



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, WEDNESDAY, 25 JANUARY 2006

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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, 25 January 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the RESI Corporation Board, pursuant to the provisions of the Electricity Corporations Act 1994:

Director: (from 25 January 2006 until 24 January 2009)
Robert Murrie Fuller

By command,

J. D. LOMAX-SMITH, for Premier

TF 05/105CS

Department of the Premier and Cabinet
Adelaide, 25 January 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Independent Gambling Authority, pursuant to the provisions of the Independent Gambling Authority Act 1995:

Member: (from 13 February 2006 until 30 April 2006)
Margaret Wallace

By command,

J. D. LOMAX-SMITH, for Premier

TF 06/003CS

Department of the Premier and Cabinet
Adelaide, 25 January 2006

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:

Deputy Presiding Member: (from 25 January 2006 until 16 January 2007)
Roslyn Donnellan-Fernandez

By command,

J. D. LOMAX-SMITH, for Premier

HEACS/05/093

Department of the Premier and Cabinet
Adelaide, 25 January 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Council for the Care of Children, pursuant to the provisions of the Children's Protection Act 1993:

Member: (from 1 February 2006 until 31 January 2008)

Rosemary Anne Crowley
Diana Hetzel
Dorothy Scott
Cody Morris
Jadyne Harvey
Mellita Kimber
Simon Andrew Schrapel
Juliet Haslam
Jane Chapman
Jayne Ann Lehmann

Chair: (from 1 February 2006 until 31 January 2008)
Rosemary Anne Crowley

By command,

J. D. LOMAX-SMITH, for Premier

MFC/CS/06/002

Department of the Premier and Cabinet
Adelaide, 25 January 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Petroleum Products Retail Outlets Board, pursuant to the provisions of the Petroleum Products Regulation Act 1995:

Member: (from 25 January 2006 until 30 June 2006)
Christopher Jones

Chair: (from 25 January 2006 until 30 June 2006)
Christopher Jones

By command,

J. D. LOMAX-SMITH, for Premier

MIR 06/001CSSFW

Department of the Premier and Cabinet
Adelaide, 25 January 2006

HER Excellency the Governor in Executive Council has removed from office Jeffery Charles McEvoy as a Justice of the Peace, pursuant to section 6 of the Justices of the Peace Act 1991.

By command,

J. D. LOMAX-SMITH, for Premier

AGO 0082/03CS

Department of the Premier and Cabinet
Adelaide, 25 January 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Multicultural and Ethnic Affairs Commission, pursuant to the provisions of the South Australian Multicultural and Ethnic Affairs Commission Act 1980:

Member: (from 25 January 2006 until 31 December 2007)
Peter Ppiros
Archie Kwesi Andrews
Vahedeh Mansoury
Norman Schueler
Petar Zdravkovski

Member: (from 25 January 2006 until 31 December 2006)
Branka King
Subha Mameledzija
Gala Mustafa

Deputy Chair: (from 25 January 2006 until 31 December 2007)
Peter Ppiros

By command,

J. D. LOMAX-SMITH, for Premier

AGO 0433/02CS

Department of the Premier and Cabinet
Adelaide, 25 January 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the people listed as Justices of the Peace for South Australia, pursuant to section 4 of the Justices of the Peace Act 1991:

Jeffrey Charles McEvoy
William Harold Betts
Tina Caruso
Kay Douglas
June Evelyn Gover
Kathryn Lee McDougall
Paola Mavrogiannis
Leon Roger Moroney
Anthony George Nemer
Joanna Nicoloulis
Mladen Soda

By command,

J. D. LOMAX-SMITH, for Premier

AGO 0039/03CS

Department of the Premier and Cabinet
Adelaide, 25 January 2006

HER Excellency the Governor in Executive Council has been pleased to allow and countersign the proposed amendments to Statute 9.1 of the Flinders University of South Australia, sealed on 7 December 2005, pursuant to section 20 (3) of The Flinders University of South Australia Act 1966.

By command,
J. D. LOMAX-SMITH, for Premier

METAFE 04/06CS

CROWN LANDS ACT 1929: SECTION 5

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

The Schedule

Nullarbor Conservation Reserve, Sections 496 and 498, Out of Hundreds (Nullarbor), the notice of which, together with other land was published in the *Government Gazette* of 9 December 1993 at page 2887, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5772, Folio 465.

Dated 25 January 2006.

J. HILL, Minister for Environment and Conservation

DEH 13/1029

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 5 of Deposited Plan 68209, Out of Hundreds (Coober Pedy), being within the Coober Pedy district.

Dated 25 January 2006.

J. HILL, Minister for Environment and Conservation

DEH 14/0340

DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF SALISBURY—INDUSTRY ZONE BURTON PLAN AMENDMENT

Preamble

The Development Plan amendment entitled 'City of Salisbury—Industry Zone Burton Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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 25 January 2006.

P. HOLLOWAY, Minister for Urban Development and Planning

PLN 05/0326

DEVELOPMENT ACT 1993: SECTION 46 (1)

Preamble

Section 46 (1) of the Development Act 1993, allows the Minister for Urban Development and Planning to apply that section to a specified kind of development or project if the Minister is of the opinion that a declaration under that section is appropriate or necessary for the proper assessment of development or a project of major environmental, social or economic importance.

NOTICE

PURSUANT to section 46 (1) of the Development Act 1993, being of the opinion that a declaration under section 46 of the Act is appropriate for the proper assessment of development of major environmental, social or economic importance, I declare that section 46 of the Act applies to any development of a kind specified in Schedule 1.

SCHEDULE 1

The following kinds of development are specified if undertaken in, or in relation to, the part of the State specified in Schedule 2:

- (a) building work;
- (b) change in the use of land;
- (c) the excavating or filling (or excavation and filling) of land, or the forming of a levee or mound; and
- (d) any other kind of development,

for the purpose of, or ancillary to, operating a cast metal manufacturing plant (including the management, storage, treatment or disposal of stormwater, wastewater, effluent, air emissions or noise emissions).

SCHEDULE 2

The following parts of the State are specified for the purposes of Schedule 1:

- (1) The whole of the land comprised in Lot 32-34, Cromwell Road, Kilburn and contained in certificates of title volume 5776, folio 177 and volume 2751, folio 13.
- (2) Other land on which it is necessary or desirable to undertake the kinds of development referred to in Schedule 1 for, or in relation to, the management, storage, treatment or disposal of stormwater, wastewater, effluent, air emissions or noise emissions or access road caused by, or associated with, the operation of a cast metal manufacturing plant on the land referred to in Clause 1.

Dated 12 January 2006.

P. HOLLOWAY, Minister for Urban Development and Planning

PORT AUGUSTA CIRCUIT COURT

Sheriff's Office, Adelaide, 20 January 2006

IN pursuance of a precept from the District Court of South Australia to me directed, I do hereby give notice that the said Court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Port Augusta on the day and time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be unless a Judge otherwise orders as follows:

Monday, 30 January 2006 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences.

Juries will be summoned for Wednesday, 1 February 2006 and persons will be tried on this and subsequent days of the sittings.

Prisoners in HM Gaol and on bail for sentence and for trial at the sittings of the Port Augusta Courthouse, commencing on Monday, 30 January 2006.

Andrew, Steven Clive Aplin, Darrel Stevon	Rape Possessing methamphetamine for sale	On bail In gaol	Mills, Kyron Brougham Monkedieck, Hubert	Producing a controlled substance Indecent assault (2); unlawful sexual intercourse;	On bail On bail
Barnes, Darren John	Prevent person from attending as witness	In gaol		Rape	
Barnes, Mervyn Michael	Aggravated serious criminal trespass (non-residential); dishonestly take property without owner's consent	In gaol	Moore, Matthew Phillip	Rape; threatening life; indecent assault; creating risk of bodily harm	On bail
Beare, Brenton Andrew	Possess methamphetamine for sale; possessing cannabis for sale; producing cannabis; unlawful possession	On bail	Mutton, Hugh John Nicholas, Bryan Alan	Unlawful sexual intercourse with a person under 12 Rape; unlawful sexual intercourse	On bail On bail
Brooks, Barry Stephen	Unlawful sexual intercourse with a person under 12 (4)	On bail	Pavlich, James Phillip	Causing bodily harm by dangerous driving (4)	On bail
C	Unlawful sexual intercourse (3); indecent assault	In gaol	Peel, Priscilla Anne	Aggravated serious criminal trespass—residence occupied; dishonestly take property without owner's consent	On bail
Coe, Mark Steven	Threatening to cause harm (2)	On bail			
Coe, Mark Steven	Unlawful sexual intercourse (6); indecent assault (6)	On bail	Perkins, Christoper Lee	Possessing a controlled substance for sale; possess a firearm without a licence; fail to store ammunition in locked container; carry offensive weapon	On bail
Crombie, Desmond John	Threatening life (2); threatening to cause harm (2)	On bail			
Datson, Joshua Simon	Application for enforcement of a breached bond; threaten person in judicial proceedings to influence outcome; damaging property; non-aggravated serious criminal trespass (non-residential); larceny	In gaol	Phanos, Dean Ron Pym, Howard Ross	Possessing methamphetamine for sale; unlawful possession Indecent assault (2); unlawful sexual intercourse with a person under 12 (2)	On bail In gaol
Dixon, Graehme Donnellan, Steven John	Indecent assault Unlawful sexual intercourse	On bail On bail	Raymond, Randal Rincon, Christian Francois	Rape Aggravated serious criminal trespass in a place of residence; theft; threatening to cause harm; common assault	On bail On bail
Edge, Jamie Robert	Attempted aggravated serious criminal trespass (non-residential)	On bail	Sam, Rex	Wounding with intent to do grievous bodily harm; assault occasioning actual bodily harm	In gaol
Franks, Anthony Kym Ginger, Norris Gray, David Raymond	Indecent assault (2) Arson; endangering life (2) Unlawful sexual intercourse (5)	On bail On bail In gaol	S	Indecent assault (3); procuring an act of gross indecency; unlawful sexual intercourse (2)	On bail
Gray, David Raymond Hirte, Rodney William Hoskins, Graeme William	Unlawful sexual intercourse Rape Rape (2)	In gaol On bail On bail	Smith, Steven James	Rape; unlawful sexual intercourse (5)	On bail
J	Rape (7); threatening life; possess a firearm without a licence; possess unregistered firearm; fail to keep class C, D or H firearm secured; fail to store ammunition in locked container	On bail	Strugnell, Rebecca Leigh	Aggravated serious criminal trespass in a place of residence; assault occasioning actual bodily harm (2)	On bail
James, Levi Edward	Aggravated robbery; false imprisonment; threatening life; using a motor vehicle without consent	In gaol	Faulkner, Zachary Wade	Aggravated serious criminal trespass in a place of residence; assault occasioning actual bodily harm (2)	On bail
K	Possess a firearm without a licence authorising possession; failing to properly secure a firearm (3); failing to properly store ammunition (3); possessing firearm without a licence; authorising possession	On bail	Sullivan, Adrian Scott Sully Waye, Ian John	Assault occasioning actual bodily harm Aggravated serious criminal trespass in a place of residence; common assault; threatening to cause harm	On bail On bail
Kelly, Daniel Joseph	Threatening life (2); common assault	On bail	Waye, Robert Clayton	Aggravated serious criminal trespass in a place of residence; common assault; threatening to cause harm	On bail
Kokotis, Matthew	Taking part in the sale of a drug of dependence (4)	On bail	Waye, Joanne Rose	Aggravated serious criminal trespass in a place of residence; common assault; threatening to cause harm	On bail
Lange, Clifford Ian	Producing a controlled substance; possessing a controlled substance for sale	On bail	Waye, Tammy Elizabeth	Aggravated serious criminal trespass in a place of residence; common assault; threatening to cause harm	On bail
Maddison, Richard William	Unlawful sexual intercourse with a person under 12 (2); indecent assault (2)	On bail			
Mason, Rhiannon Dann	Arson	On bail	Wavehill, Anthony David	Aggravated serious criminal trespass in a place of residence; theft (2); serious criminal trespass in a place of residence; robbery	In gaol
Miller, Kenneth John	Aggravated robbery; false imprisonment; threatening life; using a motor vehicle without consent	In gaol	Wilton, Raymond Clarence	Unlawful sexual intercourse with a person under 12	On bail

Wonga, Daryl	Assault with intent to rape; rape	In gaol	New Year's Eve: 2 a.m. the following day to 3 a.m. the following day.
Woodlands, Danuel Robin	Attempted arson (2); endangering life (4)	In gaol	Days preceding other Public Holidays: Midnight to 3 a.m. the following day.
Young, Lisa Michelle	Aggravated serious criminal trespass in a place of residence; theft; threatening to cause harm	On bail	<ul style="list-style-type: none"> • Variation to Entertainment Consent to include the above-mentioned hours.
Zimmermann, Shane Elliott	Damaging property (2); assault occasioning actual bodily harm; resisting a police officer; assaulting a police officer; threatening to cause harm (2)	On bail	

Prisoners on bail must surrender at 10 a.m. of the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant will be issued forthwith.

By order of the Court,

M. A. STOKES, Sheriff

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Jason Roy Wright, 16 Linklater Street, Streaky Bay, S.A. 5680 (the 'exemption holder'), is exempt from the provisions of Regulation 15 (2) of the Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991, but only insofar as the exemption holder shall not be guilty of an offence when permitting more than two persons to act as his agents when taking salmon (*Arripis truttaceus*) from the shore for the purposes of trade or business (the 'exempted activity'), subject to the conditions specified in Schedule 1, from the date of gazettal of this notice until 31 May 2006, unless varied or revoked earlier.

SCHEDULE 1

1. The exemption holder may use no more than nine persons acting as his agents on the shore at any one time when engaged in the exempted activity.

2. The exempted activity may only be undertaken using gear endorsed on Marine Scalefish Fishery Licence No. M522.

3. The exemption holder must be within 700 m of all agents conducting fishing activities pursuant to this exemption.

4. While engaged in the exempted activity, the exemption holder must carry or have about or near his person, a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer upon request.

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

Dated 25 January 2006.

W. ZACHARIN, Director of Fisheries

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 Saturno's Oxford Hotel Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence, variation to Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 101 O'Connell Street, North Adelaide, S.A. 5006 and known as Oxford Hotel.

The applications have been set down for hearing on 17 February 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to the current Extended Trading Authorisation to include the following hours:

Christmas Day: Midnight to 2 a.m.

Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day.

The applicant's address for service is c/o Clelands Lawyers, 208 Carrington Street, Adelaide, S.A. 5000 (Attention: Leon McEvoy).

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 January 2006.

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 Thomas Ralph Joy has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 25 Railway Terrace, Quorn, S.A. 5433 and known as Grand Junction Hotel.

The applications have been set down for hearing on 22 February 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 14 February 2006).

The applicant's address for service is c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152.

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 January 2006.

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 Woodlands Grove Residents Association Inc. has applied to the Licensing Authority for a Limited Club Licence and Entertainment Consent in respect of premises situated at 15 Woodlands Drive, Mount Gambier, S.A. 5290 and to be known as Woodlands Grove Retirement Village.

The application has been set down for hearing on 24 February 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Entertainment Consent is sought for the following times and areas as per plans lodged with this office:

Monday and Tuesday: 2 p.m. to 8 p.m.

Wednesday and Thursday: 2 p.m. to 9 p.m.

Friday and Saturday: 2 p.m. to midnight.

Sunday: Noon to 8 p.m.

Good Friday: 4 p.m. to midnight.

Christmas Day: 4 p.m. to midnight.

Sunday Christmas Day: 4 p.m. to 10 p.m.

New Year's Eve: 4 p.m. to 1 a.m. the following day.

Days preceding other Public Holidays: 4 p.m. to 10 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 16 February 2006).

The applicant's address for service is c/o Woodlands Grove Retirement Village, 15 Woodlands Drive, Mount Gambier, S.A. 5290 (Attention: Annette McLaughlin).

