Fire and Emergency Services Act) Proclamation 2005

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Fire and Emergency Services Act) Proclamation 2005*.

2—Commencement

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

3—Committal of Act

The administration of the *Fire and Emergency Services Act 2005* is committed to the Minister for Emergency Services.

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

MES05/011CS

South Australia

Public Sector Management (Abolition of Emergency Services Administrative Unit) Proclamation 2005

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

1—Short title

This proclamation may be cited as the *Public Sector Management (Abolition of Emergency Services Administrative Unit) Proclamation 2005*.

2—Commencement

This proclamation will come into operation on 31 December 2005.

3—Abolition of Emergency Services Administrative Unit

The Emergency Services Administrative Unit is abolished.

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

MES05/011CS

South Australia

Fisheries (Vessel Monitoring Scheme) Variation Regulations 2005

under the *Fisheries Act 1982*

Contents

Part 1—Preliminary

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- 3 Variation provisions

Part 2—Variation of Fisheries (Vessel Monitoring Scheme) Regulations 2003

- 4 Variation of regulation 3—Interpretation
 - 5 Variation of regulation 4—Requirement to install VMS unit
 - 6 Variation of regulation 5—Requirement to ensure operation of VMS unit during fishing season
 - 7 Variation of regulation 6—Approval for VMS unit to be switched off or placed in sleep mode
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries (Vessel Monitoring Scheme) Variation Regulations 2005*.

2—Commencement

These regulations will come into operation on 1 October 2005.

3—Variation provisions

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

Part 2—Variation of *Fisheries (Vessel Monitoring Scheme) Regulations 2003*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *fishing season*—delete the definition and substitute:

fishing season—

- (a) in relation to the Marine Scalefish Fishery—means the period commencing on 1 January in any year and ending on 31 December in the same year;
- (b) in relation to the Miscellaneous Fishery—means the period commencing on 1 October in any year and ending on 31 May in the following year;
- (c) in relation to the Northern Zone Rock Lobster Fishery—means the period commencing on 1 November in any year and ending on 31 May in the following year;

Inmarsat-C means the Inmarsat-C satellite system;

- (2) Regulation 3(1), definitions of *prescribed fishing activity* and *registered boat*—delete the definitions and substitute:

prescribed fishing activity—

- (a) in relation to a licence in respect of the Marine Scalefish Fishery—means the taking of pilchards in coastal waters for the purpose of trade or business;
- (b) in relation to a licence in respect of the Miscellaneous Fishery—means the taking of giant crab in a giant crab fishing zone for the purpose of trade or business;
- (c) in relation to a licence in respect of the Northern Zone Rock Lobster Fishery—means the taking of rock lobster in the Northern Zone for the purpose of trade or business;

registered boat means—

- (a) a registered boat used pursuant to a licence in respect of the Marine Scalefish Fishery endorsed with a condition fixing a pilchard quota on the licence; or
- (b) a registered boat used pursuant to a licence in respect of the Miscellaneous Fishery endorsed with a condition fixing a giant crab quota on the licence; or
- (c) a registered boat used pursuant to a licence in respect of the Northern Zone Rock Lobster Fishery;

- (3) Regulation 3(2)—delete subregulation (2) and substitute:

- (2) Unless the contrary intention appears—

- (a) terms used in these regulations that are defined in the *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991* have the same respective meanings as in those regulations;

- (b) terms used in these regulations that are defined in the *Fisheries (Scheme of Management—Miscellaneous Fishery) Regulations 2000* have the same respective meanings as in those regulations;
 - (c) terms used in these regulations that are defined in the *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 1991* have the same respective meanings as in those regulations.
- (2a) In these regulations, a reference to using a boat for the purpose of engaging in a prescribed fishing activity includes a reference to using a boat for the purpose of engaging in an act preparatory to, or involved in, a prescribed fishing activity.

5—Variation of regulation 4—Requirement to install VMS unit

Regulation 4—after its present contents (now to be designated as subregulation (1)) insert:

- (2) If a registered boat to which an approved VMS unit is fitted is used to take pilchards pursuant to a licence in respect of the Marine Scalefish Fishery endorsed with a condition fixing a pilchard quota on the licence, the registered owner of the boat must ensure that a personal computer or data terminal capable of sending and receiving e-mail via Inmarsat-C is connected to the VMS unit.

Penalty: Division 6 fine.

Expiation fee: Division 6 fee.

6—Variation of regulation 5—Requirement to ensure operation of VMS unit during fishing season

- (1) Regulation 5—after subregulation (1) insert:

- (1a) If a personal computer or data terminal is connected to a VMS unit fitted to a registered boat, the registered owner of the boat must ensure that, at all times while the VMS unit is in operation, the personal computer or data terminal is operating and able to send and receive e-mail via Inmarsat-C.

Penalty: Division 6 fine.

Expiation fee: Division 6 fee.

- (2) Regulation 5(2)—after "VMS unit" insert:

, or a personal computer or data terminal connected to the VMS unit,

7—Variation of regulation 6—Approval for VMS unit to be switched off or placed in sleep mode

- (1) Regulation 6—after subregulation (1) insert:

- (1a) If a VMS unit is switched off or placed in sleep mode under subregulation (1), a personal computer or data terminal connected to the VMS unit may be switched off.

(2) Regulation 6—after subregulation (6) insert:

(7) If—

- (a) the VMS unit fitted to a registered boat has been switched off or placed in sleep mode; and
- (b) a personal computer or data terminal connected to the VMS unit has been switched off,

the registered owner of the boat must, before using the boat for the purpose of engaging in a prescribed fishing activity, ensure that—

- (c) the personal computer or data terminal is switched on; and
- (d) the ability of the personal computer or data terminal to send and receive e-mail via Inmarsat-C has been tested; and
- (e) the VMS administrator has confirmed that the personal computer or data terminal is able to send and receive e-mail via Inmarsat-C.

Penalty: Division 6 fine.

Expiation fee: Division 6 fee.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

No 206 of 2005

MAFF05/0013CS

South Australia

Fisheries (Scheme of Management—Marine Scalefish Fisheries) Variation Regulations 2005

under the *Fisheries Act 1982*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991

- 4 Variation of regulation 4—Interpretation
 - 5 Insertion of regulations 14D and 14E
 - 14D Restriction on use of certain registered boats to take pilchards
 - 14E Information to be provided to Director before certain registered boats are used to take pilchards
 - 6 Insertion of regulations 15B, 15C, 5D and 15E
 - 15B Disposal of pilchards
 - 15C Restriction on unloading of pilchards onto other boats
 - 15D Information relating to catch and disposal of pilchards to be reported to Director
 - 15E Catch and disposal records—pilchards
 - 7 Insertion of regulation 19
 - 19 Provision relating to keeping of documents
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Variation Regulations 2005*.

2—Commencement

These regulations will come into operation on 1 October 2005.

3—Variation provisions

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

Part 2—Variation of Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991

4—Variation of regulation 4—Interpretation

Regulation 4(1)—after the definition of *marine scalefish fishery* insert:

MSFP licence means a licence in respect of the Marine Scalefish Fishery endorsed with a condition fixing a pilchard quota on the licence;

5—Insertion of regulations 14D and 14E

After regulation 14C insert:

14D—Restriction on use of certain registered boats to take pilchards

- (1) A boat registered by endorsement of more than 1 MSFP licence must not be used to take pilchards pursuant to more than 1 such licence at any 1 time.
- (2) If subregulation (1) is contravened, the registered owner and registered master of the registered boat are each guilty of an offence.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

14E—Information to be provided to Director before certain registered boats are used to take pilchards

- (1) Subject to subregulation (3), at least 4 hours before a boat registered by endorsement of more than 1 MSFP licence departs on a trip during which it is to be used to take pilchards pursuant to such a licence, the Director must be informed by telephone of—
 - (a) the intended time of the boat's departure; and
 - (b) the number of the licence pursuant to which the boat is to be used.

- (2) If subregulation (1) is not complied with, the registered owner and registered master of the registered boat are each guilty of an offence.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

- (3) If a boat is used to take pilchards on 2 or more consecutive occasions pursuant to the same MSFP licence, subregulation (1) need only be complied with in relation to the first occasion.

6—Insertion of regulations 15B, 15C, 5D and 15E

After regulation 15A insert:

15B—Disposal of pilchards

The holder of a MSFP licence must ensure that all pilchards taken pursuant to the licence are consigned to a registered fish processor.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

15C—Restriction on unloading of pilchards onto other boats

The registered owner or registered master of a registered boat from which pilchards are taken pursuant to a MSFP licence must not cause, suffer or permit the pilchards to be unloaded onto another boat unless the other boat is specified on the certificate of registration of the registered fish processor to whom the pilchards are to be consigned.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

15D—Information relating to catch and disposal of pilchards to be reported to Director

- (1) If pilchards are taken from a registered boat pursuant to a MSFP licence, the holder of the licence must ensure that the information specified in subregulation (2) is reported to the Director within the time specified in subregulation (3).

Penalty: Division 7 fine.

Expiation fee: Division 9 fee.
- (2) The information that must be reported is—
 - (a) the name of the person making the telephone call; and
 - (b) the number of the licence pursuant to which the pilchards were taken; and
 - (c) the name of the registered boat from which the pilchards were taken; and
 - (d) the name of the registered master of the registered boat; and
 - (e) the location at which the pilchards are to be unloaded from registered boat; and
 - (f) the estimated time of arrival of the registered boat at that location; and
 - (g) the estimated total weight in tonnes of the pilchards taken; and
 - (h) the name of the registered fish processor to whom the pilchards are to be consigned; and
 - (i) whether the pilchards are to be delivered to the registered premises of the registered fish processor or to be loaded onto a boat specified in the certificate of registration of the registered fish processor; and
 - (j) the estimated time at which the pilchards are to be unloaded from the registered boat; and
 - (k) the number of the form PFCDR that is to be completed in respect of the pilchards.
- (3) The time within which the information must reported to the Director is—
 - (a) if the pilchards are to be delivered to the registered premises of a registered fish processor—at least 1 hour before the pilchards are unloaded from the registered boat; or

- (b) if the pilchards are to be loaded onto a boat specified in the certificate of registration of a registered fish processor—at least 2 hours before the pilchards are unloaded from the registered boat.
- (4) If, after the name of a registered fish processor is reported to the Director under subregulation (1), the holder of the licence decides to consign the pilchards to a different fish processor from that named in the report, the holder of the licence must ensure that the name of the other registered fish processor is reported to the Director before the pilchards are unloaded from the registered boat.
Penalty: Division 6 fine.
Expiation fee: Division 9 fee.
- (5) A report required by subregulation (1) or (4) must be made by telephone to a telephone number provided by the Director for the purposes of this regulation.

15E—Catch and disposal records—pilchards

- (1) In this regulation—
 - CDR book* means the document issued by the Department containing forms PFCDR;
 - form PFCDR* means the document produced by the Department entitled *PFCDR Primary Industries (S.A.) Fisheries Pilchards Catch and Disposal Record*;
 - form PFTF* means the document produced by the Department entitled *Pilchard Fishery Transit Form*;
 - PFTF book* means the document issued by the Department containing forms PFTF.
- (2) If pilchards are taken from a registered boat pursuant to a MSFP licence, the holder of the licence or the registered master of the registered boat must comply with the following provisions:
 - (a) immediately after the pilchards are unloaded from the registered boat he or she must complete Part A of a form PFCDR in respect of the pilchards;
 - (b) if the pilchards are to be loaded onto a boat specified in the certificate of registration of a registered fish processor, he or she must ensure that the blue and green copies of the form PFCDR completed in respect of the pilchards are given to the registered fish processor or an agent of the registered fish processor when the pilchards are loaded onto that boat;
 - (c) if the pilchards are to be transported to the registered premises of a registered fish processor, he or she must ensure that the blue and green copies of the form PFCDR completed in respect of the pilchards are transported to the registered premises together with the pilchards;
 - (d) if the pilchards are to be transported to the registered premises of a registered fish processor by 2 or more vehicles, he or she must ensure that—

- (i) the blue and green copies of the form PFCDR completed in respect of the pilchards are transported in 1 of the vehicles together with the pilchards; and
 - (ii) Part A of a form PFTF is completed in respect of each other vehicle that is to be used to transport the pilchards; and
 - (iii) the blue copy of a PFTF form completed in respect of a vehicle is transported to the registered premises together with the pilchards carried in that vehicle;
 - (e) he or she must cause the white copy of a form PFTF completed in respect of a vehicle to be posted to the Director within 48 hours of the pilchards having being loaded onto the vehicle for transportation to the registered premises of the registered fish processor;
 - (f) he or she must cause the white copy of the form PFCDR completed in respect of the pilchards to be posted to the Director—
 - (i) within 24 hours of the pilchards having being unloaded from the registered boat; or
 - (ii) if a copy of the form has been sent to the Director by facsimile transmission—within 48 hours of the pilchards having been unloaded from the registered boat;
 - (g) he or she must ensure that the CDR book is kept on the registered boat until the all PFCDR forms in the book are completed.
- (3) If a provision of subregulation (2) is not complied with, the holder of the licence is guilty of an offence.
Penalty: Division 6 fine.
Expiation fee: Division 9 fine.
- (4) The holder of a MSFP licence must ensure that if a form PFCDR completed in respect of pilchards taken pursuant to the licence is cancelled, all copies of the form are marked with the word "cancelled" and the white, blue and green copies of the form are delivered to the Director within 24 hours of the cancellation.
Penalty: Division 6 fine.
Expiation fee: Division 9 fine.
- (5) The holder of a MSFP licence must keep the following documents for a period of 7 years:
- (a) CDR books containing the yellow copies of completed forms PFCDR;
 - (b) PFTF books containing the yellow copies of completed forms PFTF.

Penalty: Division 6 fine.

Expiation fee: Division 9 fine.

7—Insertion of regulation 19

After regulation 18 insert:

19—Provision relating to keeping of documents

A person required by these regulations to keep a document for a period of time must ensure that the document—

- (a) is maintained in a good condition and is legible; and
- (b) is kept in a readily accessible place; and
- (c) is produced for inspection by a fisheries officer on request.

Penalty: Division 7 fine.

Expiation fee: Division 9 fee.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

No 207 of 2005

MAFF05/0013CS

South Australia

Fisheries (Fish Processors) Variation Regulations 2005

under the *Fisheries Act 1982*

Contents

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Part 2—Variation of Fisheries (Fish Processors) Regulations 1991

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 - 5 Insertion of regulation 19
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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries (Fish Processors) Variation Regulations 2005*.

2—Commencement

These regulations will come into operation on 1 October 2005.

3—Variation provisions

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

Part 2—Variation of *Fisheries (Fish Processors) Regulations 1991*

4—Variation of regulation 17—Delivery of pilchards to registered fish processor

- (1) Regulation 17(1)—after the definition of *form PFCDR* insert:

form PFTF means the document produced by the Department entitled *Pilchard Fishery Transit Form* properly completed by the person who took the pilchards;

(2) Regulation 17(2)—delete subregulation (2) and substitute:

(2) If—

- (a) a registered fish processor purchases or obtains pilchards from—
 - (i) the holder of a licence in respect of the Marine Scalefish Fishery endorsed with a condition fixing a pilchard quota on the licence; or
 - (ii) the agent of the holder of a licence referred to in subparagraph (i); and
- (b) the pilchards are consigned to the registered fish processor when the pilchards are unloaded from the registered boat from which they were taken; and
- (c) the pilchards are to be transported to the registered premises of the registered fish processor by 2 or more vehicles,

the registered fish processor must, before the vehicles depart for the registered premises, complete Part B of a form PFTF in respect of each vehicle other than the vehicle in which pilchards are to be transported together with a form PFCDR in respect of the pilchards.

Penalty: Division 7 fine.

Expiation fee: Division 9 fee.

- (3) A registered fish processor who purchases or obtains pilchards from a person referred to in subregulation (2)(a)(i) or (ii) must—
 - (a) on delivery of the pilchards to the registered premises of the registered fish processor—
 - (i) immediately weigh the pilchards; and
 - (ii) immediately complete the certificate contained in Part B of a form PFCDR in respect of the pilchards; and
 - (b) within 7 days of taking delivery of the pilchards to which the form PFCDR relates, deliver, or cause to be delivered, the completed form to the Director.

Penalty: Division 7 fine.

Expiation fee: Division 9 fee.

- (4) A registered fish processor must keep the blue copies of all forms PFCDR completed by the registered fish processor for a period of 7 years.

Penalty: Division 7 fine.

Expiation fee: Division 9 fee.

5—Insertion of regulation 19

After regulation 18 insert:

19—Provision relating to keeping of documents

A registered fish processor required by these regulations to keep a document for a period of time must ensure that the document—

- (a) is maintained in a good condition and is legible; and

(b) is kept in a readily accessible place; and

(c) is produced for inspection by a fisheries officer on request.

Penalty: Division 7 fine.

Expiation fee: Division 9 fee.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

No 208 of 2005

MAFF05/0013CS

South Australia

Southern State Superannuation Variation Regulations 2005

under the *Southern State Superannuation Act 1994*

Contents

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- 2 Commencement
- 3 Variation provisions

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- 4 Variation of regulation 7—Amount of invalidity/death insurance benefits and amount of premiums
- 5 Revocation of regulation 8
- 6 Variation of Schedule—Invalidity/death insurance benefits

Schedule 1—Transitional provision

- 1 Transitional provision
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Southern State Superannuation Variation Regulations 2005*.

2—Commencement

These regulations will come into operation on 2 October 2005.