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 13 January 2006.

Applicant

- Variation to Extended Trading Authorisation to apply to the abovementioned area.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 9 February 2006).

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

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 January 2006.

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 Demetor S.A. Pty Ltd has applied to the Licensing Authority for the variation to an Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 128 Rundle Mall, Adelaide, S.A. 5000 and known as Hotel Richmond.

The application has been set down for hearing on 24 February 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to Extended Trading Authorisation (including Entertainment Consent) to include Good Friday from midnight to 2 a.m. and Monday from midnight to 5 a.m.
- Variation to Entertainment Consent to include Area 6.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 16 February 2006).

The applicant's address for service is c/o Wallmans Lawyers, 173 Wakefield 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 January 2006.

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 Michael John Sparrow and Margaret Joan Heads have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 72, Lenger Road, Mount Torrens, S.A. 5244 and to be known as Burnton Ridge Vineyard.

The application has been set down for hearing on 24 February 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner 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: 16 February 2006).

The applicants' address for service is c/o Michael Sparrow, P.O. Box 1676, Mount Torrens, S.A. 5244.

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 January 2006.

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 Ezygifts Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 26 Sunbeam Road, Glynde, S.A. 5070 and to be known as Ezygifts.

The application has been set down for hearing on 24 February 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 16 February 2006).

The applicant's address for service is c/o Vicki Karan, 26 Sunbeam Road, Glynde, S.A. 5070.

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 January 2006.

Applicant

MINING ACT 1971

NOTICE is hereby given in accordance with section 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Clay and Mineral Sales Pty Ltd
 Claim No.: 3569
 Location: Section 9, Hundred of Moseley, approximately 20 km north-east of Kimba.
 Area: 2.9 hectares
 Purpose: Recovery of sand.
 Ref.: T02544

A copy of the proposal has been provided to the District Council of Kimba.

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 10 February 2006.

H. TYRTEOS, Mining Registrar

NATIONAL ELECTRICITY LAW

NOTICE TO EXTEND TIME PERIOD UNDER SECTION 107

Draft National Electricity Amendment (System Restart Ancillary Services and Pricing Under Market Suspension) Rule 2006

THE Australian Energy Market Commission (Commission) has extended the time for the receipt of submissions in relation to this draft Rule determination.

The Commission considers that as a result of an error occurring during publication of the above draft Rule, it is in the public interest to extend the time period for submissions by a further 6 weeks. Submissions must be received no later than 13 March 2006.

The draft determination including an updated draft Rule are published on the Commission's website and are available for inspection at the offices of the Commission. The Commission's policy is to promptly publish all submissions on its website, subject to consideration of any claim of confidentiality.

Australian Energy Market Commission

Postal Address: P.O. Box H166
 Australia Square, N.S.W. 1215

Offices: Level 16, 1 Margaret Street,
 Sydney, N.S.W. 2000

Telephone: (02) 8296 7800
 Facsimile: (02) 8296 7899

Email: submissions@aemc.gov.au

Website: www.aemc.gov.au

Dated 25 January 2006.

J. TAMBLYN, Chairman, Australian Energy Market Commission

NATIONAL PARKS REGULATIONS 2001

Closure of the Coffin Bay National Park

PURSUANT to Regulation 8 (3) (d) of the National Parks Regulations 2001, I, Edward Gregory Leaman, the Director of National Parks and Wildlife, close to the public, a part of Coffin Bay National Park from 6 p.m. on Sunday, 26 February 2006 until 11 a.m. on Saturday, 4 March 2006.

The closure of the Coffin Bay National Park applies to the area encompassing all of the park area to the north and west of Yangie Bay. The remainder of the Coffin Bay National Park will remain open to the public during this period.

The purpose of the closure is to ensure the safety of the public during an animal-culling program being conducted within the Coffin Bay National Park during the above-mentioned period.

Use of Firearms Within the Reserve

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife grant permission to members of the Sporting Shooters Association of South Australia (SA Branch) in possession of both a current Hunting Permit and a firearm to enter and remain in Coffin Bay National Park from 6 p.m. on Sunday, 26 February 2006 until 11 a.m. on Saturday, 4 March 2006 for the purpose of taking pest animals.

This permission is conditional upon the observance by each of those persons of the requirements of the National Parks and Wildlife Act 1972, National Parks Regulations 2001 and the National Parks and Wildlife (Hunting) Regulations 1996, including those requiring compliance with the Director's requests, requirements and orders of a Warden.

Dated 17 January 2006.

E. G. LEAMAN, Director, National Parks and Wildlife

NATIONAL PARKS REGULATIONS 2001

Closure of the Piccaninnie Ponds Conservation Park

PURSUANT to Regulation 8 (3) (d) of the National Parks Regulations 2001, I, Edward Gregory Leaman, the Director of National Parks and Wildlife, close to the public, a part of Piccaninnie Ponds Conservation Park from 6 a.m. on Monday, 30 January 2006 until 6 p.m. on Saturday, 4 March 2006.

The closure of a section of Piccaninnie Ponds Conservation Park applies to the following grid references only:

495066/5788341
 495075/5788371
 495098/5788337
 495106/5788356

The remainder of the Piccaninnie Ponds Conservation Park will remain open to the public during this period.

The purpose of the part-closure is to ensure the safety of the public during an approved park infrastructure project, as well as enabling contractors to store plant and equipment during the project.

Dated 23 January 2006.

E. G. LEAMAN, Director, National Parks and Wildlife

PETROLEUM ACT 2000

Grant of Petroleum Production Licence—PPL 212

PURSUANT to section 92 (1) of the Petroleum Act 2000, notice is hereby given that the undermentioned Petroleum Production Licence has been granted with effect from 23 January 2006, 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	Licenseses	Locality	Area in km ²	Reference
PPL 212	Beach Petroleum Limited Great Artesian Oil and Gas Limited Magellan Petroleum (Southern) Pty Ltd	Cooper Basin of South Australia	1.6	28/01/394

Description of Area

All that part of the State of South Australia, bounded as follows: Commencing at a point being the intersection of latitude 28°08'50"S GDA94 and longitude 139°52'00"E GDA94, thence east to longitude 139°52'40"E GDA94, south to latitude 28°09'20"S GDA94, west to longitude 139°52'30"E GDA94, south to latitude 28°09'35"S GDA94, west to longitude 139°52'10"E GDA94, north to latitude 28°09'30"S GDA94, west to longitude 139°51'55"E GDA94, north to latitude 28°09'20"S GDA94, west to longitude 139°51'47"E GDA94, north to latitude 28°09'00"S GDA94, east to longitude 139°52'00"E GDA94, and north to the point of commencement.

Area: 1.6 km² approximately.

Dated 23 January 2006.

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

Suspension of Exploration Licence PEL—107

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that the abovementioned Exploration Licence has been suspended under the provisions of the Petroleum Act 2000, for a period of 244 days, from and including 23 January 2006 until 23 September 2006, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of Exploration Licence PEL 107 is now determined to be 1 December 2008.

Dated 18 January 2006.

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

Suspension of Exploration Licence—GEL 157

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that the abovementioned Exploration Licence has been suspended under the provisions of the Petroleum Act 2000, from and including 11 January 2006 to 6 April 2006, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of Exploration Licence GEL 157 is now determined to be 16 February 2010.

Dated 17 January 2006.

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

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Closure
Robe Road, Sandy Grove*

BY Road Process Order made on 3 August 2005, the Kingston District Council ordered that:

1. Portion of Robe Road adjoining Pinks Beach Road, allotment 4 in Filed Plan 122537, allotment 14 in Deposited Plan 28055 and section 15 in the Hundred of Lacepede more particularly delineated and lettered 'A' in Preliminary Plan No. 03/0107 be closed.

2. The whole of the land subject to closure be transferred to David Stuart Gibbs in accordance with agreement for transfer dated 23 December 2003 entered into between the Kingston District Council and D. S. Gibbs.

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

Grant to Distribution Lessor Corporation an easement for overhead electricity supply purposes.

On 20 December 2005 that order was confirmed by the Minister for Administrative Services conditionally upon the deposit by the Registrar-General of Deposited Plan 69054 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 25 January 2006.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Opening
Wyatt Road, Direk*

BY Road Process Orders made on 17 October 2005, the City of Salisbury ordered that:

All those portions of allotments 11 and 12 in Filed Plan 103331, being a strip generally of 5 m wide following the southern boundaries of the said allotments with the cut corners widening at either road junction end, as more particularly delineated and numbered '14' and '15' in Preliminary Plan No. 04/0123, be opened as road forming a widening of Wyatt Road and Heaslip Road.

On 15 December 2005 that order was confirmed by the Minister for Administrative Services conditionally upon the deposit by the Registrar-General of Deposited Plan 69616 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 25 January 2006.

P. M. KENTISH, Surveyor-General

SEWERAGE ACT 1929

Addition of Land to Mount Gambier Country Drainage Area

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

- (a) adds to the Mount Gambier Country Drainage Area all the land contained in:
- (i) allotment 846 in Filed Plan 194648;
 - (ii) allotment 55 in Deposited Plan 56264 (except the portion of that land already in the Mount Gambier Country Drainage Area); 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 January 2006.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. McNAMARA, Billing Manager

SAWATER 06/00643 D1296

NOTICE TO MARINERS

NO. 2 OF 2006

*South Australia—Port of Adelaide—Port River—Birkenhead
Bridge—Bridge Closure*

MARINERS are advised that the Birkenhead Bridge will be closed to all traffic, except for Emergency Response Vessels as necessary, for scheduled maintenance on the following dates and between the hours of:

Monday, 30 January 2006 to Friday, 3 February 2006, between the hours of 9 a.m. (0900 hours) to 3.30 p.m. (1530 hours); and

Monday, 6 February 2006 to Friday, 10 February 2006, between the hours of 9 a.m. (0900 hours) to 3.30 p.m. (1530 hours).

Mariners are further advised that this restriction may be extended in the event of delays to the works programme. Due notice of such extension will be given.

Charts affected: Aus 137.

Publications affected: Australia Pilot Vol. 1 2005 edition, page 389, South Australia's Waters CW Map 6F, page 196.

Dated 6 January 2006.

P. CONLON, Minister for Transport

TSA 2006/00419

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 25 January 2006

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
St Albans Street, Findon. p6

CITY OF ONKAPARINGA
Roy Terrace, Christies Beach. p3
Geraldton Street, Port Noarlunga South. p4
Carter Street, Aldinga. p5
Esplanade, Aldinga Beach. p19

CITY OF WEST TORRENS
Scotland Road, Mile End South. p7
Easements in lots 1 and 2 in LTRO FP 149499, and lot 23 in LTRO DP 57945, Scotland Road, Mile End South. p7

BEETALOO COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST
Coast Road, Moonta Bay. p12
North Terrace, Moonta Bay. p12

BLYTH WATER DISTRICT

WAKEFIELD REGIONAL COUNCIL
Moore Street, Blyth. p9

MORGAN WATER DISTRICT

MID MURRAY COUNCIL
Ninth Street, Morgan. p14
North West Terrace, Morgan. This main is available on the west side by application only. p14

MOUNT GAMBIER WATER DISTRICT

CITY OF MOUNT GAMBIER
Goss Street, Mount Gambier. p8
Across Annette Street, Mount Gambier. p10
Lee Court, Mount Gambier. p10

PORT LINCOLN WATER DISTRICT

CITY OF PORT LINCOLN
Grantala Road, Port Lincoln. p1

PORT NEILL WATER DISTRICT

THE DISTRICT COUNCIL OF TUMBY BAY
Coast Road, Port Neill. This main is available on the west side by application only. p2
Habib Road, Port Neill. This main is available on the south side by application only. p2
Coneybeer Terrace, Port Neill. p2
Carrow Terrace, Port Neill. p2

ROSEWORTHY WATER DISTRICT

LIGHT REGIONAL COUNCIL
Arthur Road, Roseworthy. p15

SPRINGTOWN WATER DISTRICT

BAROSSA COUNCIL
Edward Street, Springton. p16
Gilbert Terrace, Springton. This main is available on the north side by application only. p16

TANUNDA WATER DISTRICT

BAROSSA COUNCIL
Menge Road, Tanunda. p17

TWO WELLS WATER DISTRICT

DISTRICT COUNCIL OF MALLALA
McCord Road, Two Wells. p18
Germantown Road, Two Wells. p18

WATER MAINS ABANDONED

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

BEETALOO COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST
Coast Road, Moonta Bay. p12
North Terrace, Moonta Bay. p12

PORT LINCOLN WATER DISTRICT

CITY OF PORT LINCOLN
Grantala Road, Port Lincoln. p1

TOD RIVER COUNTRY LANDS WATER DISTRICT

THE DISTRICT COUNCIL OF TUMBY BAY
Waterworks land (section 226, hundred of Koppio), Koppio. p36 and 37

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 ONKAPARINGA
Waterworks land (section 466, hundred of Noarlunga), Chandlers Hill Road, Happy Valley. p20-35

SMOKY BAY WATER DISTRICT

THE DISTRICT COUNCIL OF CEDUNA
Across and in Beach Esplanade, Smoky Bay. p11
Easements in lot 800 in LTRO DP 68500, Watson Cove, Smoky Bay. p11
Watson Cove, Smoky Bay. p11

TOD RIVER COUNTRY LANDS WATER DISTRICT

THE DISTRICT COUNCIL OF CEDUNA
Across and in public road north of section 67, hundred of Wallinippie, Smoky Bay. p11

DISTRICT COUNCIL OF LOWER EYRE PENINSULA
Waterworks land (sections 461 and 306, hundred of Louth), Reservoir Drive, Whites Flat. p39-48
Reservoir Drive, Whites Flat. p39, 41, 43-45 and 47

THE DISTRICT COUNCIL OF TUMBY BAY
Waterworks land (section 226, hundred of Koppio), Koppio. p36 and 37

SEWERS LAID

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

ADELAIDE DRAINAGE AREA

CITY OF BURNSIDE
Blairgowrie Road, St Georges. FB 1144 p57

CAMPBELLTOWN CITY COUNCIL
Dawn Avenue, Hectorville. FB 1144 p38

CITY OF CHARLES STURT
Willsmore Street, Beverley. FB 1144 p32
Cole Avenue, Findon. FB 1144 p35
Pioneer Street, Findon. FB 1144 p49
St Albyns Street, Findon. FB 1146 p3

CITY OF HOLDFAST BAY
South Esplanade, Glenelg South. FB 1144 p59

CITY OF MARION
Rosslyn Street, Glengowrie. FB 1144 p36
Bells Road, Glengowrie. FB 1144 p37
Mulga Street, Seacombe Gardens. FB 1144 p48
Across Paringa Avenue, Marino. FB 1144 p39
Easement in lot 67 in LTRO FP 148805, Paringa Avenue, Marino. FB 1144 p39
Clement Street, Plympton Park. FB 1144 p42

CITY OF NORWOOD PAYNEHAM AND ST PETERS
Cardigan Avenue, Felixstow. FB 1144 p34
Across First Lane, St Peters. FB 1144 p46
Easement in lot 972 in LTRO FP 21849, Stephen Terrace, St Peters. FB 1144 p46

CITY OF ONKAPARINGA
Roy Terrace, Christies Beach. FB 1144 p33
Avon Avenue, Morphett Vale. FB 1144 p40
Braemar Avenue, Morphett Vale. FB 1144 p41
Geraldton Street, Port Noarlunga South. FB 1144 p43
Easement in lots 141 and 140 in LTRO DP 6488, Valleyview Crescent, Hackham West. FB 1144 p60

CITY OF PORT ADELAIDE ENFIELD
Danvers Grove, Woodville Gardens. FB 1144 p50

CITY OF SALISBURY
Meath Avenue, Salisbury Downs. FB 1144 p47

ALDINGA DRAINAGE AREA**CITY OF ONKAPARINGA**

Esplanade, Port Willunga. FB 1144 p44 and 58
Seaborne Avenue, Port Willunga. FB 1144 p45
Loader Crescent, Port Willunga. FB 1144 p53
Esplanade, Aldinga Beach. FB 1144 p54
Storey Avenue, Aldinga Beach. FB 1144 p56

MOUNT GAMBIER COUNTRY DRAINAGE AREA**CITY OF MOUNT GAMBIER**

Burcham Street, Mount Gambier. FB 1130 p23
Easements in lot 267 in LTRO FP 194879, and lot 3 in LTRO DP 66682, Wireless Road, Mount Gambier. FB 1130 p23

PORT LINCOLN COUNTRY DRAINAGE AREA**CITY OF PORT LINCOLN**

Easements in lots 204-201 and 205 in LTRO DP 65605, Grantala Road, Port Lincoln. FB 1143 p35

STIRLING COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Across Kingsland Road, Aldgate. FB 1144 p52
Surrey Road, Aldgate. FB 1144 p52
Easement in lot 51 in LTRO DP 62088, Braeside Road, Stirling. FB 1144 p55
Snows Road, Stirling. FB 1144 p30

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.

STIRLING COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Across Snows Road, Stirling—40 mm MDPE pressure sewer system. FB 1144 p31
Lot 71 in LTRO FP 158017, Snows Road, Stirling—40 mm MDPE pressure sewer system. FB 1144 p31

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

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF CITY OF BURNSIDE—HISTORIC (CONSERVATION) ZONE No. 2 PLAN AMENDMENT*Notice*

PURSUANT to section 28 (1) of the Development Act 1993, I, the Governor's Deputy, with the advice and consent of the Executive Council, being of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'City of Burnside—Historic (Conservation) Zone No. 2 Plan Amendment' that the Plan Amendment should come into operation without delay, declare that the Plan Amendment will come into operation on an interim basis on 25 January 2006.

Given under my hand at Adelaide, 19 January 2006.

BRUNO KRUMINS, Governor's Deputy

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF CITY OF CHARLES STURT—DISTRICT CENTRE (WEST LAKES) ZONE BUILDING HEIGHT AND DESIGN PLAN AMENDMENT*Notice*

PURSUANT to section 28 (1) of the Development Act 1993, I, the Governor's Deputy, with the advice and consent of the Executive Council, being of the opinion that it is necessary in the interest of

the orderly and proper development of the area affected by the 'City of Charles Sturt—District Centre (West Lakes) Zone Building Height and Design Plan Amendment' that the Plan Amendment should come into operation without delay, declare that the Plan Amendment will come into operation on an interim basis on 25 January 2006.

Given under my hand at Adelaide, 19 January 2006.

BRUNO KRUMINS, Governor's Deputy

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF CITY OF PLAYFORD—MUNNO PARA DISTRICT CENTRE PLAN AMENDMENT*Notice*

PURSUANT to section 28 (1) of the Development Act 1993, I, the Governor's Deputy, with the advice and consent of the Executive Council, being of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'City of Playford—Munno Para District Centre Plan Amendment' that the Plan Amendment should come into operation without delay, declare that the Plan Amendment will come into operation on an interim basis on 25 January 2006.

Given under my hand at Adelaide, 19 January 2006.

BRUNO KRUMINS, Governor's Deputy

WATERWORKS ACT 1932*Removal of Land from Barossa Country Lands Water District and Addition to Adelaide Water District*

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

- (a) removes from the Barossa Country Lands Water District and adds to the Adelaide Water District all the land contained in allotment 300 in Deposited Plan 57343; and
- (b) declares that this notice will have effect from 1 July 2005.

Dated 23 January 2006.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 06/00640 W1295

WATERWORKS ACT 1932*Removal of Land from Coonalpyn Downs Country Lands Water District and Addition to Tailem Bend Water District*

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

- (a) removes from the Coonalpyn Downs Country Lands Water District and adds to the Tailem Bend Water District all the land contained in:
 - (i) allotments 5 and 6 in Filed Plan 17373;
 - (ii) the portion of Stanley Street, Tailem Bend, abutting allotments 5 and 6 in Filed Plan 17373; 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 January 2006.

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

A. POPPLEWELL, General Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 06/00644 W1297

WORKERS REHABILITATION AND COMPENSATION ACT, 1986

The **WORKCOVER CORPORATION OF SOUTH AUSTRALIA** ("the Corporation") in accordance with those provisions of the **WORKERS REHABILITATION AND COMPENSATION ACT, 1986**, as amended ("the WRCA") and the **WORKCOVER CORPORATION ACT, 1994**, as amended ("the WCA") identified in Item 1 of the Schedule hereto ("the Schedule") makes its determination in the terms set out in Item 2 of the Schedule upon the grounds set out in Item 3 of the Schedule, if any, to come into effect on the date set out in Item 4 of the Schedule and determines further that notice of this determination shall be provided in the manner set out in Item 5 of the Schedule, if any, and further for the purposes of this determination the Corporation pursuant to Section 17 of the WCA delegates those powers or functions of the Corporation set out in Item 6 of the Schedule to the person or persons named therein ("the Delegate").

SCHEDULE**Item 1 Legislation Empowering Determination**

Sections 65 and 67 of the WRCA and Section 17 of the WCA.

Item 2 Terms of Determination**A. Establishment of a consolidated remission/supplement scheme**

That the Delegate establish and implement under Section 67 of the WRCA a consolidated scheme for the remission of levies ("remissions") or the imposition of supplementary levies ("supplements") on particular employers ("the Levy Adjustment Scheme"). The Levy Adjustment Scheme must satisfy the following conditions:

- 2.1 The Levy Adjustment Scheme shall not apply at all to employers who are holders of exempt employer status.
- 2.2 The remission to be granted or the supplement to be imposed on a particular employer shall be the result, in net terms, of the application of the discrete elements of remission or supplement described in Elements 1 to 10 set out below.

Accordingly, the Delegate shall determine, within any discrete period, the application of a single remission or supplement which reflects the net effect of Elements 1 to 10 (provided that the part of the remission that reflects the operation of Element 2 of the Levy Adjustment Scheme may be payable as a lump sum).

- 2.3 Element 1 is the grant of a remission or the imposition of a supplement on a particular employer determined having regard to:
 - (a) the incidence or costs of claims for compensable disabilities suffered by a particular employer's workers (disregarding claims excluded from the ambit of Section 67(1)(b) of the WRCA by regulation); or

- (b) the performance or otherwise by the employer of measures determined by the Corporation to reduce the incidence or costs of those compensable disabilities,

subject to the conditions that:

- (c) the amount of any supplement shall not exceed 50% of the levy payable by the particular employer by application of the percentage fixed by the Corporation under Section 66(6) of the WRCA; and
- (d) Element 1 of the Levy Adjustment Scheme shall not apply to employers whose levy payable to the Corporation for the relevant period falls below a level determined for that purpose by the Delegate.

2.4 Element 2 is the grant of a remission to or the imposition of a supplement on a Participating Employer determined by calculating that employer's Performance Ratio and granting or imposing, as the case may be, the remission or supplement that has been fixed by the Board as applicable to that Performance Ratio for that financial year.

2.5 Element 3 is the imposition of a supplement where the particular employer fails to give at least 28 days notice to the Corporation of the proposed termination of a worker who has suffered a compensable disability (being the employer from whose employment the disability arose) unless:

- (a) the employment is properly terminated on the ground of serious and wilful misconduct; or
- (b) the worker is neither receiving compensation, nor participating in a rehabilitation program, for the disability; or
- (c) the worker's rights to compensation for the disability have been exhausted or the time for making a claim for compensation has expired,

subject to the conditions that:

- (d) the amount of the supplement imposed under Element 3 shall not exceed 110% of the amount of the Claims Costs paid or payable by the Corporation in respect of the relevant worker of the particular employer during the period the particular employer fails to provide the relevant notice; and
- (e) the supplement imposed under Element 3 shall cease if a supplement is imposed under Elements 4, 7, 8 or 9 of the Levy Adjustment Scheme to the same employer in respect of the same worker.

2.6 Element 4 is the imposition of a supplement where the particular employer fails to provide suitable employment for a worker of that employer who has been incapacitated for work in consequence of a compensable disability and is able to return to work (whether on a full-time or part-time basis and whether or not to his or her previous employment), the employment being employment for which the worker is fit and, subject to that qualification, so far as reasonably

practicable the same as, or equivalent to, the employment in which the worker was employed immediately before the incapacity, unless --

- (a) it is not reasonably practicable to provide employment; or
- (b) the worker left the employment of that employer before the commencement of the incapacity for work; or
- (c) the worker terminated the employment after the commencement of the incapacity for work; or
- (d) the employer currently employs less than ten employees, and the period that has elapsed since the worker became incapacitated for work is more than one year,

subject to the conditions that:

- (e) the amount of the supplement imposed under Element 4 shall not exceed 110% of the Claims Costs paid or payable by the Corporation in respect of the relevant worker of the particular employer which are attributable to such failure to provide suitable employment; and
- (f) the supplement imposed under Element 4 shall cease if a supplement is imposed under Elements 3, 7, 8 or 9 of the Levy Adjustment Scheme to the same employer in respect of the same worker.

2.7 Element 5 is the imposition of a supplement in relation to a particular employer having regard to criteria determined on an annual or more regular basis by the Manager, Occupational Health and Safety Services as:

- (a) establishing an indicator that the costs or incidence of disabilities to the workers of particular employers exceeds to a material extent the average of those costs or incidence in the industry (which has been determined by the Corporation pursuant to Section 66(3) of the WRCA) in which the particular employer employs workers or some other like benchmark or grouping adopted for that purpose where determined to be more appropriate by the Delegate; or
- (b) measures designed to target the application of this element of the Levy Adjustment Scheme to particular employers whose workers have a cost or incidence of claims that require the specific intervention of the Corporation in order to meet the objects of the WRCA specified in Section 2 of the WRCA;

subject to the condition that the amount of the supplement imposed under this Element of the Levy Adjustment Scheme shall not exceed fifty percent (50%) of the levy payable by the particular employer by application of the percentage fixed by the Corporation under Section 66(6) of the WRCA.

- 2.8 Element 6 is the imposition of a supplement on each Qualifying Employer (a "Relevant Balancing Payment") in relation to each Return Period subject to the conditions that:
- (a) no Qualifying Employer shall be obliged to pay a Relevant Balancing Payment more than once in respect of a single continuous period of registration by the Corporation under the WRCA; and
 - (b) the Relevant Balancing Payment shall be payable at the same time that the Qualifying Employer is obliged to pay the Base Levy applicable to that Return Period unless the obligation to pay the Relevant Balancing Payment is revoked by the Corporation under Section 67(4)(b) of the WRCA before the time for such payment.
- 2.9 Element 7 is the imposition of a supplement where the particular employer fails to comply with an obligation binding on that employer under a rehabilitation and return to work plan pursuant to Section 28A of the WRCA subject to the conditions that:
- (a) the amount of the supplement imposed under Element 7 shall not exceed 110% of the amount of the Claim Costs paid or payable by the Corporation in respect of the relevant worker of the particular employer during the period the particular employer fails to comply with the obligation under the rehabilitation and return to work plan; and
 - (b) the supplement imposed under Element 7 shall cease if a supplement is imposed under Elements 3, 4, 8 or 9 of the Levy Adjustment Scheme to the same employer in respect of the same worker.
- 2.10 Element 8 is the imposition of a supplement where the particular employer:
- (a) is an employer that has employed a worker in purported satisfaction of the obligation of that employer to do so under Section 58B of the WRCA; and
 - (b) as a result of subsequently leaving such employment that worker has an entitlement to receive compensation or to receive an increased amount of compensation under the WRCA; and
 - (c) the Corporation is satisfied that the worker left such employment as a result of unsatisfactory conduct by or on behalf of the employer,
- subject to the conditions that:
- (d) the amount of the supplement imposed under Element 8 shall not exceed 110% of the Claims Costs paid or payable by the Corporation in respect of the relevant worker of the particular employer which are attributable to the worker leaving such employment; and
 - (e) the supplement imposed under Element 8 shall cease if a supplement is imposed under Elements 3, 4, 7 or 9 of the Levy Adjustment Scheme to the same employer in respect of the same worker.

2.11 Element 9 is the imposition of a supplement where:

- (a) the particular employer was the employer of a worker who has been incapacitated for work in consequence of a compensable disability arising from that employment; and
- (b) the relevant worker is able to return to work (whether on a full time or part time basis and whether or not to his or her previous employment with the employer); and
- (c) it is not practicable for the relevant employer to provide employment to the worker being employment for which the worker is fit; and
- (d) the Corporation is satisfied that:
 - (i) the employer has changed the circumstances of its employment of workers in South Australia since the time of the relevant compensable disability which has resulted in that impracticality; and
 - (ii) in doing so was, in all the circumstances, an unreasonable action for the employer to take having regard to the circumstances of the injured worker and the employer's obligations under Section 58B of the WRCA.

subject to the conditions that:

- (e) the amount of the supplement imposed under Element 9 shall not exceed 110% of the Claims Costs paid or payable by the Corporation in respect of the relevant worker of the particular employer during the period the particular employer fails to provide suitable employment; and
- (f) the supplement imposed under Element 9 shall cease if a supplement is imposed under Elements 3, 4, 7 or 8 of the Levy Adjustment Scheme to the same employer in respect of the same worker.

2.12 Element 10 is the imposition of a supplement for a period of 12 months where the particular employer fails to comply with Section 52(5) of the WRCA more than once in any fifteen (15) month period subject to the conditions that:

- (a) unless already remitted under paragraph (b), the supplement shall be payable from the earlier to occur of:
 - (i) the month in which the employer next fails to comply with Section 52(5) of the WRCA; and
 - (ii) the month falling 12 months after the month in which it is imposed; and
 - (iii) the amount of the supplement imposed under Element 10 shall not at any time exceed 50% of the Base Levy otherwise payable by the employer in each month that it is

imposed having regard to criteria recommended on an annual or more regular basis by the Delegate

- (b) the supplement shall be remitted entirely if the Delegate is of the opinion that the employer has by its conduct established that the employer will comply with Section 52(5) of the WRCA in the future.