3—Variation provisions

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

Part 2—Variation of *Southern State Superannuation Regulations 1995*

4—Variation of regulation 7—Amount of invalidity/death insurance benefits and amount of premiums

- (1) Regulation 7(4)(a)—delete paragraph (a) and substitute:
 - (a) for a person who is a member immediately before 1 July 2002—
 - (i) if the person is under the age of 60—

- (A) \$20 000; or
- (B) 1 unit of standard insurance cover,
whichever is the greater;
- (ii) in any other case—1 unit of standard insurance cover;
- (2) Regulation 7(5)—delete "\$1 per week" and substitute:
\$0.75 per week
- (3) Regulation 7(9)—delete "on a permanent basis must not exceed \$500 000" and substitute:
other than on a casual basis must not exceed \$1 000 000
- (4) Regulation 7(10)—delete "\$250 000" and substitute:
\$500 000

5—Revocation of regulation 8

Regulation 8—delete the regulation

6—Variation of Schedule—Invalidity/death insurance benefits

Schedule, Tables 1 and 2—delete the tables and substitute:

Table 1—Standard Insurance Cover

Age last Birthday	One Unit \$	Cost/Week \$
Up to 34	75 000	0.75
35	72 000	0.75
36	69 000	0.75
37	66 000	0.75
38	63 000	0.75
39	60 000	0.75
40	57 000	0.75
41	54 000	0.75
42	51 000	0.75
43	48 000	0.75
44	45 000	0.75
45	42 000	0.75
46	39 000	0.75
47	36 000	0.75
48	33 000	0.75
49	30 000	0.75
50	27 000	0.75
51	24 000	0.75
52	22 000	0.75
53	20 000	0.75

Age last Birthday	One Unit \$	Cost/Week \$
54	18 000	0.75
55	16 000	0.75
56	14 000	0.75
57	12 500	0.75
58	11 000	0.75
59	9 500	0.75
60	8 000	0.75
61	6 500	0.75
62	6 000	0.75
63	5 500	0.75
64	5 000	0.75

Table 2—Fixed Insurance Cover

Age last Birthday	One Unit \$	Cost/Week \$
20 and under	75 000	0.80
21	75 000	0.85
22	75 000	0.85
23	75 000	0.90
24	75 000	0.95
25	75 000	1.00
26	75 000	1.05
27	75 000	1.10
28	75 000	1.15
29	75 000	1.20
30	75 000	1.25
31	75 000	1.30
32	75 000	1.40
33	75 000	1.50
34	75 000	1.60
35	75 000	1.70
36	75 000	1.80
37	75 000	2.00
38	75 000	2.10
39	75 000	2.30
40	75 000	2.40
41	75 000	2.60

Age last Birthday	One Unit \$	Cost/Week \$
42	75 000	2.70
43	75 000	2.90
44	75 000	3.10
45	75 000	3.30
46	75 000	3.50
47	75 000	3.70
48	75 000	3.90
49	75 000	4.10
50	75 000	4.40
51	75 000	4.70
52	75 000	5.10
53	75 000	5.50
54	75 000	6.00
55	75 000	6.50
56	75 000	7.10
57	75 000	7.70
58	75 000	8.40
59	75 000	9.20
60	75 000	10.10
61	75 000	11.00
62	75 000	12.00
63	75 000	13.00
64	75 000	14.10

Note—

Under section 34(1) of the Act, a member is entitled to invalidity benefits only if the member's employment terminates on account of invalidity before the member reaches the age of 60 years. In Table 1 and Table 2, the insurance cover specified in respect of a member aged 60 and over is relevant only in respect of the death insurance benefit payable on behalf of the member.

Schedule 1—Transitional provision

1—Transitional provision

The variations made by these regulations to the *Southern State Superannuation Regulations 1995* apply as follows:

- (a) the variation made by regulation 4(1) applies with respect to a benefit that becomes payable after the commencement of these regulations;

- (b) the variation made by regulation 6 that constitutes an increase in a unit of cover by virtue of the substitution of new tables applies with respect to a benefit that becomes payable after the commencement of these regulations;
- (c) the other variations apply in all respects from the commencement of these regulations.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

No 209 of 2005

T&F05/059CS

South Australia

Fire and Emergency Services Regulations 2005

under the *Fire and Emergency Services Act 2005*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fire and Emergency Services Regulations 2005*.

2—Commencement

These regulations will come into operation on the day on which the *Fire and Emergency Services Act 2005* comes into operation.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—
Act means the *Fire and Emergency Services Act 2005*;
Australian Standard means a standard of Standards Australia;

incident management system (being a system that relates to SACFS)—see regulation 5;

incident response plan (being a plan that relates to SACFS)—see regulation 5;

operation, in relation to the activities of SACFS, includes a practice or training session for members of an SACFS organisation;

recognised emergency service means—

- (a) an emergency services organisation; or
- (b) South Australia Police; or
- (c) SA St John Ambulance Service Inc; or
- (d) SA Ambulance Service;

SA Water means the South Australian Water Corporation.

- (2) A reference in these regulations to the "Chief Officer" is a reference to the Chief Officer of the emergency services organisation to which the relevant provision relates.

Part 2—Constitution of the Board

4—Constitution of the Board

For the purposes of section 11(1)(e)(iii) of the Act, a person will be taken to have suitable volunteer experience if the person has undertaken voluntary effort for any common or community good within South Australia.

Part 3—SACFS

Division 1—Incident management systems

5—Incident management system

- (1) SACFS will prepare and maintain an overall plan for fighting fires and dealing with other emergencies in the country (the *incident management system*).
- (2) The objective of the incident management system will be to achieve—
 - (a) the greatest possible protection of life, property and the environment in the case of a fire or other emergency; and
 - (b) the greatest possible effectiveness and efficiency in the operations of SACFS in the case of a fire or other emergency.
- (3) Each SACFS organisation must prepare and maintain a plan for the implementation of the incident management system in its area of responsibility (an *incident response plan*).
- (4) A plan under subregulation (3) must—
 - (a) set incident response goals; and
 - (b) set out strategies for fighting fires and dealing with other emergencies in its area, and provide for the periodical review of those strategies; and
 - (c) set out procedures to facilitate co-ordination between the SACFS organisation and other recognised emergency services; and
 - (d) provide for the optimum use of equipment and other resources; and

- (e) set goals for the training and proficiency of the members of the SACFS organisation.
- (5) An SACFS organisation must, in order to ensure that it can implement the incident management system in accordance with its plan—
- (a) work to achieve and maintain the highest possible standards in the following organisational areas:
 - (i) operations;
 - (ii) planning;
 - (iii) logistics;
 - (iv) finance; and
 - (b) carefully manage its equipment and other resources and work (so far as may be reasonable) to develop and improve that equipment and those resources; and
 - (c) work to achieve and maintain the highest possible standards in occupational health, safety and welfare; and
 - (d) encourage and support the training and development of its members; and
 - (e) without limiting the operation of paragraph (d), ensure that it complies with any training requirements for SACFS organisations specified by the Chief Officer.

Division 2—SACFS organisations

Subdivision 1—SACFS brigades

6—Constitution of an SACFS brigade

- (1) A group of interested persons may apply to the Chief Officer for the constitution of an SACFS brigade in relation to a particular area of the State.
- (2) An application under subregulation (1) may propose that the SACFS brigade be established for a particular purpose associated with SACFS operations in a particular area of the State.
- (3) An application under subregulation (1) must—
 - (a) be made in a manner and form approved by the Chief Officer; and
 - (b) define the area in relation to which it is proposed that the brigade be established; and
 - (c) list the full name, residential address, occupation and date of birth of each person who is applying to be a foundation member of the brigade; and
 - (d) specify the location of any proposed fire station for the brigade; and
 - (e) if the application falls within the ambit of subregulation (2)—specify the proposed purpose of the brigade; and
 - (f) propose a constitution for the brigade; and
 - (g) contain such other information as the Chief Officer may require.
- (4) If the Chief Officer establishes an SACFS brigade, the Chief Officer must furnish the brigade with a certificate in the form of Schedule 1.

- (5) Unless the Chief Officer otherwise determines (whether on his or her own initiative or on the application of the members of the brigade), an SACFS brigade will have a constitution in the form set out in Schedule 2.

7—Registration of members of SACFS brigades

- (1) A person will not be recognised as a member of an SACFS brigade unless the person is registered as a member of that brigade by the Chief Officer.
- (2) The Chief Officer may refuse to register a person as a member of an SACFS brigade if—
 - (a) the Chief Officer requires the person to undergo a medical examination determined by the Chief Officer and the person fails to pass that examination; or
 - (b) the Chief Officer considers that the person is not a fit and proper person to be a member of an SACFS brigade; or
 - (c) in the case of a person who is applying to be registered as a fire-fighter—the Chief Officer considers that the person would not be reasonably available to respond to fires or other emergencies, or otherwise to carry out his or her functions and responsibilities as such a member of the brigade; or
 - (d) the Chief Officer is satisfied that some other reasonable ground exists on which to refuse registration.
- (3) An application to register a person as a member of an SACFS brigade must be in a form approved by the Chief Officer.
- (4) Unless the Chief Officer otherwise determines, the registration of a person as a member of an SACFS brigade will at first be on probation for a period of 6 months.
- (5) Subregulation (4) does not apply in relation to a person—
 - (a) who has transferred from one brigade to another brigade; and
 - (b) if so determined by the Chief Officer—whose period between being a member of one brigade and becoming a member of the other brigade does not exceed a period specified by the Chief Officer for the purposes of this provision; and
 - (c) who was not on probation as a member of the brigade from which he or she is transferring.
- (6) During a period of probation, the person must (unless the Chief Officer otherwise determines) successfully complete an introductory course of training approved by the Chief Officer.
- (7) If a person successfully completes a course in accordance with subregulation (6), the registration of that person as a member of an SACFS brigade will be taken to have been confirmed by the Chief Officer.
- (8) Unless the Chief Officer otherwise determines, if a person fails to complete a course in accordance with subregulation (6)—
 - (a) the person will be registered as an operational support member; or
 - (b) with the agreement of the person, his or her registration as a member of an SACFS brigade will lapse.
- (9) Subject to section 70 of the Act, the Chief Officer may terminate the registration of a person as a member of an SACFS brigade on any reasonable ground.

8—Categories of membership

- (1) There will be the following categories of membership in an SACFS brigade:
 - (a) cadet fire-fighter;
 - (b) fire-fighter;
 - (c) operational support member;
 - (d) honorary member.
- (2) A person is eligible to be a cadet fire-fighter if the person is of or above the age of 11 years and under the age of 18 years.
- (3) The following provisions apply in relation to cadet fire-fighters:
 - (a) a cadet fire-fighter must not be permitted to attend a fire or other emergency;
 - (b) subject to the operation of paragraph (a), a cadet fire-fighter may, under the supervision of another member of the brigade, operate pumps and hoses, and travel on fire appliances;
 - (c) cadet fire-fighters may hold their own meetings under the supervision of the brigade captain, or another member of the brigade nominated by the brigade captain;
 - (d) a cadet fire-fighter may attend an ordinary meeting of the brigade, but—
 - (i) a cadet fire-fighter is not eligible to vote on a matter arising for determination at a meeting of the brigade; and
 - (ii) a cadet fire-fighter will not be counted for the purpose of determining a quorum, or any other question relating to the attendance of members of the brigade at a meeting;
 - (e) a cadet fire-fighter may, after attaining the age of 16 years, apply to become a fire-fighter or operational support member.
- (4) A person is eligible to be a fire-fighter if the person—
 - (a) is of or above the age of 16 years and has made application under subregulation (3)(e); or
 - (b) is of or above the age of 18 years.
- (5) The brigade must determine the extent (if any) to which an operation support member may engage in fire-fighting activities as a member of the brigade.
- (6) The brigade must, in acting under subregulation (5), comply with any relevant policy issued by the Chief Officer.
- (7) A person is eligible to be an honorary member of an SACFS brigade if—
 - (a) the person is a member of the brigade and the nomination is based on the person's service to the brigade, or SACFS more generally, over a significant period of time; or
 - (b) the person is a member of the community and the nomination is based on the person's service to the brigade, SACFS more generally, or the community.
- (8) An application to become a member of an SACFS brigade must be made to the brigade in a manner and form approved by the Chief Officer and, in the case of an application by a person under the age of 18 years, must be accompanied by the written consent of a parent or guardian of the applicant.

- (9) A person may be proposed as an honorary member of an SACFS brigade without formal application.
- (10) An application for membership must be considered at a meeting of the brigade.
- (11) If—
 - (a) an SACFS brigade accepts an application; or
 - (b) the membership category of a person who is a member of an SACFS brigade changes,the brigade must apply to the Chief Officer for registration of that person as a member, or as a member in his or her new category (as the case may be).
- (12) An application under subregulation (11) must be made by the end of the month immediately following the month during which the application for membership is accepted, or the category of membership changes.
- (13) A person may not, without the approval of the Chief Officer, be a member of 2 or more brigades at the same time.
- (14) A person who becomes an honorary member of an SACFS brigade under subregulation (7)(b) will not be a registered member of SACFS (and may not be elected to any position under these regulations by virtue of the honorary membership or vote at any meeting of the brigade).

9—Brigade officers

- (1) Pursuant to section 70 of the Act, each SACFS brigade will have the following officers:
 - (a) a brigade captain;
 - (b) unless the Chief Officer otherwise determines—at least 2, but not more than 4, lieutenants (with the order of seniority of the lieutenants being decided in a manner determined by the brigade);
 - (c) with the approval of the Chief Officer—1 or more senior fire-fighters (with the number of senior fire-fighters not exceeding the number of lieutenants and the order of seniority of the senior fire-fighters being decided in a manner determined by the brigade).
- (2) Unless the Chief Officer otherwise determines, each position referred to in subregulation (1)(b) or (c) will be filled by election.
- (3) The specific functions of each officer are set out in Schedule 3.

10—Prescribed positions

- (1) Subject to this regulation, each SACFS brigade must have, in addition to its officers—
 - (a) a communications co-ordinator; and
 - (b) a training co-ordinator; and
 - (c) an equipment co-ordinator; and
 - (d) a logistics support co-ordinator; and
 - (e) an occupational health, safety and welfare co-ordinator; and
 - (f) an administrative co-ordinator.

- (2) Unless the Chief Officer otherwise determines (and subject to subregulation (4)), each position referred to in subregulation (1) will be filled by election.
- (3) The specific functions that attach to each position are set out in Schedule 4.
- (4) Despite a preceding subregulation, a brigade captain may decide to assume personally the functions of any position under subregulation (1) and, in that event, the position need not be filled.
- (5) An SACFS brigade may, with the approval of the Chief Officer, create such other positions within the brigade as the brigade thinks fit.
- (6) Unless the Chief Officer otherwise determines, a position under subregulation (5) will be filled in a manner determined by the brigade.
- (7) A member of an SACFS brigade holding a position under this regulation is responsible to the brigade captain for the performance of the functions that attach to the position.

11—Brigade elections

- (1) For the purposes of this regulation, the Chief Officer will determine whether as SACFS brigade will hold its elections in each year designated by an even number or in each year designated by an odd number.
- (2) Subject to subregulation (3), brigade elections must be held in July or August of an election year for that brigade.
- (3) The Chief Officer may, in special circumstances, allow a brigade to hold its elections at some other time.
- (4) Nominations of candidates for brigade elections will be called by the administrative co-ordinator of the brigade in accordance with the brigade's constitution.
- (5) Subject to these regulations, a person is eligible to be nominated for election to a position if the person is a registered member of the brigade.
- (6) A person is not eligible to be nominated for election to an officer rank if the person—
 - (a) would, if elected, hold the rank and the rank of group officer or deputy group officer at the same time; or
 - (b) would, if elected, hold the rank and a command or operational rank in another recognised emergency service at the same time; or
 - (c) has been disqualified from holding the rank by the Chief Officer.
- (7) In addition to subregulation (6), a person is not eligible to be nominated for election as brigade captain unless the person—
 - (a) has been a registered member of the brigade for at least 2 years; and
 - (b) has successfully completed appropriate courses of training approved by the Chief Officer.
- (8) The Chief Officer may, on the application of an SACFS brigade—
 - (a) determine that subregulation (6)(a) or (b) will not apply to a particular person; or
 - (b) dispense with a requirement under subregulation (7) if the Chief Officer is satisfied that there is no member of the brigade who satisfies the particular requirement, or that no member of the brigade who satisfies the particular requirement is willing to stand for election as brigade captain.

- (9) An election will be by secret ballot (unless the election is uncontested).
- (10) Each member of the brigade attending the meeting at which the elections are held is entitled to vote at the elections.
- (11) Voting for a position if only 1 person is to be elected will be conducted as follows:
 - (a) each member will vote for a candidate;
 - (b) after the votes under paragraph (a) are counted, the candidate with the fewest votes will be excluded and—
 - (i) if only 1 candidate remains, he or she will be elected; and
 - (ii) if 2 or more candidates remain, each member will, in respect of the remaining candidates, again vote for 1 candidate;
 - (c) the process under paragraph (b) will be continued until 1 candidate remains.
- (12) Voting for a position if 2 or more persons are to be elected will be conducted as follows:
 - (a) each member will vote for candidates up to the number required to be elected;
 - (b) after the votes under paragraph (a) are counted, the candidate with the fewest votes will be excluded and if more candidates remain than the number required to be elected, each member will, in respect of the remaining candidates, again vote for candidates up to the number required to be elected;
 - (c) the process under paragraph (b) will be continued until the number of candidates remaining is equal to the number required to be elected.
- (13) For the purposes of subregulations (11) and (12), if 2 candidates have an equal number of votes and 1 of them must be excluded, the person presiding at the election will determine the question by lot.
- (14) For the purposes of subregulation (12), voting for 1 candidate is the minimum requirement for a valid vote and voting for as many candidates as there are vacancies is the maximum number of votes that may be exercised for a valid vote.
- (15) A person elected to a position in an SACFS brigade holds that position from 1 September of the year of his or her election (except if a person is elected after 1 September of a particular election year, in which case the person will hold the position to which he or she is elected from the date of the election).
- (16) A person holds a particular position in an SACFS brigade until 31 August in the next election year of the brigade.
- (17) Subregulation (16) is subject to the following qualifications:
 - (a) a person ceases to hold a position in an SACFS brigade if the person ceases to be a member of that brigade;
 - (b) unless otherwise determined by the Chief Officer in relation to the particular person, a person ceases to hold an officer rank in an SACFS brigade if the person—
 - (i) assumes the rank of group officer or deputy group officer; or
 - (ii) assumes a command or operational rank in another recognised emergency service;
 - (c) a person may resign from a position in an SACFS brigade by written notice to the brigade;

- (d) a person may be demoted or disqualified from a particular position by the Chief Officer;
 - (e) a person elected to a position in an SACFS brigade at a supplementary election on account of a casual vacancy holds the position for the balance of the term of his or her predecessor;
 - (f) if a person's successor is not elected by 31 August of an election year, the person may continue to hold his or her position until a successor is elected.
- (18) If—
- (a) a brigade election fails; or
 - (b) a casual vacancy occurs in a position in a brigade,
- the brigade must hold a supplementary election in accordance with the brigade's constitution.
- (19) Pending the election of a person to fill a vacant position under subregulation (18)(b) (other than brigade captain), the brigade captain may appoint a member of the brigade to the position on an acting basis.
- (20) If the vacant position under subregulation (18)(b) is that of brigade captain—
- (a) if the brigade is a member of an SACFS group—the group officer; and
 - (b) if the brigade is not a member of an SACFS group—the regional officer,
- may appoint a member of the brigade to the rank of brigade captain on an acting basis.
- (21) A person may be re-elected to a position in an SACFS brigade.