B. Adjustment of the Levy Adjustment Scheme

2.13 In order to give effect to the Levy Adjustment Scheme in a manner which will best achieve the objects of the WRCA under Section 2 of the WRCA and the primary objects of the Corporation under Section 12 of the WCA the Delegate may adjust the operation of the Levy Adjustment Scheme as follows:

- (a) the Delegate may replace an Element or Elements with alternative means of calculating or establishing an element of the Levy Adjustment Scheme;
- (b) the Delegate may apply an Element or Elements to a particular location or locations at which the particular employer employs workers or may apply an Element or Elements to the particular employer as a whole;
- (c) the Delegate may defer the commencement of an Element or Elements for a particular employer for a definite or indefinite period or, suspend or terminate the operation of any Element of the Levy Adjustment Scheme for a particular employer for a definite or indefinite period;
- (d) the Delegate may apply an Element or Elements to a particular employer by having regard to the claims history and other circumstances of another employer where, in the opinion of the Delegate, the connection between the particular employer and the other employer is such that it is appropriate to do so;
- (e) the Delegate may determine that two or more employers will constitute a group for the purposes of Division IV of Part V of the WRCA if:
 - (i) they are capable of being treated as members of a group under the Payroll Tax Act 1971, as amended; or
 - (ii) they are related in some other way,and to treat the Levy Adjustment Scheme as applicable to that group of employers as if a reference in this Determination to an 'employer' was a reference to that group of employers;
- (f) the Delegate may nominate after consultation with the members of a group determined under paragraph B2.13(e), one of the employers to be treated as the employer of all of the workers employed by members of that group;

- (g) the Delegate may establish and implement transitional arrangements and measures necessary or convenient to deal with any alteration of the Levy Adjustment Scheme under B2.13(a); or
- (h) the Delegate may make such further or other adjustment of the operation of the Levy Adjustment Scheme as may in the opinion of the Delegate, best give effect to the objects of the WRCA (as specified in Section 2 of the WRCA) and the primary objects of the Corporation (as specified under Section 12 of the WCA) and having regard to the matters permitted to be considered under Section 67(1) of the WRCA (and for which purpose the Delegate may form the opinion required under Section 67(1)(e) of the WRCA);
- (i) the Delegate may require repayment of a remission or may increase any supplement where the Corporation has previously assessed that remission or supplement on the basis of the performance or conduct of an employer which assessment did not take into account materially relevant information or took into account information which materially misstated the conduct or performance of the employer so that the amount either repayable by way of a refund of the remission (or part thereof) or payable by way of a further supplement reflects the remission or supplement, as the case may be, that the employer would have received or incurred had the Corporation known all relevant information when it initially assessed the remission or supplement (including information which only became available to the Corporation or the employer at a date after the initial calculation of the remission or supplement);
- (j) the Delegate may apply the Levy Adjustment Scheme to an employer that does not have the requisite claims history to allow the application of Elements in the Levy Adjustment Scheme by:
 - (i) imputing such a claims history on the basis of the information available to the Delegate and applying the relevant Elements accordingly; and
 - (ii) making such adjustments subsequently as the Delegate considers appropriate if subsequent claims history is materially at variance with the imputed claims history;

however, an employer cannot be considered for the application of an Element that would give rise to a remission as a result of the application of this paragraph (j) unless the Delegate determines that the employer meets the following additional criteria:

- (iii) the employer has not previously conducted a business employing a worker in South Australia;
- (iv) the employer has not acquired or otherwise taken control of a business previously conducted in South Australia;
- (v) the employer can establish to the satisfaction of the Delegate a high likelihood that the levies payable by the employer in the first year of registration as an employer

(disregarding any remission under this paragraph (j)) will be not less than \$100,000;

- (vi) the employer can establish to the satisfaction of the Delegate that the business to be conducted by the employer in South Australia will continue for a period of not less than 3 years;
- (vii) the employer can establish to the satisfaction of the Delegate that the employer is or will become a "best practice" employer on or soon after commencing to conduct a business in South Australia; and
- (viii) the employer is conducting a business to which is applicable an industry levy which is not reduced by the effect of any cross-subsidising levy rate paid by employers in other industries.

(k) where:

- (i) any Element of a remission or supplement ("Original Element") has been calculated with respect to a particular period on the basis of information provided by or on behalf of an employer to the Corporation; and
- (ii) it subsequently transpires that information was inaccurate either by way of misstatement or omission,

the Delegate may make such subsequent adjustment to the levy payable by that employer (including any subsequent remission or supplement of that levy) to allow for the effect of the inaccurate data on the Original Element so that neither the Corporation nor the employer suffers or receives any detriment or advantage by reason of such inaccurate data.

C. Reviews

2.14 Applications for reviews of the implementation of the Levy Adjustment Scheme shall remain to be determined by the Board of the Corporation under Section 72 of the WRCA in accordance with the procedures determined by the Board for that purpose under Section 72(3) of the WRCA.

D. Prior Determinations

- 2.15 (a) As and from the commencement of this Determination all prior determinations of the Corporation as to matters dealt with in this Determination (including the PAS Determination but subject to clause 2.15(b)) are rescinded on and subject to the terms that:
- (i) this Determination will be taken to be substituted for the PAS Determination;
 - (ii) any prior decision made by the Delegate in the exercise of a power conferred under the PAS Determination will, until

replaced by an inconsistent decision of the Delegate under this Determination, continue in force and effect as a decision of the Delegate under the corresponding provision of this Determination;

- (iii) the rescission of the PAS Determination does not affect any liability, obligation or duty incurred or liable to be incurred under the PAS Determination prior to such rescission or any legal proceeding (as defined in Section 16(4) of the Acts Interpretation Act 1915) as if the PAS Determination was a statutory instrument to which Section 16 of the Acts Interpretation Act 1915 applied; and
 - (iv) the "Experience Rating Pilot Scheme" applied pursuant to the Determination of the Corporation made on 1 September 2000 and published in the South Australian Government Gazette on 5 October 2000, pages 2362 and 2363, shall continue to operate with respect to an employer that is a party to a current "Experience Rating Agreement" (as defined in that Determination) with the Corporation as at the date of this Determination.
- (b) This Determination is an amendment of the Determination which was published in the Government Gazette of 2 June 2005 (pages 1671 to 1681) ("Prior Determination") and shall come into effect on the commencement of this Determination but shall not affect the continued operation and application of the Prior Determination in respect of matters occurring, decisions made, remissions granted or supplements imposed prior to the commencement of this Determination.
- (c) The Determination of the Corporation which was published in the Government Gazette of 2 June 2005 (pages 1682 to 1683) is amended from the commencement of this Determination so that the reference in that Determination to the "LAS Determination" is read and construed as a reference to this Determination but such amendment shall not affect the continued operation and application of that Determination (as unamended) in respect of matters occurring, decision made and remissions granted prior to the commencement of this Determination.

E. Definitions

- 2.16 (a) "Accepted Claim Costs" means all Claims Costs paid by or on behalf of the Corporation during the Relevant Window Period in respect of a disability accepted to be a compensable disability occurring in the first 24 months of the Relevant Window Period but:
- (i) excluding the costs of claims proven, by the obtaining of a conviction, to constitute a breach of Section 120 of the WRCA;
 - (ii) excluding estimates of payments expected to be made after the Relevant Window Period;

- (iii) excluding that part of the cost of redeemed claims that relate to the period after the Relevant Window Period;
 - (iv) making no allowance or subsequent adjustment for any recoveries of such Claims Costs made outside of the Relevant Window Period.
- (b) "Actuarial Costs" or "AC" means the costs and expenses incurred by the Corporation to appoint an actuary to calculate OL in relation to a particular Qualifying Employer.
- (c) "Adjusted Total Levy" means Total Levy less that part of Base Levy which is estimated by the Delegate to be attributed to recovering costs and expenses of the Corporation other than the Claim Costs.
- (d) "Balancing Payment" or "BP" means:
- (i) if, in relation to a particular Return Period, the NLP applicable to a particular Qualifying Employer exceeds the OL applicable to that Qualifying Employer, then in relation to that Qualifying Employer, BP equals $FSC + AC$;
 - (ii) if not, then in relation to that Qualifying Employer:
 - (A) if $OL - NLP$ exceeds FSC then:
 - a. BP equals $AC + OL - NLP$ (if ALP exceeds TCP); or
 - b. BP equals $AC + OL + NLP$ (if TCP exceeds ALP); or
 - (B) if $OL - NLP$ is less than FSC then:
 - a. BP equals $FSC + AC + OL - NLP$ (if ALP exceeds TCP);
 - b. BP equals $FSC + AC + OL + NLP$ (if TCP exceeds ALP); or
 - (iii) if, a Balancing Payment as calculated under paragraph (i) or (ii) would be legally unenforceable against a particular Qualifying Employer, then in relation to that particular Qualifying Employer, BP equals:
 - (A) $OL + NLP$ (if TCP exceeds ALP); or
 - (B) OL (if ALP exceeds TCP).
- (e) "Base Levy" means the aggregate of the amounts calculated by multiplying the remuneration for each of the employer's locations by the applicable relevant industry levy rate determined under Section 66 of the WRCA and ignoring the application of GST and any adjustment by way of remission or supplement and, if more than one such applicable industry levy rate in a relevant period, by multiplying

the remuneration for each part of the period by the levy rate applicable to that part of the period and aggregating the product.

- (f) "Claim Costs" means all costs, expenses and payments made by or on behalf of the Corporation in respect of a compensable disability including but not limited to payments of compensation to the worker that suffered the compensable disability.
- (g) "Funding Shortfall Contribution" or "FSC" means the amount which the Delegate estimates that a particular Qualifying Employer would be expected to pay by way of Base Levy over the 10 years following the relevant Return Period which is attributed to the recovery of the Unfunded Liabilities assuming for that purpose that:
 - (i) the Qualifying Employer remained registered as an employer under the WRCA for the 10 year period;
 - (ii) subject to paragraph (iv), the amount of such contribution of that Qualifying Employer remains the same proportion of the Base Levy payable by that Qualifying Employer over the whole of the 10 year period as exists at the beginning of that 10 year period;
 - (iii) the Qualifying Employer has the same industry classification and the Base Levy rate applicable to that industry classification does not change during the 10 year period; and
 - (iv) the Qualifying Employer's aggregate remuneration which would attract the application of the Base Levy increases at the rate of 3% per annum for each year during the 10 year period.
- (h) "Net Levy Position" or "NLP" means if:
 - (i) ALP exceeds TCP the amount that the Delegate estimates to be $ALP - TCP$; or
 - (ii) TCP exceeds ALP the amount that the Delegate estimates is to be $TCP - ALP$,where:
 - (iii) ALP is the Delegate's estimate of Adjusted Total Levy paid by a particular Qualifying Employer during the seven years¹ prior to the relevant Return Period; and
 - (iv) TCP is the Delegate's estimate of the aggregate of the Claims Costs paid by the Corporation in the seven years¹ preceding the relevant Return Period to workers employed by that Qualifying Employer at the time of the trauma to which those

¹ If the Qualifying Employer has not been registered as an employer under the WRCA over the whole of that period, this period shall be replaced by a period equal to the period that the Qualifying Employer has been registered as an employer under the WRCA.

Claims Costs are attributable discounted to the dates that the injuries that gave rise to the claims occurred at the discount rate used to determine the latest amount of the Unfunded Liabilities;

- (i) "Outstanding Liabilities" or "OL" means the present value of the future liability of the Corporation to pay Claims Costs for compensable disabilities attributable to traumas that occurred before the beginning of the relevant Return Period in relation to the workers of a particular Qualifying Employer² as estimated by an actuary appointed by the Corporation assuming for that purpose that the Qualifying Employer (whether reported to the Corporation or the Qualifying Employer or not) would no longer be required to pay a supplement under Section 67(1)(e) of the WRCA as constituted by Element 3 or Element 4 of this Determination, in relation to those compensable disabilities after the end of the relevant Return Period and that the Qualifying Employer would be no longer registered as an employer under the WRCA.
- (j) "Participating Employer" means a Qualifying Employer that has agreed in writing not later than the 31 May before the start of a financial year to participate in Element 2 in respect of that financial year and who has not given a valid notice in writing withdrawing from Element 2. A notice from an employer withdrawing from Element 2 must be given not later than the 31 May before the start of the financial year in respect of which the employer does not wish to participate in Element 2 and will not, in any event, be effective until the employer has participated in Element 2 for at least two consecutive financial years.
- (k) "PAS Determination" means the Determination of the Corporation made 26 May 1999 and published in the South Australian Government Gazette, 3 June 1999, page 2998 as amended (see South Australian Government Gazette 5 October 2000, pages 2362 and 2363, South Australian Government Gazette 16 May 2002, pages 1908 to 1912 and South Australian Government Gazette 3 March 2005, pages 566 to 569) and as further amended to the date of this Determination.
- (l) "Performance Ratio" means the number determined by dividing Accepted Claims Costs made by the Corporation in the Relevant Window Period by the Employer's Base Levy for that Relevant Window Period.
- (m) "Qualifying Employer" means an employer that has a Base Levy of \$100,000 (or such other amount as the Board may determine in respect of a particular financial year) in the financial year:
 - (i) two years preceding the financial year to which Element 2 will apply; or

² Whether or not those traumas have been reported to the Corporation or to the Qualifying Employer.

- (ii) immediately preceding the Return Period to which Element 6 will apply.
- (n) "Relevant Balancing Payment" means the Balancing Payment calculated in relation to a particular Qualifying Employer for a particular Return Period.
- (o) "Relevant Window Period" means in respect of a financial year to which Element 2 applies, the 30 month period commencing on the date 3 years before the first day of that financial year.
- (p) "Return Period" means in relation to a particular Qualifying Employer, a month or such other period, if any, as the Corporation may have determined under Section 69(4)(b) of the WRCA as the period to apply to that Qualifying Employer in lieu of a month;
- (q) "Total Levy" means the Base Levy payable by a particular Qualifying Employer after it has been increased by the addition of any supplement (other than under Element 10) or decreased by the grant of any remission.
- (r) "Unfunded Liabilities" means the amount by which the Corporation's total liabilities exceeds its total assets as specified in the then latest audited accounts of the Corporation.

2.17 A word or term having a defined meaning in the WRCA has, unless the contrary intention appears, the same meaning in this Determination.

Item 3 Grounds of Determination

That the Levy Adjustment Scheme is a just and equitable means of applying Section 67 of the WRCA having regard to the objects of the WRCA and the primary objects of the Corporation.

Item 4 Commencement Date of Determination

This Determination shall commence on the publication of this Determination in the South Australian Government Gazette.

Item 5 Notice of Determination

This Determination shall be published in the Government Gazette.

Item 6 Delegation by Board

(a) General

That the officers of the Corporation occupying (or acting in) the positions designated by the Corporation as the Chief Executive Officer and Chief Financial Officer be separately delegated (in addition to and not in derogation of such other delegated powers and functions of the Corporation delegated to those officers) (each "the Delegate") such of the powers and functions of the

Corporation pursuant to the WRCA as are necessary to give effect to this Determination.

(b) Specific

That the officers of the Corporation occupying (or acting in) the positions designated below be separately delegated (in addition to and not in derogation of such others powers and functions of the Corporation delegated to those officers)(each “the Delegate”) such of the powers and functions of the Corporation pursuant to the WRCA as are necessary to give effect to each Element of the Levy Adjustment Scheme also designated below:

Element	Admin	Policy
<p>Element 1-Bonus Penalty</p> <p>Grant remission of levy/ impose supplementary levy in accordance with limits set by the Board.</p>	<p>SIO-SC-LG-F&R IO-SC-LG-F&R LSO-SC-LG-F&R SRO-LC-LG-F&R IRO-LC-LG-F&R LA-LA-LG-F&R DA-LA-LG-F&R PO-LC-LG-F&R STA-LG-F&R</p>	Board
<p>Element 1 – Bonus Penalty</p> <p>Adjustment to remission/supplementary levy</p>	<p>PO-LC-LG-F&R STA-LG-F&R SIO-SC-LG-F&R LA-LA-LG-F&R DA-LA-LG-F&R</p>	Board
<p>Element 2 – SafeWork Incentive for Large Employers</p> <p>Grant remission of levy/impose supplementary levy</p>	<p>MEP-OHS M-SC-LG-F&R</p>	Board
<p>Element 3 – Failure to provide 28 days notice of proposed termination of a worker</p> <p>Impose supplementary levy or remove/reduce supplementary levy</p>	<p>M-58B&C-SR&C S58B/C Officers</p>	Board
<p>Element 4 – Failure to provide suitable employment</p> <p>Impose supplementary levy or remove/reduce supplementary levy</p>	<p>M-58B&C-SR&C S58B/C Officers</p>	Board

Element 5 – OHS Impose/remove/reduce supplementary levy	MEP-OHS ILS&PM-OHS	Board
Impose/remove conditions	MEP-OHS ILS&PM-OHS	Board
Determine criteria	MEP-OHS ILS&PM-OHS	Board
Element 6 – Exit Fee	CFO	Board
Element 7 – Failure to comply with rehabilitation and return to work plan Impose, remove or reduce supplementary levy	M-58B&C-SR&C S58B/C Officers	Board
Element 8 – Unsatisfactory conduct of employer Impose, remove or reduce supplementary levy	M-58B&C-SR&C S58B/C Officers	Board
Element 9 – Unreasonable change in workers employment Impose, remove or reduce supplementary levy	M-58B&C-SR&C S58B/C Officers	Board
Element 10 – Failure to submit workers compensation claims within 10 business days Determine criteria Impose, remove or reduce supplementary levy	MC	Board

(c) Board oversight

The Delegate designated in paragraph (a) shall not exercise the powers contained in paragraph B2.13(a) without first having consulted with the Board Committee having responsibility for the oversight of the Levy Adjustment Scheme as to the implementation of the Levy Adjustment Scheme and the exercise by the Delegate of the powers and functions of the Corporation delegated to the Delegate under this Determination. The Delegate designated in paragraph (a) shall report annually to the Board Committee as to the operation of the Levy Adjustment Scheme.

Confirmed as a true and accurate record of the decision of the Corporation.



Bruce Carter, Chairperson

15/12/2005

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To apply from 1 July 2005

	\$		\$
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Transfer of Properties	46.00	Intention to Sell, Notice of.....	46.00
Attorney, Appointment of.....	36.50	Lost Certificate of Title Notices	46.00
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Incorporation	36.50	Leases—Application for Transfer (2 insertions) each	9.35
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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
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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
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Receiver and Manager Appointed.....	42.50	Advertisements.....	2.60
Receiver and Manager Ceasing to Act.....	36.50	¼ page advertisement	109.00
Restored Name.....	34.50	½ page advertisement	218.00
Petition to Supreme Court for Winding Up.....	64.00	Full page advertisement.....	427.00
Summons in Action.....	54.50	Advertisements, other than those listed are charged at \$2.60 per	
Order of Supreme Court for Winding Up Action.....	36.50	column line, tabular one-third extra.	
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Removal of Office.....	18.60	Councils to be charged at \$2.60 per line.	
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Sales of Shares and Forfeiture.....	36.50	that which is usually published a charge of \$2.60 per column line	
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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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258-272	17.10	15.70	753-768	46.25	44.50
273-288	18.00	16.90	769-784	46.75	46.00
289-304	18.80	17.70	785-800	47.75	47.00
305-320	19.90	18.70	801-816	48.50	47.50
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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433-448	27.50	26.25	929-944	56.00	55.00
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South Australia

Adelaide Park Lands Act (Commencement) Proclamation 2006

1—Short title

This proclamation may be cited as the *Adelaide Park Lands Act (Commencement) Proclamation 2006*.

2—Commencement of Act and suspension of certain provisions

- (1) The *Adelaide Park Lands Act 2005* (No 69 of 2005) will come into operation on 1 February 2006.
- (2) The operation of the following provisions of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations:
 - (a) sections 5 to 26 (inclusive);
 - (b) Schedule 1, Parts 2 to 6 (inclusive);
 - (c) Schedule 1, Parts 8 to 11 (inclusive).

Made by the Governor

with the advice and consent of the Executive Council
on 25 January 2006

EC06/0004CS

South Australia

Administrative Arrangements (Administration of Adelaide Park Lands Act) Proclamation 2006

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Adelaide Park Lands Act) Proclamation 2006*.

2—Commencement

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

3—Administration of Act committed to Minister for Environment and Conservation

The administration of the *Adelaide Park Lands Act 2005* is committed to the Minister for Environment and Conservation.

Made by the Governor

with the advice and consent of the Executive Council
on 25 January 2006

EC06/0004CS

South Australia

Explosives (Security Sensitive Ammonium Nitrate) Proclamation 2006

under section 5 of the *Explosives Act 1936*

1—Short title

This proclamation may be cited as the *Explosives (Security Sensitive Ammonium Nitrate) Proclamation 2006*.

2—Commencement

This proclamation will come into operation 6 months after the day on which it is made.

3—Interpretation

In this proclamation—

Act means the *Explosives Act 1936*;

ammonium nitrate blasting intermediate means an emulsion, suspension or gel primarily made up of ammonium nitrate (with or without other inorganic nitrates), containing other substances such as oxidisers and fuels, and intended for use as a blasting explosive following modification prior to use;

Class 1 Dangerous Goods has the same meaning as in the *Explosives Regulations 1996*;

security sensitive ammonium nitrate means—

- (a) ammonium nitrate; or
- (b) ammonium nitrate blasting intermediate; or
- (c) ammonium nitrate at greater than 45% mass per mass mixed with any other substance, but not in solution,

but does not include a substance or article that satisfies the requirements for assignment to Class 1 Dangerous Goods.

4—Extension of definition of explosive to security sensitive ammonium nitrate

Security sensitive ammonium nitrate is declared to be an explosive within the meaning of the Act.

5—Application of Act and regulations

For the purposes of the Act and regulations made under the Act, security sensitive ammonium nitrate is declared to be a security sensitive substance.

Made by the Governor

with the advice and consent of the Executive Council
on 25 January 2006

DPC015/04CS

South Australia

Liquor Licensing (Conferral of Authority) Proclamation 2006

under section 15 of the *Liquor Licensing Act 1997*

1—Short title

This proclamation may be cited as the *Liquor Licensing (Conferral of Authority) Proclamation 2006*.

2—Commencement

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

3—Conferral of authority on District Court Judge

Authority is conferred on the District Court Judge named in Schedule 1 to exercise the jurisdiction of the Licensing Court of South Australia.

Schedule 1—District Court Judge on which authority is conferred

His Honour Paul John Rice

Made by the Governor

with the advice and consent of the Executive Council
on 25 January 2006

AGO0310/04CS

South Australia

National Parks and Wildlife (Nullarbor National Park) Proclamation 2006

under section 28(2) of the *National Parks and Wildlife Act 1972*

1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Nullarbor National Park) Proclamation 2006*.

2—Commencement

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

3—Alteration of boundaries of Nullarbor National Park

The boundaries of the Nullarbor National Park are altered by adding to the Park the following Crown land:

Sections 496 and 498, Out of Hundreds (Nullarbor).

Made by the Governor

with the advice and consent of the Executive Council
on 25 January 2006

EC06/0003CS

South Australia

Natural Resources Management (Dissolution of Prescribed Bodies) Proclamation 2006

under Schedule 4 clauses 45 and 46 of the *Natural Resources Management Act 2004*

1—Short title

This proclamation may be cited as the *Natural Resources Management (Dissolution of Prescribed Bodies) Proclamation 2006*.

2—Commencement

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

3—Interpretation

In this proclamation—

Act means the *Natural Resources Management Act 2004*;

prescribed bodies has the same meaning as in Schedule 4 Part 18 of the Act;

statutory bodies has the same meaning as in Schedule 4 Part 18 of the Act.

4—Dissolution of prescribed bodies

- (1) The following control boards established under Part 2 Division 2 of the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986* and continued in existence under Schedule 4 clause 45 of the Act are dissolved:
 - (a) Eastern Eyre Animal and Plant Control Board;
 - (b) Kangaroo Island Animal and Plant Control Board;
 - (c) Lacepede Tatiara Robe Animal and Plant Control Board;
 - (d) Lower Flinders Animal and Plant Control Board;
 - (e) Loxton Waikerie Animal and Plant Control Board;
 - (f) Mid Murray Animal and Plant Control Board;
 - (g) Murray Bridge Animal and Plant Control Board;
 - (h) Murray Lands Animal and Plant Control Board;
 - (i) Northern Animal and Plant Control Board;
 - (j) Riverland Animal and Plant Control Board;
 - (k) Southern Eyre Animal and Plant Control Board;
 - (l) Southern Mallee Animal and Plant Control Board;
 - (m) Western Animal and Plant Control Board;
 - (n) Yorke Peninsula Animal and Plant Control Board.

- (2) The following soil conservation boards established under Part 3 Division 3 of the *Soil Conservation and Land Care Act 1989* and continued in existence under Schedule 4 clause 45 of the Act are dissolved:
- (a) Central Eyre Peninsula Soil Conservation Board;
 - (b) Eastern Districts Soil Conservation Board;
 - (c) Eastern Eyre Peninsula Soil Conservation Board;
 - (d) Kangaroo Island Soil Conservation Board;
 - (e) Kingoonya Soil Conservation Board;
 - (f) Lacepede Tatiara Soil Conservation Board;
 - (g) Lower Eyre Peninsula Soil Conservation Board;
 - (h) Lower South East Soil Conservation Board;
 - (i) Marree Soil Conservation Board;
 - (j) Mount Remarkable Soil Conservation Board;
 - (k) Murray Plains Soil Conservation Board;
 - (l) North East Pastoral Soil Conservation Board;
 - (m) Western Eyre Peninsula Soil Conservation Board;
 - (n) Yorke Peninsula Soil Conservation Board.
- (3) The following catchment water management boards established under Part 6 Division 3 of the *Water Resources Act 1997* and continued in existence under Schedule 4 clause 45 of the Act are dissolved:
- (a) Arid Areas Catchment Water Management Board;
 - (b) Eyre Peninsula Catchment Water Management Board;
 - (c) Northern Adelaide and Barossa Catchment Water Management Board;
 - (d) Onkaparinga Catchment Water Management Board;
 - (e) Patawalonga Catchment Water Management Board;
 - (f) River Murray Catchment Water Management Board;
 - (g) Torrens Catchment Water Management Board;
 - (h) South East Catchment Water Management Board.
- (4) The Clare Valley Water Resources Planning Committee established under Part 6 Division 4 of the *Water Resources Act 1997* and continued in existence under Schedule 4 clause 45 of the Act is dissolved.

5—Vesting of property etc of statutory bodies

The assets, rights and liabilities of the statutory bodies listed in column 1 of the following table are vested in the regional NRM board listed in column 2:

Eastern Eyre Animal and Plant Control Board	Eyre Peninsula NRM Board
Kangaroo Island Animal and Plant Control Board	Kangaroo Island NRM Board
Lacepede Tatiara Robe Animal and Plant Control Board	South East NRM Board

Lower Flinders Animal and Plant Control Board	Northern and Yorke NRM Board
Loxton Waikerie Animal and Plant Control Board	South Australian Murray Darling Basin NRM Board
Mid Murray Animal and Plant Control Board	South Australian Murray Darling Basin NRM Board
Murray Bridge Animal and Plant Control Board	South Australian Murray Darling Basin NRM Board
Murray Lands Animal and Plant Control Board	South Australian Murray Darling Basin NRM Board
Northern Animal and Plant Control Board	Northern and Yorke NRM Board
Riverland Animal and Plant Control Board	South Australian Murray Darling Basin NRM Board
Southern Eyre Animal and Plant Control Board	Eyre Peninsula NRM Board
Southern Mallee Animal and Plant Control Board	South Australian Murray Darling Basin NRM Board
Western Animal and Plant Control Board	Eyre Peninsula NRM Board
Yorke Peninsula Animal and Plant Control Board	Northern and Yorke NRM Board
Central Eyre Peninsula Soil Conservation Board	Eyre Peninsula NRM Board
Eastern Districts Soil Conservation Board	South Australian Murray Darling Basin NRM Board
Eastern Eyre Peninsula Soil Conservation Board	Eyre Peninsula NRM Board
Kangaroo Island Soil Conservation Board	Kangaroo Island NRM Board
Kingoonya Soil Conservation Board	South Australian Arid Lands NRM Board
Lacepede Tatiara Soil Conservation Board	South East NRM Board
Lower Eyre Peninsula Soil Conservation Board	Eyre Peninsula NRM Board
Lower South East Soil Conservation Board	South East NRM Board
Marree Soil Conservation Board	South Australian Arid Lands NRM Board
Mount Remarkable Soil Conservation Board	Northern and Yorke NRM Board
Murray Plains Soil Conservation Board	South Australian Murray Darling Basin NRM Board
North East Pastoral Soil Conservation Board	South Australian Arid Lands NRM Board
Western Eyre Peninsula Soil Conservation Board	Eyre Peninsula NRM Board
Yorke Peninsula Soil Conservation Board	Northern and Yorke NRM Board
Arid Areas Catchment Water Management Board	South Australian Arid Lands NRM Board
Eyre Peninsula Catchment Water Management Board	Eyre Peninsula NRM Board
Northern Adelaide and Barossa Catchment Water Management Board	Adelaide and Mt Lofty Ranges NRM Board
Onkaparinga Catchment Water Management Board	Adelaide and Mt Lofty Ranges NRM Board

Patawalonga Catchment Water Management Board	Adelaide and Mt Lofty Ranges NRM Board
River Murray Catchment Water Management Board	South Australian Murray Darling Basin NRM Board
Torrens Catchment Water Management Board	Adelaide and Mt Lofty Ranges NRM Board
South East Catchment Water Management Board	South East NRM Board
Clare Valley Water Resources Planning Committee	Northern and Yorke NRM Board

Made by the Governor

being satisfied that the prescribed bodies referred to in clause 4 no longer have any employees and that adequate arrangements are in place to deal with any remaining assets, rights and liabilities in the manner contemplated by Schedule 4 clause 46(1) of the Act and with the advice and consent of the Executive Council

on 25 January 2006

EC06/0005CS, EC06/0006CS, EC06/0007CS

South Australia

Dangerous Substances (Security Sensitive Substances) Variation Regulations 2006

under the *Dangerous Substances Act 1979*

Contents

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- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Dangerous Substances Regulations 2002*

- 4 Variation of regulation 4—Interpretation
 - 5 Variation of regulation 5—Dangerous substances
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Dangerous Substances (Security Sensitive Substances) Variation Regulations 2006*.

2—Commencement

These regulations will come into operation 6 months after the day on which they are made.

3—Variation provisions

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

Part 2—Variation of *Dangerous Substances Regulations 2002*

4—Variation of regulation 4—Interpretation

Regulation 4(1)—after the definition of *rural industry* insert:

security sensitive substance means a substance declared to be an explosive by proclamation under section 5 of the *Explosives Act 1936* and declared by that proclamation to be a security sensitive substance;

5—Variation of regulation 5—Dangerous substances

Regulation 5—after its present contents (now to be designated as subregulation (1)) insert:

- (2) However, a security sensitive substance is not a dangerous substance for the purposes of the Act.

Made by the Governor

with the advice and consent of the Executive Council
on 25 January 2006

No 13 of 2006

DPC015/04CS

South Australia

Explosives (Security Sensitive Substances) Regulations 2006

under the *Explosives Act 1936*

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3 Insertion of regulation 3.A1
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6 Insertion of regulation 10.01A
10.001 Application of Part
7 Insertion of regulation 11.01A
11.001 Application of Part
8 Insertion of regulation 13.01A
13.001 Application of Part
9 Variation of regulation 14.001—Application of Part

Part 3—Transitional provisions

- 10 Current licences and permits relating to security sensitive substances
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Explosives (Security Sensitive Substances) Regulations 2006*.

2—Commencement

These regulations will come into operation 6 months after the day on which they are made.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

Act means the *Explosives Act 1936*;

application for variation of a licence or permit—see regulation 25;

Class 1 Dangerous Goods has the same meaning as in the *Explosives Regulations 1996*;

compatibility group has the same meaning as in Part 2 of the *Explosives Regulations 1996*;

harm to a person includes death of the person;

licence means a licence granted under the Act in relation to a security sensitive substance;

permit means a permit granted under these regulations;

plant includes—

- (a) a machine, engine, equipment, container or device; and
- (b) a component, fitting, pipe or accessory used in or in connection with a machine, engine, equipment, container or device;

protected works has the same meaning as in Part 11 of the *Explosives Regulations 1996*;

secure means secure from—

- (a) loss; or
- (b) theft; or
- (c) sabotage; or
- (d) unauthorised access;

security risk means risk of—

- (a) loss, theft or sabotage of a security sensitive substance; or
- (b) unauthorised access to a security sensitive substance;

security sensitive ammonium nitrate has the same meaning as in the *Explosives (Security Sensitive Ammonium Nitrate) Proclamation 2005*;

security sensitive substance—see regulation 6;

sell includes offer to sell;

spouse includes a putative spouse (whether or not a declaration of the relationship has been made under the *Family Relationships Act 1975*);

supply includes offer to supply.