12—Transfer of membership and resignation

- (1) A member of an SACFS brigade may, on written application to another brigade, apply to transfer his or her membership to that other brigade.
- (2) If a member of an SACFS brigade transfers to another brigade, a rank that he or she holds at brigade level is not transferred.
- (3) A member of an SACFS brigade may resign by written notice to the brigade.

13—Suspension of operations

- (1) The Chief Officer may, by notice in the Gazette, suspend the operations of an SACFS brigade for a period specified in the notice if—
 - (a) the membership of the brigade has fallen to a level where, in the opinion of the Chief Officer, the brigade can no longer function effectively; or
 - (b) the brigade fails to carry out a function under the Act; or
 - (c) the brigade fails to comply with these regulations.
- (2) The Chief Officer must, in determining whether or not to act under subregulation (1), consult with the members of the brigade.
- (3) The Chief Officer may, by further notice in the Gazette—
 - (a) extend a period of suspension under this regulation; or
 - (b) revoke a period of suspension under this regulation.

- (4) This regulation does not derogate from the power of the Chief Officer to dissolve an SACFS brigade under section 68 of the Act.

Subdivision 2—SACFS groups

14—Constitution of an SACFS group

- (1) Two or more SACFS brigades may apply to the Chief Officer for the constitution of an SACFS group.
- (2) An application under subregulation (1) must—
 - (a) be made in a manner and form approved by the Chief Officer; and
 - (b) propose a constitution for the group; and
 - (c) contain such information as the Chief Officer may require.
- (3) If the Chief Officer establishes an SACFS group, the Chief Officer must furnish the group with a certificate in the form of Schedule 5.
- (4) Unless the Chief Officer otherwise determines (whether on his or her own initiative or on the application of the brigades in the group), an SACFS group will have a constitution in the form set out in Schedule 6.

15—Membership of an SACFS group

- (1) All the members of the SACFS brigades that make up a particular SACFS group will be members of the group.
- (2) A person who is not a member of an SACFS brigade may be appointed as an honorary member of an SACFS group taking into account the following provisions:
 - (a) a person is eligible for honorary membership of a group if the nomination is based on the person's service to the group, SACFS more generally, or the community;
 - (b) a person may be proposed as an honorary member of a group without formal application;
 - (c) an appointment will be made by the SACFS group committee after consultation with such members of the group as the committee thinks fit;
 - (d) a person who is appointed as an honorary member of a group may not be elected to any position within the group under these regulations or exercise any vote as a member of the group.

16—Group officers

- (1) Pursuant to section 70 of the Act, each SACFS group will have the following officers:
 - (a) a group officer;
 - (b) unless the Chief Officer otherwise determines—at least 1, but not more than 3, deputy group officers (and the order of seniority of the deputy group officers will be decided in a manner determined by the group).
- (2) Unless the Chief Officer otherwise determines, each position referred to in subregulation (1)(b) will be filled by election.
- (3) The specific functions of each officer are set out in Schedule 7.

17—Prescribed group positions

- (1) Unless the Chief Officer otherwise determines, in addition to its officers, each SACFS group must have—
 - (a) a group communications co-ordinator; and
 - (b) a group training co-ordinator; and
 - (c) a group equipment co-ordinator; and
 - (d) a group logistics support co-ordinator; and
 - (e) a group health and safety representative; and
 - (f) a group administrative co-ordinator.
- (2) Unless the Chief Officer otherwise determines, each position referred to in subregulation (1) will be filled by election.
- (3) The specific functions that attach to each position are set out in Schedule 8.
- (4) A member of an SACFS group holding a position under this regulation is responsible to the group officer for the performance of the functions that attach to the position.

18—Group elections

- (1) For the purposes of this regulation, the Chief Officer will determine whether an SACFS group will hold its elections in each year designated by an even number or in each year designated by an odd number.
- (2) Subject to subregulation (3), group elections must be held in July or August of an election year for that group.
- (3) The Chief Officer may, in special circumstances, allow a group to hold its elections at some other time.
- (4) Nominations of candidates for group elections will be called by the group administrative co-ordinator in accordance with the group's constitution.
- (5) Subject to these regulations, a person is eligible to be nominated for election to a position if the person is a registered member of a brigade in the group.
- (6) Subject to subregulation (7), a person is not eligible to be nominated for election to an officer rank if the person—
 - (a) would, if elected, hold the rank and an officer rank in a brigade at the same time; or
 - (b) would, if elected, hold the rank and a command or operational rank in another recognised emergency service at the same time; or
 - (c) has been disqualified from holding the rank by the Chief Officer.
- (7) The Chief Officer may, on the application of an SACFS group, determine that subregulation (6)(a) or (b) will not apply to a particular person.
- (8) In addition to subregulation (6), a person is not eligible to be nominated for election as group officer unless the person has successfully completed appropriate courses of training approved by the Chief Officer.
- (9) The Chief Officer may, on the application of an SACFS group, dispense with the requirement under subregulation (8) if the Chief Officer is satisfied that it is appropriate in the circumstances of the particular case.

- (10) An election will be by secret ballot (unless the election is uncontested).
- (11) Each member of the group who is a brigade representative attending the meeting at which the elections are held is entitled to vote at the elections.
- (12) Voting for a position if only 1 person is to be elected will be conducted as follows:
 - (a) each brigade representative will vote for a candidate;
 - (b) after the votes under subregulation (12)(a) are counted, the candidate with the fewest votes will be excluded and—
 - (i) if only 1 candidate remains, he or she will be elected; and
 - (ii) if 2 or more candidates remain, each brigade representative will, in respect of the remaining candidates, again vote for 1 candidate;
 - (c) the process under paragraph (b) will be continued until 1 candidate remains.
- (13) Voting for a position if 2 or more persons are to be elected will be conducted as follows:
 - (a) each brigade representative will vote for candidates up to the number required to be elected;
 - (b) after the votes under paragraph (a) are counted, the candidate with the fewest votes will be excluded and if more candidates remain than the number required to be elected, each brigade representative will, in respect of the remaining candidates, again vote for candidates up to the number required to be elected;
 - (c) the process under paragraph (b) will be continued until the number of candidates remaining is equal to the number required to be elected.
- (14) For the purposes of subregulations (12) and (13), if 2 candidates have an equal number of votes and 1 of them must be excluded, the person presiding at the election will determine the question by lot.
- (15) For the purposes of subregulation (13), voting for 1 candidate is the minimum requirement for a valid vote and voting for as many candidates as there are vacancies is the maximum number of votes that can be exercised for a valid vote.
- (16) A person elected to a position in an SACFS group holds that position from 1 September of the year of his or her election (unless a person is elected after 1 September of a particular election year, in which case the person will hold the position to which he or she is elected from the date of the election).
- (17) A person holds a particular position in an SACFS group until 31 August in the next election year of the group.
- (18) Subregulation (17) is subject to the following qualifications:
 - (a) a person ceases to hold a position in an SACFS group if the person ceases to be a member of a brigade in the group;
 - (b) unless otherwise determined by the Chief Officer in relation to the particular person, a person ceases to hold an officer rank in an SACFS group if the person—
 - (i) assumes a rank in a brigade; or
 - (ii) assumes a command or operational rank in another recognised emergency service;
 - (c) a person may resign from a position in an SACFS group by written notice to the administrative co-ordinator of the group;

- (d) a person may be demoted or disqualified from a particular position by the Chief Officer;
 - (e) a person elected to a position in an SACFS group at a supplementary election on account of a casual vacancy holds the position for the balance of the term of his or her predecessor;
 - (f) if a person's successor is not elected by 31 August of an election year, the person may continue to hold his or her position until a successor is elected.
- (19) If—
- (a) a group election fails; or
 - (b) a casual vacancy occurs in a position in a group,
- the representatives of the brigades in the group must hold a supplementary election in accordance with the group's constitution.
- (20) Pending the election of a person to fill a vacant position under subregulation (19)(b) (other than group officer), the group officer may appoint a member of a brigade in the group to the position on an acting basis.
- (21) If the vacant position under subregulation (19)(b) is that of group officer—
- (a) the regional officer may appoint a member of a brigade in the group to the rank of group officer on an acting basis; or
 - (b) if the regional officer has not been successful in making an appointment under paragraph (a) within a period determined by the Chief Officer to be reasonable in the circumstances—the Chief Officer may, after consultation with the brigades in the group, appoint a person holding a position in SACFS outside a brigade in the group to the rank of group officer on an acting basis.
- (22) A person may be re-elected to a position in an SACFS group.
- (23) While a person holds the rank of group officer or deputy group officer, the person will be regarded as being on leave of absence from his or her brigade without loss of continuity of service.

19—SACFS group committee

- (1) Each SACFS group will have an SACFS group committee.
- (2) A committee will consist of—
 - (a) the group officer; and
 - (b) the deputy group officer, or deputy group officers; and
 - (c) 1 representative of each brigade in the group; and
 - (d) the group administrative co-ordinator; and
 - (e) 1 or more of the following persons, as determined by the members of the group and approved by the Chief Officer:
 - (i) 1 representative from each council whose area lies wholly or partially within the area of the group;
 - (ii) 1 representative of the administrative unit responsible to the Minister with primary responsibility for the environment, if any property within the area of the group is managed by that administrative unit;

- (iii) 1 representative of the South Australian Forestry Corporation, if any property within the area of the group is managed by that entity;
 - (iv) 1 representative of SAMFS;
 - (v) any other person who has an interest in the activities of the group and who is considered to be a person who would make a worthwhile contribution to the activities of the committee.
- (3) The functions of a committee will be as set out in the constitution of the SACFS group.
- (4) A member of a committee appointed under subregulation (2)(e) will not have a vote at a meeting of the committee.
- (5) Unless the Chief Officer otherwise determines, the group officer will, if present at a meeting of a committee, preside at that meeting and, in the absence of the group officer (and in the absence of a deputy group officer), a member of the committee chosen by the members present and exercising a vote will preside.
- (6) The prescribed number of members of a committee constitute a quorum of the committee.
- (7) The prescribed number for the purposes of subregulation (6) is a number ascertained by dividing the total number of members of the committee under subregulation (2)(a), (b), (c) and (d) by 2, ignoring a fraction resulting from the division, and adding 1.
- (8) A question for decision at a meeting of a committee will be decided by a majority of the votes cast at the meeting by the members who are present and entitled to vote.
- (9) Each member present at a meeting, other than a member appointed under subregulation (2)(e), is entitled to 1 vote on a question for decision (and if the group officer (or a deputy group officer who has assumed the functions and responsibilities of the group officer), or another person who has been appointed by the Chief Officer to be the presiding member of the committee by virtue of a determination under subregulation (5), is presiding at the meeting, he or she has, in the event of an equality of votes, a second or casting vote but otherwise the person presiding at the meeting does not have a second or casting vote).
- (10) A committee must keep minutes of its proceedings.
- (11) Subject to this regulation, and a direction of the group or the Chief Officer, a meeting of a committee will be conducted in such manner as the committee may determine.

Subdivision 3—Accounts, audits and reporting

20—Accounts and audits

- (1) Each SACFS organisation that holds any money must open and maintain an operating account at an ADI.
- (2) An SACFS organisation must ensure that proper accounting records are kept of the financial affairs of the organisation.
- (3) An SACFS organisation must, as soon as practicable after the end of each accounting period, cause accounts in respect of that accounting period to be prepared and audited—
 - (a) by a member of CPA Australia; or
 - (b) by a member of the National Institute of Accountants; or
 - (c) by a member of The Institute of Chartered Accountants in Australia; or

- (d) by a person (not being a member of SACFS) with such other qualifications or experience as the Chief Officer may approve for the purposes of this regulation.
- (4) A member of SACFS cannot audit the accounts of an SACFS organisation of which he or she is a member.
- (5) A copy of the audited accounts of an SACFS organisation must be presented to the members of the organisation at its annual general meeting.
- (6) A member of an SACFS organisation—
 - (a) must, at the request of the auditor for that organisation, produce accounts or other financial records of the organisation in his or her possession for the auditor's inspection;
 - (b) must, at the request of the Chief Officer, produce accounts or other financial records of the organisation in his or her possession for the Chief Officer's inspection.

Maximum penalty: \$2 000.

- (7) A member of an SACFS organisation—
 - (a) must, at the request of the auditor for that organisation, provide the auditor with explanations or information that the auditor requires for the purposes of an audit;
 - (b) must, at the request of the Chief Officer, provide the Chief Officer with explanations or information relating to the financial affairs of the organisation.
- (8) The Minister may, on the recommendation of the Chief Officer, exempt an SACFS organisation from—
 - (a) a requirement to prepare annual statements of account;
 - (b) a requirement to have annual statements of account audited,

on the ground that the financial activities of the SACFS organisation (if any) do not, in the opinion of the Minister, justify the imposition of the relevant requirement or requirements, or on any other ground determined to be reasonable by the Minister in the circumstances.

- (9) In this regulation—

accounting period means—

- (a) subject to any determination under paragraph (b)—a financial year; or
- (b) any period determined by the Chief Officer to be an accounting period for the purposes of this regulation.

21—Annual returns

Each SACFS organisation must, on or before 31 August in each year, deliver to the Chief Officer a return (in a form determined by the Chief Officer) containing—

- (a) the full name, residential address, contact telephone number and date of birth of each member of SACFS who will hold a position in the organisation during the 12 month period commencing on 1 September of that year; and
- (b) a copy of the audited operating accounts of the organisation for such period as the Chief Officer may require (subject to the operation of any exemption granted by the Minister); and
- (c) such other information as the Chief Officer may require.

Subdivision 4—Conduct and discipline of members

22—Conduct and discipline of members

- (1) A member of an SACFS organisation who—
 - (a) contravenes or fails to comply with—
 - (i) a provision of the Act or these regulations; or
 - (ii) a provision of a code of conduct for SACFS published by the Chief Officer; or
 - (iii) a direction or order given to the person as a member of SACFS by a person with authority to give that direction or order; or
 - (iv) a provision of the SACFS organisation's constitution; or
 - (b) is negligent or indolent in the discharge of official duties as a member of SACFS; or
 - (c) leaves a place of duty without reasonable excuse; or
 - (d) commits a form of disgraceful or improper conduct in an official capacity; or
 - (e) subverts or disrupts the operations or activities of an SACFS organisation; or
 - (f) makes improper use of his or her SACFS position or rank; or
 - (g) makes improper use of property or equipment; or
 - (h) behaves in any other manner that reflects seriously and adversely on SACFS,

is liable to disciplinary action.
- (2) If an SACFS officer suspects on reasonable grounds that a member of an SACFS organisation may be liable to disciplinary action, the SACFS officer may prepare a written report in relation to the matter.
- (3) The SACFS officer must inform the member (orally or in writing) of the preparation of a report under subregulation (2).
- (4) If a report is prepared in respect of an SACFS member by an officer who is not the member's commanding officer, the report must be delivered to the commanding officer.
- (5) The commanding officer must (whether he or she has prepared the report under subregulation (2) or received the report under subregulation (4)), send a copy of the report to the Deputy Chief Officer, together with such comments and recommendations as the commanding officer thinks fit.
- (6) The Deputy Chief Officer must, on receipt of a report under this regulation—
 - (a) determine whether or not to carry out an investigation in relation to the matter; or
 - (b) determine to refer the matter to a disciplinary panel so that the disciplinary panel may carry out an investigation in relation to the matter.
- (7) A disciplinary panel will be constituted by the Deputy Chief Officer after taking into account any requirements determined by the Chief Officer.
- (8) If an investigation is to be carried out, the Deputy Chief Officer or the disciplinary panel (as the case may be) must—
 - (a) give the member written notice of the investigation, setting out the grounds on which the investigation is being conducted; and

- (b) give the member a reasonable opportunity to appear (either personally or by representative) and to make submissions in relation to the matter.
- (9) The Chief Officer may, pending the outcome of an investigation, if he or she thinks fit, suspend the member from service with SACFS.
- (10) The Deputy Chief Officer or disciplinary panel (as the case may be) may, at the completion of an investigation, make a recommendation to the Chief Officer as to whether or not it is considered, on the balance of probabilities, that there are grounds for disciplinary action.
- (11) If a recommendation is made to the Chief Officer that there are grounds for disciplinary action, the Chief Officer—
 - (a) must give notice in writing of that fact to the member; and
 - (b) may—
 - (i) after observing the requirements of section 70(12) of the Act, determine to take action under section 70(11) of the Act (on reasonable grounds); or
 - (ii) determine not to take action in relation to the matter.
- (12) However, the Chief Officer must not take action under section 70(11) of the Act until the time for lodging an appeal under subregulation (13) has expired.
- (13) The member may, within 14 days after notice is given to the member in accordance with subregulation (11), appeal to the Chief Officer against the recommendation of the Deputy Chief Officer or disciplinary panel (as the case may be).
- (14) For the purposes of section 70(11)(d) of the Act, the following additional disciplinary powers are prescribed:
 - (a) the power to reprimand;
 - (b) the power to suspend a member for a specified period.
- (15) Nothing in this regulation—
 - (a) prevents the making of preliminary investigations by an officer of SACFS prior to the presentation of a report under this regulation;
 - (b) limits the operation of the principles of natural justice.
- (16) If the position of the Deputy Chief Officer is vacant, or if the Deputy Chief Officer is absent, another officer determined by the Chief Officer may exercise and perform the powers and functions of the Deputy Chief Officer under this regulation.

Subdivision 5—Miscellaneous matters

23—Incident reports

- (1) When an SACFS organisation attends a fire or other emergency, the commanding officer of that organisation must ensure that the Chief Officer is furnished with a report on the incident and its handling by the SACFS organisation.
- (2) A report under subregulation (1) must—
 - (a) be furnished to the Chief Officer within a period determined by the Chief Officer; and
 - (b) be in a form determined by the Chief Officer; and

- (c) contain the name of each member of the SACFS organisation who attended the fire or other emergency.

24—Absence from SACFS duties

- (1) A member of an SACFS organisation may apply to his or her commanding officer for leave of absence.
- (2) A commanding officer may grant up to 3 months leave of absence.
- (3) If an applicant requires more than 3 months leave of absence, the application must be forwarded to the Chief Officer, together with a recommendation on the application from the commanding officer.
- (4) The Chief Officer may, on receipt of an application under subregulation (3), grant such leave of absence as the Chief Officer thinks fit.
- (5) In deciding whether or not to grant leave of absence (or to recommend such leave), a commanding officer must take into account the effect (if any) that the granting of the leave would have on the ability of the relevant SACFS organisation to perform its functions under the Act effectively and efficiently.
- (6) If a member of an SACFS organisation, without reasonable excuse, fails to attend 3 or more consecutive monthly meetings of the organisation without leave of absence, the organisation may cancel his or her membership.
- (7) Before taking action under subregulation (6), the SACFS organisation must give the person a reasonable opportunity to make submissions in relation to the proposed course of action.

25—Brigades formed by various government agencies

Except to such extent as the Chief Officer may otherwise determine, this Part may extend to a brigade formed or operated by a government department, or another agency or instrumentality of the Crown, for the purpose of fighting fires in the country.

Division 3—Fire prevention authorities

Subdivision 1—Regional bushfire prevention committees

26—Selection of SACFS representatives

For the purposes of section 73(2)(b)(i) of the Act, the following procedures are prescribed in relation to the selection of persons to represent SACFS groups on a regional bushfire prevention committee:

- (a) the Chief Officer will send a written notice to the administrative manager of each group in the region—
 - (i) indicating that a representative, or 2 representatives (as the case may be), need to be selected for appointment to the committee; and
 - (ii) inviting the group to nominate 1 or more members of the SACFS for selection; and
 - (iii) specifying a date by which the representative or representatives must be selected;

- (b) a date (being a date before the date specified in the notice under paragraph (a)(iii)), time and place for a meeting of group officers to select the representative or representatives must then be set by agreement between the relevant administrative managers or, in default of agreement, by the Chief Officer;
- (c) each group officer, or his or her nominee, is entitled to attend the meeting and vote on the choice of representative or representatives;
- (d) the persons attending the meeting and entitled to vote must, before commencing proceedings, select a person to preside at the meeting;
- (e) voting to select the representative or representatives will be by secret ballot conducted as follows:
 - (i) each voter will vote for a representative, or for 2 representatives (depending on the number required);
 - (ii) after the votes under subparagraph (i) are counted, the candidate with the fewest votes will be excluded and if more candidates remain than the number of representatives required, each voter will, in respect of the remaining candidates, again vote for a representative, or for 2 representatives (depending on the number required);
 - (iii) the process under subparagraph (ii) will be continued until the number of candidates remaining is equal to the number of representatives required;
 - (iv) if 2 candidates have an equal number of votes and 1 of them must be excluded, the person presiding at the meeting will determine the question by lot;
- (f) the person presiding at the meeting must ensure that the Chief Officer receives, within 14 days after the meeting, written notification of the full name, residential address, contact telephone number and rank (if any) of a person selected at the meeting to be a representative;
- (g) in the event that a representative is not selected under the preceding provisions by the date specified by the Chief Officer in the relevant notice under paragraph (a)(iii), the Chief Officer may make his or her own selection.

27—Selection of council representatives

For the purposes of section 73(2)(b)(ii) of the Act, the following procedures are prescribed in relation to the selection of persons to represent councils on a regional bushfire prevention committee:

- (a) the Chief Officer will send a written notice to the Chief Executive Officer of each council whose area lies wholly or partially within the region—
 - (i) indicating that a representative, or 2 representatives (as the case may be), need to be selected for appointment to the committee; and
 - (ii) inviting the council to nominate 1 or more persons for selection; and
 - (iii) specifying a date by which the representative or representatives must be selected;
- (b) a date (being a date before the date specified in the notice under paragraph (a)(iii)), time and place for a meeting of councils to select the representative or representatives must then be set by agreement between the Chief Executive Officers for the relevant councils or, in default of agreement, by the Chief Officer;

- (c) each council must then nominate a member of the council to attend the meeting and vote on the choice of representative or representatives;
- (d) the persons attending the meeting and entitled to vote must, before commencing proceedings, select a person to preside at the meeting;
- (e) voting to select the representative or representatives will be by secret ballot conducted as follows:
 - (i) each voter will vote for a representative, or for 2 representatives (depending on the number required); and
 - (ii) after the votes under subparagraph (i) are counted, the candidate with the fewest votes will be excluded and if more candidates remain than the number of representatives required, each voter will, in respect of the remaining candidates, again vote for a representative, or for 2 representatives (depending on the number required);
 - (iii) the process under subparagraph (ii) will be continued until the number of candidates remaining is equal to the number of representatives required;
 - (iv) if 2 candidates have an equal number of votes and 1 of them must be excluded, the person presiding at the meeting will determine the question by lot;
- (f) the person presiding at the meeting must ensure that the Chief Officer receives, within 14 days after the meeting, written notification of the full name, residential address and contact telephone number of a person selected at the meeting to be a representative;
- (g) in the event that a representative is not selected under the preceding provisions by the date specified by the Chief Officer in the relevant notice under paragraph (a)(iii), the Chief Officer may make his or her own selection.

28—Prescribed functions

- (1) Pursuant to section 74(1)(f) of the Act, a regional bushfire prevention committee must, on or before 30 June in each year, deliver to the Chief Officer an annual report on the bushfire prevention activities undertaken in its region during the 12 month period ending on 30 April in that year.
- (2) A report under subregulation (1) must be accompanied by the reports for the same period submitted to the regional bushfire prevention committee by district bushfire prevention committees in its region.

Subdivision 2—District bushfire prevention committees

29—District bushfire prevention committees

- (1) For the purposes of section 75(2)(b)(i) of the Act, the following procedures are prescribed in relation to the selection of a person to represent an SACFS brigade on a district bushfire prevention committee:
 - (a) the council or councils responsible for the committee must send a written notice to the administrative co-ordinator of the brigade—
 - (i) indicating that a representative needs to be selected for appointment to the committee; and

- (ii) inviting the brigade to select a member of SACFS; and
 - (iii) specifying a date (being between 6 and 10 weeks after the date of the notice) by which the representative must be selected;
 - (b) the brigade must then, at a general meeting, select a member of SACFS to be its representative on the committee;
 - (c) the administrative co-ordinator must then ensure that the council or councils receive, within 14 days after the meeting, written notification of the full name, residential address and contact telephone number of the person selected to be the brigade's representative;
 - (d) in the event that a representative is not selected by a brigade under a preceding paragraph by the date specified by the council or councils in their notice under paragraph (a)(iii), the Chief Officer may select a member of SACFS to represent the brigade on the committee.
- (2) The administrative co-ordinator must also, within the period referred to in subregulation (1)(c), send a copy of a notification under that subregulation to the Chief Officer.

30—Prescribed functions

- (1) Pursuant to section 76(1)(f) of the Act, a district bushfire prevention committee must—
- (a) formulate guidelines for the issue of permits within its area; and
 - (b) during October in each year, deliver to the regional bushfire prevention committee whose region includes its area (or, if no such committee exists, to the Chief Officer) a report on the state of fire prevention planning in its area; and
 - (c) on or before 31 May in each year, deliver to that regional bushfire prevention committee (or, if no such committee exists, to the Chief Officer) an annual report on—
 - (i) bushfire prevention activities undertaken in its area during the 12 month period ending on 30 April in that year; and
 - (ii) the outcome achieved as a result of the planning reported during the preceding October.
- (2) A district bushfire prevention committee must, in formulating guidelines for the purposes of subregulation (1)(a), take into account relevant determinations of the Chief Officer.
- (3) A district bushfire prevention committee must meet at least 3 times a year.

Subdivision 3—Fire prevention officers

31—Fire prevention officers

For the purposes of section 77(1) of the Act, a person who has successfully completed a course of training for fire prevention officers provided by SACFS or approved or recognised by the Chief Officer is suitably qualified to be appointed by a council as a fire prevention officer.

Division 4—Fire prevention

Subdivision 1—Preliminary

32—Interpretation

In this Division, unless the contrary intention appears—

aircraft does not include model aircraft;

domestic premises means a building or other structure that is fixed to the ground and connected to a reticulated or stored water supply and that is occupied as a place of residence but does not include a caravan;

electric welder means an electrode that produces an electric arc for the purpose of welding, cutting or heating;

flammable gas means liquefied petroleum gas, reticulated gas, compressed natural gas or acetylene;

foreshore means the foreshore of the sea along the coastline of the State and includes the area from low water mark to the nearest bush, standing grass or road (as the case may be);

gas fire means an appliance that only uses flammable gas as a fuel;

land holding means a continuous area of land subject to the same occupation (and for the purposes of this definition, separate parcels of land subject to the same occupation divided by a road or railway will be regarded as being continuous);

portable water spray means—

- (a) a knapsack spray pump that—
 - (i) is fully charged; and
 - (ii) complies with Australian Standard 1687-1991: Knapsack Spray Pumps for Fire Fighting; or
- (b) a water fire extinguisher that—
 - (i) is fully charged; and
 - (ii) has a tank capacity of at least 9 litres; and
 - (iii) complies with Australian Standard 1841.2-1997: Portable Fire Extinguishers—Specific Requirements for Water Type Extinguishers; and
 - (iv) is maintained in accordance with Australian Standard 1851.1-1995: Maintenance of Fire Protection Equipment—Portable Fire Extinguishers and Fire Blankets;

spark arrester means a device or arrangement that complies with Australian Standard 1019-2000.

Subdivision 2—Fires during the fire danger season

33—Permits

- (1) In this regulation—

designated area means an area of the State in relation to which a fire control officer has been appointed under section 103 of the Act;

relevant land means land to be burnt off under a permit.

- (2) A permit authorising a person to light or maintain a fire in the open air during the fire danger season (but not contrary to the terms of a total fire ban) will be in the form set out in Schedule 9.
- (3) A permit authorising a person to light or maintain a fire in the open air—
 - (a) contrary to the terms of a total fire ban; or
 - (b) during the fire danger season and contrary to the terms of a total fire ban,will be in the form set out in Schedule 10.
- (4) A permit issued under the Act for burning off land will include the following conditions:
 - (a) that the land immediately around the relevant land must be cleared of all flammable material to a distance of at least 4 metres;
 - (b) that at least 2 persons who are able to control the fire, or such greater number of persons as may be specified in the permit, must be present at the site of the fire from the time it is lighted to the time it is completely extinguished;
 - (c) that the fire must first be lighted from the leeward side of the relevant land to establish a protective break, and then may be lighted from the windward side of the land;
 - (d) that at least 250 litres of water, or such greater amount of water as may be specified in the permit, must be kept at hand to extinguish the fire;
 - (e) a water pump and hoses must be kept at hand in case water must be used to control or extinguish the fire;
 - (f) that the holder of the permit must, not more than 7 days, and not less than 2 hours, before the fire is lighted, give notice of his or her intention to light the fire—
 - (i) to any person who owns, occupies or is in charge of land adjoining the land holding where the relevant land is situated and who resides within 8 kilometres of the relevant land or, if it is not reasonably practicable to give such a notice, to the person in charge of the nearest police station; and
 - (ii) if the relevant land is inside (or partially inside) a council area—to an officer of the council for that area; and
 - (iii) if the relevant land is within 2 kilometres of a government reserve—to the person in charge of the reserve; and
 - (iv) —
 - (A) if the relevant land is within the area of an SACFS brigade—to an officer of that brigade; and
 - (B) if the relevant land is within a designated area—to the fire control officer for that area; and
 - (C) if neither subsubparagraph (A) nor (B) apply—to the Chief Officer.
- (5) A permit issued under the Act other than for burning off land will include the following conditions:
 - (a) that the space immediately around and above the fire must be cleared of all flammable material to a distance of at least 4 metres;

- (b) that an appropriate agent adequate to extinguish the fire must be kept at hand;
 - (c) that at least 1 person who is able to control the fire, or such greater number of persons as may be specified in the permit, must be present at the site of the fire from the time it is lighted to the time it is completely extinguished;
 - (d) that if the fire is to be lighted within the area of an SACFS brigade, the holder of the permit must, not more than 7 days, and not less than 2 hours, before the fire is lighted, give notice of his or her intention to light the fire to an officer of that brigade.
- (6) A notice under subregulation (4)(f) or (5)(d)—
- (a) may be given—
 - (i) in person; or
 - (ii) in writing; or
 - (iii) by telephone or facsimile transmission; or
 - (iv) by email (to a specified electronic address); or
 - (v) by radio; and
 - (b) must include details of the place, date and time at which the fire will be lighted.
- (7) An authorised officer may, at his or her discretion, by endorsement on the permit, exempt the holder of a permit from the requirement to comply with a condition under subregulation (4) or (5).
- (8) An application for a permit may be made—
- (a) in person; or
 - (b) in writing; or
 - (c) by telephone or facsimile transmission; or
 - (d) by email (to a specified electronic address); or
 - (e) by radio.
- (9) An application for a permit must specify the location of the proposed fire with reasonable particularity and comply with any other requirement determined by the Chief Officer.
- (10) If an authorised officer issues a permit—
- (a) preliminary notice of the issue of the permit may be given to the permit holder by contacting the permit holder by telephone, facsimile transmission, email or radio and informing him or her of the permit number and the conditions included in the permit (and the permit holder may proceed to act under the permit on the basis of that notification); and
 - (b) the authorised officer must send a copy of the permit to the permit holder at the address shown on the written application form or, if there was no such form, at his or her last known address; and
 - (c) if the permit authorises the permit holder to light or maintain a fire contrary to the terms of a total fire ban, the authorised officer must—
 - (i) give notice of the issue of the permit to—
 - (A) the regional officer in whose region the fire will be lighted; and

- (B) if the fire will be inside (or partially inside) a council area—an officer of the council for that area; and
 - (C) if the fire will be within the area of an SACFS brigade—an officer of that brigade,
(whether personally or by telephone or radio); and
- (ii) send a copy of the permit to the regional officer and any council to which subparagraph (i) applies.

34—Special provisions relating to gas and electric cooking appliances

- (1) For the purposes of section 79(2)(e) of the Act, a person may operate a gas fire or electric element for cooking purposes in the open air during the fire danger season, provided that—
- (a) the space immediately around and above the gas fire or electric element is cleared of all flammable material to a distance of at least 4 metres; and
 - (b) a person who is able to control the gas fire or electric element is present at all times while it is lighted or charged; and
 - (c) an appropriate agent adequate to extinguish a fire is at hand.
- (2) For the purposes of section 80(4)(a) of the Act, a person may operate a gas fire or electric element for cooking purposes in the open air contrary to the terms of a total fire ban, provided that—
- (a) the gas fire or electric element is used within 15 metres of domestic premises, or on the foreshore; and
 - (b) the space immediately around and above the gas fire or electric element is cleared of all flammable material to a distance of at least 4 metres; and
 - (c) a person who is able to control the gas fire or electric element is present at all times while it is lighted or charged; and
 - (d) an appropriate agent adequate to extinguish a fire is at hand.
- (3) In addition to subregulations (1) and (2)—
- (a) a council may in relation to a part of its area; and
 - (b) the Chief Officer may in relation to a part of the State outside the area of a council,
- by notice in the Gazette declare an area of the State to be an area where a person may, in accordance with the terms of the notice, operate a gas fire or electric element for cooking purposes in the open air contrary to the terms of a total fire ban.
- (4) A notice under subregulation (3)—
- (a) must be in the form set out in Schedule 11; and
 - (b) may be limited in its operation to particular times of the day, and to particular days of the year; and
 - (c) will operate subject to the following conditions:
 - (i) that the space immediately around and above the gas fire or electric element must be clear of all flammable material to a distance of at least 4 metres;
 - (ii) that a person who is able to control the gas fire or electric element must be present at all times while it is lighted or charged;

- (iii) that an appropriate agent adequate to extinguish a fire must be at hand; and
 - (d) will operate subject to such other conditions (if any) as may be specified by the council or the Chief Officer (as the case may be); and
 - (e) may be varied or revoked by further notice in the Gazette.
- (5) If a council publishes a notice in the Gazette under this regulation, the council must immediately send a copy of the notice to the Chief Officer.

35—Fires during fire danger season

For the purposes of section 79(2)(e) of the Act, a fire may be lighted or maintained in the open air during the fire danger season in an orchard or vineyard for the purpose of smudging for insect pests, or preventing damage by frost, provided that the space immediately around and above the fire is cleared of all flammable material, other than growing fruit trees or vines, to a distance of at least 4 metres.