(2) For the purposes of these regulations, 2 persons are **close associates** if—

- (a) 1 is a spouse, parent, child, brother or sister of the other; or
- (b) they are in partnership; or
- (c) they are related bodies corporate (within the meaning of the *Corporations Act 2001* of the Commonwealth); or
- (d) 1 is a body corporate and the other is a director, manager, secretary or public officer of the body corporate; or
- (e) 1 is a body corporate (other than a public company whose shares are listed on a stock exchange) and the other is a shareholder in the body corporate; or
- (f) 1 is a trustee of a trust and the other is a beneficiary of the trust or, in the case of a discretionary trust, an object of the trust; or
- (g) 1 has a right to participate, or participates, (otherwise than as a shareholder in a body corporate) in income or profits derived from a business conducted by the other; or
- (h) 1 is in a position to exercise, or exercises, control or significant influence over the conduct of the other.

- (3) A reference to *keeping security sensitive substances secure* includes a reference to keeping the substances secure for the purposes of security within the meaning of the *Australian Security Intelligence Organisation Act 1979* of the Commonwealth.

4—Prescribed quantity for Part 3 (Carriage of Explosives)

For the purposes of Part 3 of the Act, the prescribed quantity of security sensitive substances is 20 kilograms.

5—Non-application of regulations to inspectors or customs officers

These regulations do not apply to an inspector, or a person employed in the Australian Customs Service, acting in the course of official duties.

Part 2—Meaning and classification of security sensitive substances

6—Security sensitive substances

- (1) Subject to subregulation (3), in these regulations—
security sensitive substance means a substance declared to be an explosive by proclamation under section 5 of the Act and declared by that proclamation to be a security sensitive substance.
- (2) Despite the *Explosives Regulations 1996*, a security sensitive substance may be classified by the Director under those regulations without assigning it to 1 of the divisions of Class 1 Dangerous Goods.
- (3) However, if the Director assigns a substance that would otherwise be a security sensitive substance to 1 of the divisions of Class 1 Dangerous Goods, the substance is to be regarded for the purposes of the Act and regulations under the Act as an explosive that is not a security sensitive substance.

Part 3—Prohibitions

7—Certain uses of security sensitive ammonium nitrate prohibited

Security sensitive ammonium nitrate must not be used for household or domestic purposes or as a fertiliser for recreational grounds.

Part 4—Licences and permits

8—Requirement for licence

The requirements of the Act in relation to licensing apply to an explosive that is a security sensitive substance.

9—Requirement for permit

A person must not, except as authorised by permit under these regulations—

- (a) import or export a security sensitive substance (whether to or from a place inside or outside Australia);
- (b) sell or otherwise supply to another a security sensitive substance;
- (c) purchase or otherwise acquire a security sensitive substance;

- (d) use or dispose of a security sensitive substance.

Maximum penalty: \$5 000.

Expiation fee: \$315.

10—Offence to sell or supply

A person must not sell or otherwise supply a security sensitive substance to a person unless the person purchasing or otherwise acquiring the substance holds a permit authorising its purchase or acquisition.

Maximum penalty: \$5 000.

Expiation fee: \$315.

11—Grant or renewal of licence or permit

- (1) The Director may, on application by a person, grant or renew a licence or permit.
- (2) If an applicant applies to the Director for the grant or renewal of a permit authorising several activities involving a security sensitive substance, the Director may, in the Director's discretion, grant the applicant a single permit or multiple permits authorising those activities.

12—Term of licence or permit

- (1) Subject to these regulations—
 - (a) a licence remains in force for a period specified in the licence on its grant or renewal; and
 - (b) a permit remains in force for a period specified in the permit on its grant or renewal.
- (2) The period specified must not exceed—
 - (a) in the case of a licence or permit issued on an application made within 6 months after the commencement of this regulation—3 years and 6 months; and
 - (b) in any other case—3 years.
- (3) The Director may, if the Director thinks fit, renew a licence or permit despite the fact that application for renewal of the licence or permit was made after the end of the previous term of the licence or permit.
- (4) The Director may, of the Director's own initiative and without application by the holder of a licence or permit, renew the licence or permit if the Director is satisfied that it is necessary for the purposes of protecting persons, property or the environment from harm or keeping a security sensitive substance secure that the holder of the licence or permit continue to be bound by conditions of the licence or permit.
- (5) A licence or permit has effect, on grant or renewal, from the date specified in the licence or permit for that purpose, which may be earlier than the date of application for the grant or renewal of the licence or permit.

13—Annual returns

- (1) This regulation applies to a licence or permit granted or renewed for a term of 2 years or more.

- (2) The holder of a licence or permit must, in each year, lodge with the Director, before the date notified in writing to the holder by the Director for that purpose, an annual return containing the information required by the Director by licence or permit condition or by written notice.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (3) In this section—
holder of a licence or permit includes the holder of a licence or permit that has been suspended.

14—Conditions of licence or permit

- (1) A licence or permit is subject to—
 - (a) conditions imposed by these regulations; and
 - (b) conditions imposed by the Director.
- (2) Without limiting subregulation (1), conditions imposed by the Director may include the following:
 - (a) conditions specifying the activities authorised;
 - (b) conditions specifying the nature or quantity of security sensitive substances that may be involved in the authorised activity;
 - (c) conditions specifying packaging and labelling requirements for security sensitive substances;
 - (d) conditions specifying separation distances in relation to the storage of security sensitive substances;
 - (e) conditions specifying the training or supervision of employees, contractors and others, or requiring certain persons to hold specified qualifications or have specified experience;
 - (f) conditions specifying the mechanisms for controlling and recording access to security sensitive substances or to information about security sensitive substances;
 - (g) conditions specifying the premises, vehicles or plant that may be used under the licence or permit;
 - (h) conditions requiring any alteration to premises, vehicles or plant to be approved by the Director;
 - (i) other conditions limiting or regulating the authorised activities for the purposes of protecting persons, property or the environment from harm or keeping security sensitive substances secure.
- (3) Without limiting subregulation (1), conditions imposed by the Director may relate to premises and plant associated with, or in the vicinity of, a security sensitive substance or premises or plant used, or to be used, in connection with a security sensitive substance.

15—Security management plan for licences

- (1) It is a condition of a licence that the holder of the licence must—
 - (a) have a security management plan approved by the Director; and
 - (b) ensure that activities under the licence conform with the security management plan approved by the Director; and

- (c) review the security management plan in a manner, at intervals, and within a period, as required by conditions imposed by the Director and provide a report of the review to the Director.
- (2) A security management plan—
- (a) must incorporate or refer to a written report identifying and assessing security risks associated with the activities authorised by the licence; and
 - (b) must incorporate a set of processes adopted by the holder of the licence to apply to the activities authorised by the licence for the purposes of keeping security sensitive substances secure; and
 - (c) must, if it contemplates a security sensitive substance—
 - (i) being kept in a building, container or area that is not physically secured; or
 - (ii) being transported in a vehicle in a compartment that is not physically secured,require that the substance be under constant surveillance by specified means for each period during which the substance is so kept or transported; and
 - (d) must be fully documented.
- (3) Without limiting subregulation (2), the processes adopted by the holder of the licence may relate to 1 or more of the following:
- (a) security of premises or of magazines, buildings, tanks or other containers or storage areas for security sensitive substances;
 - (b) security during transport of security sensitive substances, including during loading and unloading;
 - (c) the mechanisms for controlling and recording access to security sensitive substances;
 - (d) recording and stocktaking of security sensitive substances;
 - (e) security of information about security sensitive substances or activities involving security sensitive substances;
 - (f) assignment of responsibility for ensuring compliance with the plan or tasks included in the plan;
 - (g) monitoring of compliance with the processes;
 - (h) reviewing identification and assessment of security risks, in particular, where there may be additional or varied risks associated with a change in circumstances;
 - (i) reviewing the processes.
- (4) The Director may issue guidelines about security management plans for particular activities.
- (5) The Director may, on application by the holder of a licence or an applicant for a licence, approve a security management plan for that licence.
- (6) If, at any time, the Director is not satisfied as to the adequacy of a security management plan, the Director may require the plan to be resubmitted for approval within a specified period in a modified form (which may be specified by the Director).

- (7) If the holder of a licence fails to resubmit a security management plan as required, the holder is guilty of an offence.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (8) The Director may grant an exemption from the application of subregulation (1) for such period as the Director considers necessary to allow the licensee to prepare a security management plan and its supporting material.
- (9) An exemption under subregulation (8)—
- (a) may be conditional on the licensee—
 - (i) having, within a specified period, a compliance plan approved by the Director; and
 - (ii) conforming with the approved compliance plan; and
 - (b) is subject to other conditions imposed by the Director.
- (10) In this regulation—

compliance plan means a plan setting out the manner in which, and the period within which, a security management plan and its supporting material will be prepared;

supporting material, in relation to a security management plan, means a detailed explanation of the grounds on which it is proposed that the plan should be approved.

16—Security clearance of certain persons

- (1) It is a condition of a licence or permit that the holder of the licence or permit must ensure that—
- (a) each person who supervises or manages the activities authorised by the licence or permit is an approved security cleared manager for that licence or permit; and
 - (b) each person—
 - (i) who has responsibility for ensuring compliance with an approved security management plan or tasks included in the plan; or
 - (ii) who may have access to a security sensitive substance other than in the presence of and under the direct supervision of an approved security cleared manager or approved security cleared agent,is an approved security cleared manager, or approved security cleared agent, for that licence or permit; and
 - (c) if required by condition of licence or permit imposed by the Director, each approved security cleared manager and approved security cleared agent wears, while undertaking duties relating to the activity authorised by the licence or permit, an identification card that is in a form approved by the Director and is clearly visible to other persons.
- (2) The Director may, on application by the holder of or an applicant for a licence or permit, approve a person as an approved security cleared manager, or approved security cleared agent, for that licence or permit.
- (3) An approval granted under this regulation remains in force for a period specified in the approval.

17—Reporting of theft etc of security sensitive substances

It is a condition of a licence or permit that the holder of the licence or permit must ensure that the theft, loss or apparent unauthorised interference with a security sensitive substance to which the licence or permit relates is reported immediately to a police officer and the Director.

18—Manufacture

It is a condition of a licence authorising the manufacture of a security sensitive substance that the holder of the licence must ensure that the name and address of each person from whom an ingredient for the substance is obtained has been notified in writing to the Director.

19—Separation distances

- (1) It is a condition of a licence authorising the storage of ammonium nitrate blasting intermediate that the holder of the licence must ensure that, unless the Director has authorised otherwise in writing, the distance between the place where ammonium nitrate blasting intermediate is stored and protected works is not less than the distance prescribed by the *Explosives Regulations 1996* for explosives of category ZZ stored in a magazine (see Part 11 and Schedule T of those regulations).
- (2) It is a condition of a licence authorising the storage of security sensitive ammonium nitrate other than ammonium nitrate blasting intermediate that the holder of the licence must ensure that, unless the Director has authorised otherwise in writing, the distance between a place where 100 tonnes or more of the substances are stored and protected works is not less than the distance prescribed by the *Explosives Regulations 1996* for a mass of explosives of category ZZ stored in a magazine that is half the actual mass of the substances (see Part 11 and Schedule T of those regulations).

- (3) In this regulation—

ammonium nitrate blasting intermediate means security sensitive ammonium nitrate comprised of an emulsion, suspension or gel, primarily made up of ammonium nitrate (with or without other inorganic nitrates) and containing other substances such as oxidisers and fuels, and intended for use as a blasting explosive following modification prior to use.

20—Import and export

- (1) It is a condition of a permit authorising the import or export of a security sensitive substance from or to a place outside Australia that the holder of the permit must ensure that at least 7 clear working days notice is given of each lot, parcel or consignment of security sensitive substances to be brought into the State or to be taken out of the State.
- (2) The notice—
 - (a) must be given to the Director and, if the security sensitive substance is to be landed at or to leave from a port, to the operator of the port; and
 - (b) must conform to the requirements of the Director about its form, contents and the manner in which it is made; and
 - (c) must, without limiting paragraph (b)—
 - (i) be accompanied by a statement of composition from the manufacturer of the substance and a certificate of analysis provided by a laboratory accredited by the National Association of Testing Authorities Australia or a laboratory accredited by an overseas body that, in the opinion of the Director, corresponds to that association; and

- (ii) for import, include details of the licences and permits under which it is proposed that the substance be stored, transported or used while in the State.

21—Records of sale or supply

- (1) It is a condition of a permit authorising the sale or supply of a security sensitive substance that the holder of the permit must ensure—
 - (a) that records are kept in accordance with this regulation and retained for a period of at least 5 years; and
 - (b) that the identity of each natural person to whom a security sensitive substance is delivered (a *recipient*) is verified in accordance with this regulation; and
 - (c) that a security sensitive substance is not delivered to a person on behalf of another unless the holder of the permit has received a written authorisation from the person to whom the substance is sold or supplied authorising the delivery of the substance to the person and there is no reason to doubt the authenticity or currency of the authorisation.
- (2) A record must be kept of each transaction for the sale or supply of a security sensitive substance including at least the following information:
 - (a) the licence or permit number of the person from whom the substance was obtained by the holder or, if the substance was manufactured or imported by the holder, a statement of that fact;
 - (b) the date of the transaction;
 - (c) the type and amount of security sensitive substance sold or supplied;
 - (d) the place at which the security sensitive substance was delivered under the transaction;
 - (e) the licence or permit number of the person to whom the security sensitive substance was sold or supplied.
- (3) The identity of a recipient must be verified by examining in accordance with subregulation (4) evidence produced by the recipient consisting of—
 - (a) a single card or document that appears—
 - (i) to have been issued by the government or a statutory authority of the State or the Commonwealth or another State or a Territory; and
 - (ii) to bear the name, residential address and signature and a photograph of the recipient; or
 - (b) 2 or more cards or documents—
 - (i) at least 1 of which appears to have been issued by the government or a statutory authority of the State or the Commonwealth or another State or a Territory and the other or others of which appear to have been issued for some official or other proper purpose by a person or body other than the recipient; and
 - (ii) that together appear to bear the name, residential address and signature of the recipient.
- (4) The person must examine the evidence produced by the recipient so as to ensure—
 - (a) that it does not appear to have been forged or tampered with; and

- (b) that it contains a name and address matching the name and address given to the person by the recipient as the recipient's name and residential address; and
 - (c) that it contains a signature apparently matching the signature of the recipient obtained by the person; and
 - (d) if it consists of a single card or document—that the photograph is a likeness of the recipient.
- (5) The following details of each card or document used to verify the identity of a recipient must be recorded in the records kept under subregulation (2):
- (a) if the card or document has an identifying number—that number;
 - (b) if the card or document does not have an identifying number but does bear the date of its issue—that date;
 - (c) details sufficient to enable identification of the body or person who apparently issued the card or document.
- (6) The records kept under subregulation (2) must include each written authorisation provided to the holder of the permit for the purposes of this regulation.

22—Records of purchase or acquisition

- (1) It is a condition of a permit authorising the purchase or acquisition of a security sensitive substance that the holder of the permit must ensure that records are kept in accordance with this regulation and retained for a period of at least 5 years.
- (2) A record must be kept of each purchase or acquisition of a security sensitive substance including at least the following information:
- (a) the permit number of the person from whom the security sensitive substance is purchased or acquired;
 - (b) the date of the purchase or acquisition;
 - (c) the type and amount of security sensitive substance purchased or acquired;
 - (d) a brief description of the purpose for which the security sensitive substance is purchased or acquired;
 - (e) the number of any licence or permit under which the security sensitive substance is to be dealt with following purchase or acquisition.