36—Fires in the open air on a total fire ban day

For the purposes of sections 79(2)(e) and 80(4)(a) of the Act, a fire may be lighted or maintained in the open air during the fire danger season and contrary to the terms of a total fire ban—

- (a) by an aboriginal person, provided that—
 - (i) the fire is lighted on land set aside for aboriginal purposes; and
 - (ii) the fire is used for ordinary domestic purposes within the traditional aboriginal way of life; or
- (b) to charge explosive materials as part of mining operations under or pursuant to the *Mines and Works Inspection Act 1920*, provided that—
 - (i) the space immediately around and above any blast hole is cleared of all flammable material to a distance of at least 4 metres; and
 - (ii) at least 2 shovels or rakes, and at least 2 portable water sprays in good working order, are at hand; and
 - (iii) a sufficient number of persons who would be able to control the escape and spread of fire are present at all times during the mining operations involving the use of those explosive materials; or
- (c) to light a flare containing flammable material in connection with a mercy flight or in a situation where an aircraft cannot use an electrically lit runway, provided that—
 - (i) each flare is in a metal tray that is large enough to hold all the flammable material; and
 - (ii) the space immediately around the flare is cleared of all flammable material to a distance of at least 4 metres; and
 - (iii) fire-fighting equipment adequate to extinguish the flare and control the escape and spread of fire is at hand; and
 - (iv) a sufficient number of persons to control the escape and spread of fire are present at the site of the flares from the time they are lighted to the time they are completely extinguished; or

- (d) by a member of SACFS or another recognised emergency service if the fire is connected with the use of equipment required in an emergency to protect life or property, provided that such steps as are reasonably practicable in the circumstances are taken to control the escape and spread of fire.

Subdivision 3—Restrictions on the use of certain appliances etc

37—Stationary engines

- (1) In this regulation—

stationary engine means a steam engine, an internal combustion engine or a turbine engine that is operated in a stationary position.

- (2) Pursuant to section 89 of the Act, a stationary engine is prescribed.
- (3) A person must not, during the fire danger season, operate a stationary engine not enclosed by non-flammable material in the open air unless—
 - (a) the space immediately around and above the engine is cleaned of all flammable material to a distance of at least 4 metres, or a person who is able to control the engine is present at all times while the engine is in use; and
 - (b) a shovel or rake, and a portable water spray in good working order, are at hand; and
 - (c) any exhaust pipe is fitted with a spark arrester in good working order.
- (4) A person must not, during the fire danger season, operate a stationary engine enclosed by non-flammable material in the open air unless any exhaust pipe that projects beyond that material is fitted with a spark arrester in good working order.

38—Internal combustion engines

- (1) Pursuant to section 89 of the Act, an internal combustion engine is prescribed.
- (2) A person must not, during the fire danger season, operate an internal combustion engine in connection with—
 - (a) harvesting a flammable crop; or
 - (b) moving a flammable crop on the land holding where it has been harvested; or
 - (c) spreading lime or fertiliser,

unless—

- (d) a shovel or rake, and a portable water spray in good working order, are at hand; and
- (e) any exhaust pipe is fitted with a spark arrester in good working order.
- (3) A person must not, during the fire danger season, operate an internal combustion engine, other than in connection with an activity referred to in subregulation (2), in circumstances where the internal combustion engine comes into contact with, or is operated in the vicinity of, any flammable bush, grass, pasture or stubble, unless—
 - (a) in a case where a person is not present at all times while the internal combustion engine is in operation—
 - (i) the land immediately around the place where the relevant activity is to be undertaken is cleared of all flammable material to a distance of at least 4 metres; and
 - (ii) any exhaust pipe is fitted with a spark arrester in good working order; or

- (b) in a case where a person is present at all times while the internal combustion engine is in operation—
 - (i) —
 - (A) the land immediately around the place where the relevant activity is cleared of all flammable material to a distance of at least 4 metres; or
 - (B) a shovel or rake, and a portable water spray in good working order, are at hand; and
 - (ii) any exhaust pipe is fitted with a spark arrester in good working order.

39—Vehicles

- (1) Pursuant to section 89 of the Act, a vehicle driven by an internal combustion engine (other than an aircraft) is prescribed.
- (2) A person must not, during the fire danger season, drive a vehicle referred to in subregulation (1) within 2 metres of flammable bush or grass unless any exhaust pipe is fitted with a spark arrester in good working order.

40—Aircraft

- (1) Pursuant to section 89 of the Act, an aircraft is prescribed.
- (2) A person must not, during the fire danger season, land an aircraft on, or take off from, land in the country unless reasonable steps have been taken (on account of the use of the land by the aircraft)—
 - (a) to prevent the outbreak of fire on the land; and
 - (b) to be able to control and suppress a fire that might break out on the land (whether by the provision of fire-fighting equipment, the clearing of a firebreak, or otherwise).
- (3) This regulation does not apply in relation to—
 - (a) an aircraft that is landing on, or taking off from, a government or licensed airfield; or
 - (b) an aircraft that is on a mercy flight; or
 - (c) an aircraft that is landing or taking off in any other emergency; or
 - (d) an aircraft that is engaged in a fire-fighting operation under the direction of a SACFS officer; or
 - (e) an aircraft that is exempted from the operation of this regulation by the Chief Officer.

41—Welders and other tools

- (1) Pursuant to section 89 of the Act, the following appliances are prescribed:
 - (a) an electric welder;
 - (b) a mechanical cutting tool;
 - (c) a gas appliance;
 - (d) an angle grinder or other mechanical grinding tool.

- (2) A person must not, during the fire danger season, operate an appliance referred to in subregulation (1) in the open air unless—
 - (a) the space immediately around and above the appliance is cleared of all flammable material to a distance of at least 4 metres; and
 - (b) a portable water spray in good working order is at hand; and
 - (c) a person who is able to control the appliance is present at all times while the appliance is in use or alight.
- (3) This regulation does not permit the use of an appliance contrary to the terms of a total fire ban.
- (4) This regulation does not apply to a member of SACFS or another recognised emergency service who must use an appliance in an emergency to protect life or property.

42—Bees

- (1) Pursuant to section 89 of the Act, an appliance used to generate smoke for the manipulation of bees is prescribed.
- (2) A person must not, during the fire danger season, use an appliance referred to in subregulation (1) unless a portable water spray in good working order is at hand.

43—Rabbit fumigators

- (1) Pursuant to section 89 of the Act, an appliance used as a rabbit fumigator is prescribed.
- (2) A person must not, during the fire danger season, use an appliance as a rabbit fumigator unless—
 - (a) the space immediately around and above the appliance is cleared of all flammable material to a distance of at least 4 metres; and
 - (b) a portable water spray in good working order is at hand; and
 - (c) a sufficient number of persons who would be able to control the escape and spread of fire are present at all times while the appliance is in use.

44—Bird scarers

- (1) In this regulation—

bird scarer means a device that detonates a flammable gas to create a noise to scare birds.
- (2) Pursuant to section 89 of the Act, a bird scarer is prescribed.
- (3) A person must not, during the fire danger season, use an appliance as a bird scarer unless—
 - (a) the space immediately around and above the appliance is cleared of all flammable material to a distance of at least 4 metres; and
 - (b) the bird scarer—
 - (i) is constructed so as to prevent the escape of fire or burning material; and
 - (ii) is in good working order and clean so as to avoid a malfunction that could cause a fire; and
 - (c) the person using the bird scarer takes all reasonable precautions to ensure that the bird scarer cannot fall over, or be knocked over or otherwise interfered with by animals.

45—Fireworks

- (1) Pursuant to section 89 of the Act, fireworks are prescribed.
- (2) A person must not, during the fire danger season, use fireworks in the open air except in accordance with a permit issued under section 81 of the Act.

46—Blasting

- (1) Pursuant to section 89 of the Act, blasting any tree, wood or timber by the use of explosive materials is prescribed.
- (2) A person must not, during the fire danger season, carry out blasting referred to in subregulation (1) unless—
 - (a) a shovel or rake, and a portable water spray in good working order, are at hand; and
 - (b) a sufficient number of persons who would be able to control a fire are present at all times while the blasting is carried out, and for a reasonable time after the blasting is completed.

Subdivision 4—Duties to prevent fires

47—Notices

- (1) For the purpose of section 83(4) of the Act, the form set out in Schedule 12 is prescribed.
- (2) For the purposes of section 83(7) of the Act, the form set out in Schedule 13 is prescribed.

Subdivision 5—Prescribed offences

48—Prescribed offences under section 79(1)

An offence against section 79(1) of the Act is a prescribed offence for the purposes of that section if the lighting and maintaining of the fire does not contravene a prohibition or restriction under section 79(3) of the Act and—

- (a) if the fire is for cooking or personal comfort—the offence consists of a failure to comply with a requirement imposed under section 79(2)(a) of the Act; or
- (b) if the fire is for the burning of refuse—the offence consists of a failure to comply with a requirement imposed under section 79(2)(b) of the Act; or
- (c) if the fire is for heating bitumen, welding, gas-cutting, soldering, grinding or charring—the offence consists of a failure to comply with a requirement imposed under section 79(2)(c) of the Act; or
- (d) if the fire is lighted or maintained pursuant to a permit issued under section 81 of the Act for burning off land—the offence consists of a failure to comply with a condition of the permit prescribed by regulation 33(4)(a), (b), (d) or (e); or
- (e) if the fire is lighted or maintained pursuant to a permit issued under section 81 of the Act other than for burning off land—the offence consists of a failure to comply with a condition of the permit prescribed by regulation 33(5)(a), (b) or (c).

49—Prescribed offences under section 89

An offence against section 89 of the Act is a prescribed offence for the purposes of the penalty provision under that section if the offence consists of a breach of, or failure to comply with, 1 or more of the following:

- (a) in the case of an offence involving the operation, during the fire danger season, of a stationary engine not enclosed by non-flammable material in the open air—regulation 37(3)(a) or (b);
- (b) in the case of an offence involving the operation, during the fire danger season, of an internal combustion engine in connection with harvesting a flammable crop, moving a flammable crop on the land holding where it has been harvested or spreading lime or fertilizer—regulation 38(2)(d);
- (c) in the case of an offence involving the operation, during the fire danger season, of an internal combustion engine in connection with cutting flammable bush, grass, pasture or stubble—regulation 38(3)(a)(i) or (b)(i);
- (d) in the case of an offence involving the operation, during the fire danger season, of an electric welder, a mechanical cutting tool, a gas appliance, an angle grinder or a mechanical grinding tool—regulation 41(2)(a) or (b);
- (e) in the case of an offence involving the use, during the fire danger season, of an appliance to generate smoke for the manipulation of bees—regulation 42(2);
- (f) in the case of an offence involving the use, during the fire danger season, of an appliance as a rabbit fumigator—regulation 43(2)(a) or (b);
- (g) in the case of an offence involving the use, during the fire danger season, of an appliance as a bird scarer—regulation 44(3)(a);
- (h) in the case of an offence involving the blasting of any tree, wood or timber by the use of explosive materials—regulation 46(2)(a).

Subdivision 6—Miscellaneous

50—Fire safety at premises

Pursuant to section 86 of the Act, a building outside the area of a council that would, if it were inside the area of a council, be classified as a Class 2, 3, 4, 5, 6, 7, 8 or 9 building under the *Building Code* (within the meaning of the *Development Act 1993*), is prescribed.

51—Caravans

Pursuant to section 88 of the Act, a fire extinguisher carried in a caravan must—

- (a) comply with Australian Standard 1841.5-1997: Portable Fire Extinguishers—Specific Requirements for Powder Type Extinguishers; and
- (b) have a minimum classification and rating of 10B, as defined by Australian Standard 1850-1997: Portable Fire Extinguishers—Classification, Rating and Performance Testing; and
- (c) be maintained in accordance with Australian Standard 1851.1-1995: Maintenance of Fire Protection Equipment—Portable Fire Extinguishers and Fire Blankets.

Division 5—Other matters

52—Identity cards

- (1) The Chief Officer will issue to each—
 - (a) SACFS officer; and
 - (b) fire control officer; and
 - (c) authorised officer appointed by the Chief Officer,a certificate of identity in a form determined by the Chief Officer.
 - (2) A council will issue to each fire prevention officer or assistant fire prevention officer appointed by the council a certificate of identity in a form approved by the Chief Officer.
 - (3) A certificate of identity ceases to be valid when the person ceases to hold the position in relation to which the certificate was issued.
 - (4) A person must, on ceasing to hold the position in relation to which a certificate of identity has been issued, surrender the certificate to the Chief Officer or, in the case of a fire prevention officer or assistant fire prevention officer, to the relevant council.
- Maximum penalty: \$1 250.

53—Flags and other forms of identification

- (1) The Chief Officer will determine the flags and other forms of identification that are to be used during fire-fighting activity in the country.
 - (2) A person must not display a flag or other material in a manner that contravenes a determination of the Chief Officer under subregulation (1).
- Maximum penalty: \$1 250.

54—Roadside fire protection

- (1) In this regulation—

responsible authority means a council, or a Minister, agency or instrumentality of the Crown, that has the care, control or management of a road in the country, or roadside vegetation in the country.
- (2) Subject to subregulation (3), a responsible authority may, for the purpose of providing fire protection on a road, or the verge of a road—
 - (a) light a fire on the road, or on the verge of the road; and
 - (b) while the fire is burning, prohibit, direct or regulate the movement of persons, vehicles or animals along the road.
- (3) A responsible authority must obtain a permit to light and maintain a fire under this regulation during the fire danger season.

55—Maintenance and inspection of fire-fighting equipment

Each SACFS organisation that has possession or control of fire-fighting equipment that is available for use by SACFS under the Act—

- (a) must maintain the equipment in good working order and test the equipment on a regular basis; and

- (b) must keep the equipment in a place, and in a manner, that allows the equipment to be readily available in the event of a fire or other emergency, or for training purposes; and
- (c) must, on the request of the Chief Officer, a Deputy Chief Officer or Assistant Chief Officer, a regional officer, or an authorised officer, make the equipment available for inspection by the officer.

56—Special fire areas

- (1) The Chief Officer may, by notice in the Gazette, establish a *special fire area* in relation to a part of the State if, in the opinion of the Chief Officer—
 - (a) there exists an extreme risk of fire; or
 - (b) SACFS capabilities may be limited because an SACFS organisation has not been constituted in relation to the area (or a part of the area), or for any other reason; or
 - (c) some other special situation exists that warrants the establishment of a special fire area.
- (2) The Chief Officer may not include the area (or part of the area) of a council within a special fire area without first consulting the council.
- (3) If the Chief Officer establishes a special fire area, the Chief Officer will constitute a committee of management to manage fire prevention and suppression planning in the area.
- (4) A committee of management will (according to the determination of the Chief Officer) consist of—
 - (a) 1 or more representatives of SACFS; and
 - (b) 1 or more representatives of a council whose area lies wholly or partially within the special fire area; and
 - (c) if there is a reserve (or part of a reserve) administered under the *National Parks and Wildlife Act 1972* within the special fire area—1 or more officers of the National Parks and Wildlife Service nominated by the Minister responsible for the administration of the *National Parks and Wildlife Act 1972*; and
 - (d) if there is a forest reserve (or part of a forest reserve) within the special fire area—1 or more nominees of the South Australian Forestry Corporation; and
 - (e) if there is a water reserve (or part of a water reserve) held by SA Water for the purposes of the *Waterworks Act 1932* within the special fire area—1 or more nominees of the Minister responsible for the administration of the *Waterworks Act 1932*; and
 - (f) 1 or more representatives of any other organisation or agency that, in the opinion of the Chief Officer, has a special interest in fire prevention and suppression in the area; and
 - (g) such other persons as the Chief Officer thinks fit.
- (5) The Chief Officer may, by further notice in the Gazette, vary or dissolve a special fire area established under this regulation.

Part 4—SASES

Division 1—SASES units—Constitution and membership

57—Registration of an SASES unit

- (1) An application for registration as an SASES unit must—
 - (a) be made in the form of Schedule 14; and
 - (b) contain the information specified in the form; and
 - (c) list the full name, residential address and date of birth of each person who is applying to be a foundation member of the SASES unit.
- (2) If the Chief Officer establishes an SASES unit, the Chief Officer must furnish the unit with a certificate in the form of Schedule 15.

58—List of members

An SASES unit must—

- (a) maintain a list of the names of its members with each member's residential address, date of birth, certificate of identity number and date of joining the unit; and
- (b) forward to the Chief Officer details of any change to the list.

Division 2—Unit managers

59—Unit managers

- (1) Each SASES unit will have a unit manager.
- (2) A unit manager will be appointed or elected in a manner determined or approved by the Chief Officer.
- (3) A member of an SASES unit (other than the unit manager) is, in the exercise of powers under the Act, subject to the control and direction of the unit manager of the unit.

Division 3—Accounts, audits and reporting

60—Accounts and audits

- (1) Each SASES unit that holds any money must open and maintain an operating account at an ADI.
- (2) An SASES unit must ensure that proper accounting records are kept of the financial affairs of the SASES unit.
- (3) An SASES unit must, as soon as practicable after the end of each accounting period, cause accounts in respect of that accounting period to be prepared and audited—
 - (a) by a member of CPA Australia; or
 - (b) by a member of the National Institute of Accountants; or
 - (c) by a member of The Institute of Chartered Accountants in Australia; or
 - (d) by a person (not being a member of SASES) with such other qualifications or experience as the Chief Officer may approve for the purposes of this regulation.

- (4) A member of SASES cannot audit the accounts of an SASES unit of which he or she is a member.
- (5) A copy of the audited accounts of an SASES unit must be presented to the members of the SASES unit at its annual general meeting.
- (6) A member of an SASES unit—
 - (a) must, at the request of the auditor for that SASES unit, produce accounts or other financial records of the SASES unit in his or her possession for the auditor's inspection;
 - (b) must, at the request of the Chief Officer, produce accounts or other financial records of the SASES unit in his or her possession for the Chief Officer's inspection.

Maximum penalty: \$2 000.

- (7) A member of an SASES unit—
 - (a) must, at the request of the auditor for that SASES unit, provide the auditor with explanations or information that the auditor requires for the purposes of an audit;
 - (b) must, at the request of the Chief Officer, provide the Chief Officer with explanations or information relating to the financial affairs of the SASES unit.
- (8) The Minister may, on the recommendation of the Chief Officer, exempt an SASES unit from—
 - (a) a requirement to prepare annual statements of account;
 - (b) a requirement to have annual statements of account audited,on the ground that the financial activities of the SASES unit (if any) do not, in the opinion of the Minister, justify the imposition of the relevant requirement or requirements, or on any other ground determined to be reasonable by the Minister in the circumstances.
- (9) In this regulation—

accounting period means—

 - (a) subject to any determination under paragraph (b)—a financial year; or
 - (b) any period determined by the Chief Officer to be an accounting period for the purposes of this regulation.