23—Records of use or disposal

- (1) It is a condition of a permit authorising the use or disposal of a security sensitive substance that the holder of the permit must ensure that records are kept in accordance with this regulation and retained for a period of at least 5 years.
- (2) A record must be kept of each use or disposal of a security sensitive substance including at least the following information:
- (a) the permit number of the person from whom the security sensitive substance was acquired or, if the substance was acquired before the commencement of these regulations, details of how the substance was acquired;
 - (b) the date of the use or disposal;
 - (c) the type and amount of security sensitive substance used or disposed of;
 - (d) the place at which the security sensitive substance was used or disposed of;
 - (e) a brief description of the use or the method of disposal.

24—Offence to contravene conditions of licence or permit

- (1) If a condition of a licence or permit is contravened, the holder of the licence or permit is guilty of an offence.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (2) This regulation does not apply where the contravention of the condition constitutes an offence against the Act.

25—Variation of licence or permit

- (1) The holder of a licence or permit may apply for the Director to take action under section 48A of the Act to vary or revoke the conditions of the licence or permit or to impose further conditions on the licence or permit (an *application for variation of the licence or permit*).
- (2) The holder of a licence or permit must, at the request of the Director and within the period stated by the Director, return the licence or permit to the Director in order for the licence or permit to be replaced or altered to record action taken under section 48A of the Act.
Maximum penalty: \$1 250.
Expiation fee: \$160.

26—Criteria for determination of applications

- (1) A licence or permit is not to be granted to a natural person unless that person has attained 18 years of age and a licence or permit is not to be granted to a body corporate unless each of the directors has attained 18 years of age.
- (2) A person is not to be approved as a security cleared manager or security cleared agent unless that person has attained 18 years of age.
- (3) The Director may refuse an application for the grant, renewal or variation of a licence or permit if the Director is not satisfied—
 - (a) that the holder or proposed holder of the licence or permit is a suitable person to hold the licence or permit (or the licence or permit as proposed to be varied); or
 - (b) that the holder or proposed holder of the licence or permit has the capacity, or has made or proposes to make appropriate arrangements, to satisfy the requirements of the Act and regulations made under the Act; or
 - (c) that the holder or proposed holder of the licence or permit has a genuine reason for carrying out the activity authorised or to be authorised by the licence or permit (or the licence or permit as proposed to be varied).
- (4) The Director may refuse an application for the approval of a security cleared manager or security cleared agent if the Director is not satisfied that the person is a suitable person to be so approved.
- (5) Without limiting subregulation (3) or subregulation (4)—
 - (a) a person who is the subject of an adverse security assessment within the meaning of the *Australian Security Intelligence Organisation Act 1979* of the Commonwealth will not be regarded as a suitable person to hold a licence or permit or to be approved as a security cleared manager or security cleared agent; and
 - (b) in assessing the suitability of a person, the Director may have regard to the character and reputation of the person and the person's close associates and may, without limitation, take into account relevant offences.

- (6) If, under the Act, the Director has an absolute discretion to grant or refuse to grant an application, this regulation does not fetter that discretion and is to be read as an expression of the intention of the Director at the time this regulation came into operation.

27—Applications

- (1) An application under this Part—
- (a) must be made to the Director; and
 - (b) must conform to the requirements of the Director about its form, contents and the manner in which it is made; and
 - (c) must, in the case of an application for a licence or permit, specify the purposes for which the person requires the licence or permit; and
 - (d) must, in the case of an application for a licence or permit, be accompanied by proof (to the satisfaction of the Director) of the applicant's identity and age, or, if the applicant is a body corporate, the identity and age of each of the directors; and
 - (e) must, in the case of an application for approval of a security cleared manager or security cleared agent, be accompanied by proof (to the satisfaction of the Director) of the identity and age of the person proposed to be approved; and
 - (f) must, in the case of an application for approval of a security management plan, be accompanied by the supporting material referred to in regulation 15; and
 - (g) must be accompanied by the fee fixed by these regulations (if any).
- (2) The Director may, by written notice—
- (a) ask the applicant to give the Director further information, documents or records relevant to the application (including reports about the person's physical or mental health); or
 - (b) ask the applicant to allow persons authorised by the Director to inspect premises, vehicles, plant or security sensitive substances proposed to be used by the applicant in connection with activities proposed to be authorised by the licence or permit; or
 - (c) ask the applicant, a close associate of the applicant, a person proposed to be approved as a security cleared manager or security cleared agent or a close associate of such a person to submit to the taking of photographs; or
 - (d) ask the applicant, a close associate of the applicant, a person proposed to be approved as a security cleared manager or security cleared agent or a close associate of such a person to obtain from the Commissioner of Police such reports on the person as the Director considers necessary, or to provide consents appropriate for the obtaining of such reports (and the cost of obtaining the reports is to be borne by the applicant).

Note—

However, a person who has been approved as a security cleared manager or security cleared agent for a licence or permit within the previous 3 years and whose approval has not been revoked will not be asked to obtain reports or provide consents if an application is made for approval of the person as a security cleared manager or security cleared agent for another licence or permit.

- (3) The Director may refuse the application if a person does not comply with such a request.
- (4) The applicant may, with the approval of the Director or at the request of the Director, amend the application before the Director has finished considering it.

- (5) The Director may, as the Director considers appropriate, accept a single application from an applicant in respect of different activities of the applicant or activities of the applicant at different locations or may require separate applications.

28—Licence or permit may include photograph

- (1) A licence or permit granted to a natural person will, if the Director so determines, include a photograph of the holder of the licence or permit.
- (2) For that purpose, an applicant for a licence or permit who is a natural person may be required by the Director—
- (a) to attend at a specified place to have the applicant's photograph taken; or
 - (b) to supply the Director with 1 or more photographs of the applicant as specified by the Director.

29—Suspension or revocation of licence or permit or revocation of approval

- (1) The Director may suspend or revoke a licence or permit if satisfied that—
- (a) the licence or permit was obtained improperly; or
 - (b) the holder of the licence or permit—
 - (i) has ceased to engage in the activity authorised by the licence or permit; or
 - (ii) has not paid fees or charges payable to the Director within the required time; or
 - (iii) has contravened the Act, regulations under the Act or a law of the Commonwealth or another State or a Territory of the Commonwealth that regulates activities involving explosives; or
 - (iv) has ceased to be a suitable person to hold the licence; or
 - (c) the activities authorised by the licence or permit should not be continued because the security risks, or the risks of harm to persons, property or the environment, associated with the activity are unacceptably high.
- (2) A suspension under this regulation may be for a specified period, or until the fulfilment of specified conditions, or until further order of the Director.
- (3) A suspension under this regulation may be expressed to have effect at a specified future time, or to have effect at a specified future time unless a specified condition is fulfilled.
- (4) The Director may revoke an approval of a person as a security cleared manager, or security cleared agent, for a licence or permit if satisfied that—
- (a) the approval was obtained improperly; or
 - (b) the person approved has contravened the Act or a law of the Commonwealth or another State or a Territory of the Commonwealth that regulates activities involving explosives; or
 - (c) the person has ceased to be a suitable person to be approved.
- (5) Before the Director acts under this regulation, the Director must—
- (a) give written notice to the holder of the licence or permit of the proposed action specifying the reasons for the proposed action; and
 - (b) unless satisfied that urgent action is required, allow the holder of the licence or permit at least 14 days within which to make submissions to the Director in relation to the proposed action.

- (6) If the Director suspends or revokes a licence or permit, the holder of the licence or permit must return the licence or permit to the Director within 14 days.
- Maximum penalty: \$1 250.
- Expiation fee: \$160.

30—Production of licences, permits, approvals and records

- (1) An inspector may require the holder of a licence or permit to produce for inspection the licence or permit or approvals or records pertaining to the licence or permit under these regulations.
- (2) A person who does not comply with a requirement of an inspector under subregulation (1) is guilty of an offence.
- Maximum penalty: \$5 000.
- Expiation fee: \$315.

31—False or misleading statements

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided or record kept under these regulations.

Maximum penalty: \$5 000.

32—Police reports

The Commissioner of Police must, at the request of the Director, provide to the Director any information required by the Director for the purpose of determining an application for a licence, permit or approval or whether a licence, permit or approval should be suspended or revoked.

Part 5—Appeal

33—Right of appeal

- (1) The following appeals may be made to the Administrative and Disciplinary Division of the District Court:
- (a) an applicant for a licence or permit may appeal against a decision of the Director—
 - (i) to refuse to grant the licence or permit; or
 - (ii) to impose particular conditions on the licence or permit;
 - (b) a person who holds or formerly held a licence or permit may appeal against a decision of the Director—
 - (i) to suspend or cancel the licence or permit; or
 - (ii) to impose or vary particular conditions on the licence or permit.
- (2) Subject to this regulation, an appeal must be instituted within 1 month of the making of the decision appealed against.
- (3) The Director must, on application by a person seeking to appeal a decision of the Director, state in writing the reasons for the decision.

- (4) If the reasons of the Director are not given in writing at the time of making a decision and the person affected by the decision, within 1 month of the making of the decision, requires the Director to state the reasons in writing, the time for instituting an appeal runs from the time when the person receives the written statement of those reasons.

Part 6—Miscellaneous

34—Exemption

- (1) The Director may, by notice in the Gazette, exempt a class of persons, substances or activities from the application of the Act or specified provisions of the Act.
- (2) An exemption is subject to any conditions stated in the notice.
- (3) An exemption may be varied or revoked by further notice in the Gazette.
- (4) A person who has been exempted from the application of the Act or specified provisions of the Act must not contravene a condition of the exemption.

Maximum penalty: \$5 000.

Expiation fee: \$315.

35—Waiver of fees

The Director may waive a fee (or part of a fee) payable under these regulations if satisfied it is appropriate to do so in a particular case.

Example—

If an applicant for the grant or renewal of a licence or permit holds an authorisation under the law of another State or a Territory of the Commonwealth authorising activities that are substantially the same as those sought to be authorised by the licence or permit (whether or not this result is achieved by means of the imposition of conditions), the Director may waive the application fee or part of the application fee.

Schedule 1—Fees

- | | | |
|---|---|------|
| 1 | Application for grant or renewal of licence or permit (regardless of the number of licences or permits to be granted to the applicant, or held by the applicant to be renewed, at the same time) | \$45 |
| 2 | Application for variation of licence or permit | \$45 |
| 3 | If a licence or permit is to be granted or renewed for a period that is less than or more than 36 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of the licence or permit period in months bears to 36 months. | |

Schedule 2—Related variations and transitional provisions

Part 1—Preliminary

1—Variation provisions

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

Part 2—Variation of *Explosives Regulations 1996*

2—Variation of regulation 1.05—Interpretation

Regulation 1.05—after the definition of *Schedule* insert:

security sensitive substance has the same meaning as in the *Explosives (Security Sensitive Substances) Regulations 2006*.

3—Insertion of regulation 3.A1

Before regulation 3.01 insert:

3.001—Application of Part

This Part does not apply in relation to a security sensitive substance.

4—Insertion of regulation 6.01A

Before regulation 6.01 insert:

6.001—Application of Part

This Part does not apply in relation to a security sensitive substance.

5—Insertion of regulation 7.01A

Before regulation 7.01 insert:

7.001—Application of Part

- (1) Subject to this regulation, this Part does not apply in relation to a security sensitive substance.
- (2) If a security sensitive substance is transported together with explosives of any other kind, the security sensitive substance must be taken into account under this Part (see especially regulation 7.10, 7.13 and 7.18) on the basis—
 - (a) in the case of ammonium nitrate blasting intermediate, that it is an explosive of Division 1.1D; and
 - (b) in any other case, that it is an explosive of Division 1.1D with a mass that is half its actual mass.
- (3) In this regulation—

ammonium nitrate blasting intermediate means security sensitive ammonium nitrate comprised of an emulsion, suspension or gel, primarily made up of ammonium nitrate (with or without other inorganic nitrates) and containing other substances such as oxidisers and fuels, and intended for use as a blasting explosive following modification prior to use.

6—Insertion of regulation 10.01A

Before regulation 10.01 insert:

10.001—Application of Part

This Part does not apply in relation to a security sensitive substance.

7—Insertion of regulation 11.01A

Before regulation 11.01 insert:

11.001—Application of Part

- (1) If—
 - (a) ammonium nitrate blasting intermediate; or
 - (b) a quantity of security sensitive substance other than ammonium nitrate blasting intermediate exceeding 100 tonnes,

is stored together with or in the vicinity of other explosives, the security sensitive substance must be taken into account under this Part (see especially regulations 11.05 and 11.06) on the basis that it is an explosive of category ZZ.
- (2) If a quantity of security sensitive substance other than ammonium nitrate blasting intermediate not exceeding 100 tonnes is stored together with or in the vicinity of other explosives, the security sensitive substance must be taken into account under this Part (see especially regulations 11.05 and 11.06) on the basis that it is an explosive of category ZZ with a mass that is half its actual mass.
- (3) In this regulation—

ammonium nitrate blasting intermediate means security sensitive ammonium nitrate comprised of an emulsion, suspension or gel, primarily made up of ammonium nitrate (with or without other inorganic nitrates) and containing other substances such as oxidisers and fuels, and intended for use as a blasting explosive following modification prior to use.

8—Insertion of regulation 13.01A

Before regulation 13.01 insert:

13.001—Application of Part

This Part does not apply in relation to a security sensitive substance.

9—Variation of regulation 14.001—Application of Part

Regulation 14.001—after "fireworks" insert:

or security sensitive substances

Part 3—Transitional provisions

10—Current licences and permits relating to security sensitive substances

- (1) These regulations apply to a licence relating to a security sensitive substance that was in force immediately before the commencement of this clause.
- (2) A permit relating to a security sensitive substance that was in force under the *Explosives Regulations 1996* immediately before the commencement of this clause will be taken to be a permit issued under these regulations (and will expire on the date on which the permit would have expired under the *Explosives Regulations 1996*).

- (3) If there is a conflict between the conditions of such a licence or a permit as in force immediately before the commencement of this clause and the conditions imposed by these regulations, the conditions imposed by these regulations prevail.

Made by the Governor

with the advice and consent of the Executive Council
on 25 January 2006

No 14 of 2006

DPC015/04CS

South Australia

Fisheries (General) Variation Regulations 2006

under the *Fisheries Act 1982*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of Fisheries (General) Regulations 2000

- 4 Variation of regulation 6—Protected fish (section 42 of the Act)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries (General) Variation Regulations 2006*.

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 *Fisheries (General) Regulations 2000*

4—Variation of regulation 6—Protected fish (section 42 of the Act)

- (1) Regulation 6(c)—delete "Leafy sea dragon (*Phycodurus eques eques*)"
- (2) Regulation 6—after paragraph (d) insert:
 - (e) fish of the family Syngnathidae.

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 25 January 2006

No 15 of 2006

MAFF05/0041CS

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CITY OF BURNSIDE
DEVELOPMENT ACT 1993

*Burnside (City) Development Plan
Historic (Conservation) Zone No. 2 Plan Amendment Report—
Draft for Public Consultation and Interim Operation*

NOTICE is hereby given that the City of Burnside has prepared a draft Historic (Conservation) Zone No. 2 Plan Amendment Report (PAR) to amend the Burnside (City) Development Plan.

In summary, the draft Plan Amendment Report will amend the Burnside (City) Development Plan by:

- Extending the Historic (Conservation) Zone into parts of the suburbs of Toorak Gardens, Tusmore, Kensington Gardens and Glenunga and creating five new Policy Areas to better reflect the individual character of these areas.
- Amending policy relating to the existing Historic Conservation Policy Areas 1-4. This will also include the addition of a statement of Established Historic Character for each Policy Area.
- Amending Table Bur/1—Conservation and Development Guidelines for Historic (Conservation) Zones to include conservation and development guidelines and examples which are appropriate for early 20th Century Architecture, in addition to that which is relevant to architecture of an earlier period.