61—Annual returns

Each SASES unit must, on or before 31 August in each year, deliver to the Chief Officer a return (in a form determined by the Chief Officer) containing—

- (a) the full name, residential address, contact telephone number and date of birth of each member of SASES who will hold a position in the SASES unit during the 12 month period commencing on 1 September of that year; and
- (b) a copy of the audited operating accounts of the SASES unit for such period as the Chief Officer may require (subject to the operation of any exemption granted by the Minister); and
- (c) such other information as the Chief Officer may require.

Division 4—Discipline of members

62—Discipline of members

- (1) A member of an SASES unit who—
 - (a) contravenes or fails to comply with—
 - (i) a provision of the Act or these regulations; or
 - (ii) a provision of a code of conduct for SASES published by the Chief Officer; or
 - (iii) a direction or order given to the person as a member of SASES by a person with authority to give that direction or order; or
 - (iv) a provision of the SASES unit's constitution; or
 - (b) is negligent or indolent in the discharge of official duties as a member of SASES; or
 - (c) leaves a place of duty without reasonable excuse; or
 - (d) commits a form of disgraceful or improper conduct in an official capacity; or
 - (e) subverts or disrupts the operations or activities of an SASES unit; or
 - (f) makes improper use of his or her SASES membership; or
 - (g) makes improper use of property or equipment; or
 - (h) behaves in any other manner that reflects seriously and adversely on SASES,

is liable to disciplinary action.
- (2) If an SASES member suspects on reasonable grounds that another SASES member may be liable to disciplinary action, the SASES member may report the matter (orally or in writing) to his or her commanding officer.
- (3) The commanding officer will be determined according to a command structure established by the Chief Officer.
- (4) The commanding officer must, on receiving a report under subregulation (2)—
 - (a) —
 - (i) if the commanding officer has received a written report—send a copy of the report to the Deputy Chief Officer, together with such comments as the commanding officer thinks fit;
 - (ii) if the commanding officer has received an oral report—prepare a report on the matter (incorporating such comments as the commanding officer thinks fit), and then send a copy of the report to the Deputy Chief Officer; and
 - (b) inform the relevant member (orally or in writing) of the presentation or preparation of the relevant report.
- (5) The commanding officer may decline to act under subregulation (4) if he or she considers that the report that has been made to him or her is trivial, vexatious or misconceived.
- (6) The Deputy Chief Officer must, on receipt of a report under this regulation—
 - (a) determine whether or not to carry out an investigation in relation to the matter; or
 - (b) determine to refer the matter to a disciplinary panel so that the disciplinary panel may carry out an investigation in relation to the matter.

- (7) A disciplinary panel will be constituted by the Deputy Chief Officer after taking into account any requirements determined by the Chief Officer.
- (8) If an investigation is to be carried out, the Deputy Chief Officer or the disciplinary panel (as the case requires) must—
 - (a) give the relevant member written notice of the investigation, setting out the grounds on which the investigation is being conducted; and
 - (b) give the relevant member a reasonable opportunity to appear (personally or by representative) and to make submissions in relation to the matter.
- (9) The Chief Officer may, pending the outcome of any process under this regulation, if he or she thinks fit, suspend the member from service with SASES.
- (10) The Deputy Chief Officer or disciplinary panel (as the case may be) may, at the completion of an investigation, make a recommendation to the Chief Officer as to whether or not it is considered, on the balance of probabilities, that there are grounds for disciplinary action.
- (11) If a recommendation is made to the Chief Officer that there are grounds for disciplinary action, the Chief Officer—
 - (a) must give notice in writing of that fact to the member; and
 - (b) may—
 - (i) determine not to take any action in relation to the matter; or
 - (ii) determine to take disciplinary action.
- (12) However, the Chief Officer must not take disciplinary action until the time for lodging an appeal under subregulation (13) has expired.
- (13) The member may, within 14 days after notice is given to the member in accordance with subregulation (11), appeal to the Chief Officer against the recommendation of the Deputy Chief Officer or disciplinary panel (as the case may be).
- (14) The Chief Officer may, on the basis of a determination under subregulation (11)(b)(ii)—
 - (a) reprimand the member;
 - (b) suspend the member for a specified period;
 - (c) demote the member;
 - (d) disqualify the member from holding a rank in SASES;
 - (e) disqualify the person from membership of SASES.
- (15) Nothing in this regulation—
 - (a) prevents the making of preliminary investigations by a commanding officer prior to the presentation of a report under this regulation;
 - (b) limits the operation of the principles of natural justice.
- (16) If the position of Deputy Chief Officer is vacant, or if the Deputy Chief Officer is absent, another officer determined by the Chief Officer may exercise and perform the powers and functions of the Deputy Chief Officer under this regulation.

Division 5—Miscellaneous

63—Identity cards

- (1) The Chief Officer will issue to each—
 - (a) officer of SASES; and
 - (b) member of an SASES unit,a certificate of identity if a form determined by the Chief Officer.
- (2) A certificate of identity ceases to be valid when the person ceases to hold the position in relation to which the certificate was issued.
- (3) A person must, on ceasing to hold the position in relation to which a certificate of identity has been issued, surrender the certificate to the Chief Officer.
Maximum penalty: \$1 250.
- (4) A person must, on ceasing to be a member of an SASES unit, surrender all insignia, equipment or clothing issued to him or her by the unit to the unit manager.
Maximum penalty: \$1 250.

64—Dissolution of organisation (section 116(2)(c))

For the purposes of section 116(2)(c) of the Act, a request to dissolve an organisation must be made in writing under the common seal of the organisation.

Part 5—Miscellaneous

65—Coronial inquests

A coronial inquest may be requested by the Commission or an emergency services organisation if the Commission or organisation (as the case may be) is of the opinion that such an inquest should be held—

- (a) on account of—
 - (i) the circumstances surrounding the lighting or spread of a fire, or the occurrence of an emergency of another kind; or
 - (ii) the intensity or seriousness of a fire, or the seriousness of an emergency of another kind; or
 - (iii) the circumstances surrounding the involvement of a person or organisation in a fire or other emergency; or
- (b) on account of representations made by a council in relation to a fire or other emergency.

66—Prescribed water authority

SA Water is brought within the definition of *water authority* under sections 43 and 98 of the Act.

67—Use of water

- (1) An officer of SAMFS or SACFS may, for the purpose of any operation conducted by his or her emergency services organisation, take water from a hydrant, fire-plug or stand pipe approved by SA Water for fire-fighting purposes.

- (2) For training purposes, water may only be taken under subregulation (1) as directed by a responsible officer of SA Water.
- (3) An emergency services organisation is not liable for the cost of water taken under this regulation.
- (4) This regulation does not apply in relation to the operation of section 42 or 97 of the Act.

68—Insignia

- (1) In this regulation—
prescribed insignia means—
 - (a) any logo declared by the Commission to be a logo for the purposes of section 131 of the Act; and
 - (b) the emblems set out in Schedule 16 (in any colour or combinations of colours).
- (2) A person must not, without the consent of the Commission (which consent may be given unconditionally or subject to conditions determined by the Commission)—
 - (a) use or display any prescribed insignia;
 - (b) sell, hire, lend or otherwise surrender possession of a prescribed logo to a person who is not a member of the relevant emergency services organisation or, if relevant, who is not otherwise a person authorised to act in an official capacity under the Act or these regulations.

Maximum penalty: \$2 500.

69—Service insignia

- (1) In this regulation—
prescribed person means—
 - (a) a member of an emergency services organisation; or
 - (b) a fire control officer.
- (2) A prescribed person is, in recognition of his or her service with an emergency services organisation, or any other organisation recognised by the Commission for the purposes of this regulation, entitled to wear, on the left sleeve of his or her uniform or fire-fighting or emergency services clothing, service insignia determined or approved by the Commission.

70—Fees

- (1) The fees set out in Schedule 17 are payable to SAMFS.
- (2) The fees set out in Schedule 17 do not include any GST that may be payable in respect of a particular fee.
- (3) The relevant emergency services organisation may, in its discretion, waive payment of the whole or a part of a fee, or refund a fee (in whole or in part).

Schedule 1—Certificate of registration of an SACFS brigade

THIS is to certify that *[name of brigade]* is constituted as an SACFS brigade under the *Fire and Emergency Services Act 2005*.

The registered code of the brigade as an SACFS organisation is

Dated the day of 20

Seal of the SACFS

.....
Signature of Chief Officer

Schedule 2—Standard constitution of an SACFS brigade

1—Interpretation

In this constitution—

Act means the *Fire and Emergency Services Act 2005*;

financial year means the period commencing on 1 July in each year and ending on 30 June in the following year;

management committee means the management committee of the brigade appointed under clause 9;

ordinary meeting means a meeting of the brigade other than an annual general meeting or a special meeting;

regulations means the *Fire and Emergency Services Regulations 2005*.

2—Name of the brigade

The name of the brigade is

3—Brigade area

The brigade is constituted in relation to the following area of the country:

4—Fire stations

The fire station(s) of the brigade will be located at—

5—Objects

(1) The brigade has the following objects:

(a) to undertake SACFS operations—

- (i) to prevent the outbreak of fires, or to reduce the impact of fires, in the country; and
- (ii) to provide efficient and responsive services in the country for the purpose of fighting fires, dealing with other emergencies or undertaking any rescue; and
- (iii) to protect life, property and environmental assets from fire and other emergencies occurring in the country;

- (b) to provide a means by which persons may participate in the activities of SACFS at a local level;
 - (c) to ensure that brigade members are properly trained for SACFS operations;
 - (d) if the brigade is a member of an SACFS group—to work as an effective part of that group;
 - (e) to advise the regional officer for its area, and relevant persons or organisations, on matters referred to the brigade for advice;
 - (f) to report to the Chief Officer on matters referred to the brigade by the Chief Officer;
 - (g) to perform other functions assigned to the brigade under the Act or the regulations.
- (2) The brigade must, in performing its functions, comply with any relevant occupational health, safety or welfare policies or requirements.

6—Meetings

- (1) Subject to this clause, the brigade may hold meetings on such days, and at such times and places, as the brigade thinks fit.
- (2) The brigade must hold at least 1 meeting per month on a regular basis.
- (3) The brigade must hold an annual general meeting during July or August of each year (and if brigade elections must be held in a particular year, the annual general meeting will, unless otherwise approved by the Chief Officer, be held in conjunction with those elections).
- (4) A special meeting of the brigade may be convened by the administrative co-ordinator, the President of the management committee, or the brigade captain.
- (5) The administrative co-ordinator must convene a special meeting if requested to do so by at least 5 members of the brigade.
- (6) A special meeting must be held under subclause (5) within 14 days after the request is made to the administrative co-ordinator.
- (7) Notice of the annual general meeting and a special meeting of the brigade must be given to all members of the brigade (other than cadet fire-fighters) at least 48 hours before the commencement of the meeting.
- (8) Notice of a meeting under subclause (7)—
 - (a) must be given by the administrative co-ordinator or, in the case of a special meeting, by the person convening the meeting; and
 - (b) may be given by written notice to each member—
 - (i) personally or by post; or
 - (ii) by a notice published in a newspaper circulating in the area of the brigade; and
 - (c) must set out the date, time and place of the meeting; and
 - (d) must be signed by the administrative co-ordinator or, in the case of a special meeting, by the person convening the meeting; and
 - (e) must set out an agenda for the meeting.

7—Procedure at meetings

- (1) The brigade captain will, if present at a meeting of the brigade, preside at that meeting and, in the absence of the brigade captain, the most senior lieutenant present at the meeting will preside and, in the absence of a lieutenant, a member of the brigade chosen by the members present will preside.
- (2) The prescribed number of members of the brigade constitute a quorum at a meeting.
- (3) The prescribed number for the purposes of subclause (2) is a number ascertained by dividing the total number of members of the brigade by 2, ignoring a fraction resulting from the division, and adding 1.
- (4) Subject to the Act and the regulations, a question for decision at a meeting will be decided by a majority of the votes of members present at the meeting.
- (5) Each member present at a meeting is entitled to 1 vote on a question for decision (and the person presiding at the meeting has, in the event of an equality of votes, a second or casting vote).
- (6) The administrative co-ordinator must cause an accurate record to be kept of the proceedings of a meeting of the brigade.
- (7) Subject to this clause, the Act and the regulations, and a direction of the Chief Officer, a meeting of the brigade will be conducted in such manner as the brigade may determine.

8—Membership

- (1) If an application for membership is received by the brigade, the administrative co-ordinator must refer the application to the next ordinary meeting of the brigade.
- (2) The brigade may, at that meeting—
 - (a) accept the application; or
 - (b) defer consideration of the application; or
 - (c) reject the application.
- (3) A vote on an application for membership must be conducted by secret ballot.
- (4) When a decision is made on an application for membership, the administrative co-ordinator must immediately inform the applicant in writing of the outcome of the application.
- (5) If a person who has been a cadet fire-fighter with the brigade applies for membership of the brigade as a fire-fighter (the person having attained the age of 16 years), his or her application should be accepted at the first opportunity unless the brigade determines that there is good reason to defer or reject the application.

9—Management committee

- (1) The brigade will have a management committee.
- (2) The management committee will consist of—
 - (a) the President of the management committee; and
 - (b) the Vice-President of the management committee; and
 - (c) the brigade captain (*ex officio*); and
 - (d) the administrative co-ordinator (*ex officio*); and
 - (e) 3 other members of the brigade (not being cadet fire-fighters).

- (3) The members of the management committee will be elected at the biennial elections of the brigade.
- (4) The management committee will be responsible for—
 - (a) the financial affairs of the brigade; and
 - (b) the general management of the administrative affairs of the brigade.
- (5) The President will, if present at a meeting of the management committee, preside at that meeting and, in the absence of the President, the Vice-President will preside and, in the absence of the Vice-President, a member of the management committee chosen by the members present will preside.
- (6) Four members constitute a quorum of the management committee.
- (7) A decision carried by the votes of at least 4 members present at a meeting of the management committee is a decision of the management committee.
- (8) Each member present at a meeting of the management committee is entitled to 1 vote on a matter arising for decision by the management committee (and the person presiding at the meeting does not have, in the event of an equality of votes, a second or casting vote).
- (9) The management committee must keep minutes of its proceedings.
- (10) Unless a member of the management committee resigns from membership of the committee or the brigade, or ceases to hold a position that entitles him or her to membership of the committee, the member holds office for a period of 2 years.
- (11) The management committee can appoint another member of the brigade to the committee to fill a casual vacancy in the membership of the committee (and he or she holds office for the balance of the term of his or her predecessor).
- (12) A member of the management committee is, on the expiration of a term of office, eligible for reappointment to the committee.
- (13) Subject to this clause, and a direction of the brigade or the Chief Officer, a meeting of the management committee will be conducted in such manner as the committee may determine.

10—Nomination of candidates for brigade elections

- (1) The administrative co-ordinator must, at least 21 days before the day on which brigade elections are due to be held, give or post to each member of the brigade (other than cadet fire-fighters) a written notice setting out the day on which the elections are due to be held and inviting nominations of candidates for election.
- (2) A member of the brigade who is eligible to be nominated for election to a particular position in the brigade may be nominated for that position by 2 or more members of the brigade.
- (3) A nomination may be made—
 - (a) by written nomination lodged with the administrative co-ordinator before election day; or
 - (b) if no written nominations have been received under paragraph (a)—by oral nomination made immediately before the commencement of the relevant election.

11—Conduct of elections

Voting will occur for positions in the following order:

- (a) brigade captain;

- (b) lieutenants;
- (c) senior fire-fighters;
- (d) communications co-ordinator;
- (e) training co-ordinator;
- (f) equipment co-ordinator;
- (g) logistics support co-ordinator;
- (h) occupational health, safety and welfare co-ordinator;
- (i) administrative co-ordinator;
- (j) if the brigade is a member of an SACFS group and the brigade captain (or his or her nominee) is not to be the brigade's representative—brigade representative at group level;
- (k) President of the management committee;
- (l) Vice-President of the management committee;
- (m) other members of the management committee;
- (n) other positions that, according to a determination of the brigade or the Chief Officer, should be filled by election.

12—Supplementary elections

If a supplementary election must be held—

- (a) the administrative co-ordinator must nominate or arrange a meeting of the brigade at which the election will be held; and
- (b) the administrative co-ordinator must, at least 21 days before that meeting, give or post to each member of the brigade (other than cadet fire-fighters) a written notice informing him or her of the election and inviting nominations of candidates for election; and
- (c) a member of the brigade who is eligible to be nominated for election to the particular position may be nominated for that position by 2 or more members of the brigade; and
- (d) a nomination may be made—
 - (i) by written nomination lodged with the administrative co-ordinator before election day; or
 - (ii) if no written nominations have been received under subparagraph (i)—by oral nomination made immediately before the commencement of the relevant election.

13—Subscriptions

- (1) The brigade may, by resolution at an annual general meeting, levy an annual subscription against the members of the brigade.
- (2) The subscription is payable within 1 month of the annual general meeting.
- (3) A person who is accepted as a member of the brigade more than 6 months after an annual general meeting at which a subscription is imposed is only liable to pay half the subscription for that year.

14—Accounts at financial institutions

- (1) The brigade must, at each annual general meeting, determine where it will maintain its accounts for the ensuing financial year (unless the brigade is not to hold any money).
- (2) The brigade must appoint at least 4 office holders as signatories on its accounts, and at least 2 signatories must sign a cheque or withdrawal form.

15—Auditor

- (1) The brigade must, at each annual general meeting, appoint an auditor or auditors for the ensuing financial year.
- (2) If an auditor resigns during the financial year, the brigade must appoint a replacement at its next ordinary meeting.

16—Auxiliaries

- (1) The brigade may establish 1 or more auxiliaries (which may include persons who are not members of the brigade) for the purpose of providing support to the brigade in the performance of its functions.
- (2) A member of an auxiliary may be removed by the brigade for reasonable cause.
- (3) An auxiliary—
 - (a) may be wound up by the brigade at any time; and
 - (b) must be wound up at the direction of the Chief Officer.

17—Rules

- (1) The brigade may make rules not inconsistent with—
 - (a) the Act; or
 - (b) the regulations; or
 - (c) this constitution,to assist the brigade to manage its affairs effectively and efficiently.
- (2) If the brigade makes a rule under this clause (or varies or revokes such a rule), the administrative officer must, within 14 days, send a copy of the rule to the Chief Officer.
- (3) The Chief Officer may, if the Chief Officer thinks fit, direct that a rule (or the variation or revocation of a rule) cannot have effect (and the brigade must comply with that direction).

18—Amendment of constitution

The brigade may, by resolution, amend this constitution if—

- (a) at least 2 months written notice, setting out the terms of the proposed resolution, is given to each member of the brigade personally or by post; and
- (b) the resolution is supported at a duly convened meeting of the brigade by at least two-thirds of the total number of members of the brigade present at that meeting.

Note—

An amendment to the constitution is subject to the approval of the Chief Officer under the Act.

Schedule 3—Officers of an SACFS brigade

1—Brigade captain

A brigade captain has the following specific functions:

- (a) to ensure that the brigade prepares and maintains an incident response plan;
- (b) to assist in bushfire prevention planning within the area of the brigade;
- (c) to undertake responsibility for the proper management and maintenance of brigade property and equipment;
- (d) to ensure that members of the brigade are properly trained to carry out their functions;
- (e) subject to the Act and the direction of a superior officer—to take command at a fire or other emergency in the country at which he or she attends as a member of SACFS and to ensure that the chain of command within the brigade operates effectively and efficiently;
- (f) to liaise with other brigade captains in adjacent areas, and other relevant officers;
- (g) to ensure (so far as may be practicable) the health and safety of all members of the brigade during an SACFS operation and to ensure that the brigade complies with any other relevant occupational health, safety and welfare policies or procedures;
- (h) otherwise to manage the operations of the brigade in accordance with a determination of the Chief Officer.

2—Lieutenant

A lieutenant must assist the brigade captain in the performance of his or her functions (and, in the absence of the brigade captain, the most senior lieutenant may assume the functions and responsibilities of the brigade captain).

3—Senior fire-fighter

A senior fire-fighter must assist the brigade captain in the performance of his or her functions (and in the absence of the brigade captain and lieutenants, the most senior officer may assume the functions and responsibilities of the brigade captain).

Schedule 4—Functions of other SACFS brigade officers

1—Communications co-ordinator

A communications co-ordinator has the following specific functions:

- (a) to ensure that the brigade's communications system operates effectively and fits into any group communications network;
- (b) to control the use of communications equipment by members of the brigade;
- (c) to undertake responsibility for the maintenance of communications equipment and, if necessary, for its repair or replacement;
- (d) to test the brigade's communications equipment on a regular basis;
- (e) to assist in training members of the brigade in the use of communications equipment;

- (f) if the brigade is a member of an SACFS group—to represent the brigade on any Group Communications Committee formed by the group;
- (g) to liaise with communications co-ordinators in other SACFS brigades;
- (h) to undertake other functions assigned by the brigade captain or determined by the Chief Officer.

2—Training co-ordinator

A training co-ordinator has the following specific functions:

- (a) to organise regular training sessions within the brigade;
- (b) to encourage members to undertake training within SACFS;
- (c) to ensure that members of the brigade receive training that is consistent with the Act and the policies of the Chief Officer and SACFS;
- (d) to keep proper records relating to training undertaken by members of the brigade;
- (e) to encourage members of the brigade to become SACFS instructors;
- (f) if the brigade is a member of an SACFS group—to represent the brigade on any Group Training Committee formed by the group;
- (g) to liaise with training co-ordinators in other SACFS brigades;
- (h) to undertake other functions assigned by the brigade captain or determined by the Chief Officer.

3—Equipment co-ordinator

An equipment co-ordinator is responsible for the proper management and maintenance of all brigade property and equipment (other than communications equipment).

4—Logistics support co-ordinator

A logistics support co-ordinator has the following specific functions:

- (a) to undertake responsibility for the management and implementation of all intelligence, planning, support and supply functions during an operation;
- (b) to provide advice to the equipment co-ordinator in relation to the effective deployment and use of brigade property and equipment during an operation;
- (c) to liaise with officers at brigade level to ensure co-ordination during an operation.

5—Occupational health, safety and welfare co-ordinator

An occupational health, safety and welfare co-ordinator has the following specific functions:

- (a) to encourage compliance with occupational health and safety policies and practices during brigade operations, training and other activities;
- (b) to assist with workplace inspections and the induction of new members;
- (c) to maintain records relating to occupational health, safety and welfare (including accident, incident and hazard reports);
- (d) to liaise with the equipment co-ordinator on safety matters relating to brigade equipment;
- (e) to disseminate occupational health, safety and welfare information to brigade members;

- (f) if the brigade is a member of a group—to liaise with the group health and safety representative and with other occupational health, safety and welfare co-ordinators;
- (g) to undertake other functions assigned by the brigade captain or determined by the Chief Officer.

6—Administrative co-ordinator

An administrative co-ordinator has the following specific functions:

- (a) to organise meetings of the brigade;
- (b) to give notice of meetings of the brigade in accordance with the constitution of the brigade;
- (c) to prepare an agenda for meetings of the brigade;
- (d) to keep brigade records, and to send and receive brigade correspondence;
- (e) to disseminate information to brigade members;
- (f) to manage the financial affairs of the brigade;
- (g) to keep financial records;
- (h) if the brigade is a member of a group—to liaise with the group administrative co-ordinator;
- (i) to undertake other functions assigned by the brigade captain or determined by the Chief Officer.

Schedule 5—Certificate of registration of an SACFS group

This is to certify that *[name of group]* is constituted as an SACFS group under the *Fire and Emergency Services Act 2005*.

The brigades that make up the group are:

.....

.....

.....

.....

.....

.....

.....

.....

The registered code of the group as an SACFS organisation is

Dated the day of 20

Seal of SACFS

.....

Signature of the Chief Officer

Schedule 6—Standard constitution of an SACFS group

1—Interpretation

In this constitution—

Act means the *Fire and Emergency Services Act 2005*;

financial year means the period commencing on 1 July in each year and ending on 30 June in the following year;

management committee means the management committee of the group appointed under clause 7;

regulations means the *Fire and Emergency Services Regulations 2005*;

quarter means each 3 month period commencing on 1 January, 1 April, 1 July and 1 October in a year.

2—Name of the group

The name of the group is

3—Composition of group

The brigades that make up the group are:

4—Objects

The group has the following objects:

- (a) to provide support and guidance to the brigades in the group, and to assist those brigades to fulfil their objects;
- (b) to establish and maintain—
 - (i) an operational command and control structure within the group; and
 - (ii) procedures to enhance the ability of the brigades in the group to carry out operations, activities and training effectively and efficiently;
- (c) to ensure co-operation between the brigades in the group, and between the group and other groups;
- (d) to advise the regional officer for the area, and other relevant persons or organisations, on matters referred to the group for advice;
- (e) to report to the Board on matters referred to the group by the Board;
- (f) to perform other functions assigned to the group under the Act or the regulations.

5—Meetings

- (1) Subject to this clause, the group may hold meetings on such days, and at such times and places, as the group thinks fit.
- (2) Subject to subclause (3), the group must hold at least 1 meeting per quarter on a regular basis.
- (3) The meeting for the quarter commencing on 1 July must be the annual general meeting and must be held during July or August (and if group elections must be held in a particular year, the annual general meeting will, unless otherwise approved by the Board, be held in conjunction with those elections).

- (4) A special meeting of the group may be convened by the group administrative co-ordinator or the group officer.
- (5) The group administrative co-ordinator must convene a special meeting if requested to do so by at least 4 members of the group.
- (6) A special meeting must be held under subclause (5) within 14 days after the request is made to the group administrative co-ordinator.
- (7) Notice of the annual general meeting and a special meeting of the group must be given to all members of the group (and to an organisation entitled to send observers to the meeting) at least 48 hours before the commencement of the meeting.
- (8) Notice of a meeting under subclause (7)—
 - (a) must be given by the group administrative co-ordinator; and
 - (b) must be given by written notice to each member (or organisation) personally or by post; and
 - (c) must set out the date, time and place of the meeting; and
 - (d) must set out an agenda for the meeting.

6—Procedure at meetings

- (1) The group officer will, if present at a meeting of the group, preside at that meeting and, in the absence of the group officer, the most senior deputy group officer present at the meeting will preside and, in the absence of a deputy group officer, a member of the group chosen by the members present will preside.
- (2) The prescribed number of members of the group constitute a quorum at a meeting.
- (3) The prescribed number for the purposes of subclause (2) is a number ascertained by dividing the total number of members of the group by 3, multiplying the result by 2, ignoring a fraction resulting from the division and multiplication, and adding 1.
- (4) Subject to the Act and the regulations, a question for decision at a meeting will be decided by a majority of the votes of members present at the meeting.
- (5) Each member present at a meeting is entitled to 1 vote on a question for decision (and the person presiding at the meeting has, in the event of an equality of votes, a second or casting vote).
- (6) The following persons are entitled to attend a meeting of the group:
 - (a) a member of a brigade in the group;
 - (b) up to 2 representatives of each council that has a part of its area within the area of a brigade in the group;
 - (c) 1 or more representatives of the National Parks and Wildlife Service;
 - (d) 1 or more representatives of the South Australian Forestry Corporation;
 - (e) other persons admitted to the meeting by the members at the meeting.
- (7) The group administrative co-ordinator must cause an accurate record to be kept of the proceedings of a meeting of the group.
- (8) Subject to this clause, the Act and the regulations, and a direction of the Chief Officer, a meeting of the group will be conducted in such manner as the group may determine.

7—Functions of group committee

The group committee will be responsible for—

- (a) the financial affairs of the group; and
- (b) the general management of the affairs of the group; and
- (c) subject to a direction of the group as a whole—
 - (i) ensuring that group equipment, and the equipment in the possession or control of the brigades in the group, is inspected on a regular basis; and
 - (ii) making representations and recommendations to councils in relation to the fire-fighting equipment that should be provided within their areas; and
 - (iii) taking steps to ensure the appropriate distribution of fire-fighting equipment amongst the brigades in the group; and
 - (iv) co-ordinating training within the brigades in the group to ensure that the brigades can work together effectively and efficiently; and
 - (v) overseeing the preparation and maintenance of an incident response plan for the group; and
 - (vi) ensuring that an operational command base is established and maintained for the group; and
 - (vii) selecting members of the group to represent the group on a district or regional basis; and
 - (viii) carrying out other functions assigned to the committee by the group or the Chief Officer.

8—Nomination of candidates for group elections

- (1) The group administrative co-ordinator must, at least 42 days before the day on which group elections are due to be held, give or post to the administrative co-ordinator of each brigade in the group a written notice setting out the day on which the elections are due to be held and inviting nominations of candidates for election.
- (2) A member of a brigade who is eligible to be nominated for election to a particular position in the group may be nominated for that position by 2 or more members of a brigade in the group.
- (3) A nomination may be made—
 - (a) by written nomination lodged with the group administrative co-ordinator at least 21 days before election day; or
 - (b) if no written nominations are received under paragraph (a)—by oral nomination made immediately before the commencement of the relevant election.
- (4) The group administrative co-ordinator must, at least 14 days before election day, give or post to the administrative co-ordinator of each brigade in the group a written notice setting out the names and details of all nominations received under subclause (3)(a).

9—Conduct of elections

Voting will occur for positions in the following order:

- (a) group officer;

- (b) deputy group officers;
- (c) group communications co-ordinator;
- (d) group training co-ordinator;
- (e) group equipment co-ordinator;
- (f) group logistics support co-ordinator;
- (g) group health and safety representative;
- (h) group administrative co-ordinator;
- (i) other positions that, according to a determination of the group or the Chief Officer, should be filled by election.

10—Supplementary elections

If a supplementary election must be held—

- (a) the group administrative co-ordinator must nominate or arrange a meeting of the brigade representatives at which the election will be held; and
- (b) the group administrative co-ordinator must, at least 42 days before that meeting, give or post to the administrative co-ordinator of each brigade in the group a written notice informing him or her of the election and inviting nominations of candidates for election; and
- (c) a member of a brigade who is eligible to be nominated for election to the particular position in the group may be nominated for that position by 2 or more members of a brigade in the group; and
- (d) a nomination may be made—
 - (i) by written nomination lodged with the group administrative co-ordinator before election day; or
 - (ii) by oral nomination made immediately before the commencement of the relevant election.

11—Subscriptions

- (1) The group may, by resolution at an annual general meeting, levy an annual subscription against the brigades in the group.
- (2) The subscription is payable within 1 month of the annual general meeting.

12—Accounts at financial institutions

- (1) The group must, at each annual general meeting, determine where it will maintain its accounts for the ensuing financial year.
- (2) The group must appoint at least 4 office holders as signatories on its accounts, and at least 2 signatories must sign a cheque or withdrawal form.

13—Auditor

- (1) The group must, at each annual general meeting, appoint an auditor or auditors for the ensuing financial year.
- (2) If an auditor resigns during the financial year, the group must appoint a replacement at its next meeting.

14—Auxiliaries

- (1) The group may establish 1 or more auxiliaries (which may include persons who are not members of the group) for the purpose of providing support to the group in the performance of its functions.
- (2) A member of an auxiliary may be removed by the group for a reasonable cause.
- (3) An auxiliary—
 - (a) may be wound-up by the group at any time; and
 - (b) must be wound-up at the direction of the Chief Officer.

15—Rules

- (1) The group may make rules not inconsistent with—
 - (a) the Act; or
 - (b) the regulations; or
 - (c) this constitution,to assist the group to manage its affairs effectively and efficiently.
- (2) If the group makes a rule under this clause (or varies or revokes such a rule), the group administrative co-ordinator must, within 14 days, send a copy of the rule to the Chief Officer.
- (3) The Chief Officer may, if the Chief Officer thinks fit, direct that a rule (or the variation or revocation of a rule) cannot have effect (and the group must comply with that direction).

16—Amendment of constitution

The group may, by resolution, amend this constitution if—

- (a) at least 2 months written notice, setting out the terms of the proposed resolution, is given to each member of the group personally or by post; and
- (b) the resolution is supported at a duly convened meeting of the group by at least two-thirds of the total number of members of the group present at that meeting.

Note—

An amendment to the constitution is subject to the approval of the Chief Officer under the Act.

Schedule 7—Officers of an SACFS group

1—Group officer

A group officer has the following specific functions:

- (a) to ensure that the group prepares and maintains an incident response plan;
- (b) in the event of a fire or other emergency requiring a group response—
 - (i) to establish forward command in the field; and
 - (ii) subject to the Act and the direction of a superior officer, to co-ordinate and control the operations of the brigades in the group; and

- (iii) to organise persons who volunteer to assist the group or a brigade in fighting the fire or dealing with the emergency; and
 - (iv) to liaise with other group officers in adjacent areas, and other relevant officers;
- (c) to oversee the operations, activities and training of the brigades in the group;
- (d) otherwise to undertake functions determined by the Chief Officer.

2—Deputy group officer

A deputy group officer must assist the group officer in the performance of his or her functions (and in the absence of the group officer, the most senior deputy group officer may assume the functions and responsibilities of the group officer).

Schedule 8—Functions that attach to other SACFS group positions

1—Group communications co-ordinator

A group communications co-ordinator has the following specific functions:

- (a) to ensure that the group's communications equipment operates effectively;
- (b) in the event of a fire or other emergency requiring a group response—
 - (i) to establish and maintain a group communications centre; and
 - (ii) to co-ordinate and control communications within and between the brigades in the group; and
 - (iii) to co-ordinate communications with other groups;
- (c) to liaise with communications co-ordinators in the brigades in the group;
- (d) to represent the group at meetings of communications co-ordinators held on a regional basis;
- (e) to undertake other functions assigned by the group officer or determined by the Chief Officer.

2—Group training co-ordinator

A group training co-ordinator has the following specific functions:

- (a) to prepare an annual training plan for the brigades in the group and to organise regular training sessions within the group;
- (b) to ensure that members of the brigades in the group are—
 - (i) trained in accordance with courses approved by the Chief Officer; and
 - (ii) assessed to standards approved by the Chief Officer;
- (c) to encourage members of the brigades in the group to become SACFS instructors;
- (d) to represent the group at meetings of training co-ordinators held on a regional basis;
- (e) to undertake other functions assigned by the group officer or determined by the Chief Officer.

3—Group equipment co-ordinator

A group equipment co-ordinator is responsible for the proper management and maintenance of all group property and equipment (other than communications equipment).

4—Group logistics support co-ordinator

A group logistics support co-ordinator has the following specific functions:

- (a) to undertake responsibility for the management and implementation of all intelligence, planning, support and supply functions at group level;
- (b) to provide advice to the group equipment officer in relation to the effective deployment and use of group property and equipment;
- (c) to liaise with officers at group level to ensure co-ordination during a group operation;
- (d) to liaise with other group logistics support co-ordinators.
- (e) to undertake other functions assigned by the group officer or determined by the Chief Officer.

5—Group health and safety representative

A group health and safety representative has the following specific functions:

- (a) to ensure compliance with occupational health and safety practices during relevant operations, training and other activities;
- (b) to encourage members of the group to observe the occupational health and safety principles expected of SACFS members;
- (c) to maintain proper records on occupational health and safety issues relevant to the operation of the group;
- (d) to liaise with the group equipment co-ordinator on safety matters relating to group equipment;
- (e) to disseminate occupational health and safety information to brigade and group members;
- (f) to assist with the implementation of occupational health and safety systems within the group;
- (g) to consult with the brigades within the group and to liaise with the occupational health, safety and welfare co-ordinators of the brigades within the group;
- (h) to represent the group at regional meetings dealing with occupational health and safety issues;
- (i) to undertake other functions assigned by the group officer or determined by the Chief Officer.