In order to prevent inappropriate development and promote orderly planning, the draft Plan Amendment Report has been granted 'interim development control' pursuant to section 28 of the Development Act 1993, giving the amendments immediate effect.

The draft Historic (Conservation) Zone No. 2 Plan Amendment Report will be available for public inspection during normal office hours at the Council Office and Library, City of Burnside, 401 Greenhill Road, Tusmore S.A. 5065 and is available on Council's website at www.burnside.sa.gov.au from Wednesday, 25 January 2006 to Wednesday, 12 April 2006. A hard copy of the Plan Amendment Report can also be obtained from the Council.

Written submissions regarding the draft Historic (Conservation) Zone No. 2 Plan Amendment Report will be accepted by the City of Burnside, until 5 p.m. on Wednesday, 12 April 2006. The written submission should also clearly indicate whether you wish to speak at the public hearing on your submission. All submissions should be addressed to the Chief Executive Officer, City of Burnside, P.O. Box 9, Glenside, S.A. 5065.

Copies of all submissions received will be available for inspection by interested persons at the Council Offices, 401 Greenhill Road, Tusmore, from Thursday, 13 April 2006 until the date of the public hearing.

A public hearing will be held at 7 p.m. on Thursday, 4 May 2006 in the Council Chambers, 401 Greenhill Road, Tusmore, at which time interested parties may appear and be heard in relation to the draft Historic (Conservation) Zone No. 2 Plan Amendment Report and the submissions. The public hearing may not be held if no submission indicates an interest in speaking at the public hearing.

Dated 25 January 2006.

B. WILLIAMS, Acting Chief Executive Officer

CITY OF CHARLES STURT
DEVELOPMENT ACT 1993

Charles Sturt (City) Development Plan—District Centre (West Lakes) Zone Building Height and Design Plan Amendment Report—Draft for Public Consultation

NOTICE is hereby given that the City of Charles Sturt has prepared a draft Plan Amendment Report to amend the Charles Sturt (City) Development Plan. The District Centre (West Lakes) Zone Building Height and Design Plan Amendment Report affects land within the District Centre (West Lakes) Zone.

The Plan Amendment Report proposes to amend the Charles Sturt (City) Development Plan by introducing provisions which deal with the District Centre (West Lakes) Zone and more particularly, Policy Areas 22 and 23 with respect to:

- Establishing a 4-storey (15 m) height limit within the Lakefront Mixed Use Policy Area 23.
- Listing residential development as non-complying within the Retail Core Policy Area 22.
- Improving the Desired Future Character Statement for the Lakefront Mixed Use Policy Area 23 by outlining specific references to desired land-uses within the policy area, the desired building design and identifying the direction sought with respect to improving the public realm and environment.
- New provisions which deal with density, building design, and appearance of new development as viewed from the lake.
- Urban design provisions within the Lakefront Mixed Use Policy Area 23.
- Modifications to Concept Plan Figure DCe(WL)/1 to detail maximum height limits, pedestrian links, and desired sightlines from Brebner Drive to the lakefront.

The draft Plan Amendment Report and statement will be available for public inspection and purchase during normal office hours at the Council Office, 72 Woodville Road, Woodville, Civic Library and West Lakes Library and is available on Council's website at www.charlessturt.sa.gov.au from Wednesday, 25 January 2006 to Monday, 27 March 2006. A copy of the Plan Amendment Report can be purchased from the Council at \$10 each.

Written submissions regarding the draft amendment will be accepted by the City of Charles Sturt until 5 p.m. on Monday, 27 March 2006. The written submission should also clearly indicate whether you will wish to speak at the public hearing on your submission. All submissions should be addressed to the Chief Executive, City of Charles Sturt, P.O. Box 1, Woodville, S.A. 5011.

Copies of all submissions received will be available for public inspection by interested persons at the Civic Centre, 72 Woodville Road, Woodville, from Monday, 27 March 2006 until the date of the public hearing.

A public hearing has been set for Wednesday, 26 April 2006 at 6 p.m. at the Council's Civic Centre, 72 Woodville Road, Woodville.

Persons wishing to be heard at the public hearing are requested to indicate their intention in their submission. The public hearing may not be held if no submission indicates an interest in speaking at the public hearing.

Please note that this Plan Amendment Report is on interim operation from Wednesday, 25 January 2006. The policies in the Plan Amendment Report now apply.

Dated 25 January 2006.

P. LOCKETT, Chief Executive

CITY OF PLAYFORD
DEVELOPMENT ACT 1993

*Playford (City) Development Plan
Munno Para District Centre Plan Amendment Report—
Draft for Public Consultation and Interim Development Control*

NOTICE is hereby given that the City of Playford has prepared a draft Plan Amendment Report to amend the Playford (City) Development Plan. The Plan Amendment Report affects the existing Munno Para District Centre Zone only, bounded by Anderson Walk to the north, Main North Road to the east, Munno Para Boulevard to the south and Warooka Drive and Konanda Drive to the west.

The Plan Amendment Report will amend the Playford (City) Development Plan by introducing new policies and policy areas associated with the sense of place, land uses, built form and movement systems.

The Minister for Planning and Urban Development has approved, pursuant to section 28 of the Development Act 1993, that the Plan Amendment Report be placed on interim operation as it is in the interests of orderly and proper development that the amendment should come into operation without delay.

The draft Plan Amendment Report is available for public inspection during normal office hours at the City of Playford Civic Centre at Elizabeth Regional Centre and the Customer Service Office at the Munno Para District Centre Library, located within the Munno Para Shopping City.

It is also available on Council's website at:

www.playford.sa.gov.au

from Wednesday, 25 January 2006 to Monday, 27 March 2006. Copies of the Plan Amendment Report can be gained from the Council free of charge.

Written submissions regarding the draft amendment will be accepted by the City of Playford until Friday, 24 March 2006. The written submission should also clearly indicate whether you will wish to speak at the public hearing on your submission. All submissions should be addressed to the Chief Executive Officer of the City of Playford.

Copies of all submissions received will be available for inspection by interested persons at the abovementioned Council office from Tuesday, 28 March 2006 until the date of the public hearing. A public hearing will be held at 7 p.m. on Wednesday, 12 April 2006, at the City of Playford Council Chambers located at the Playford Civic Centre, Elizabeth Regional Centre. The public hearing may not be held if no submission indicates an interest in speaking at the public hearing.

Dated 25 January 2006.

T. JACKSON, Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Change of Name of a Portion of a Public Road Assignment of Names for New Roads

NOTICE is hereby given that the Council of the City of Port Adelaide Enfield at its meeting held on 27 September 2005 resolved that pursuant to section 219 (1) of the Local Government Act 1999, that a portion of a certain public road in the suburb of Ethelton be changed and the new roads, all in the suburb of Ethelton be assigned the street names, as detailed below:

- Portion of Rennie Road marked '1' on Plan 1 be changed to Wirra Drive.
- New road as marked '1' on Plan 1 be assigned the street name Wirra Drive.
- New road as marked '2' on Plan 1 be assigned the street name Yambo Close.
- New road as marked '3' on Plan 1 be assigned the street name Yao Cove.
- New road as marked '4' on Plan 1 be assigned the street name Karra Cove.
- New road as marked '5' on Plan 1 be assigned the street name Parri Crescent.
- New road as marked '6' on Plan 1 be assigned the street name Kudlyo Close.
- New road as marked '7' on Plan 1 be assigned the street name Yeltu Court.

A plan that delineates the area of public road which is subject to the change of street name and the new roads subject to assignment of street names, together with a copy of the Council's resolution is available for inspection at the Council's Principal Office, 163 St Vincent Street, Port Adelaide, S.A. 5015, during the hours of 9 a.m. and 5 p.m. on weekdays.

H. J. WIERDA, City Manager

THE BERRI BARMERA COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Fuller Road, Berri

NOTICE is hereby given pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that The Berri Barmera Council proposes to make a Road Process Order to close, sell and transfer to Lloyd William Wright and Lisa Ruth Bradley the portion of Fuller Road adjoining allotment 23 in Deposited Plan 49924, shown marked 'A' on Preliminary Plan No. 05/0065.

A copy of the plan and statement of persons affected are available for public inspection at Council's Office, 19 Wilson Street, Berri and the office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any application for easement or objections must be made in writing within 28 days from Tuesday, 31 January 2006, to the Council, P.O. Box 229, Berri, S.A. 5343 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details. Where a submission is made, Council will give notification of a meeting to deal with the matter.

Dated 25 January 2006.

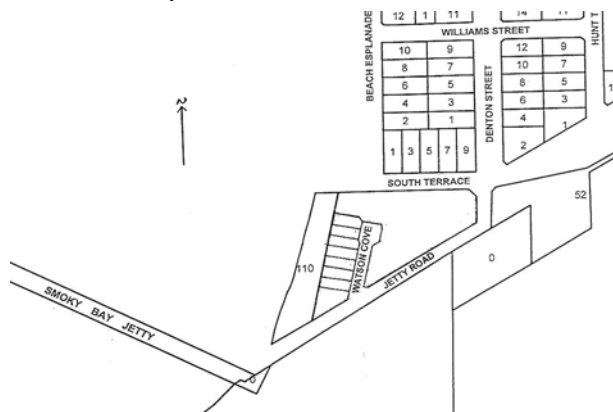
S. RUFUS, Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA

Assignment of Road Names

NOTICE is hereby given that the Council has resolved pursuant to Division 5, section 219 of the Local Government Act 1999, to assign the following names to Council's roads as per map below:

Name: Watson Cove
Jetty Road



A copy of the plan identifying the road locations is available at the District Council of Ceduna Office, 44 O'Loughlin Terrace, Ceduna, S.A. 5690.

T. SMART, Acting Chief Executive Officer

DISTRICT COUNCIL OF MOUNT BARKER

Declaration of Public Road

NOTICE is hereby given that pursuant to section 208 (4) of the Local Government Act 1999, the District Council of Mount Barker resolved at its meeting held on 19 December 2005, to declare the land described as portion A, West Terrace in Deposited Plan 1376 and Portion B, Scotland Road and part West Terrace in Deposited Plan 1375, Nairne, to be public roads.

A. STUART, Chief Executive Officer

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

- Bissett, Agnes Alexander Daly*, late of 30 Evan Avenue, Salisbury, home duties, who died on 24 November 2005.
- Fox, Thomas*, late of 47 Ballard Road, Smithfield Plains, retired public servant, who died on 30 November 2005.
- Graham, Kitty Marian*, late of 150-164 Bay Road, Encounter Bay, of no occupation, who died on 14 November 2005.
- Harris, Frederick William John*, late of 80 Moseley Street, Glenelg South, of no occupation, who died on 1 November 2005.
- Kiedyk, Frank Augusta*, late of 4 Sullivan Terrace, O'Sullivan Beach, retired handyman, who died on 3 December 2005.
- Nemeth, Steven*, late of Second Street, Port Pirie West, of no occupation, who died on 30 June 2005.
- Sainsbury, James Arthur*, late of 9 Jasmine Avenue, Marion, retired public servant, who died on 18 November 2005.
- Sommer, Edythe Alice*, late of 51 Eve Road, Bellevue Heights, of no occupation, who died on 9 November 2005.

Spurling, Milton Bernard, late of 18 Payton Avenue, Dernancourt, retired associate director, who died on 18 September 2005.

Thomas, Olive Edith, late of 34 Norman Terrace, Everard Park, widow, who died on 30 November 2005.

Todd, Margaret Mary, late of 34 Desmond Road, Hackham, widow, who died on 22 November 2005.

Twine, Peggy Irene, late of 17-19 Cornhill Road, Victor Harbor, retired storekeeper, who died on 8 November 2005.

Williams, Lilian, late of 17-19 Cornhill Road, Victor Harbor, of no occupation, who died on 5 November 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 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 3 March 2006, 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 25 January 2006.

C. J. O'LOUGHLIN, Public Trustee

IN the matter of the estate of the undermentioned deceased person:

Thomas, Alan Glenn, late of Unit 2, 4 East Terrace, Clare, retired bank manager, who died on 5 December 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 24 February 2006, 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 above 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 25 January 2006.

ANZ EXECUTORS & TRUSTEE COMPANY LIMITED
(ACN 006 132 332), 530 Collins Street,
Melbourne, Vic. 3000.

IN the matter of the estate of the undermentioned deceased person:

Cox, Shirley Florence, late of Modbury Aged Care Facility, 84 Reservoir Road, Modbury, S.A. 5092, who died on 30 July 2005.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the abovenamed estate are directed to send full particulars of such claims to the undersigned on or before 17 February 2006, otherwise they will be excluded from the distribution of the estate.

Dated 25 January 2006.

PERPETUAL TRUSTEES SA LIMITED
(ACN 008 273 916), Level 12/123
Pitt Street, Sydney, N.S.W. 2000.

UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys held by Hardy Wine Company Limited (ABN 86 008 273 907) over \$10 as at January 2006

Name	Address	Total Amount Due \$	Date Payable
Baimbridge, Colin John.....	7 Kieandu Court, Ferntree Gully, Vic. 3156	34.65	October 1999
Baker, James Austin.....	P.O. Box 315, Reservoir, Vic. 3073	35.00	October 1999
Butler, Jennifer Anne.....	19 Gleneagles Drive, Sunbury, Vic. 3429	38.50	April 1999
Butler, Jennifer Anne.....	19 Gleneagles Drive, Sunbury, Vic. 3429	38.50	October 1999
Byrne, Matthew Neil and Donna Mitchell.....	Address unknown	70.00	April 1999
Gaunt, John.....	P.O. Box 243, North Melbourne, Vic. 3051	210.00	April 1999
Gaunt, John.....	P.O. Box 243, North Melbourne, Vic. 3051	210.00	October 1999
Graham, Donald Gordon.....	P.O. Box 5133, Bundaberg West, Qld 4670	70.00	October 1999
Hellen, Alistair.....	77 Kedron Brook Road, Wilston, Qld 4051	21.00	October 1999
Hellen, Clohe.....	77 Kedron Brook Road, Wilston, Qld 4051	21.00	October 1999
Hopkins, Marian.....	39 Thorne Crescent, Mitchell Park, S.A. 5043	38.50	October 1999
Leith, Peter James.....	C/o G.P.O. Box 1903, Adelaide, S.A. 5001	11.62	April 1999
Leith, Peter James.....	C/o G.P.O. Box 1903, Adelaide, S.A. 5001	11.62	October 1999
Leytbury Pty Ltd (Super Fund A/C)...	151 Ashburn Grove, Ashburton, Vic. 3147	154.00	April 1999
Longden, David John.....	96 Nicholson Road, Subiaco, W.A. 6008	45.50	April 1999
Loveless, Sharon.....	10 Beenak Road, Wandin East, Vic. 3139	17.50	April 1999
McCulloch, Christian.....	6/186 Forbes Street, Carrington, N.S.W. 2294	80.50	April 1999
McCulloch, Christian.....	6/186 Forbes Street, Carrington, N.S.W. 2294	80.50	October 1999
Mnan Investments.....	Address unknown	231.00	October 1999
Parkinson, David.....	P.O. Box 2151, Port Moresby, NCD Papua New Guinea	46.62	April 1999
Rubira Investments Pty Ltd.....	C/o Reardon & Associates, 15 Cobden Street, North Melbourne, Vic. 3051	112.60	October 1999
Solomon, Aaron.....	18 Kambala Road, Bellevue Hill, N.S.W. 2023	140.00	April 1999
Solomon, Aaron.....	18 Kambala Road, Bellevue Hill, N.S.W. 2023	140.00	October 1999
Williams, Dr. Peter.....	155 St Johns Road, Glebe, N.S.W. 2037	35.00	October 1999
Wilson, Ben and Paul.....	24 Waters Road, Neutral Bay, N.S.W. 2089	11.62	October 1999
Wood, William Colin.....	254 Belmore Road, Balwyn, Vic. 3103	192.50	October 1999
	Total	2 097.13	

ATTENTION

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

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