6—Group administrative co-ordinator

A group administrative co-ordinator has the following specific functions:

- (a) to organise meetings of the group;
- (b) to give notice of meetings of the group to the group officers and the representatives of brigades in the group in accordance with the constitution of the group;
- (c) to prepare an agenda for meetings of the group;

- (d) to keep group records, and to send and receive group correspondence;
- (e) to disseminate information to brigades in the group;
- (f) to manage the financial affairs of the group;
- (g) to keep financial records;
- (h) to liaise with the administrative co-ordinators of the brigades in the group;
- (i) to undertake other functions assigned by the group officer or determined by the Chief Officer.

Schedule 9—Permit authorising person to light or maintain fire during fire danger season

.....
(Permit Number)

Note—This permit is not valid on a day of total fire ban

1 Pursuant to section 81 of the *Fire and Emergency Services Act 2005* this permit is issued:

- For the purpose of burning off land
- For some other purpose—

(Tick appropriate box)

..... (specify)

2 This permit is issued to (Full name)
of (Address)
and authorises the holder of the permit to light or maintain a fire at

.....*
during the fire danger season for the purpose indicated in 1 above.

*(The location of the proposed fire must be specified with reasonable particularity, indicating either lot, section and hundred numbers, or an appropriate grid reference).

3 This permit is valid from a.m./p.m. on / /20 to
..... a.m./p.m. on / /20.....

4 Subject to any variation by an authorised officer (as noted below), this permit is subject to—

- (a) the conditions prescribed by the *Fire and Emergency Services Regulations 2005*, as set out on the reverse side of this permit; and
- (b) the following additional conditions:

.....
.....
.....

[Specify any variations]

5 Note—

- (1) This permit is liable to be revoked if the permit holder fails to comply with a condition of the permit.
- (2) This permit may be revoked in any other justifiable circumstance.
- (3) The fact that the holder of this permit has complied with the conditions of the permit does not of itself relieve the holder from liability for any loss or damage caused by a fire lit under the authority of the permit. (*Fire and Emergency Services Act 2005* section 81(13)).

.....
(Authorised officer)

.....
(Name)

.....
(ID Number)

..... /..... /20 at a.m./p.m.
(Date and time of issue)

Schedule 10—Permit authorising person to light or maintain fire in open air contrary to terms of total fire ban

.....
(Permit Number)

1 Pursuant to section 81 of the *Fire and Emergency Services Act 2005* this permit is issued for the purpose of

2 This permit is issued to (Full name) of (Address) and authorises the holder of the permit to light or maintain a fire at*

contrary to the terms of a total fire ban for the purpose referred to in 1 above.
*(The location of the proposed fire must be specified with reasonable particularity, indicating either lot, section and hundred numbers, or an appropriate grid reference).

3 This permit is valid from a.m./p.m. on / /20 to a.m./p.m. on / /20.....

4 Subject to any variation by an authorised officer (as noted below), this permit is subject to—

- (a) the conditions prescribed by the *Fire and Emergency Services Regulations 2005*, as set out on the reverse side of this permit; and
- (b) the following additional conditions:

.....
.....
.....

[Specify any variations]

5 Note—

- (1) This permit is liable to be revoked if the permit holder fails to comply with a condition of the permit.
- (2) This permit may be revoked in any other justifiable circumstance.
- (3) The fact that the holder of this permit has complied with the conditions of the permit does not of itself relieve the holder from liability for any loss or damage caused by a fire lit under the authority of the permit. (*Fire and Emergency Services Act 2005* section 81(13)).

.....
(Authorised officer)

.....
(Name)

.....
(ID Number)

..... / /20 at a.m./p.m.
(Date and time of issue)

Schedule 11—Regulation 34 declaration

Declaration of an area of the State in which a person may operate a gas fire or electric element for cooking purposes in the open air contrary to the terms of a total fire ban.

PURSUANT to regulations under the *Fire and Emergency Services Act 2005*
..... (Name of council) [or the Chief Officer of SACFS]
declares that persons may operate gas fires or electric elements for cooking purposes in the open air contrary to the terms of a total fire ban at the following places:

.....
.....
.....

This notice operates during the following times.....
..... [or at all times until revoked].

The operation of a gas fire or electric element under this notice is subject to the following conditions—

- (1) The space immediately around and above the gas fire or electric element must be cleared of all flammable material to a distance of at least four metres.
- (2) A person who is able to control the gas fire or electric element must be present at all times while it is lighted or charged.
- (3) An appropriate agent adequate to extinguish any fire must be at hand.
- (4) [Such other conditions as the council or the Chief Officer may specify]

.....
Chief Executive Officer/Chief Officer

.....
[Name of council or Chief Officer of SACFS]

Schedule 12—Section 83 notice

Pursuant to section 83 of the *Fire and Emergency Services Act 2005*

..... (Name of owner), who is the owner of land at

required to take the following action to protect property on the land from fire, or to prevent or inhibit the outbreak of fire on the land, or the spread of fire through the land

.....

.....

.....

.....

Note—

- 1 If you fail to comply with a requirement of this notice—
 - (a) you may be liable to a significant fine; and
 - (b) the authority that issued the notice may proceed to carry out the work required by the notice and recover the costs against you.
- 2 You are entitled to appeal against a requirement of this notice. Your rights of appeal are set out in the *Fire and Emergency Services Act 2005*.
- 3 An appeal against a notice issued by a council is to the Chief Officer of SACFS and an appeal against a notice issued by any other authority is to the South Australian Fire and Emergency Services Commission.
- 4 Your appeal must be made in writing, setting out in detail your grounds of appeal, and may be posted to or lodged with the Chief Officer of SACFS or the South Australian Fire and Emergency Services Commission.
- 5 Your appeal should be instituted within 14 days of receiving this notice. A copy of the appeal notice must be sent to the authority that issued this notice.
- 6 **YOU MAY WISH TO DISCUSS THE MATTER WITH THE AUTHORITY THAT ISSUED THIS NOTICE BEFORE YOU INSTITUTE AN APPEAL.**

.....
(Authority issuing the notice)

.....
(Date)

Schedule 13—Variation or revocation of section 83 notice

On (date)..... (Name of owner), the owner of land at was required to take certain action by a notice issued under section 83 of the *Fire and Emergency Services Act 2005*.

That notice is now—

(a) varied as follows:

.....
.....
.....
.....

(b) revoked.

(Strike out unwanted item)

.....
(Authority issuing the notice)

.....
(Date)

Schedule 14—Application for registration of an SASES unit

Application is hereby made for the registration of an SASES unit.

The following information is provided:

- 1 Name of organisation applying for registration
- 2 Address of headquarters for unit

.....
 Tel No

- 3 Names and address of proposed office-holders

<i>(Office)</i>	<i>(Office)</i>
<i>(Address)</i>	<i>(Address)</i>
<i>(Telephone number)</i>	<i>(Telephone number)</i>

<i>(Office)</i>	<i>(Office)</i>
<i>(Address)</i>	<i>(Address)</i>
<i>(Telephone number)</i>	<i>(Telephone number)</i>

- 4 A copy of the proposed constitution and membership list is attached.

Signed on behalf of the applicants by:

<i>(Signature)</i>	<i>(Signature)</i>
<i>(Name)</i>	<i>(Name)</i>
<i>(Address)</i>	<i>(Address)</i>
<i>(Telephone number)</i>	<i>(Telephone number)</i>

Date

Schedule 15—Certificate of registration of an SASES unit

THIS is to certify that *[name of unit]* is constituted as an SASES unit under the *Fire and Emergency Services Act 2005*.

The registration number of the unit is

Dated the day of 20

Seal of the SACFS

.....
Signature of Chief Officer

Schedule 16—Official emblems





Schedule 17—Fees—SAMFS

- | | | |
|---|--|---------------------|
| 1 | Fee for fire alarm monitoring— | |
| | (a) in relation to the primary alarm system | \$451.00 |
| | plus | |
| | (b) in relation to each secondary alarm system | \$183.00 per system |
| 2 | Fee for attending in response to a false alarm (with the following classifications of premises or places being determined by SAMFS)— | |
| | (a) A Class—Special risk | \$450.00 |
| | (b) A Class | \$323.00 |
| | (c) B Class | \$323.00 |
| | (d) C Class | \$229.00 |
| 3 | Fees for fire safety services— | |
| | (a) new alarm connection fee | \$89.50 |
| | (b) smoke testing—per hour | \$72.50 |
| | (c) on-site inspections—per hour | \$72.50 |
| | (d) plan appraisals/meetings—per hour | \$72.50 |
| | (e) land agent searches—process fee | \$31.50 |
| | (f) land agent—document fee—per page | \$3.00 |
| | (g) fire report copies—per set | \$79.75 |
| | (h) hydrant system test/inspection | \$72.50 |
| | plus | |
| | (i) per person—per hour | \$72.50 |
| | (ii) per flow test unit—per hour | \$72.50 |
| | (iii) per fire appliance—per hour | \$122.50 |

	(iv) per station officer—per hour	\$48.50
	(v) per firefighter—per hour	\$37.00
	(vi) equipment hire—per hour	\$7.15
	(i) evacuation training—per hour	\$72.50
4	Fee for the emergency response vessel—per hour	\$300.00
5	Salvage/fire watch—	
	(a) per fire appliance—per hour	\$122.50
	(b) per station officer—per hour	\$48.50
	(c) per firefighter—per hour	\$37.00
	(d) equipment hire—per hour	\$7.15
6	Meals for fire safety services and salvage/fire watch will be at cost	

Schedule 18—Fees—SACFS

Schedule 19—Transitional provisions

Part 1—SACFS

1—Existing positions

A person holding a position in the Country Fire Service immediately before the commencement of these regulations that has the same (or substantially the same) responsibilities as a position in SACFS under these regulations will be taken to have been appointed or elected (as the case requires) to the relevant position under these regulations for the balance of his or her term of appointment or election.

2—Constitutions

- (1) Until the Chief Officer otherwise determines, the constitution of a C.F.S. organisation under the *Country Fires Act 1989*, as in existence immediately before the commencement of this clause, will continue as the constitution of the organisation.
- (2) A determination under subclause (1) may be made—
 - (a) in relation to a particular organisation; or
 - (b) in relation to a class of organisations.

3—References

A reference in any Act, regulation or other instrument to the C.F.S., or to the Country Fire Service, will be taken to be a reference to SACFS.

Part 2—SASES

4—Constitutions

- (1) Until the Chief Officer otherwise determines, the constitution of an S.E.S. unit under the *State Emergency Service Act 1987*, as in existence immediately before the commencement of this clause, will continue as the constitution of the unit.

(2) A determination under subclause (1) may be made—

- (a) in relation to a particular unit; or
- (b) in relation to a class of units.

5—References

A reference in any Act, regulation or other instrument to the State Emergency Service South Australia will be taken to be a reference to SASES.

Part 3—Emergency Services Administrative Unit

6—Emergency Services Administrative Unit

If the Emergency Services Administrative Unit ("ESAU") is expressed to be a party to a contract (other than a contract of employment) in force immediately before the commencement of the Act, the Commission will, from that commencement, be taken to be a party to the contract as if the reference to ESAU were a reference to the Commission.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

No 210 of 2005

MES05/007CS & MES05/011CS

South Australia

Freedom of Information (Exempt Agency) Variation Regulations 2005

under the *Freedom of Information Act 1991*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of Freedom of Information (Exempt Agency) Regulations 1993

- 4 Variation of regulation 5—Exempt agencies
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Freedom of Information (Exempt Agency) Variation Regulations 2005*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Freedom of Information (Exempt Agency) Regulations 1993*

4—Variation of regulation 5—Exempt agencies

Regulation 5—after paragraph (d) insert:

- (e) each agency established by or under the *Health and Community Services Complaints Act 2004*.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 September 2005

No 211 of 2005

MAS 05/021 CS

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CITY OF BURNSIDE

Periodical Review of Elector Representation

NOTICE is hereby given that the City of Burnside has completed a review to determine whether a change of arrangements in respect to elector representation, including ward structure and the composition of Council, would result in the electors of the Council area being more adequately and fairly represented.

Council has prepared a report which details the review process, the public consultation undertaken and the proposal which it considers should be implemented. Copies of this report are available from Council's library, customer service desk, and website www.burnside.sa.gov.au, or by contacting Amanda Nicholls on telephone 8366 4204.

Pursuant to the provisions of section 12 (9) (b) (ii) of the Local Government Act 1999, interested persons are invited to make a written submission in respect to the report. These should be directed to the Chief Executive Officer, City of Burnside, P.O. Box 9, Glenside, S.A. 5065, by 5 p.m. on 21 October 2005.

Any person making a written submission will also be invited to appear before a meeting of the Council, or a Council Committee, to be heard in respect to their submission.

J. HANLON, Chief Executive Officer

CITY OF ONKAPARINGA

Notice of Road Closure

NOTICE is hereby given that the Council of the City of Onkaparinga at its meeting held on 16 March 2004 resolved pursuant to section 359 of the Local Government Act 1934, as amended, to close the portion of Dover Street road reserve located between Pengilly Road and John Street, Aldinga.

J. TATE, City Manager

CITY OF WEST TORRENS

Notice of Temporary Road Closure

NOTICE is hereby given that Council at its meeting held on Tuesday, 20 September 2005, resolved that pursuant to section 359 of the Local Government Act 1934, as amended, Council hereby resolves to exclude vehicles, subject to the exceptions listed, from entering or exiting the roads as specified below on Saturday, 8 October 2005 and Sunday, 9 October 2005 between the hours of 8 a.m. and 5 p.m. on each day:

Roads:

Clifford Street, Brooklyn Park at the intersections on the north and south sides of Sir Donald Bradman Drive;

James Avenue, Brooklyn Park at the intersections of Sir Donald Bradman Drive;

Raws Road, Brooklyn Park at the intersection of Sir Donald Bradman Drive.

Exceptions:

Nil.

Roads:

Western Parade, Brooklyn Park at the intersection of Marion Road;

Press Road, Brooklyn Park at the intersection of Marion Road.

Exceptions:

Emergency Services vehicles;

Vehicles driven by residents or visitors to premises in the area bounded by Sir Donald Bradman Drive, Marion Road, Clifford Street, Brooklyn Park and the Airport Drain.

T. STARR, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

Adoption of Community Land Management Plans

NOTICE is hereby given pursuant to section 197 (3) of the Local Government Act 1999, that following community consultation the District Council of Cleve at its meeting held on 16 January 2004, resolved to adopt Community Land Management Plans for Sport and Recreational Facilities and Playgrounds within the Council area.

F. L. GILLINGS, Chief Executive Officer

KANGAROO ISLAND COUNCIL

Change of Meeting Date for November 2005

NOTICE is hereby given that Council at its meeting held on Wednesday, 14 September 2005, resolved that the Council meeting in November will now be held on Wednesday, 16 November 2005 commencing at 1 p.m.

N. BROWN, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Change of Council Meeting Date

NOTICE is hereby given that the November meeting of Council will be held on Monday, 14 November 2005, in lieu of the normal date of Wednesday, 9 November 2005.

D. A. CEARNS, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Appointment

NOTICE is hereby given that subject to Division 3, section 34 of the Country Fires Act 1989, that Gary Mills has been appointed as Fire Control Officer for the Kimba District.

D. A. CEARNS, Chief Executive Officer

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

Ambler, Gilbert William, late of 22 Nelson Street, South Plympton, retired transport driver, who died on 10 August 2005.

Battye, Lorna Daphne, late of 50 Gulfview Road, Christies Beach, of no occupation, who died on 27 July 2005.

Beaton, Linda Alice Victoria, late of 15 Rosemary Street, Woodville West, of no occupation, who died on 10 July 2005.

Burke, Dennis Michael, late of 8 Mitchell Street, Glengowrie, retired compositor, who died on 20 July 2005.

Calder, Edith Dorothy, late of 112 Washington Street, Port Lincoln, home duties, who died on 1 August 2005.

Ellis, Violet Elizabeth, late of 324 Military Road, Semaphore Park, widow, who died on 16 July 2005.

Foster, Thomas Clifton, late of corner of Fort Street and Sylvan Way, Grange, retired engineer, who died on 3 July 2005.

Gawne, Henry Tynwald, late of 101 Lake Terrace East, Mount Gambier, retired driver, who died on 4 August 2005.

Hatwell, John D'arcy, late of 39 Finnis Street, Marion, retired master painter, who died on 11 May 2005.

Maguire, Colin Edward, late of 64 Warren Avenue, Blair Athol, retired storeman, who died on 4 August 2005.

Malone, Margaret Mary, late of 206 Sir Donald Bradman Drive, Cowandilla, of no occupation, who died on 18 July 2005.

Mitrosenko, Stella Annetta, late of 1-7 Leicester Street, Clearview, retired canteen worker, who died on 1 August 2005.

Nolan, Lawrence Joseph, late of 6 Tongan Way, Happy Valley, retired process worker, who died on 9 June 2005.

Padget, Alice Muriel, late of 1 Myzantha Street, Lockleys, widow, who died on 20 July 2005.

Ramsay, Eileen Ruby, late of 1217 Grand Junction Road, Hope Valley, widow, who died on 10 July 2005.

Sargent, Nancy Agnes, late of 13 Moseley Street, Glenelg, retired accountant, who died on 23 May 2005.

Sawyer, Frederick Victor, late of Grainger Road, Somerton Park, retired teacher, who died on 24 July 2005.

Spratt, Colin John, late of Hindmarsh Street, Port Lincoln, retired aviator, who died on 17 June 2005.

Wallace, Keith Alfred, late of 64 Oakridge Road, Aberfoyle Park, retired garage manager, who died on 21 June 2005.

Weeks, Margaret Turner Stuart, late of 14 Scholz Avenue, Nuriootpa, of no occupation, who died on 18 November 2004.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 28 October 2005, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 29 September 2005.

C. J. O'LOUGHLIN, Public Trustee

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

Kleeman, Beryl Noreen, late of 23 Glenburnie Terrace Plympton, retired payroll clerk, who died on 5 August 2005.

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 above estate are directed to send full particulars and evidence of such claims to the undersigned on or before 28 October 2005, otherwise they will be excluded from the distribution of the estate; and notice is also hereby given that all persons who are indebted to the said estate are required to pay the amount of their debt to the undersigned or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver the same to the undersigned.

Dated 29 September 2005.

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